



LAW OF UKRAINE

On Securing the Rights and Freedoms of Citizens and the Legal Regime on the Temporarily Occupied Territory of Ukraine

{with changes set forth by the Law No 1237-VII of 6 May 2014}

According to the Constitution of Ukraine, Ukraine is a sovereign and independent state. Ukraine's sovereignty extends throughout its entire territory, which is indivisible and inviolable within its present border. The presence of units of the armed forces of other countries in the territory of Ukraine, in violation of procedures set forth by the Constitution and the Laws of Ukraine, the Hague Conventions of 1907, and the IV Geneva Convention of 1949, as well as contrary to the Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons of 1994, the Treaty on Friendship, Cooperation, and Partnership between Ukraine and the Russian Federation of 1997, and other international legal acts, is an occupation of a part of the territory of the sovereign state of Ukraine and an international unlawful act, subject to all of the consequences provided for by international law.

(the Hague Convention of 1907 – 1, 2, 3, 4, 5, 6, 7)

Humanitarian, social, and economic policy of the state of Ukraine towards the population of the temporarily occupied territory shall be grounded in protection and full-fledged exercise of the national, cultural, social, and political rights of the citizens of Ukraine, including indigenous peoples and national minorities.

Article 1. Legal Status of the Temporarily Occupied Territory of Ukraine

1. The temporarily occupied territory of Ukraine (here and after – temporarily occupied territory) is an integral part of the territory of Ukraine. The application of the Constitution and the laws of Ukraine shall extend to such territory.

Article 2. Objective of This Law

1. This Law defines the status of the territory of Ukraine temporarily occupied as a result of the Russian Federation's armed aggression, establishes a

special legal regime for this territory, defines the special aspects of operation of state bodies, local self-governance bodies, enterprises, institutions, and organizations under this regime, adherence to and protection of human and citizen rights and freedoms, as well as of rights, freedoms, and lawful interests of legal entities.

Article 3. Temporarily Occupied Territory

1. For the purposes of this Law, the temporarily occupied territory of Ukraine shall be defined as follows:

1) The land territory of the Autonomous Republic of Crimea and of the city of Sevastopol and the inland waters of Ukraine adjacent to these territories;

2) The inland waters and territorial sea of Ukraine adjacent to the Crimean Peninsula, the territory of the exclusive (maritime) economic zone along the seaboard of the Crimean Peninsula, and continental shelf of Ukraine adjacent to the coast, which are subject to the jurisdiction of Ukrainian authorities in accordance with international law, the Constitution, and the laws of Ukraine;

3) The air space above the territories specified in clauses 1 and 2 of this Article.

Article 4. Legal Regime of the Temporarily Occupied Territory

1. For the duration of this law, the temporarily occupied territory shall be subject to a special legal regime for crossing the temporarily occupied territory's borders, entering into legal agreements, holding elections and referenda, and exercising other human and citizen rights and freedoms.

2. The legal regime of the temporarily occupied territory of Ukraine shall provide for special procedures for securing the rights and freedoms of citizens of Ukraine residing in the temporarily occupied territory.

3. The legal regime of the temporarily occupied territory may be established, modified, or canceled exclusively by the laws of Ukraine.

Article 5. Protection of Human and Citizen Rights and Freedoms and of Cultural Heritage in the Temporarily Occupied Territory

1. Ukraine shall take all necessary measures to guarantee human and citizen rights and freedoms provided for by the Constitution and the laws of Ukraine and by international treaties to all citizens of Ukraine residing in the temporarily occupied territory.

2. Ukraine shall commit itself to supporting and protecting economic, financial, political, social, informational, cultural, and other ties with citizens of Ukraine residing in the temporarily occupied territory of Ukraine.

3. Responsibility for violations of human and citizen rights and freedoms provided for by the Constitution and the laws of Ukraine, which occur in the temporarily occupied territory, shall be placed on the Russian Federation as the occupying power in accordance with the norms and principles of international law.

4. Compulsory automatic enrollment of Ukrainian citizens, who reside at the temporarily occupied territory, to the citizenship of the Russian Federation is not recognized by Ukraine and is not ground for deprivation of Ukraine's citizenship.

5. The Cabinet of Ministers of Ukraine shall institute permanent monitoring of compliance with human and citizen rights and freedoms in the temporarily occupied territory and shall, on the basis of result of said monitoring, publicize and provide relevant information to international organizations in the area of protection of human and citizen rights and freedoms and takes necessary measures.

The Human Rights Commissioner of the Verkhovna Rada of Ukraine [Ombudsman] shall carry out parliamentary control over adherence to constitutional human and citizen rights and freedoms in the temporarily occupied territory.

6. The responsibility for compensation of pecuniary and moral damages caused to the state of Ukraine, individuals and legal entities, civic organizations, citizens of Ukraine, foreigners, and stateless persons as a result of temporary occupation shall be placed in full on the Russian Federation as the occupying power.

The state of Ukraine shall, by all available means, facilitate the compensation of pecuniary and moral damages by the Russian Federation.

7. The responsibility for protection of cultural heritage in the temporarily occupied territory shall be placed on the Russian Federation as the occupying power in accordance with the norms and principles of international law.

Article 6. Securing the Right of Citizens Residing in the Temporarily Occupied Territory or Resettled Therefrom to Obtain Documents Certifying Ukrainian Citizenship, Personal Identification, or Special Status

1. The issuance of documents certifying Ukrainian citizenship, personal identification, or special status to citizens resettling from the temporarily occupied territory shall be performed by a central executive branch body charged with implementing the state policy in the area of migration (immigration and emigration), including issues of deterring illegal migration, citizenship, registration of individuals, refugees, and other categories of migrants, on the basis of their location.

2. The issuance of documents certifying Ukrainian citizenship, personal identification, or special status to citizens residing at the temporarily occupied territory shall be performed by a central executive branch body charged with implementing the state policy in the area of migration (immigration and emigration), including issues of deterring illegal migration, citizenship, registration of individuals, refugees, and other categories of migrants as set forth by legislation, in a manner set forth by the Cabinet of Ministers of Ukraine.

3. Information from the State Voters Registry may be used for purpose of recording into passports the data on the place of residence or the place of location of the citizens indicated in sections one and two of this Article.

Article 7. Securing the Exercise of Right of Citizens Located in the Temporarily Occupied Territory or Resettling Therefrom to Employment, Pension, Mandatory State Social Insurance, Social Services and Education

(The title of Article 7 is set forth by the Law No 1237-VII of 6 May 2014)

1. The exercise of the right to employment, pension, social insurance for unemployment, temporary disability, occupational accident or disease causing permanent disability, and social services by citizens of Ukraine located in the temporarily occupied territory or resettled therefrom shall be carried out in accordance with the legislation of Ukraine.

2. Pension payments to citizens of Ukraine residing in the temporarily occupied territory and receiving no pension or other payments from authorized entities of the Russian Federation, shall be carried out in a manner set forth by the Cabinet of Ministers of Ukraine.

3. Elderly citizens, individuals with disabilities, children with disabilities, and other citizens of Ukraine experiencing hardship and residing in the temporarily occupied territory shall have the right to receive social services in accordance with the legislation of Ukraine.

4. Homeless persons located in the occupied territory shall have the right to social protection in accordance with the legislation of Ukraine.

5. Citizens of Ukraine who have terminated their employment (or other types of [economic] activity) and resettled from the temporarily occupied territory, and are lacking documents confirming the facts of resignation (termination of employment), periods of employment, and length of insured service, shall be registered as unemployed and shall receive benefits and social services under the mandatory state social insurance for unemployment according to the data of the State Register of the Mandatory State Social Insurance, in a manner set forth by the Cabinet of Ministers of Ukraine.

6. Citizens of Ukraine who have resettled from the temporarily occupied territory without terminating their employment (or other types of [economic] activity) and are unable to continue employment (other types of [economic] activity) in the temporarily occupied territory may, for the purpose of obtaining the unemployed status and receiving unemployment-related benefits and social services, terminate their employment or verify the fact of such termination (other types of [economic] activity) in a court having jurisdiction over their present location. The termination of other types of economic activity, including self-employment, shall be effected by a notice and following a simplified procedure based on the present location, in a manner set forth by the Cabinet of Ministers of Ukraine.

7. Citizens of Ukraine who have resettled from the temporarily occupied territory and do not have the documents necessary for obtaining the status of unemployed (passport of citizen of Ukraine, taxpayer registration card, etc.) may be granted said status on presentation of a temporary personal identification document of a citizen of Ukraine. Until the necessary documentation and information regarding periods of employment, salary (income), and length of

insured service are provided, such persons shall receive minimal state social benefits, as set forth by the Board of the Mandatory State Social Unemployment Insurance Fund of Ukraine.

8. Re-registration of the unemployed who have resettled from the temporarily occupied territory shall be carried out by employment offices at the present location of such persons, in a manner set forth by the Cabinet of Ministers of Ukraine.

9. Citizens of Ukraine who have resettled from the temporarily occupied territory shall have the right to obtain benefits and social services in accordance with the legislation in effect at their actual place of residence, location.

10. Citizens of Ukraine who have resettled from the temporarily occupied territory shall have the right to obtain such technical and other means of rehabilitation and rehabilitation services in accordance with the legislation in effect at their actual place of residence, location in Ukraine.

11. Technical and other means of rehabilitation and rehabilitation services shall be provided on the basis of required documentation confirming the person's right to such means or services or, in the absence thereof, on the basis of the data of the Central Database of Disability Issues (for persons with repeat disability claims), and the individual rehabilitation program for persons or children with disabilities, in a manner set forth by the Cabinet of Ministers of Ukraine.

12. Citizens of Ukraine who reside in the temporarily occupied territory or have resettled are subjects to continue their certain degree studies at the territory of other regions of Ukraine. Such studies will be covered from the State Budget funds. The procedure of covering the cost of studies of these citizens shall be set forth by the Cabinet of Ministers of Ukraine.

Citizens identified in paragraph one of this section participate in a competitive testing of entrants to state and public high educational establishments of Ukraine in compliance with generally defined procedure. Dormitory is provided for the period of their studies. If according to the results of competitive testing these entrants fail to get places in entrants' rating list eligible for budget funding, an educational establishment extends this list in a manner set forth by the Cabinet of Ministers of Ukraine in order to cover from the State Budget funds additional costs for studies of citizens who reside at temporarily occupied territory or resettled from it.

(Article 7 is supplemented with item twelve as set forth by the Law No 1237-VII of 6 May 2014)

Article 8. Protection of Electoral Rights of Citizens of Ukraine in the Temporarily Occupied Territory

1. During the elections of the President of Ukraine, the people's deputies of Ukraine, and the All-Ukrainian referendum, voting of the citizens of Ukraine shall not be organized or conducted in the temporarily occupied territory.

2. Citizens of Ukraine residing in the temporarily occupied territory shall be provided with the conditions to express their will freely during the elections of the President of Ukraine, the people's deputies of Ukraine, and the All-Ukrainian referendum in rest of the territory of Ukraine.

3. Citizens of Ukraine residing in the temporarily occupied territory shall have the right to exercise their right to vote in such elections or all-Ukrainian referendum by changing their voting venue without changing their electoral address, as set forth by section three of Article 7 of the Law of Ukraine "On State Voters Registry".

4. In the event of a premature termination of the mandate of a people's deputy of Ukraine elected in a single-mandate electoral district within the Autonomous Republic of Crimea or the city of Sevastopol, interim elections to fill the open deputy seat shall not be conducted in this district.

5. Elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, local councils, village, town, or city mayors, and local referenda shall not be conducted on the temporarily occupied territory.

6. Bodies charged with maintaining the State Voters Registry that are established in the territory of the Autonomous Republic of Crimea and the city of Sevastopol shall not carry out such maintenance. Procedures for accessing voter records whose electoral addresses belong to the territory under the jurisdiction of said bodies, for maintenance of the State Voters Registry, and for updating of such records shall be set forth by the Central Elections Commission.

Article 9. Unlawful Bodies, Their Officials, and Staff

1. State bodies and local self-governance bodies created in accordance with the Constitution and the laws of Ukraine, their officials, and staff in the temporarily occupied territory shall act solely on the basis, within the limits of authority, and in a manner set forth by the Constitution and the laws of Ukraine.

2. Activity of any bodies, their officials, and staff in the temporarily occupied territory shall be deemed unlawful if such bodies or officials positions were established, elected, or appointed in a manner not provided for by the legislation of Ukraine.

3. Any act (document, decision) issued by entities or officials described in section two of this Article shall be deemed null and void, and shall give rise to no legal consequences.

4. Establishment of contacts and interaction by state bodies of Ukraine, their officials, local self-governance bodies, and their officials with the unlawful bodies (officials) established in the temporarily occupied territory of Ukraine shall be permitted solely for the purposes of securing the national interests of Ukraine, protecting the rights and freedoms of citizens of Ukraine, executing international treaties duly ratified by the Verkhovna Rada of Ukraine, or facilitating the re-establishment of the constitutional order of Ukraine within the temporarily occupied territory.

Article 10. Special Aspects of Entry in the Temporarily Occupied Territory and Exit Therefrom

1. Citizens of Ukraine have rights for free and unrestricted entry to the temporarily occupied territory and exit from it via entry-exit control points upon presenting document which confirms their identity and Ukrainian citizenship.

2. Entry of foreigners and stateless persons to the temporarily occupied territory and exit from it is allowed only with the special permission via entry-exit control points.

The order of entry of foreigners and stateless persons to the temporarily occupied territory and exit from it shall be set forth by the Cabinet of Ministers of Ukraine.

Article 11. Guarantees of Property Rights and Legal Regime of Property in the Temporarily Occupied Territory

1. Property rights in the temporarily occupied territory shall be protected in accordance with the legislation of Ukraine.

2. The state of Ukraine, the Autonomous Republic of Crimea and the city of Sevastopol, territorial communities, including state community of the city of Sevastopol, state bodies, local self-governance bodies, and other entities of the public law shall preserve their property rights over property, including real estate and land plots, located in the temporarily occupied territory.

3. Individuals, regardless of obtaining a refugee status or other special legal status, as well as enterprises, institutions, and organizations, shall preserve their property rights over property, including real estate and land plots, located in the temporarily occupied territory, provided this right was acquired in accordance with the laws of Ukraine.

4. Acquisition and termination of property rights over real property in the temporarily occupied territory shall be effected in accordance with the laws of Ukraine. In the event that the state registrar shall be unable to exercise its authority regarding state registration of property rights for real property in the temporarily occupied territory, the state registration body shall be designated by the Cabinet of Ministers of Ukraine.

5. Any legal agreement in the temporarily occupied territory that concerns real property, including land plots, which has been entered into in violation of requirements of this Law or other laws of Ukraine, shall be deemed null and void from the moment of conclusion, and shall give rise to no legal consequences, other than those related to its nullity.

6. The ownership of land, its subsoil resources, atmosphere, water, and other natural resources that are located within the territory of Ukraine, the natural resources of its continental shelf and of the exclusive (maritime) economic zone, which are objects of the ownership rights of the people of Ukraine, military property, and the property of state bodies, state-owned enterprises, institutions, and organizations, that are located in the temporarily occupied territory and are the property of Ukraine, can not be transferred to other states, legal or natural person in a manner different of what is envisaged by the law of Ukraine.

Article 12. Legal Response Measures in the Temporarily Occupied Territory

1. As a result of inability of the courts of the Autonomous Republic of Crimea and the city of Sevastopol to administer the justice in the temporarily occupied territories, the venue for court cases, defendants that fall under the jurisdiction of courts located in the Autonomous Republic of Crimea and the city of Sevastopol and consideration shall hereby be changed as follows:

civil cases, defendants that fall under the jurisdiction of local general courts located in the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by local general courts of the city of Kyiv, as designated by the Kyiv City Appellate Court;

administrative cases, defendants that fall under the jurisdiction of local general courts located in the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by local general courts of the city of Kyiv, as designated by the Kyiv Appellate Administrative Court;

civil cases, defendants that fall under the jurisdiction of general appellate courts in the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by the Kyiv City Appellate Court;

administrative cases that fall under the jurisdiction of the Circuit Administrative Court of the Autonomous Republic of Crimea shall be considered by the Kyiv Circuit Administrative Court, whereas administrative cases that fall under the jurisdiction of the Sevastopol City Circuit Administrative Court shall be, respectively, considered by the Kyiv City Circuit Administrative Court; and administrative cases that fall under the jurisdiction of the Sevastopol Appellate Administrative Court shall be considered by the Kyiv Appellate Administrative Court;

commercial cases that fall under the jurisdiction of the Commercial Court of the Autonomous Republic of Crimea shall be considered by the Kyiv Oblast Commercial Court, whereas commercial cases that fall under the jurisdiction of the Sevastopol City Commercial Court shall be considered by the Kyiv City Commercial Court; and commercial cases that fall under the jurisdiction of the Sevastopol Appellate Commercial Court shall be considered by Kyiv Appellate Commercial Court, respectively;

criminal proceedings that fall under the jurisdiction of the local (district, city, city district) courts shall be considered by one of the Kyiv City district courts, as designated by the Kyiv City Appellate Court;

criminal proceedings that fall under the jurisdiction of the Appellate Court of the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by the Kyiv City Appellate Court.

Matters that fall under the jurisdiction of the investigating judge at the pretrial investigation stage in criminal proceedings that are conducted at the territory of the Autonomous Republic of Crimea and the city of Sevastopol shall be considered by the investigating judges of the Kyiv City district courts, as designated by the Kyiv City Appellate Court.

Cases that are currently under consideration of the courts located in the Autonomous Republic of Crimea and the city of Sevastopol, which have not been completed, shall be transferred to the appropriate venue as set forth by this Law,

within ten business days from the effective date of this Law or from the day of falling under such jurisdiction.

In the event of damages caused by the foreign state-owned entities and non-residents, the venue shall be based on the location of the damages, taking into consideration the jurisdictional rules set forth by this Law.

2. Investigative jurisdiction over criminal offenses committed in the temporarily occupied territory of Ukraine shall be designated by the Office of the Prosecutor General of Ukraine. Pretrial investigation materials for crimes at the pretrial investigation stage in criminal proceedings shall be transferred to the appropriate investigative bodies, as designated by the Office of the Prosecutor General of Ukraine.

Article 13. Special Aspects of Engaging in Economic Activity in the Temporarily Occupied Territory

1. Special aspects of engaging in economic activity in the the temporarily occupied territory are set forth by the law.

Article 14. Special Aspects of Discharging the Citizens of Ukraine from Service in the Armed Forces of Ukraine in Military Units and Law Enforcement Bodies As Related to the Temporarily Occupation

1. Military personnel of military units and law enforcement bodies of Ukraine, who have arrived from the temporarily occupied territory and expressed (under the condition of justified grounds) the desire to be discharged from service shall be discharged from said service, during the special period also, on justified grounds, and, in the event of absence of such grounds, on the grounds of staff redundancy, if they pledged regarding the discharge in three monthes after the arrival from the temporarily occupied territory.

2. Military personnel of military units and law enforcement bodies of Ukraine who have not arrived to the points and within the timeframes specified by the military units and law enforcement bodies of Ukraine shall be deemed to have abandoned their military units, and shall be attached under command of the relevant officials. Relevant information regarding search for such personnel shall be dispatched to law enforcement authorities.

3. Military personnel of military units and law enforcement bodies of Ukraine who have enlisted in the armed forces, special services or law enforcement bodies of the Russian Federation, as verified by documentary proof, shall be removed from the personnel lists of military units and law enforcement bodies of Ukraine, and their contracts shall be deemed terminated from the moment of enlistment (or receipt of information on their enlistment) in the armed forces special services or law enforcement bodies of the Russian Federation.

Article 15. Special Aspects of Home Accomodation Privatisation, that is Located in the Temporarily Occupied Territory, by Millitary Personnel of Military Units and Law Enforcement Bodies of Ukraine

1. Millitary personnel of military units formed in compliance with the law of Ukraine and law enforcement bodies of Ukraine, who served in the

territory of the Autonomous Republic of Crimea and the city of Sevastopol, and members of their families are entitled to privatize home accommodation for permanent residence, home accommodation provided by the Government and home accommodation in dormitories located in the territory of the Autonomous Republic of Crimea and the city of Sevastopol and obtained in a manner set forth by the law of Ukraine, where they resided on 1 January 2014.

Provisions of the first paragraph of this section is applicable to military personnel of military units and law enforcement bodies of Ukraine who continue their military service in other regions of Ukraine or are discharged from the military service in 2014 in compliance with section one of Article 14 of this Law.

2. Privatisation of home accommodations occupied by military personnel of military units and law enforcement bodies as well as members of their families, which are listed in section one of this Article, is free of charge in spite of the size of home accommodation that is privatized as well as despite fulfillment their legal right for accommodation privatization before this Law shall become effective.

3. Privatization procedure for home accommodations listed in section one of this Article shall be set forth by the Cabinet of Ministers of Ukraine.

4. Gaining private ownership right for home accommodations listed in section one of this Article, which are located in temporarily occupied territory, by the military personnel of military units and law enforcement bodies of Ukraine as well as members of their families does not deprive them of the right to privatize an accommodation located in different regions of the territory of Ukraine in compliance to the Law of Ukraine “On Privatization the State Accommodation Fund”.

Article 16. Transfer of Judges

Judges assigned to the courts of Ukraine in the territory of the Autonomous Republic of Crimea and the city of Sevastopol, who have expressed the desire to relocate from said territory as a result of its temporary occupation by the Russian Federation, shall be guaranteed the right to be transferred to the judicial position of a court in different area of the territory of Ukraine.

Article 17. Commitments of the State Bodies of Ukraine

1. In the event of violation of the provisions of this Law, the state bodies of Ukraine shall use mechanisms provided for by the legislation of Ukrainian and the norms of international law, for the purposes of protection of peace, security, rights, freedoms, and legal interests of citizens of Ukraine who remain in the temporarily occupied territory of Ukraine, as well as the legal interests of the state of Ukraine.

2. Ukraine shall commit itself to using all possible measures provided for by the Constitution of Ukraine, the legislation of Ukraine, and the norms of international law, in order to liberate the territory of Ukraine from occupation, to restore the integrity and sovereignty of the state, and to restore human and citizen rights and freedoms violated as a result of the occupation within the entire territory of Ukraine, in the speediest possible manner.

3. In the event the state bodies shall be unable to carry out their operations in the temporarily occupied territory, the [temporary] location of state bodies established in accordance with the Constitution of Ukraine and the laws of Ukraine shall be determined by the Cabinet of Ministers of Ukraine.

Article 18. Guarantees of Rights and Freedoms of Citizens of Ukraine Who Relocated from the Temporarily Occupied Territory

1. Citizens of Ukraine are guaranteed the full observance of their rights and freedoms provided for by the Constitution of Ukraine, including their social, labor, electoral, and educational rights, upon their relocation from the temporarily occupied territory.

2. Expenses for measures provided for by this Law shall be borne by the State Budget of Ukraine, in a manner set forth by the Cabinet of Ministers of Ukraine.

Article 19. Responsibility

Persons guilty of violating the requirements of this Law shall bear responsibility as provided for by the legislation of Ukraine.

II. Transitional Provisions

1. This Law shall become effective on day following its publication.
2. Laws and others normative legal acts of Ukraine shall apply in those parts that do not contradict this Law.
3. The legal regime provided for by this Law shall remain in effect until the full restoration of the constitutional order of Ukraine in the temporarily occupied territory.

4. The following legislative acts of Ukraine are hereby amended:

1) Criminal Code of Ukraine (Vidomosti of the Verkhovna Rada of Ukraine, 2001, Vol. 25-26, Art. 131) shall be supplemented with Article 332¹ reading as follows:

"Article 332¹. Violating the Procedure of Entry in the Temporarily Occupied Territory or Exit Therefrom

1. Violating the procedure of entry in the temporarily occupied territory of Ukraine and exit therefrom, committed with the aim of causing damage to interests of the state –

shall be punishable by restriction of liberty for a term of up to three years or by imprisonment for the same term, with forfeiture of vehicles.

2. The same actions, if committed repeatedly or by a group of people in prior conspiracy, or by an official person using his or her official position –

shall be punishable by imprisonment for a term of three to five years, as well as debarment from holding certain office or engaging in certain activity for a term of up to three years, and with forfeiture of vehicles.

3. Actions provided for by clauses one or two of this Article, if committed by an organized group –
shall be punishable by imprisonment for a term of five to eight years, as well as debarment from holding certain office or engaging in certain activity for a term of up to three years, and with forfeiture of vehicles.";

2) Criminal Procedure Code of Ukraine (Vidomosti of the Verkhovna Rada of Ukraine, 2013, Vol. 9-13, Art. 88):

a) Article 114 shall be supplemented by clause 3 reading as follows:
Court cases involving disputes that arise from the fact of occupation or offenses related to occupation shall be deemed a special category cases, which are adjudicated in accordance with applicable procedural provisions, taking into consideration peculiarities set forth by the Law of Ukraine “On Securing the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine”.

A case shall be designated as such that is connected to occupation on the basis of a judge’s reasoned resolution.

In the event that a foreign element is party to a case, judicial commissions, summons, and other court documents shall be served not later than 15 days prior to the start of a procedural action.

In the event that a state-owned entity, including state bodies, institutions, or organizations, or a legal entity specified under Article 964 cl. 2 of the Criminal Procedure Code of Ukraine is party to a case connected to occupation, all relations shall be carried out through an embassy or a permanent mission.

b) clause 2 of Article 216, after the number “332”, shall be supplemented by the number "3321".

3) Code of Ukraine on Administrative Offenses (Vidomosti of the Verkhovna Rada of the Ukrainian Soviet Socialist Republic, 1984, Vol. 51 Supplement, Art. 1122):

1) Article 202 shall read as follows:

"Article 202. Violating the Border Regime, Regime at the Points of Passage Through the State Border of Ukraine, or Regime Rules in Entry and Exit Checkpoints.

Violating the border regime, regime at the points of passage through the state border of Ukraine, or regime rules in entry and exit checkpoints –

shall be punishable by a fine in the amount of seven to ten non-taxable minimum incomes (imposed on private individuals), or in the amount of ten to twenty non-taxable minimum incomes (imposed on officials).";

2) shall be supplemented by Article 2042 reading as follows:

"Article 2042. Violating the Procedure of Entry to the Temporarily Occupied Territory of Ukraine and Exit Therefrom

Violating the procedure of entry to the temporarily occupied territory of Ukraine and exit therefrom –

shall be punishable by a fine of one hundred to three hundred non-taxable minimum incomes or by an administrative detention for at term of up to 15 days.";

3) Article 221, after the number “2041”, shall be supplemented by the number “2042”;

4) in section 1 of Article 2221, the words “in violation of the border regime or regime at the points of passage through the state border of Ukraine” shall be substituted with the words “in violation of the border regime, regime at the points of passage through the state border of Ukraine, or regime rules in entry and exit checkpoints”;

5) in clause 2 of section 2 of Article 262, the words “violating the border regime or regime at the points of passage through the state border of Ukraine” shall be substituted with the words “violated the procedure of entry to the temporarily occupied territory of Ukraine and exit therefrom, violating the border regime, regime at the points of passage through the state border of Ukraine, or regime rules in entry and exit checkpoints”;

6) section 2 of Article 263 shall read as follows:

“Persons who illegally crossed or attempted to cross illegally the state border of Ukraine, violated the procedure of entry to the temporarily occupied territory of Ukraine and exit therefrom, violated the border regime, regime at the points of passage through the state border of Ukraine, or regime rules in entry and exit checkpoints, maliciously disobeyed a lawful instruction or demand by a military personnel, or by an officer of the State Border Guard Service of Ukraine, or by a member of civilian unit for protection of public order and state border, as well as foreigners and stateless persons who violated the rules of stay in Ukraine or transit through the territory of Ukraine, can be detained for a term of up to three hours for the purpose of drawing up a report; and, where necessary to identify these persons and to investigate the circumstances of an offense – for a term of up to three days, with a written notification to a prosecutor to be given within twenty-four hours from the moment of detention.”

4) Code of Administrative Justice of Ukraine (Vidomosti of the Verkhovna Rada of Ukraine, 2005, Vol. 35-37, Art. 446):

a) Article 19 shall, after section three, be supplemented by a new section reading as follows:

"4. Administrative disputes to appeal the decisions of authorities and officials made at the entry (exit) checkpoints to (from) the temporarily occupied territory, as well as acts or inaction by said entities, shall be resolved by an administrative court at the location of applicable checkpoint.”

In view of this, section four shall be designated section five.

b) section one of Article 1832 shall be supplemented by clause 6 reading as follows:

"6) appeals by individuals of decisions, acts, or inaction by authorities and officials concerning entry to (exit from) the temporarily occupied territory”;

c) paragraph 12 of section one of Article 256, after the number “5”, shall be supplemented with the number “6”;

5) Law of Ukraine “On State Border Guard Service of Ukraine” (Vidomosti of the Verkhovna Rada of Ukraine, 2003, Vol. 27, Art. 208; 2009, Vol. 10-11, Art. 137; 2010, Vol. 6, Art. 46; 2013, Vol. 48, Art. 682):

a) section one of Article 2:

paragraph three, after the words “state border of Ukraine”, shall be supplemented with the words “and to the temporarily occupied territory, and therefrom”;

paragraph nine, after the words “of the state border of Ukraine” and “state border of Ukraine”, shall be supplemented with the words, respectively, “and passage to the temporarily occupied territory and therefrom” and “and in entry and exit checkpoints”;

b) section two of Article 10, after the words “state border of Ukraine”, shall be supplemented with the words “and to the temporarily occupied territory, and therefrom”;

c) Article 19:

clauses 6 and 8, after the words “across the state border”, shall be supplemented with the words “and in entry and exit checkpoints”;

shall be supplemented by a new clause 131 reading as follows:

“131) introduction of regime rules in entry and exit checkpoints”;

d) section one of Article 20:

clause 4 shall read as follows:

"4) through questioning individuals, investigate the grounds for crossing of the state border of Ukraine, entry to the temporarily occupied territory, or exit therefrom, and deny passage across the state border of Ukraine, entry to the temporarily occupied territory, or exit therefrom, by (to) persons without valid documents entitling to passage across the border, or to entry to the temporarily occupied territory and exit therefrom; persons who provided knowingly false information for the purpose of obtaining said documents; persons who are banned from entering Ukraine or temporarily restricted in their right to exit Ukraine on the grounds of violating the legislation on border control issues or on legal status of foreigners by the State Border Guard Service, or by a reasoned written decision by a court or law enforcement authorities; as well as insert relevant notations in the documents of said persons”;

clause 7, after the words “who are passing through the state border of Ukraine”, shall be supplemented by the words “persons who are passing through the entry and exit checkpoints”;

clause 11 shall be supplemented by the words “or are carrying out respective transportations through the entry and exit checkpoints”;

in clause 34, the words “or regime in points of passage through the state border of Ukraine” shall be substituted with the words “regime at the points of passage through the state border of Ukraine, at entry and exit checkpoints, the procedure of entry to the temporarily occupied territory and exit therefrom”;

section five of Article 23:

clause 2, after the words “across the state border”, shall be supplemented with the words “or through entry and exit checkpoints”;

clause 3, after the words “crossing of the state border”, shall be supplemented with the words “or entry to the temporarily occupied territory and exit therefrom”.

6) Law of Ukraine “On Legal Status of Foreigners and Stateless Persons” (Vidomosti of the Verkhovna Rada of Ukraine, 2012, Vol. 19-20, Art. 179; 2013, Vol.21, Art.208, Vol.48, Art.682, Vol.51, Art.716; with amendments brought by the Law of Ukraine of 4 July 2013 №406-VII):

a) Article 13:

section one shall be supplemented by paragraph eight reading as follows:

“if such person is attempting to enter through the entry and exit checkpoints to the temporarily occupied territory without a special permit, or such person has, during his or her prior stay in the territory of Ukraine, exited through the entry and exit checkpoint”;

in section two, the words “two and seven” shall be substituted with the words “two, seven, and eight”;

b) shall be supplemented with Article 141 reading as follows:

"Article 141. Deportation of Foreigners and Stateless Persons to the temporarily Occupied Territory

1. Foreigners and stateless persons who arrived to entry and exit checkpoints from the temporarily occupied territory without the requisite permit shall not be allowed further passage and shall, in the shortest possible term, be deported to the temporarily occupied territory from which they arrived or to the state issuing their passports.

In the event that the immediate deportation of a foreigner or a stateless person is impossible, they shall remain at the entry and exit checkpoint until such deportation.

A notation shall be made in the passports of such foreigners and stateless persons, banning their entry to the territory of Ukraine for a term specified in a decision issued in accordance with section three of Article 13 of this Law.”;

c) Article 20 shall be supplemented with section four reading as follows:

"4. Transit by foreigners and stateless persons through the temporarily occupied territory shall be prohibited.”

7) Law of Ukraine “On Freedom of Movement and Free Choice of Residence in Ukraine” (Vidomosti of the Verkhovna Rada of Ukraine, 2004, Vol. 15, Art. 232):

a) section one of Article 12 shall be supplemented with paragraph eight reading as follows:

"at temporarily occupied territories”;

b) section one of Article 13 shall be supplemented with paragraph eight reading as follows:

"at temporarily occupied territories”.

8) in cl. 3 of section two of Article 9 of the Law of Ukraine “On Border Control” (Vidomosti of the Verkhovna Rada of Ukraine, 2010, Vol. 6, Art.

46), the words “for verification of compliance with requirements concerning the duration of stay in the territory of Ukraine by a foreigner or a stateless person” shall be deleted;

9) Article 26 of the Law of Ukraine “On State Voters Registry” (Vidomosti of the Verkhovna Rada of Ukraine, 2011, Vol.5, Art.34) shall be supplemented with section six reading as follows:

“6. Personal data from the Registry may be used by the central executive branch body charged with implementing state policy in the area of migration (immigration and emigration), including issues of combating illegal migration, citizenship, registration of individuals, refugees, and other categories of migrants as set forth by legislation, in order to carry out its tasks relating to registration/stay of individuals in Ukraine and keeping the record of registration.”

10) Article 23 of the Law of Ukraine “On Electricity Industry” (Vidomosti of the Verkhovna Rada of Ukraine, 1998, Vol. 1, Art. 1; 2013, Vol.28, Art.301; 2014, Vol.2-3, Art.41) shall be supplemented with section four reading as follows:

"Peculiarities of regulation of legal, economic, and organizational relations involving the sale of electricity from the wholesale electricity market of Ukraine to the temporarily occupied territory, as well as relations involving the production, transmission, distribution, supply, purchase, sale, and utilization of electricity in the temporarily occupied territory shall be established by the Cabinet of Minister of Ukraine.”

11) Law of Ukraine “On Amending Certain Legislative Acts of Ukraine Concerning the Implementation of the EU-Ukraine Action Plan on Visa Liberalization (concerning the responsibility of legal entities) ” (Vidomosti of the Verkhovna Rada of Ukraine, 2014, Vol. 12, Art. 183) shall be amended as follows:

a) Article 963 shall read as follows:

1. Grounds for the use of sanctions set forth under criminal law against a legal entity shall include the perpetration, by said entity’s authorized person, or under commission or order by said entity, in conspiracy and in complicity, or in another manner:

1) of any of the crimes provided for by Articles 209, 306, sections one and two of Article 3683, sections one and two of Article 3684, Articles 369, 3692 of this Code, on behalf and in the interests of the legal entity;

2) of any of the crimes provided for by Articles 258-2585 of this Code, on behalf of the legal entity;

3) of any of the crimes provided for by Articles 109, 110, 113, 146, 147, 160, 260, 262, 436, 437, 438, 442, 444, 447 of this Code, on behalf and in the interests of the legal entity.

Note 1. The legal entity’s authorized persons shall include the legal entity’s officials, as well as other persons who, by virtue of law, legal entity’s statutory documents, or agreement, have the right to act on behalf of the legal entity.

2. Crimes provided for by Articles 109, 110, 113, 146, 147, 160, 209, 260, 262, 306, sections one and two of Article 3683, sections one and two of Article 3684, Articles 369, 3692, 436, 437, 438, 442, 444, 447 of this Code shall be deemed as having been committed in the interests of the legal entity, if they are directed towards receipt of illicit benefit by the legal entity or creation of circumstances for receipt of such benefit, as well as towards evasion of responsibility provided for by law.

b) Article 964 shall read as follows:

Legal Entities Subjected to Sanctions Set Forth Under Criminal Law

1. Sanctions set forth under criminal law, in cases envisioned by cl.1 of section one of Article 963 of this Law, may be applied by a court against an enterprise, institution, or organization, except state bodies, bodies of the Autonomous Republic of Crimea, local self-governance bodies, organization founded by them in an established manner, which are fully funded out of the respective state or local budgets, mandatory state social insurance funds, Individual Deposits Guarantee Fund, as well as international organizations.

2. Sanctions set forth under criminal law, in cases envisioned by cl. 2 and 3 of section one of Article 963 of this Law, may be applied by a court to private and public law entities, both residents and nonresidents of Ukraine, including enterprises, institutions, or organizations, state bodies, bodies of the Autonomous Republic of Crimea, local self-governance bodies, organizations founded by them in an established manner, foundations, as well as international organizations, other legal entities established in accordance with national or international law.

If a state or a state-owned entity owns more than 25 percent share in a legal entity, or a legal entity is effectively under control of a state or a state-owned entity, such a legal entity shall bear civil responsibility in full for any illicitly obtained benefit and for any damages caused by a crime that was committed by a state, state-owned entities, or public administration entities.

c) cl. 2 of Article 966 shall be supplemented as follows: “A legal entity subjected to sanctions set forth under criminal law shall be required to indemnify against any losses and damages in full, as well as for the amount of illicit benefit that was obtained or could have been obtained by said legal entity.”

Article 969 shall read as follows:

“1. The legal entity shall be subjected to a court-ordered liquidation in the event that any of the crimes provided for by Articles 109, 110, 113, 146, 147, 160, 260, 262, 258-2585, 436, 437, 438, 442, 444, 447 of this Code shall be committed by said entity’s authorized person.

Clause 2:

Subclause 16 shall read as follows:

“16) Article 214 shall be supplemented with section eight reading as follows:

“8. Information on a legal entity that may be subjected to sanctions set forth under criminal law shall be added by an investigator or a prosecutor to the Unified Registry of Pretrial Investigations immediately following the service on said entity of the notice of suspicion that any of the crimes provided for by Articles 209, 110, 113, 146, 147, 160, 209, 260, 306, sections one and two of Art. 3683,

sections one and two of Art. 3684, Articles 369, 3692, 436, 437, 438, 442, 444, 447 of the Criminal Code of Ukraine, or that any of the crimes provided for by Articles 258-2585 of the Criminal code of Ukraine have been committed on behalf of such legal entity. Investigator or prosecutor shall notify the legal entity about such addition, in writing, not later than the following business day. Proceedings against a legal entity shall be conducted concurrently with the relevant criminal proceedings, under which a person has been declared a suspect.”

Subclause 22 shall read as follows:

“22) Article 284:

in the title, shall be supplemented with the words “and proceedings against a legal entity”;

after section two, shall be supplemented by a new section reading as follows:

“3. Proceedings against a legal entity shall be terminated, if it is established that there are no grounds for applying sanctions set forth under criminal law, as well as in the event of termination of criminal proceedings or issuance of an acquittal verdict against the legal entity’s authorized person.

In the event of termination of proceedings against a legal entity, a prosecutor shall issue a resolution, whereas a court shall make the notation to this effect in an acquittal verdict or issue an order. Decision on termination of proceedings against a legal entity may be appealed in a manner set forth by this Code.”

In view of this, sections three through eight shall be designated, respectively, section four through nine.

paragraph two of section six shall read as follows:

“A copy of a prosecutor’s resolution on termination of criminal proceedings and/or proceedings against a legal entity shall be mailed to a petitioner, victim, his or her representative, suspect, defense attorney, representative of a legal entity that was subject to proceedings.”

b) cl.1 of Part II “Final Provisions” shall read as follows:

“1. This Law is enforced from the moment the Law of Ukraine “On Securing the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine” comes into force.

5. The Cabinet of Ministers of Ukraine:

1) Within 15 days following the effective date of this Law shall:

a) prepare and submit to the Verkhovna Rada of Ukraine draft laws aimed at the enforcement and implementation of provisions of this Law.

b) issue normative legal acts aimed at implementation of this Law;

c) bring its normative legal acts into compliance with this Law;

d) recommend the establishment of a special central executive branch body charged with issues regarding the occupied territory with a special status;

2) Shall ensure:

a) the passage by the executive branch bodies of normative legal acts which derive from this Law;

b) bringing the normative legal acts of executive branch bodies into compliance with this Law;

c) the employment of citizens of Ukraine who have relocated from the temporarily occupied territory to another territory of Ukraine;

d) the removal of the property of state bodies, state-owned enterprises, institutions, and organizations from the temporarily occupied territory;

e) the continuation of secondary and higher education, obtaining of documents certifying the completion of relevant education, as well as passing external independent [secondary school graduation] evaluation, for citizens of Ukraine who have relocated from the temporarily occupied territory to another territory of Ukraine.

6. The Central Election Commission shall take all measures, including adoption of required legal acts, to ensure the exercise of electoral rights by citizens of Ukraine who have relocated from the temporarily occupied territory, during the election of the President of Ukraine on May, 25, 2014.

7. To recommend to the National Bank of Ukraine to pass normative legal acts aimed at implementation of this Law.

**Acting President of Ukraine,
Chairman of the Verkhovna
Rada of Ukraine**

O.TURCHYNOV

**Kyiv
April 15, 2014
No 1207-VII**