

May 17, 2022

## Briefing Note

### Current Situation in Ukraine and the Work and Roles of Parliamentarians

*Prepared by the Parliamentary Centre and the Agency for Legislative Initiatives under the Parliamentary Accountability for the Security Sector (PASS Ukraine) project, funded by the Peace and Stabilisation Operations Program of Global Affairs Canada.*

*The analysis included in this note is based on media reports and information obtained from the Verkhovna Rada and other legislative bodies. It is essential that Ukraine's democratically elected officials continue to perform their duties while enduring Russia's unprovoked, illegal and horrific invasion.*

*This note is for information only and is not meant to convey opinions regarding policy decisions in the Verkhovna Rada's sole purview. The contents of this note do not necessarily reflect the views of PASS partners or Global Affairs Canada.*

*This note may not necessarily reflect the up-to-date current state of affairs as the situation changes every hour. Every attempt is made to ensure the accuracy of all information, acknowledging the rapidly deteriorating humanitarian and security situation, the disruption of the flow of information and organized disinformation all present incredible challenges.*

### SITTING OF THE RADA

#### Legislative Work

- The Verkhovna Rada assembled for a plenary sitting on May 12, 2022. Ten bills were adopted, and 4 bills were adopted at the first reading. The adopted laws mainly focused on economic and law enforcement issues. Furthermore, the Verkhovna Rada approved the 1 Presidential Decree, and appointed the Chairman of the Committee on Agrarian and Land Policy.
- Adopted bills, treaties, appeal, and statement had support in the range of 246 to 334 votes.<sup>1</sup>
- For security reasons, the meeting was held in a semi-secret location. The meeting was not broadcast on television. In addition, the public was not informed about the date or time of the meeting. Information only began to appear during the session.

---

<sup>1</sup> 226 votes are needed to pass an ordinary law, and 300 votes are needed to pass amendments to the Constitution.

## Other aspects of work

- Mark Rutte, Prime Minister of the Netherlands, virtually addressed the Verkhovna Rada of Ukraine. The speech focused on support for Ukraine, democracy, sanctions, and justice.<sup>2</sup> (Video: <https://www.youtube.com/watch?v=JDw3SiqgfSs>)
- In the previous sitting, draft law № 7269 was blocked by hundreds of amendments. However, the draft law was changed and has since been adopted.
- The dissolution of the Opposition Platform for Life was announced. This was preceded by the cessation of its activities. The reason for the dissolution was the withdrawal of a large number of its members. However, former members of the faction continue to work in the “Platform for Life and Peace” group, or as non-party MPs.
- Oleksandr Haida was elected as the new Chairman of the Committee on Agrarian and Land Policy. Mykola Solskyi, the former chairman of the committee, is no longer an MP. He became the Minister of Agrarian Policy and Food of Ukraine.

### Key issues covered by the adopted Laws included:

- №7371 – The Presidential Decree “On the decision of the National Security and Defense Council of Ukraine of May 11, 2022, on the forcible seizure of property rights of the Russian Federation and its residents in Ukraine” was approved.

### Adopted laws:

- № 7269 - Expanding the powers of local self-government to make decisions during martial law.
- №7264 - Reducing the bureaucratic burden on farmers.
- №7289 - Simplification of the provision of land for the needs of the economy, agricultural sector, and citizens of Ukraine during martial law.
- №5266 - Strengthening the protection of workers’ rights.
- №7282 - Solving a number of urban issues that arose as a result of the Russian Federation’s military invasion.
- №3774 - Improvement of the mechanism to counteract raids.
- №7194 - Permission to confiscate the property of those who support Russian aggression, according to a court decision.
- №7249 - Optimization of the tax burden on domestic gas companies.
- № 7360 - Resumption of the Electronic VAT Administration System, so it will be possible to register tax invoices without any problems and move to the renewal of the budget refund.

---

<sup>2</sup> (ENG/UKR video) <https://www.youtube.com/watch?v=JDw3SiqgfSs>



- №7317 - Regulation of the activities of bodies and individuals enforcing decisions during martial law.

Draft laws passed in the first reading (they have not yet become laws):

- Draft law №7284 - Improvement of social protection of privates and officers in the civil protection service.
- Draft law №6173 - Simplification of access to electronic public services, including administrative.
- Draft law №7251 - Simplification of the system of labor legislation.
- Draft law №5371 - Reduction of bureaucratic procedures in the field of labor relations.

### Details

- №7371 – The Presidential Decree “On the decision of the National Security and Defense Council of Ukraine of May 11, 2022, on the forcible seizure of property in Ukraine of the Russian Federation and its residents” was approved. Assets of two Russian banks (worth more than 15 billion UAH) were confiscated.

Adopted laws:<sup>3</sup>

- № 7269 - Expanding the powers of local self-government to make decisions during martial law:
  - o Military administrations of settlements are formed within communities in which local councils, executive bodies, and/or village/city mayors do not exercise the powers vested in them by the Constitution and laws of Ukraine.
  - o The military administration of the settlement is headed by the chief, who is appointed and dismissed by the President of Ukraine on the proposal of the General Staff of the Armed Forces of Ukraine or the relevant regional state administration. The head of the military administration of the settlement may be appointed by the relevant village/city mayor.
  - o The structure of military administrations, approved by the Commander-in-Chief of the Armed Forces of Ukraine, or established regional military administrations.
  - o Military administrations of settlements as well as district and regional military administrations exercise their powers during martial law and 30 days after its termination or abolition.
- №7264 - Reducing the bureaucratic burden on farmers:

---

<sup>3</sup> Draft laws adopted only in the first reading were not included in the text, as their content may be changed before the second reading.

- o Simplification of phytosanitary requirements and the possibility of issuing an electronic phytosanitary certificate.
- o Simplification of the procedure for submitting documents for state registration of pesticides and agrochemicals.
- o Expanding the list of agrochemicals allowed for import into Ukraine, as well as production, trade, use, and advertising without state registration.
- o Postponement of the enactment of the Law of Ukraine “On Veterinary Medicine” for one year after the termination or abolition of martial law, but not later than January 1, 2024.
- №7289 - Simplification of the provision of land for the needs of the economy, agricultural sector, and citizens of Ukraine during martial law:
  - o Communities (in villages and cities) can lease plots of land that become communal property without state registration of communal property rights.
  - o The ability to lease land plots of state and communal property to accommodate the production capacity of enterprises that have been relocated (evacuated) from the combat zone without land auctions or development of land management documentation with strict restrictions on lease conditions. However, it is prohibited to use protected areas (nature, historical, and cultural sites) for such purposes.
  - o The provision of communal land plots used for the temporary stay of internally displaced people will be carried out by the executive bodies of village and city councils.
  - o When the State Land Cadastre is unable to function, special rules for registration of land changes will be established by district military administrations.
  - o For security reasons, the Ministry of Agrarian Policy and Food of Ukraine has the right to suspend and resume the functioning of the State Land Cadastre.
  - o During martial law, special permits for topographic and geodetic surveys are issued by the Security Service of Ukraine.
- №5266 - Strengthening the protection of workers’ rights:
  - o The possibility of requiring a collective agreement by an individual who uses hired labor (it was previously used only by legal entities).
  - o The obligation of the employer to inform and explain the collective agreement to employees.
  - o Extending the sectoral agreement to all employers in the industry.
  - o Determine what is not considered discrimination in the field of labor and what is an unjustified refusal to hire.
  - o Defining the mass dismissal of employees at the initiative of the employer and clarifying how the employer carries out the notification of a mass dismissal.

- №7282 - Solving a number of urban issues that arose as a result of the Russian Federation's military invasion:
  - o Creation of a new urban planning program entitled "Program of integrated restoration of the region, territorial community," which is a regional or local restoration program that defines the main spatial, urban, and socio-economic priorities of restoration policy and includes a set of measures to ensure the restoration of territory.
  - o Accommodation (construction, buildings, and structures) intended for the temporary residence of internally displaced people who have lost their homes as a result of hostilities.
  - o Relocation (evacuation) of production facilities of enterprises from the combat zone and the simplification of construction of engineering and transport infrastructure in the conditions of martial law.
  - o Creating preconditions for the comprehensive restoration of settlements (territories) affected by the war.
- №3774 - Improvement of the mechanism to counteract raids:
  - o The procedure for reviewing complaints was improved and the provisions that allowed people to block the review of complaints by the Ministry of Justice of Ukraine were eliminated.
  - o The obligation to publish the decisions made by the Ministry of Justice of Ukraine on the official website has been introduced.
  - o The term for appealing registration actions (decisions) has been increased from 60 calendar days to 3 months with the introduction of a deadline (3 years from the date of the contested registration action), after which the right to an administrative appeal cannot be exercised.
  - o The possibility of conducting separate registration actions for individuals, entrepreneurs, and legal entities without human intervention.
- №7194 - Permission to confiscate the property of those who support Russian aggression, according to a court decision:
  - o A new type of sanction (recovery in state revenue of assets).
  - o The law can only be applied during martial law through a court decision.
  - o Consideration of these cases will be carried out by the Supreme Anti-Corruption Court with the potential to review the decision.
- №7249 - Optimization of the tax burden on domestic gas companies:
  - o Tax liabilities on rent for the use of subsoil for gas production from April 1, 2022, until the last day of martial law in Ukraine will be suspended or abolished.

- o The effective rate of rent for the use of subsoil for gas production is calculated as the specific tax liability produced in the relevant tax (reporting) period, which is calculated at the actual price of gas.
- № 7360 - Resumption of the Electronic VAT Administration System, so it will be possible to register tax invoices without any problems and move to the renewal of the budget refund:
  - o Registration of tax invoices for February-May 2022 is scheduled for July 15, 2022.
  - o Taxpayers are exempt from liability for late reporting or payment of taxes in the period from February 24, 2022, if these tax obligations have been fulfilled within 60 days from the date of resumption of such an opportunity.
  - o The obligation to pay taxes and submit reports to taxpayers who can fulfill this obligation in a timely manner is restored. The list of documents that will confirm the impossibility of fulfilling tax obligations will be established by the Ministry of Finance.
  - o Taxpayers who have switched to the simplified taxation system with payment of 2% tax are released from liability for late fulfillment of tax obligations from February 24, 2022, until the transition to the simplified system, subject to such obligations within 60 days from the date of transition to the simplified system.
  - o Taxpayers who correct errors by July 20, 2022, are exempt from penalties.
  - o Tax credit amounts included for those goods that were destroyed as a result of the war are included in the tax credit but are not subject to budgetary reimbursement.
  - o It is permitted to import buses, trucks, and special vehicles that comply with Euro-3, but it is forbidden to sell them for 3 years.
- №7317 - Regulation of the activities of bodies and people carrying out the enforcement of decisions during martial law:
  - o Suspension of resolutions of state executors on the establishment of a temporary restriction of the debtor's right to use firearms, pneumatic, and melee weapons.
  - o Prohibition of enforcement on the decisions of debtors engaged in the production, transmission, distribution, supply of electricity, water supply and sewerage, space activities, activities for growing crops, livestock, food production, Internet access, production of vaccines, and research in the field of biological sciences, debtors that are enterprises of the defense-industrial complex, military administration, units, military units, higher military educational institutions, military educational units of higher education institutions, institutions and organizations that are part of the Armed Forces of

- Ukraine, and railway transport enterprises, and decisions on recovery of debts from individuals for housing and communal services.
- o A ban on scheduled and unscheduled inspections of private contractors and the termination of the private performer's activity.