



THE SECURITY SECTOR LEGISLATION OF UKRAINE



2017

Oleksandr Lytvynenko, Philipp Fluri, Valentyn Badrack

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For a wide range of readers.

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Editors: O. Lytvynenko, P. Fluri, V. Badrack
Project coordinator: Valentyn Badrack
Design: Valeriya Chumak

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CONTENTS

FOREWORD	7
Olexandr Lytvynenko	7
Philipp Fluri	8
Valentyn Badrack	9
PART I	11
The Constitutional Framework of Ukrainian National Security and Defence Policy	11
Declaration of Ukrainian State Sovereignty	11
Verkhovna Rada of Ukraine Resolution “On Declaration of Independence of Ukraine”	14
Act of Declaration of Independence of Ukraine, August 24, 1991	14
Constitution of Ukraine	15
PART II	49
The Legislative and Conceptual Framework for the Provision of National Security and Implementation of Defence Policy	49
Law of Ukraine “On Fundamentals of National Security of Ukraine”	49
Law of Ukraine “On Defence of Ukraine”	59
Law of Ukraine “On Defence Planning”	72
Law of Ukraine “On the Legal Regime of Martial Law”	76
Law of Ukraine “On the Legal Regime of a State of Emergency”	88
Law of Ukraine “On Mobilisation Preparation and Mobilisation”	96
Law of Ukraine “On the National Security and Defence Council of Ukraine”	116
Law of Ukraine “On Democratic Civilian Control of State Military Organisation and Law Enforcement Bodies”	121
Decree of the President of Ukraine “On the National Security and Defence Council of Ukraine Resolution of March 1, 2014 ‘On Urgent Actions to Protect National Security, Sovereignty and Territorial Integrity of Ukraine’”	131
Decree of the President of Ukraine “On the National Security and Defence Council of Ukraine Resolution of September 12, 2014, ‘On Integrated Actions to Strengthen National Defence Capacity, and on Draft Law Proposals Relating to State Budget of Ukraine 2015, with Respect to Budget Items Dealing with National Security and Homeland Defence of Ukraine’”	133

Decree of the President of Ukraine “On Decision of the National Security and Defence Council of Ukraine on May 5, 2015, “On the National Security Strategy of Ukraine”	137
Decree of the President of Ukraine “On Decision of the National Security and Defence Council of Ukraine on September 2, 2015: “On a New Version of the Military Doctrine of Ukraine”	149
Decree of the President of Ukraine “On the Decision by the National Security and Defence Council of Ukraine of March 4, 2016 “On the Concept of Development of Security and Defence Sector of Ukraine”.....	166
Decree of the President of Ukraine “On the Decision by the National Security and Defence Council of Ukraine of May 20, 2016 “On the Strategic Defence Bulletin of Ukraine”.....	194
PART III	211
The Legislative Framework for the Development and Reform of the Armed Forces of Ukraine	211
Law of Ukraine “On the Armed Forces of Ukraine”.....	211
Law of Ukraine “On Military Duty and Military Service”.....	219
Law of Ukraine “On Alternative (Non-Military) Service”.....	256
Law of Ukraine “On the Legal Regime of Property in the Armed Forces of Ukraine”	261
Law of Ukraine “On Economic Activity in the Armed Forces”	264
Law of Ukraine “On the Particularities of Privatisation of Enterprises under the Management of the Ministry of Defence”.....	267
Law of Ukraine “On Use of Defence Lands”	271
Decree of the President of Ukraine “Regulation on Ukrainian Citizens’ Performance of Service in the Military Reserve of the Armed Forces of Ukraine”.....	273
Decree of the President of Ukraine “Regulation on Military Service of Foreigners and Apatriides in the Armed Forces of Ukraine”	289
PART IV	295
The Legislative Framework for Defence Industry Activities	295
Law of Ukraine “On the State Defence Procurement Order”.....	295
Law of Ukraine “On Space Activity”	302
Decree of the President of Ukraine “On Measures to Maximize Efficiency of Defence-Industrial Complex of Ukraine”.....	311
PART V	313
The Legislative Framework for Ensuring State Security	313
Law of Ukraine “On the Security Service of Ukraine”.....	313
Law of Ukraine “On Intelligence Services”	325
Law of Ukraine “On Counterintelligence Activity”.....	334
Law of Ukraine “On the Fight Against Terrorism”	340
Law of Ukraine “On State Protection of Organs of State Power and Their Officials”.....	355

Law of Ukraine "On State Secrets".....	364
Law of Ukraine "On the National System of Confidential Communication".....	384
Law of Ukraine "On Foreign Intelligence Service of Ukraine".....	386
Law of Ukraine "On Military Civil Administrations".....	388
Law of Ukraine "On Ratification of the Council of Europe Convention on the Prevention of Terrorism	397
PART VI.....	409
Development of the State Military Organisation	409
Law of Ukraine "On the State Border Service".....	409
Law of Ukraine "On the State Border".....	426
Law of Ukraine "On an Exclusive (Sea) Economic Zone of Ukraine".....	435
Law of Ukraine "On Border Control".....	443
Law of Ukraine "On the National Guard of Ukraine".....	459
Law of Ukraine "On the State Special Transport Service".....	476
Decree of the President of Ukraine "On the Decision by the National Security and Defence Council of Ukraine from March 15, 2016 "On Cyber Security Strategy of Ukraine".....	485
PART VII.....	493
The Legislative Framework for the Participation of Ukraine in International Peacekeeping Activities, Military and Military-Technical Co-operation	493
Law of Ukraine "On Participation in International Peacekeeping Operations".....	493
Law of Ukraine "On the Procedure of Sending Armed Forces' Units to Other States".....	497
Law of Ukraine "On the Procedure for the Reception of Foreign Armed Forces Units in Ukraine and the Conditions of Stay".....	501
Law of Ukraine "On State Control Over International Military Transfers and Dual Use Goods".....	511
Law of Ukraine "On Adopting the Protocol on Explosive Remnants of War".....	528
Law of Ukraine "On Ratification of the Agreement between the European Union and Ukraine Establishing a Framework for the Participation of Ukraine in the European Union Crisis Management Operations".....	532
Decree of the President of Ukraine "On Decision of the National Security and Defence Council of Ukraine of April 24, 2009, 'On a Strategy of International Peacekeeping Activity of Ukraine".....	538
PART VIII.....	545
The Legislative Framework for the Social Protection of Servicemen and Members of Their Families	545
Law of Ukraine "On Social and Legal Protection of Servicemen and Members of Their Families".....	545
Law of Ukraine "On Pension of Persons Discharged from Military Service and Other Persons".....	569

Law of Ukraine "On the Status of Veterans of Military Service, Veterans of Law Enforcement Organs and Other Persons and Their Social Protection"	594
Law of Ukraine "On the Status of War Veterans and Guarantees of Their Social Protection"	600
Decree of the President of Ukraine "On Decision of the National Security and Defence Council of Ukraine of May 16, 2008, 'On Granting Combatant Status to Ukrainian Citizens who Participated in International Peacekeeping Operations'	624
PART IX.	627
The Legislative Framework for Law Enforcement and Regulations within the Armed Forces and other Security Formations	627
Law of Ukraine "On the State Bureau of Investigation"	627
Law of Ukraine "On Detective Investigative Activity"	650
Law of Ukraine "On Prevention of Corruption"	661

Law of Ukraine “On the Legal Regime of Martial Law”

(Bulletin of the Verkhovna Rada, 2015, No 28, p. 250)

With changes introduced by the Laws

No 766-VIII of 10.11.2015, BBP, 2015, No 52, p. 482;

No 1420-VIII of 16.06.2016.

This law defines the content of the Martial Law legal regime (the procedure for its introduction and termination, the legal basis for the activities of State Executive, Local Self Government organs, the Military Command, military administrations, enterprises, institutions and organisations under Martial Law, the guarantees of human and freedoms as well as the rights and legitimate interests of all legal persons) and the responsibility for any violation or failure to observe Martial Law legislation.

PART I. GENERAL PROVISIONS

Article 1. Definition of Martial Law

1. Martial Law is a special legal regime that is introduced in Ukraine in case of an armed aggression or a threat of an attack, a threat to state sovereignty and territorial indivisibility of Ukraine. This rule involves granting the relevant State Executive, Local Self Government organs, the Military Command and military administrations, necessary powers to prevent threats, repel armed aggression and to guarantee national security, remove the threat of danger to national security of Ukraine and its territorial integrity. It also involves temporary (threat determined) restrictions of human constitutional rights and freedoms as well as the rights and legitimate interests of all legal persons with an indication of the period of effectiveness for these restrictions.

Article 2. The legal base of introduction of Martial Law

1. The legal basis for the introduction of Martial Law is the Constitution of Ukraine, the present Law and other laws of Ukraine as well as Presidential Decrees approved by the Verkhovna Rada of Ukraine.

Article 3. The Military Command

1. The present Law gives the Military Command together with the State Executive, military administrations, the Council of Ministers of the Autonomous Republic of Crimea and Local Self Government organs the right to introduce and undertake legal measures under Martial Law. The Military Command consists of the following components:

The General Staff of the Armed Forces of Ukraine, the Joint Operational Headquarters of the Armed Forces of Ukraine, the command of the services of the Armed Forces of Ukraine, the Special Operations Command of the Armed Forces of Ukraine, Command of the High-mobile Airborne troops of the Armed Forces of Ukraine, headquarters of operational commands, commands of joint units and units of the Armed Forces;

Headquarters of other military formations, created in accordance with the Laws of Ukraine.

Article 4. The Military Administrations

1. In territories where martial law has been declared, temporary state authorities – military administrations – can be created, in order to enforce the Constitution and laws of Ukraine, and provide for joint implementation with the military command of the measures entailed by the legal status of martial law, defence, civil protection, civil law and order, protection of civil rights, freedoms and lawful interests.
2. The decision to create a military administration is made by the President of Ukraine, by proposal of regional state administration or the military command.
3. Military administrations of population centres are created in one or several population centres (villages, townships, towns) where village, township or town councils and/or their executive bodies are not exercising the authority vested in them by the Constitution and laws of Ukraine, including due to actual self-dissolution or self-removal from authority, or actual failure to exercise such authority.

The military administration of a population centre is directed by the head, appointed to and dismissed

from their position by the President of Ukraine, by proposal of the General Staff of the Armed Forces of Ukraine or a respective regional state administration.

The structures and staffing tables of military administrations of population centres are approved by the head of the General Staff – the Supreme Commander of the Armed Forces of Ukraine, by proposal of the head of the appropriate military administration.

4. Military administrations in districts or regions are created in case a district or regional council, respectively, fails to hold a session within the timeframe established by the Law of Ukraine “On Local Self-Government in Ukraine”, or in order to carry out governance in the sphere of ensuring defence, civil order, and security. In case a decision is made to create a district or regional military administration, the district or regional council, respectively, assumes the status of a military administration, and the head of the district or regional council assumes the status of the head of the appropriate military administration.
5. Military administrations of population centres are staffed with military service personnel of military formations created according to the laws of Ukraine, members of private and officer corps of law enforcement bodies, and the civil protection service, who are dispatched to them according to the procedure established by the legislation, to carry out tasks in the interests of state security and defence, while continuing military service, or service in law enforcement bodies or civil protection bodies and divisions, without exclusion from the personnel list; as well as with employees who concluded a labour agreement with the General Staff of the Armed Forces of Ukraine.

In case a district or regional state administration assumes the status of a regional or regional military administration, respectively, posts of state officials in such administrations can be filled with military service personnel of military formations created according to the laws of Ukraine, members of private and officer corps of law enforcement bodies, and the civil protection service, who are dispatched to them according to the procedure established by the legislation, to carry out tasks in the interests of state security and defence, while continuing military service, or service in law enforcement bodies or civil protection bodies and divisions, without exclusion from the personnel list.

The list of posts in military administrations of population centres to be filled with military service personnel of military formations or members of private and officer corps of law enforcement bodies, as well as the list of posts that can be filled with military service personnel of military formations or members of private and officer corps of law enforcement bodies in district or regional military administrations, are approved by the President of Ukraine by proposal of the head of the General Staff – the Supreme Commander of the Armed Forces of Ukraine.

6. Financing of the activity of military administrations to exercise the authority of bodies of local self-government is carried out at the expense of respective state budgets, and financing of their other functions, at the expense of the State Budget of Ukraine.
7. Direction, co-ordination, and oversight of the activity of regional military administrations in the issues of ensuring defence, civil order and security, and of carrying out measures entailed by the legal status of martial law, are carried out by the General Staff of the Armed Forces of Ukraine, and in the other issues, by the Cabinet of Ministers of Ukraine, within the scope of its authority.

Direction, co-ordination, and oversight of the activity of district military administrations in the issues of ensuring defence, civil order and security, and of carrying out measures entailed by the legal status of martial law, are carried out by the General Staff of the Armed Forces of Ukraine and regional military administrations (if created), and in the other issues, by the Cabinet of Ministers of Ukraine and regional state administrations, within the scope of their authority.

General governance over the activity of military administrations of population centres is carried out by heads of appropriate district state administrations or heads of district military administrations (if created).

Direct governance of military administration is carried out by their heads.

8. Military administrations of population centres, as well as district and regional military administrations, created due to the failure of the district or regional council to hold a session within the timeframe estab-

lished by the Law of Ukraine “On Local Self-Government in Ukraine”, exercise their authority until the day of the first meeting of the first session of the respective council elected after the martial law is no longer in effect. District or regional military administrations created to provide governance in the sphere of ensuring defence, civil order and security exercise their authority until the martial law is no longer in effect.

Article 5. The Procedure for the Introduction of Martial Law

1. The National Security and Defence Council of Ukraine submits proposals to introduce Martial Law to the President of Ukraine.
2. In case the decision on expediency of introduction of Martial Law in Ukraine or separate territories of the country is made, the President of Ukraine issues Decree introducing Martial Law in Ukraine or separate territories of the country and immediately submits to the Verkhovna Rada of Ukraine request for its approval along with the relevant draft.
3. A Presidential Decree introducing Martial Law, approved by the Verkhovna Rada of Ukraine, is made public without delay through the mass media, or in any other method.
4. When Martial Law is introduced in Ukraine or separate territories of the country by Presidential Decree as stipulated by the Constitution of Ukraine and the Procedures of the Verkhovna Rada of Ukraine, it is subject to approval of the Verkhovna Rada of Ukraine within two days from an address made by the President.
5. When Martial Law is introduced in Ukraine or separate territories of the country by Presidential Decree, heads of State Executive and Local Self Government, the companies and the organisations of all forms of ownership shall help in immediate arrival of People’s Deputies of Ukraine on meeting of the Verkhovna Rada of Ukraine and in implementation of their powers.
6. A Presidential Decree introducing Martial Law in Ukraine or separate territories of the country, approved by the Verkhovna Rada of Ukraine, is made public together with the Law on approval of such Presidential Decree and becomes effective simultaneously with entry into force of such Law.

Article 6. Presidential Decree for the Introduction of Martial Law

1. A Decree by the President of Ukraine on the introduction of Martial Law shall specify:
 - 1) A substantiation of the necessity for the introduction of Martial Law;
 - 2) A territorial boundary where Martial Law is introduced, a time of its introduction and its period of effectiveness;
 - 3) The responsibilities of the Military Command, military administrations, State Executive and Local Self Government organs regarding the introduction and execution of measures relating to Martial Law;
 - 4) The tasks to subjects of ensuring civil protection on transfer of unified state system of civil protection, its functional and territorial subsystems in readiness for accomplishment of their missions for the special period;
 - 5) An exhaustive list of human and constitutional rights and freedoms that are to be provisionally restricted through the introduction of Martial Law and establishment of the period of effectiveness of these restrictions, as well as provisional restrictions on the rights and legitimate interests of legal persons with an indication of the period of effectiveness of these restrictions;
 - 6) Other questions stipulated in the present Law.

Article 7. The Termination and Cancellation of Martial Law

1. Martial law in Ukraine or separate territories of the country shall be terminated after the period of its effectiveness ends.
2. The President of Ukraine may cancel the Decree on introduction of martial law in Ukraine or separate territories of the country prior to the end of the period of its effectiveness after the elimination of the threat of attack or danger to independence of Ukraine, the territorial indivisibility of Ukraine, and this termination is to be made public without delay through the mass media.

Article 8. Measures of the legal regime of Martial Law

1. In Ukraine or in certain areas where martial law is introduced, the military command, together with the military administration (in case of formation) may directly or through executive bodies of the Autono-

mous Republic of Crimea, Local Self Governments implement and exercise within temporary constraints of constitutional rights and freedoms of man and citizen, and the rights and legitimate interests of legal persons covered by Presidential Decree Ukraine on the introduction of martial law, the following measures of martial law:

- 1) Place guards at installations vitally important to the national economy and objects providing for the vital needs of the population, as well as establish a special regime for their operation. The Cabinet of Ministers shall adopt the list of national economic installations and objects providing for vital needs of the population and require reinforced protection under martial law.
- 2) Introduce civilian duty provided by capable citizens, not involved in contemporaneous defence activities, defence support activities and not reserved for enterprises, institutions and organisations during a mobilisation period of Martial Law. Furthermore, civilian duty is required for defence works, addressing the consequences of natural disasters, accidents and other emergencies that emerged during martial law. Capable citizens can be called for public works to support the needs of the Armed Forces of Ukraine, other military formations, law enforcement bodies and civic protection forces, to provide for the needs of the national economy and systems providing for vital population needs. Generally, these works do not require special professional training. Persons, called for these public works, shall be granted their previously held occupations, or, in such case that option is not available, a similar job at the same enterprise or organisation provided they accept the offer. The Cabinet of Ministers shall adopt the regulations for organising the public works under the Martial Law and provision of relevant compensation are determined by the Cabinet of Ministers of Ukraine.
- 3) Use the capacities and manpower resources of enterprises, institutions and organisations (both publicly and privately owned) for defence needs to change the system of their work, and to introduce other changes within production activity and working conditions in accordance with the labour legislation;
- 4) Forcefully alienate private and community property, expropriate the property and assets of state enterprises and state commercial organisations for the needs of the state under Martial law. Corresponding legal documentation relating to these appropriations are to be issued at the time of legal confiscation;
- 5) Impose a curfew (a prohibition to be out on the streets during a designated time of the day without special passes or identity cards) and a special screening regime;
- 6) Introduce a special entry-departure procedure, to restrict the freedom of movement of citizens, foreigners, stateless persons as well as their vehicles;
- 7) Examine an individual's documents and, in case of necessity, their belongings, vehicles, luggage, cargo, office premises, dwellings, except within the limitations pre-determined by the Constitution of Ukraine;
- 8) Prohibit peaceful rallies, meetings, marches and demonstrations and other mass gatherings;
- 9) Raise an issue, in accordance with procedures pre-determined by the Constitution and Laws of Ukraine, on the prohibition of the activity of political parties, public organisations, if it threatens the sovereignty, national security, independence, forceful change of Constitutional order, territorial indivisibility of the state, undermining its security, unlawful seizure of state power, propaganda of war, violence, instigation of interethnic, race and religious animosity, as well as threat to rights and freedoms and the health of the citizens of Ukraine;
- 10) Set the prohibition or restrictions on the choice of the place of stay or the residence for persons on the territories under martial law;
- 11) Exercise control over the activity of TV-radio enterprises, print media, publishing houses and other cultural and media enterprises, institutions and organisations; the use of local radio and TV broadcasting stations and printing presses for military needs and the carrying out of educational work among the military and the population; to prohibit the activity of transceiver radio stations of private or collective use and transmission of information over computer networks;

- 12) In case of a violation of the requirements or a failure to perform the measures prescribed by a legal regime of martial law, to seize telecommunication equipment, TV, video, audio equipment, computers and, if the need arises, other technical communication means from enterprises, organisations and institutions (both publicly and privately owned) as well as from private citizens;
 - 13) Prohibit the trade in arms, strong chemical and poisonous substances as well as alcoholic drinks and other substances produced with alcohol;
 - 14) Establish the special regime in the sphere of production and sale of medicines that contain drugs, psychotropic substances and precursors, other strong substances according to the list determined by the Cabinet of Ministers of Ukraine;
 - 15) Seize firearms, ammunition, and cold steel arms from citizens; to seize military and military-training equipment, explosive, radioactive substances and materials, strong chemical and poisonous substances from enterprises, organisations and institutions;
 - 16) Prohibit conscripts and citizens liable for military service and placed on military or special register in the Ministry of Defence of Ukraine, Security Service of Ukraine or Foreign Intelligence Service to change their place of residence without permission from the military commissar or from the head of the relevant body of the Security Service of Ukraine or Foreign Intelligence Service; limit alternative (non-military) service;
 - 17) Introduce for physical and legal persons a military-billet duty system that billets military service personnel, personnel of law enforcement bodies and civil protection units, as well as facilitates the creation of quarter military units, sub-units and other related facilities;
 - 18) Establish procedures for the use of shelters and other installations for the protection of the civilian population and other defence needs;
 - 19) Evacuate civilian population as well as material assets of national and cultural importance from high risk areas in accordance with the list approved by the Cabinet of Ministers of Ukraine;
 - 20) Provide in case of necessity the civilian population with basic food, non-food goods and medicines;
 - 21) Dismiss the heads of the enterprises, organisations and institutions for their failure to fulfil their duties stipulated by present Law and appoint acting heads for the abovementioned enterprises, organisations and institutions.
 - 22) Take additional measures for strengthening the protection of state secrets;
 - 23) Intern (compulsorily settle) citizens of the foreign state that threatens with attack, performs aggression against Ukraine;
 - 24) Perform compulsory evacuation of the detained persons held in temporary detention centres; the suspects and accused persons concerning whom the measure of restraint - the detention is applied, held in pre-trial detention centres; the transfer of convicted persons serving such punishments as arrest, imprisonment on the definite term and the life imprisonment from jails and places of detention located in districts, close to areas of combat operations to the relevant organisations located in the safe areas.
2. In the areas of combat operations, introduction and implementation of measures of legal regime of Martial Law is assigned directly to the Military Command and military administrations (in case of their establishment).
 3. Introduction and implementation of measures of the legal regime of martial law is conducted according to the standard plan of introduction and implementation measures of legal regime of Martial law in Ukraine or in its separate areas, approved by the Cabinet of Ministers of Ukraine.

Article 9. Implementation by State Executive Bodies and Local Self Government Bodies of Their Authority under Martial Law

1. During martial law the President of Ukraine and the Verkhovna Rada of Ukraine operate only on the basis, within powers and according to procedures determined by the Constitution and the laws of Ukraine.
2. The Cabinet of Ministers of Ukraine, other public authorities, Military Command, the military administrations, the Verkhovna Rada of the Autonomous Republic of Crimea, Council of Ministers of the Autonomous Republic of Crimea, local Self Government bodies perform their powers provided by the Constitution of Ukraine, the present Law and other laws of Ukraine.

Article 10. Illegality of the Termination of State Executive Bodies, other State Organs under Martial Law

1. During Martial Law, the authority of the Verkhovna Rada, the Human Rights Ombudsman to the Verkhovna Rada, as well as the Courts, the Public Prosecutor's Office and State Investigation, Prosecution Organs organs conducting counterintelligence activity cannot be terminated.

Article 11. Activity of the President of Ukraine under Conditions of Martial Law

1. Under conditions of martial law, the President of Ukraine:
 - 1) Carries out general governance by implementing and carrying out measures entailed by the legal status of martial law;
 - 2) By proposal of the National Security and Defence Council of Ukraine, makes decisions to involve the Armed Forces of Ukraine, other military formations, and law enforcement bodies, in the implementation of measures entailed by the legal status of martial law;
 - 3) Carries out strategic governance of the Armed Forces of Ukraine, other military formations, and law enforcement bodies, through the General Staff of the Armed Forces of Ukraine;
 - 4) Determines the procedure for performance of military duty.
2. If the term of authority of the President of Ukraine expires while martial law is in effect, their authority shall be prolonged until the accession to the presidency of the newly elected President of Ukraine, elected after martial law is no longer in effect.
3. The authority of the President of Ukraine provided for by the Constitution of Ukraine cannot be restricted under conditions of martial law.

Article 12. The Activities of the Verkhovna Rada of Ukraine under Martial Law

1. In the event of the introduction of Martial Law in Ukraine or in separate locations of the country, the Verkhovna works in a session mode.
2. Heads of State Executive and Local Self Government organs, enterprises, institutions and organisations (owned both publicly and privately) are obliged to assist the Peoples' Deputies during the immediate session of the Verkhovna Rada of Ukraine and in the fulfilment of their individual authority.
3. In the event that a term of the Verkhovna Rada of Ukraine comes to an end during Martial Law, its authority is extended until the day of the first sitting of the first session of the Verkhovna Rada of Ukraine elected after the termination of Martial Law.
4. Under Martial Law, the authorities of the Verkhovna Rada of Ukraine determined by the Constitution of Ukraine cannot be restricted.

Article 13. Distinctiveness Relating to the Enforcement of Normative-Legal Acts under Martial Law

1. The normative-legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea, decisions of the Council of Ministers for the Autonomous Republic of Crimea, decisions by Local Executive organs concerning human rights restricted under Martial Law, are provisionally inapplicable.

Article 14. Authority of the General Staff of the Armed Forces of Ukraine

1. The General Staff of the Armed Forces of Ukraine:
 - 1) Takes part in drafting a standard plan for implementing and providing for the legal status of martial law in Ukraine or its specific localities;
 - 2) Organises for preparation and carries out governance of the Armed Forces of Ukraine, units, divisions, and bodies of other military formations and law enforcement bodies during their implementation of measures entailed by the legal status of martial law;
 - 3) Organises activity of military administrations, commands of branches of the Armed Forces of Ukraine, operational command authorities, and commands of military divisions and units of the Armed Forces of Ukraine in the territory where martial law has been implemented;
 - 4) Drafts and submits for review to the National Security and Defence Council of Ukraine proposals on the involvement of other military formations and law enforcement bodies in the implementation of measures entailed by the legal status of martial law.

Article 15. Authority of Military Administrations

1. In their activities, military administrations are governed by the Constitution of Ukraine, laws of Ukraine “On the Defence of Ukraine”, “On Mobilisation Preparation and Mobilisation”, this Law, and other normative-legal acts. Military administrations exercise their authority according to the procedure determined by laws of Ukraine for the exercise of authority by respective local state administration and local self-government bodies, with consideration to the particulars established by this Law.
2. Military administrations of population centres in respective territory exercise their authority to:
 - 1) Implement and carry out measures entailed by the legal status of martial law;
 - 2) Ensure efficient use of natural, labour, and financial resources;
 - 3) On a contractual basis, involve companies, institutions and organisations, irrespective of their property form, to participate in comprehensive socioeconomic development of villages, townships, and towns, and co-ordinate such work in the respective territory;
 - 4) On a contractual basis, place orders with companies, institutions and organisations for production of goods and performance of works (provision of services) required by the territorial community;
 - 5) Draft and approve the local budget, make amendments to it, and ensure execution of the appropriate budget;
 - 6) Set the rates of local taxes and fees according to the Tax Code of Ukraine, if decisions in these issues were not made by the appropriate council;
 - 7) Make decisions to provide tax and fee exemptions, according to the legislation, if decisions in these issues were not made by the appropriate council;
 - 8) Establish, according to the procedure and within the limits determined by the legislation, tariffs for household, municipal (except for the tariffs established by the national commission for state regulation in the sphere of energy and municipal services), transport, and other services;
 - 9) On a contractual basis, attract funds from companies, institutions and organisations located in the respective territory, irrespective of their property form, funds from the population, as well as budget funds, for construction, expansion, repair and maintenance, on a share basis, of social and industrial infrastructure objects, as well as for environmental protection measures;
 - 10) Manage municipal, household, trade, transport, and communication facilities held in municipal ownership of respective territorial communities; ensure their due maintenance, effective use, and the appropriate degree and quality of service provision to the population;
 - 11) Determine the share of profits to be deducted to the local budget by companies, institutions and organisations held in municipal ownership of respective territorial communities;
 - 12) Manage the property held in municipal ownership of respective territorial communities (except for issues of alienation of municipal property, including through privatisation, and of granting lease of municipal property for a period in excess of one year);
 - 13) Provide apartment (house) owners aid in rebuilding in case their homes are damaged due to combat, terrorist acts, or sabotage; organise, at the expense of own funds and share funding, construction, reconstruction and repair of municipal and social facilities, residential houses, and routes of local importance; carry out, or delegate to a general construction organisation (contractor organisations) selected through a competition, functions of project owner in construction, reconstruction and repair of residences, and other social and municipal infrastructure objects held in municipal ownership;
 - 14) Provide, according to law, town-planning conditions and land development restrictions;
 - 15) Manage educational, health care, cultural, physical education, and sports institutions owned or held by territorial communities, as well as local teen and youth institutions; organise for their material, technical, and financial support;
 - 16) Provide social and cultural facilities held in municipal ownership of respective territorial communities, as well as the population, with fuel, power, gas, and other energy carriers; address the issues of water supply, water disposal, and waste water purification; oversee drinking water quality;

- 17) Address the issue of providing funeral services at the expense of local budgets in connection with burial of citizens living alone, veterans of war and labour, and other categories of financially disadvantaged citizens; provide aid for funeral services in other cases provided for by the legislation;
- 18) Facilitate the organisation of induction of citizens into compulsory military and alternative (non-military) service, as well as their mobilisation, preparation of young people for service in the Armed Forces of Ukraine, organisation of training (testing) and specialise military exercises; ensure that the military commissar's order on mobilisation is made known to companies, institutions and organisations of all property forms, as well as to the population;
- 19) Reserve workplaces for persons liable for military service in companies, institutions and organisations, according to legislation;
- 20) Organise and participate in measures related to mobilisation preparation and civil protection;
- 21) Address, according to legislation, issues related to provision of service premises, residential space, other objects, and municipal services to military units, institutions, and educational institutions of the Armed Forces of Ukraine; oversee the use of such objects and the provision of services;
- 22) Facilitate the organisation of production and supply of goods, services and energy resources ordered from companies and organisations in municipal ownership for the military;
- 23) Take measures to create appropriate conditions for the functioning of checkpoints on the state border of Ukraine;
- 24) Assist the State Border Guard Service of Ukraine in maintaining the appropriate state border regime;
- 25) Establish increased security for important national economic entities and entities providing for sustenance of the population;
- 26) Address, according to the law, issues of land-relations regulation (except for issues of alienation of land plots from municipal ownership, and of granting lease of such land plots for a period in excess of one year);
- 27) Address, according to the law, issues of providing permits for specialised use of natural resources of local importance, for a period not exceeding one year, and issues of canceling such permits;
- 28) Create, according to the law and at the expense of the local budgets, institutions that provide free basic legal aid; appoint and dismiss heads of such institutions; involve, according to the procedure established by law, natural persons or legal entities under private law in providing free basic legal aid;
- 29) Facilitate the work of the court, prosecutors, judicial bodies, security services, bodies of the national police, public defender's office, and the State Criminal Enforcement Service of Ukraine;
- 30) Hear information from prosecutors and heads of the bodies of the national police on the state of law and order, crime prevention, protection of civil order, and the results of activity in the respective territory;
- 31) Cancel acts of the executive bodies of the respective council that do not adhere to the Constitution, laws of Ukraine, other legislative acts, or resolutions of the respective council, made within the scope of its authority;
- 32) Establish, according to legislation, regulations to ensure cleanliness and order in population centres, regulations for market trade, and regulations for maintaining peace in public places, the violation of which incurs administrative liability;
- 33) Within the scope determined by the law, make decisions in the issues of protection of the population and territories against emergencies, liquidate the consequences of emergencies, provide relief in case of natural disasters, epidemics, epizootics;
- 34) Make decisions on early termination of authority of the bodies of territorial citizen self-organisation, in cases provided for by the law;
- 35) Create, according to legislation, municipal emergency rescue services; address the issues of the staff numbers of such services and their upkeep expenses; develop and carry out measures to ensure material and technical support for the work of municipal emergency rescue services;

- 36) Provide for centralised temporary storage of archive documents collected in the course of documenting official, labour or other legal relations between legal entities and natural persons in the respective territory, and other archive documents not included in the National Archive Fund;
- 37) Address the issue of collection, transportation, utilisation and neutralisation of household waste; neutralisation and burial of animal bodies;
- 38) Organise local markets;
- 39) Establish the working order of municipal, trade, public catering, and household services companies held in municipal ownership of respective territorial communities;
- 40) Approve routes and schedules of local passenger transport irrespective of its property form, co-ordinate these issues in respect of transit passenger transport in cases provided for by the legislation;
- 41) Provide for appropriate upkeep and security of cemeteries and other burial sites;
- 42) Involve companies, institutions and organisations not held in municipal ownership of respective territorial communities in providing transport and communication services to the population.

Military administrations of population centres exercise the delegated authority of executive authorities provided to bodies of local self-government by laws of Ukraine.

3. District and regional military administrations exercise in the respective territory, in addition to the authority of local state administrations, the authority to implement and carry out measures entailed by the legal status of martial law; district and regional military administrations created due to the failure of the district or regional council to hold a session within the timeframe established by the Law of Ukraine "On Local Self-Government in Ukraine", also exercise the authority to:
 - 1) Draft and approve district and regional budgets, respectively, make amendments to them, approve budget execution reports; distribute funds provided from the state budget as subsidies and subventions between district budgets, local budgets of towns of regional subordination, villages, townships, and towns of district subordination, respectively;
 - 2) Manage entities jointly owned by the territorial communities of villages, townships, towns and city districts, and managed by district and regional councils (except for the issues of alienation of such objects, including through privatisation); appoint and dismiss heads thereof;
 - 3) Address, according to the law, issues of land-relations regulation (except for issues of alienation of land plots from municipal ownership);
 - 4) Address, according to the law, issues of providing permits for specialise use of natural resources of district or regional importance, respectively, and issues of cancelling such permits;
 - 5) Establish regulations for the use of water collection facilities intended for satisfying the drinking water, household, and other needs of the population, protective sanitary zones of water supply sources; restrict or prohibit the use of drinking water by companies for industrial purposes;
 - 6) Within the scope determined by the law, make decisions in the issues of protection of the population and territories against emergencies, liquidate the consequences of emergencies, provide relief in case of natural disasters, epidemics, epizootics;
 - 7) Establish increased security for entities of national economic importance and entities providing for sustenance of the population;
 - 8) Make decisions to address the court to declare unlawful acts of bodies of local self-government, local executive authorities, companies, institutions, or organisations that restrict the rights of territorial communities in the sphere of their joint interest;
 - 9) Hear information from prosecutors and heads of the bodies of the national police on the state of law and order, crime prevention, protection of civil order, and the results of activity in the respective territory;
 - 10) According to the procedure and limits established by the legislation, set tariffs for municipal services.
4. Head of a military administration:
 - 1) Ensures adherence to the Constitution and laws of Ukraine, as well as acts of the President of Ukraine and appropriate executive authorities, in the respective territory;

- 2) Organises the work of the respective military administration and governs its activity; is personally responsible for the exercise by the military administration of authority vested in it;
- 3) Appoints and dismisses officers, officials, and other employees of the respective military administration;
- 4) Manages budget funds;
- 5) Represents the respective military administration and territorial community in relations with state authorities, bodies of local self-government, civil associations, companies, institutions and organisations of every property form, and citizens;
- 6) Addresses the court to declare unlawful acts of bodies of local self-government, local executive authorities, companies, institutions, or organisations that restrict the rights and interests of the territorial community;
- 7) Concludes agreements according to legislation, on behalf of the territorial community and the respective military administration;
- 8) Within a scope of their authority, issues orders and instructions that have the equivalent legal power as resolutions of the respective council (councils). Orders issued within the scope of authority of local councils shall be made public, except for those containing restricted information;
- 9) Personally receives citizen visitors and ensures that the legislation on the review of addresses by citizens and civil associations is observed in the respective territory.

Article 16. Participation of Military Formations and Law Enforcement Bodies in Measures of Legal Regime of Martial Law

1. In accordance with decision by the National Security and Defence Council of Ukraine enacted by Decree of the President of Ukraine under established legal procedure, military formations formed according to the laws of Ukraine together with law enforcement bodies may be involved in the execution of the tasks aimed at implementation of measures of legal regime of martial law, according to their designation and specifics of activities.

Article 17. Assisting the Activities of the Military Command and Military Administrations

1. Ukrainian State Executive organs, the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, Local Self Government organs, enterprises, organisations and institutions, citizen associations and private citizens are obliged to provide assistance to activity of the Military Command and military administrations during the introduction and execution of martial law.

Article 18. The Interaction of the Military Command and military administrations with the State Executive under Martial Law

1. The procedure for the co-operation between the Military Command and military administrations with Ministries, other Central State Executive regarding the maintenance of martial law, ensuring the security of citizens, the protection of national interests as well as the command or operational command over other military formations and law enforcement bodies, or their joint units, military units, institutions and organisations are pre-determined by the Commander-in-Chief of the Armed Forces of Ukraine.

Article 19. The Guarantees of the Observance of the Legal Regime under Martial Law

1. Under Martial Law, the following is prohibited:
 - The introduction of amendments to the Constitution of Ukraine;
 - The introduction of amendments to the Constitution of the Autonomous Republic of Crimea;
 - The conducting of presidential elections;
 - The conducting of elections for the Verkhovna Rada of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea and Local-Self-Government organs;
 - The conducting of an all-Ukraine and or local referendums;
 - The organising of strikes and mass gatherings.
2. The Verkhovna Rada of Ukraine not later than in 90 days from the date of the termination or cancellation of Martial Law, if the regular or extraordinary elections in relevant organs be carried out in the period on

which Martial Law was introduced, makes the decision to conduct elections of deputies of the Verkhovna Rada of the Autonomous Republic of Crimea or local elections.

Article 20. The Legal Status and the Restrictions on Human and Rights and Freedoms and the Rights and Legitimate Interests of Legal Entities under Martial Law

1. The legal status and the restrictions on human rights and freedoms and the rights and the legitimate interests of legal entities under martial law are pre-determined in accordance with the Constitution of Ukraine, the present Law.
2. Under martial law, rights and freedoms cited in Part 2 of Article 64 of the Constitution of Ukraine cannot be restricted.
3. Work of the persons, called for civil duty, shall correspond to such norms of labour, as minimal salary, minimal holidays and time to rest between the working shifts, maximal duration of the workday, health protection, etc. In case these persons do public works under the contract, their previous jobs and occupations (position) shall be provided for them after the end of the term of civil duty.

Article 21. The Legal Status of Foreigners, Stateless Persons and Legal Entities of foreign countries under Martial Law

1. The legal status of foreigners, stateless persons and legal entities of foreign states, situated in Ukraine while Martial Law is in effect, is pre-determined by the Constitution of Ukraine, the Laws of Ukraine and International Treaties, agreed to be binding by the Verkhovna Rada of Ukraine.

Article 22. The Illegality of Using Martial Law for the Seizure of Power or the Violation of Rights and Freedoms, and or the Rights and Legitimate Interests of Legal Entities

1. The introduction of martial law cannot be used as a justification for torture, cruel, inhumane or degrading treatment that violates a person's dignity. Any attempt to use martial law for the seizure of power entails legal liability.

Article 23. The Indemnification of Damages Inflicted during Martial Law or return of property

1. Forced alienation of the private or municipal property under conditions of legal regime of martial law, in case the preliminary full compensation of cost of such property was not performed, involves the following full recovery of its cost according to the procedure determined by law.
2. Forced alienation of the private citizen and legal entities' property for the purposes of martial law are subject to subsequent and complete compensation to former owner or representative of the former owner in accordance with the procedure pre-determined by law.
3. The former owner of property, forcefully alienated in connection with introduction and implementation of measures of the legal regime of martial law, can request as compensation the provision of different property, if this is possible.

Article 24. Informing the UN Secretary General and Foreign States of the Introduction of a Legal Regime of Martial Law

1. In accordance with the International Pact on Civil and Political Rights, any introduction of Martial Law in Ukraine shall be immediately relayed and brought to the attention of all States and parties to this pact through the UN Secretary General, of any restrictions on human rights and freedoms that are a departure from the responsibilities undertaken in this International Pact, as well as on the limits of these restrictions and the reasons for their introduction.
2. Any notification should also include information on the start date of any termination of the departure from the responsibilities undertaken by the ratification of the International Pact on Civil and Political Rights.
3. Should any limits of the departure from the responsibilities undertaken in the International Pact on Civil and Political Rights or the validity of the restrictions on human rights and freedoms change, the Ukraine must inform the UN Secretary General in accordance with the procedure established by Part I and Part II of this Article.

Article 25. Liability for Violation of the Legal Regime of Martial Law

1. Any person guilty of a violation of the requirements or a failure to carry out the measures prescribed by Martial Law are to be brought to account in accordance with law.

Article 26. The Administration of Justice under Martial Law

1. When martial law is in effect, the courts still exclusively administer justice in Ukraine. Courts created in accordance with the Constitution of Ukraine continue to function.
2. The shortening or acceleration of judicial proceedings is strictly prohibited.
3. In case of impossibility to function for the courts in the territory where martial law is introduced, the territorial cognisance of the legal cases considered in these courts can be changed by the laws of Ukraine, or in the procedure established by the law the location of courts is changed.
4. Establishment of extraordinary and special courts is prohibited.

Article 27. The Control over the Activity of Military Command, the State Executive and the Local Self Government

1. The control over the activities of Military Command of the State Executive and the State Local Government under martial law is carried out by the National Security and Defence Council of Ukraine.

Article 28. Final provisions

1. This Law enters into force from the next day after the date of publication.
Normative-legal acts adopted prior to validation of this Law are effective as long as they comply with the present Law.
2. Consider invalid the Law of Ukraine "On the Legal Regime of Martial Law" 1647-III, 06.04.2000; (Bulletins of the Verkhovna Rada, 2000, No 28, art. 224; 2003, No 27, p. 209; 2009, No 19, p. 258; 2010, No 12, p. 119; 2013, No 15, art. 99; No 21, ст. 208; No 41, арты. 550; 2015, No 16, art. 110).
3. Cabinet of Ministers within one month since the day of coming into effectiveness is obliged:
To prepare and submit to the Verkhovna Rada of Ukraine a proposal on introduction of amendments to the law "On transfer, forceful alienation and confiscation of property under the legal regime of Martial Law or emergency situation" that follow from the present law;
To adopt normative-legal acts necessary for implementation of the present law and to bring Cabinet's decisions into conformity with the present law; and
To ensure the bringing of the normative-legislative acts of Ministries, other Central and Local State Executive into conformity with the present law.

President of Ukraine P. Poroshenko
Kyiv, May 12, 2015 No 389-VIII