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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

1ST DRAFT LAW

ON AMENDMENTS
TO THE CONSTITUTION OF UKRAINE¹
(Registration number 3207-1 – 1 July 2003)

¹ *Unofficial translation from Ukrainian.*

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Draft

Submitted by members of the Parliament of Ukraine

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THE LAW OF UKRAINE

On Amending the Constitution of Ukraine

The Verkhovna Rada of Ukraine **has resolved:**

Amend the Constitution of Ukraine (Vidomosti Verkhovnoii Rady Ukrainy, 1996, #30, Article 141) as follows:

1. Part three of Article 29 shall be worded as follows:

“In case of an urgent need to prevent a crime from happening, or to stop a crime while it is happening, agencies duly authorized to do so by law, may apply keeping a person under custody as a temporary preventive measure. Its validity shall be checked by a court of law within **forty-eight hours**. A detained person shall be immediately set free if within **forty-eight hours** from the moment he/she is detained he/she is not served a reasoned decision of a court of law on a stay under custody.”

2. Article 59 shall be complemented by Part Three as follows:

“Procedure and ways of rendering legal assistance shall be defined by law.”

3. Article 78 shall be worded as follows:

“Article 78. Members of the Parliament of Ukraine shall fulfill their authority on a full-time basis. A member of the Parliament of Ukraine may not have a different representation mandate, be with the civil service, occupy other positions (including those on a voluntary basis) in government agencies, local self-government bodies, institutions created by such bodies, enterprises, institutions and organizations, undertake entrepreneurial activity or any other paid-for activity (except for lecturing, scientific and creative one), be a member of a governing or a supervisory body of an enterprise, a company, or an organization aimed at obtaining a profit. Requirement on incompatibility of an MP’s mandate with other types of activity shall be established by law.

In case of circumstances that break the requirements about incompatibility of an MP’s mandate with other types of activity, a member of the Parliament of Ukraine, within twenty days, shall stop such activity, or file a personal application on abdication of authority of a member of the Parliament of Ukraine.

Authority of a member of the Parliament of Ukraine shall be defined by the Constitution of Ukraine and the law.”

4. In Article 81:

1) in part two, paragraph 1 shall be worded as follows:

“1) refusal of the office by his/her personal statement, or in case of a failure to fulfill part three of Article 78;

after the paragraph “4” the new paragraph of the following contents shall be added:

“5) failure to exercise MP’s authority for four months without a valid excuse;”

Therefore, paragraph “5” shall be considered paragraph “6”.

2) part three shall be worded as follows:

“A decision about early termination of authority of a member of the Parliament of Ukraine in cases provided for by paragraphs 1, 3, 4, 5 of the part two of this Article shall be taken by the majority from the constitutional membership of the Verkhovna Rada of Ukraine.”

3) after part three, the new part shall be added as follows:

“In case of leaving, or a failure to join by a member of the Parliament of Ukraine, elected by list of a political party (block of parties) of a parliamentary faction of a given party (block of parties), his/her powers shall be terminated prematurely by a court of law.”

Therefore, part four shall be considered part five;

4) complemented by part six as follows:

“In case of death of a member of the Parliament of Ukraine, his authority shall be terminated from the state of issuance of a death certificate.”

5. Part five of Article 82 shall be worded as follows:

“Organization and procedure of activity of the Verkhovna Rada of Ukraine shall be established by the Constitution of Ukraine and the Rules of the Verkhovna Rada of Ukraine.”

6. In Article 85:

1) in part one, paragraphs 3, 12, 18 – 21, 24, 25, 27, and 29 of part one shall be worded as follows:

“3) adoption of laws and their interpretation;”

“12) appointment, following a proposal of the President of Ukraine of the Prime-Minister of Ukraine, dismissal from the office and acceptance of resignation of the Prime-Minister of Ukraine; approval of appointments of members of the Cabinet of Ministers of Ukraine by proposal of the Prime-Minister of Ukraine, and termination of his/her authority; approval of appointment and dismissal from the office of some members of the Cabinet of Ministers of Ukraine;”

“18) appointment and dismissal from the position of the Governor of the National Bank of Ukraine;”

“19) appointment and dismissal of members of the Board of the national Bank of Ukraine;”

“20) appointment and dismissal of members of the National Council of Ukraine for Television and Broadcasting;”

“21) appointment to the office and termination of authority of members of the Central Election Committee of Ukraine by proposal of the President of Ukraine;”

“24) issuance of consent to appointment and dismissal by the President of Ukraine of the Head of the Antimonopoly Committee of Ukraine, Head of the State Border

Guard Service of Ukraine, Head of the Security Service of Ukraine, Head of the State Committee For Television and Broadcasting of Ukraine; issuance of consent to appointment to the positions and dismissal from the positions by the Cabinet of Ministers of Ukraine of the Head of the State Customs Service of Ukraine, Head of the State Tax Administration of Ukraine, Head of the State Property Fund of Ukraine;”

“25) **appointment and dismissal from the position** of the General Prosecutor of Ukraine by proposal of the President of Ukraine;”

“27) **election of judges;”**

“29) establishment and liquidation of **administrative and territorial units**, establishment and change of boundaries of districts and municipalities, categorizing municipalities as cities/towns, naming and re-naming of municipalities and districts;”

complement with the new paragraph “37” as follows:

“37) **expressing no-confidence to persons appointed to their position upon consent of the Verkhovna Rada of Ukraine, which leads to their resignation from their positions”;**

2) part two shall be worded as follows:

“The Verkhovna Rada of Ukraine shall carry out other powers that fall within its competence according to the Constitution of Ukraine **and the law.**”

7. Part three of Article 88 shall be worded as follows:

“Chairman of the Verkhovna Rada of Ukraine shall exercise powers provided for by this Constitution according to the procedure established the **Rules of the Verkhovna Rada of Ukraine.**”

8. Part two of Article 89 shall be worded as follows:

“Standing committees of the Verkhovna Rada of Ukraine shall carry out law drafting work, prepare and preliminarily consider issues that fall within the competence of the Verkhovna Rada of Ukraine, **and by assignment of the Verkhovna Rada of Ukraine shall exercise oversight over fulfillment of laws and resolutions of the Verkhovna Rada of Ukraine.**”

9. In Article 90:

1) part two shall be worded as follows:

“**The President of Ukraine may prematurely terminate the authority of the Verkhovna Rada of Ukraine:**

1) If within thirty days of one ordinary session plenary meetings of the Verkhovna Rada of Ukraine were not started;

2) If within sixty days after abdication (resign) of the Cabinet of Ministers of Ukraine, the Verkhovna Rada of Ukraine fails to approve new membership of the Cabinet of Ministers of Ukraine. A decision about premature termination of authority of the Verkhovna Rada of Ukraine shall be taken by the President of Ukraine after consultations with the Chairman of the Verkhovna Rada of Ukraine, deputy chairmen, heads of parliamentary factions and groups.”

2) part four shall be worded as follows:

“Authority of the Verkhovna Rada of Ukraine may not be terminated prematurely during the last six months of the term of authority of the President of Ukraine, **and within one year after initiation and consideration by the Verkhovna Rada of Ukraine of the issue on dismissal of the President of Ukraine from the office by impeachment.**”

10. In Article 92:

1) in part one, paragraphs 9 and 21 shall be worded as follows:

“9) **principles of foreign relations, foreign economic activity;**”

“21) **status of a member of the Parliament of Ukraine;**”

new paragraphs “23”, “24” and “25” shall be added, with the following contents:

“23) **principles of signing, fulfillment and denunciation of international treaties of Ukraine;**”

“24) **principles of legislative activity and main requirements to the law;**”

“25) **status, organization and procedure of activity of the Chamber of Accounts of Ukraine, Ombudsman of the Verkhovna Rada of Ukraine for Human Rights.**”

2) paragraph 1 of the part two shall be worded as follows:

“1) The State Budget of Ukraine and the budgetary system of Ukraine; system of taxation, taxes and levies; **principles of customs service;** principles of establishment and functioning of financial, monetary, credit and capital markets; status of domestic currency as well as status of foreign currencies in the territory of Ukraine, procedure of creation and repayment of the state domestic and foreign debt; procedure of emission and circulation of government bonds, their types;”

11. In Article 94:

1) part three shall be worded as follows:

“In case if the President of Ukraine fails to return the law for repeated consideration within the established period of time, the law shall be considered approved by the President of Ukraine, **and it has to be officially publicized by the Chairman of the Verkhovna Rada of Ukraine and signed by him.**”

2) part four shall be replaced with three parts as follows:

“**If, during the repeated consideration, the law is passed by at least 300 members of the Parliament of Ukraine, the President of Ukraine shall be obliged to sign it immediately.**

The law on amendment of the Constitution of Ukraine passed by the Verkhovna Rada of Ukraine, according to the procedure established by this Constitution, shall be signed by the President of Ukraine not later than on the next day after official publication.

In case of a failure by the President of Ukraine to sign the law, it has to be officially publicized by the Chairman of the Verkhovna Rada of Ukraine.”

Therefore, part five shall be considered part seven.

12. Part two of Article 97 shall be worded as follows:

“Such report shall be made public **by the Cabinet of Ministers of Ukraine.**”

13. Article 98 shall be worded as follows:

“**Article 98.** Oversight over **revenues and** use of funds from the State Budget of Ukraine on behalf of the Verkhovna Rada of Ukraine shall be exercised by the Chamber of Accounts”

14. In Article 106:

1) in part one: paragraphs 8-11, 15, 16, 25 and 30 shall be worded as follows:

“8) terminates authority of the Verkhovna Rada of Ukraine in cases provided for by the part two of the Article 90 of the Constitution of Ukraine;

9) sponsors a proposal to the Verkhovna Rada of Ukraine on appointment of a Prime-Minister of Ukraine;

10) submits a proposal to the Verkhovna Rada of Ukraine on appointment to and dismissal from the office of the General Prosecutor of Ukraine;

11) appoints to and dismisses from the offices, by proposal of the Prime-Minister of

Ukraine, and upon consent of the Verkhovna Rada of Ukraine, Head of the Antimonopoly Committee of Ukraine, head of the State Border Guarding Service of Ukraine, Head of the Security Service of Ukraine, Head of the State Committee for Television and Broadcasting of Ukraine;”

“15) by proposal of the Prime-Minister of Ukraine, establishes, re-organizes and liquidates ministries;

16) terminates, for the reason of non-compliance with the Constitution of Ukraine (unconstitutionality) or laws of Ukraine, the validity of regulatory and legal acts of the Cabinet of Ministers of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, acts of the Council of Ministers of the Autonomous Republic of Crimea while at the same time applying to the Constitutional Court of Ukraine regarding conformity with the Constitution of Ukraine (constitutionality) of their acts, and in case they do not comply – to the General Prosecutor of Ukraine;”

“25) grants state awards in line with a procedure defined by law;”

“30) shall have the right to veto laws passed by the Verkhovna Rada of Ukraine with a subsequent return of them for repeated consideration by the Verkhovna Rada of Ukraine, except for laws on amendment of the Constitution of Ukraine passed in accordance with Clause XIII of the Constitution of Ukraine;”

paragraphs 12-14 shall be excluded;

2) part four shall be worded as follows:

“Acts of the President of Ukraine issued within the authority provided for by paragraphs 3, 4, 5, 8, 11, 15, 17, 21, 22, 23, 24 of this Article shall be endorsed by signatures of the Prime-Minister and of a minister responsible for fulfillment of such acts.”

15. Part six of Article 111 shall be worded as follows:

“Decision on dismissal of the President of Ukraine from the office within an impeachment procedure shall be taken by the Verkhovna Rada of Ukraine by at least two-thirds of its constitutional membership after revision of the case by the Constitutional Court of Ukraine and obtaining its findings on observance of the constitutional procedure of investigation and consideration of the case on impeachment; and after obtaining a decision of the Supreme Court of Ukraine about acts the President of Ukraine is accused of contain high treason or another crime.”

16. Article 112 shall be worded as follows:

“**Article 112.** In case of premature termination of authority of the President of Ukraine in line with the Articles 108, 109, 110, 111 of this Constitution, exercise of powers of the President of Ukraine for the period before election and entering of the office by a new President of Ukraine shall be carried out by the **Chairman of the Verkhovna Rada of Ukraine.**

In case of inability of the Chairman of the Verkhovna Rada of Ukraine to carry out his/her duties because of a health condition, or if at the time of premature termination of authority of the President of Ukraine the position of the Chairman of the Verkhovna Rada of Ukraine is vacant, duties of the President of Ukraine shall be assigned to the Prime-Minister of Ukraine.

A person that carries out responsibilities of the President of Ukraine before entering the office by a newly elected President of Ukraine may not exercise powers provided for by paragraphs 2, 6, 8, 10, 11, 15, 16, 19, 22, 23, 24, 25, 27 of Article 106 of the Constitution of Ukraine.”

17. Parts two and three of Article 113 shall be worded as follows:

“The Cabinet of Ministers of Ukraine shall be responsible before and controlled by **the Verkhovna Rada of Ukraine**, and be accountable to it within the limits provided for by the Constitution of Ukraine.

The Cabinet of Ministers of Ukraine in its activity shall be governed by the Constitution and laws of Ukraine, **resolutions of the Verkhovna Rada of Ukraine, and acts of the President of Ukraine.**”

18. Article 114 shall be worded as follows:

“**Article 114.** The Cabinet of Ministers of Ukraine includes the Prime-Minister of Ukraine, the First Vice-Prime-Minister of Ukraine, three Vice-Prime-Ministers and ministers.

The Prime-Minister of Ukraine shall be appointed by the Verkhovna Rada of Ukraine by proposal of the President of Ukraine.

A representative of a political party (an electoral bloc of parties) that has the largest number of members of the Parliament in the Verkhovna Rada of Ukraine shall be appointed the Prime-Minister of Ukraine by proposal of the President of Ukraine.

In case of refusal of a political party (an electoral bloc of parties) that has the largest number of members of the Parliament to nominate a candidate for the position of the Prime-Minister of Ukraine, or rejection by the Verkhovna Rada of Ukraine of a candidate nominated by it, the right to nominate a candidate to the position of the Prime-Minister of Ukraine shall belong to the second largest party (electoral bloc of parties) by the number of members of the parliament.

In case of rejection by the Verkhovna Rada of Ukraine of two candidates previously proposed by the President of Ukraine, the President of Ukraine shall nominate to the position of the Prime-Minister a representative of a parliamentary coalition if the latter is created on the basis of a majority of members of the parliament from the constitutional membership of the Verkhovna Rada of Ukraine.

The Prime-Minister of Ukraine shall govern the work of the Cabinet of Ministers of Ukraine, and aim at carrying out of activity of the Cabinet of Ministers of Ukraine approved by the Verkhovna Rada of Ukraine.

Candidates for positions of the ministers of foreign affairs, home affairs, defense, for extraordinary situations and protection of the population from consequences of the Chernobyl disaster shall be preliminarily agreed by the Prime-Minister of Ukraine with the President of Ukraine.”

19. Article 115 shall be worded as follows:

“**Article 115.** The Cabinet of Ministers of Ukraine shall abdicate **before the newly elected Verkhovna Rada of Ukraine on a day of its first plenary session.**

The Prime-Minister of Ukraine shall have the right to declare his/her resignation before **the Verkhovna Rada of Ukraine.** Resignation of the Prime-Minister of Ukraine shall cause resignation of the entire Cabinet of Ministers of Ukraine.

A member of the Cabinet of Ministers of Ukraine shall have the right to declare his/her resignation before the Prime-Minister of Ukraine.

A Cabinet of Ministers of Ukraine whose resignation was accepted by the Verkhovna Rada of Ukraine, or in case the Verkhovna Rada of Ukraine passes a no-confidence resolution, or if it abdicates before the newly elected Verkhovna Rada of Ukraine, it shall continue to exercise its authority by assignment of the Verkhovna Rada of Ukraine until the beginning of work of the newly created Cabinet of Ministers of Ukraine, but not more than for sixty days.

In case of a premature termination of authority of the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine that was dismissed, shall carry out its duties until

election of a new membership of the Verkhovna Rada of Ukraine. In case of getting a relevant assignment from the newly elected Verkhovna Rada of Ukraine, it shall carry out its duties until formation by the newly elected Verkhovna Rada of Ukraine of a new Cabinet of Ministers of Ukraine, but not longer than for sixty days from the date of the first plenary session of the newly elected Verkhovna Rada of Ukraine.”

20. In Article 116:

1) paragraph 10 shall be worded as follows:

“10) establishes, reorganizes and liquidates, by proposal of the Prime-Minister of Ukraine, executive branch agencies, except for ministries, while operating within appropriations for maintenance of the executive branch agencies;”

2) add paragraphs “11” and “12” as follows:

“11) by proposal of the Prime-Minister of Ukraine, appoints heads of central executive branch agencies that are not part of the Cabinet of Ministers of Ukraine, except for cases provided for by the Constitution of Ukraine, terminates authority of these persons in their positions;

12) carries out other functions defined by the Constitution and laws of Ukraine.”

21. Article 118 shall be worded as follows:

“Article 118. Executive power in the Autonomous Republic of Crimea shall be headed by the Council of Ministers of the Autonomous Republic of Crimea. In oblasts and districts, cities of Kiev and Sevastopol, it shall be exercised by local state administrations.

Specificities of exercise of executive power in the cities of Kiev and Sevastopol shall be defined by separate laws of Ukraine.

Membership of local state administrations shall be formed by heads of the local state administrations.

Heads of the local state administrations shall be appointed to and dismissed from their offices by **the Cabinet of Ministers** of Ukraine by proposal of the **Prime-Minister of Ukraine**.

Heads of the local state administrations while exercising their authority shall be accountable to **the Cabinet of Ministers** of Ukraine and the Cabinet of Ministers of Ukraine, shall report to and be overseen by executive branch agencies of a higher level.

Local state administrations shall be accountable to and controlled by councils in part of powers delegated by them by relevant district or oblast councils.

Decisions of the heads of the local state administrations that run contrary to the Constitution and laws of Ukraine, and other acts of legislation of Ukraine, may be cancelled by **the Cabinet of Ministers of Ukraine** in line with the law, or by the head of a local state administration of the higher level.

An oblast or a district council may express a vote of no confidence to the head of a relevant local administration. Based on that, the **Cabinet of Ministers of Ukraine** takes a decision and gives a reasoned response.

If a no-confidence to the head of a district or an oblast state administration is expressed by two-thirds of the members of a relevant council, the **Cabinet of Ministers of Ukraine** shall take a decision on resignation of the head of a local state administration.”

22. Article 121 shall be complemented with the paragraph “5” as follows:

“5) oversight compliance with the rights and freedoms of a person and a citizen, as well as compliance with the laws by executive branch agencies and local self-governing bodies.”

23. Part one of Article 122 shall be worded as follows:

“The Prosecutor’s Office of Ukraine shall be headed by the General Prosecutor of Ukraine, who shall be appointed to the position by the Verkhovna Rada of Ukraine by proposal of the President of Ukraine. Expressing the vote of no confidence to the General Prosecutor of Ukraine by the Verkhovna Rada of Ukraine shall cause his/her resignation from the office.”

24. Part four of the Article 126 shall be excluded.

25. Part one of the Article 128 shall be worded as follows:

“First appointment to the position of a professional judge for the period of five years shall be done by the President of Ukraine. All other judges, except for judges of the Constitutional Court of Ukraine, shall be elected by the Verkhovna Rada of Ukraine for the period of 10 years, with the right to re-election in line with a procedure established by law.”

26. Article 133 shall be worded as follows:

“Article 133. The administrative territorial units of Ukraine are: the Autonomous Republic of Crimea; oblasts: Vinnitska, Volynska, Dniepropetrovska, Donetska, Zhitomirska, Zakarpatska, Zaporizhska, Ivano-Frankivska, Kyivska, Kirovogradska, Luganska, Lvivska, Mykolaiivska, Odesska, Poltavska, Rivnenska, Sumska, Ternopilska, Kharkivska, Khersonska, Khmelnytska, Cherkasska, Chernivetska, Chernigivska, cities of Kiev and Sevastopol, districts, communities (village, settlement, city/town communities). A community is an administrative and territorial unit that includes residents of one or several municipalities with a relevant territory, has defined boundaries and is administered by local self-governing bodies according to the law. Cities of Kiev and Sevastopol shall have a special status defined by law.”

27. Part three of Article 136 shall be worded as follows:

“Chairman of the Council of Ministers of the Autonomous Republic of Crimea shall be appointed and dismissed from the office by the Verkhovna Rada of the Autonomous Republic of Crimea, after consultations with the Prime-Minister of Ukraine.”

28. Article 140 shall be worded as follows:

“Article 140. Local self-governance shall be the right and possibility guaranteed by the law to residents and local self-governing bodies to independently resolve issues of local importance within the framework of the Constitution of Ukraine and the laws.

Specificities of exercising local self-governance in the cities of Kiev and Sevastopol shall be defined by special laws of Ukraine.

Distribution of powers between the state and local self-governance, principles and procedures of mutual delegation of authorities shall be defined by the law.

Powers vested into state authorities and local self-governing bodies may not overlap.

Local self-governance shall be exercised by **residents** of a community according to the procedure established by law, both directly and through local self-governing bodies: **councils of communities** and their executive bodies.

Local self-governing bodies that represent common interests of community (village, settlement, city/town communities) are district and oblast councils, **and their executive bodies.**

Issues of organization of administration of city districts belong to the competence of city councils.

Councils **of communities** may allow, by initiative of their residents, to establish bloc, street, quarter and other bodies of self-organization of the population, and provide them with part of their own competence, funds, and assets.”

29. In Article 141:

1) parts one and two shall be worded as follows:

“Councils of **communities** shall include members elected by residents of a **relevant community** on the basis of general, equal, and direct election law by secret ballot, for the period of four years.

Residents of a community, on the basis of a general, equal, and direct election law by secret ballot, shall elect, for the period of four years, the head of a relevant community who shall chair an executive body of the council, and chair its meetings.”

2) part four shall be worded as follows::

“Head of a district council and head of an oblast council shall be elected by a relevant council, and chair an executive **body** of the council.”

30. Parts one and two of Article 142 shall be worded as follows:

“Materially and financially, local self-governance shall be based on real estate and movable property, revenues of local budgets, other funds, land, natural resources owned by **communities (of a village, settlement, city/town)**, city districts, as well as jointly owned assets managed by district and oblast councils.

Communities (of villages, settlements and cities/towns) may merge municipal assets on a contract basis, as well as funds of their budgets, for fulfillment of joint project, or for joint financing (maintenance) of utility companies, organizations and institutions, and establish relevant agencies and services for this purpose.”

31. Article 143 shall be worded as follows:

“**Article 143.** Communities **(of a village, settlement, city/town)**, either directly or through local self-government bodies established by them, shall manage assets owned by a municipality; approve programs of social and economic and cultural development, and oversee their fulfillment; approve budgets of relevant administrative and territorial units and oversee their fulfillment; establish local taxes and levies according to the law; ensure local referendums and implementation of their results; establish, reorganize and liquidate municipal companies, organizations and institutions, oversee their activity; resolve other issues of local importance that fall within their competence according to the law

Oblast and district councils shall approve programs of social, economic and cultural development of relevant oblasts and districts, and oversee fulfillment of them; approve district and oblast budgets and oversee fulfillment of them; resolve other issues that fall within their competence according to the law.

Local self-governing bodies, **upon the principles and according to the procedure defined by law**, may receive some powers of executive branch agencies according to the law. The state shall finance exercise of such powers in full amount on the account of appropriations of the State Budget of Ukraine, or by collection of certain national taxes to a local budget in line with a procedure established by law, and transfer relevant state-owned assets to local self-governing bodies.

Local self-governing bodies, on the issues of exercise by them of powers of executive branch agencies, shall be accountable to the relevant executive branch agencies.”

32. In part one of Article 150:

1) line five of paragraph 1 shall be worded as follows::

“legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea and acts of the Council of Ministers of the Autonomous Republic of Crimea”;

2) paragraph 2 shall be worded as follows:

“2) official interpretation of the Constitution of Ukraine;”

3) the new paragraph “3” shall be added as follows:

“3) issuance of opinion for a draft law on amendment of the Constitution of Ukraine, according to the requirements of the Clause XII of this Constitution.”

COMPARATIVE TABLE
To the Draft Law of Ukraine on Amendment of the Constitution of Ukraine

Current Constitution of Ukraine	Proposed new version
Article 29. Each person shall have the right to freedom and personal immunity.	Article 29. Each person shall have the right to freedom and personal immunity.
Nobody may be arrested or kept under custody otherwise than by a reasoned decision of a court of law, and only upon the reasons and according to a procedure provided for by law.	Nobody may be arrested or kept under custody otherwise than by a reasoned decision of a court of law, and only upon the reasons and according to a procedure provided for by law.
In case of an urgent need to prevent a crime from happening, or to stop a crime while it is happening, agencies duly authorized to do so by law, may apply keeping a person under custody as a temporary preventive measure. Its validity shall be checked by a court of law within seventy-two hours. A detained person shall be immediately set free if within seventy-two hours from the moment he/she is detained he/she is not served a reasoned decision of a court of law on a stay under custody.	In case of an urgent need to prevent a crime from happening, or to stop a crime while it is happening, agencies duly authorized to do so by law, may apply keeping a person under custody as a temporary preventive measure. Its validity shall be checked by a court of law within forty-eight hours . A detained person shall be immediately set free if within forty-eight hours from the moment he/she is detained he/she is not served a reasoned decision of a court of law on a stay under custody.
Each arrested or detained person shall be immediately informed about the reasons of such arrest or detention, explained his/her rights, and provided from the moment of detention with a possibility to defend himself/herself personally, and use legal help of a lawyer.	Each arrested or detained person shall be immediately informed about the reasons of such arrest or detention, explained his/her rights, and provided from the moment of detention with a possibility to defend himself/herself personally, and use legal help of a lawyer.
Each detained person shall have the right to appeal against his/her detention to court at any time.	Each detained person shall have the right to appeal against his/her detention to court at any time.
Relatives of a detained or an arrested person shall be notified about such arrest or detention.	Relatives of a detained or arrested person shall be notified about such arrest or detention.
Article 59. Everyone shall have the right to legal assistance. In cases provided for by law such assistance shall be provided free of charge. Everyone shall be free to choose an advocate of his/her rights. In order to ensure the right to defense in courts of law and other public agencies of Ukraine, the bar shall operate in Ukraine.	Article 59. (Parts I and II – the current version) Procedure and ways of rendering legal assistance shall be defined by law.
Article 78. Members of the Parliament of Ukraine shall fulfill their authority on a full-time basis.	Article 78. Members of the Parliament of Ukraine shall fulfill their mandate on a full-time basis.
Members of the Parliament of Ukraine may not have another representative mandate	A member of the Parliament of Ukraine may not have a different representative

Current Constitution of Ukraine	Proposed new version
<p>or be in civil service. Requirements concerning incompatibility of an MP's mandate with other types of activity shall be established by law.</p>	<p>mandate, be with the civil service, occupy other positions (including those on a voluntary basis) in government agencies, local self-governing bodies, institutions created by such bodies, enterprises, institutions and organizations, undertake entrepreneurial activity or any other paid-for activity (except for lecturing, scientific and creative one), be a member of a governing or a supervisory body of an enterprise, a company, or an organization aimed at obtaining a profit. Requirement on incompatibility of an MP's mandate with other types of activity shall be established by law.</p>
	<p>In case of circumstances that break the requirements about incompatibility of an MP's mandate with other types of activity, a member of the Parliament of Ukraine, within twenty days, shall terminate such activity, or file a personal application on abdication of authority of a member of the Parliament of Ukraine.</p>
	<p>Authority of a member of the Parliament of Ukraine shall be defined by the Constitution of Ukraine and the law.</p>
<p>Article 81. Authority of members of the Parliament of Ukraine shall be terminated at the same time with the authority of the Verkhovna Rada of Ukraine.</p>	<p>Article 81. Authority of members of the Parliament of Ukraine shall be terminated at the same time with the authority of the Verkhovna Rada of Ukraine.</p>
<p>Authority of a member of the Parliament of Ukraine shall be terminated early in case of:</p>	<p>Authority of a member of the Parliament of Ukraine shall be terminated early in case of:</p>
<p>1) refusal of the office by his/her personal statement;</p>	<p>1) refusal of the office by his/her personal statement, or in case of a failure to fulfill part three of Article 78;</p>
<p>2) a convictive court verdict against him/her enters its legal force;</p>	<p>2) a convictive court verdict against him/her entering into legal force;</p>
<p>3) he/she is recognized by a court of law as legally incapable or missing;</p>	<p>3) he/she is recognized by a court of law as legally incompetent or missing;</p>
<p>4) termination of his/her citizenship or departure for permanent residency beyond the territory of Ukraine;</p>	<p>4) termination of his/her citizenship or departure for permanent residency beyond the territory of Ukraine; 5) failure to exercise MP's authority for four months without a valid excuse;</p>
<p>5) death.</p>	<p>6) death.</p>
<p>A decision about early termination of authority of a member of the Parliament of Ukraine shall be taken by the majority from the constitutional membership of the Verkhovna Rada of Ukraine.</p>	<p>A decision about early termination of authority of a member of the Parliament of Ukraine in cases provided for by paragraphs 1, 3, 4, 5 of part two of this Article shall be made by the majority from the constitutional membership of the Verkhovna Rada of Ukraine.</p>

Current Constitution of Ukraine	Proposed new version
	In case of leaving, or a failure to join by a member of the Parliament of Ukraine, elected by list of a political party (block of parties) of a parliamentary faction of a given party (block of parties), his/her powers shall be terminated prematurely by a court of law.
In case of a failure to fulfill the requirement on incompatibility of the MP's mandate with other types of activity, the authority of a member of the Parliament of Ukraine shall be terminated prematurely on the basis of a law and a court decision.	In case of death of a member of the Parliament of Ukraine, his/her authority shall be terminated from the moment of issuance of a death certificate.
Article 82. The Verkhovna Rada of Ukraine shall work in sessions.	Article 82. The Verkhovna Rada of Ukraine shall work in sessions.
The Verkhovna Rada of Ukraine shall be empowered upon the condition of election of at least two thirds of its constitutional membership.	The Verkhovna Rada of Ukraine shall be empowered upon the condition of election of at least two thirds of its constitutional membership.
The Verkhovna Rada of Ukraine shall convoke to its first session not later than on a thirtieth day after official announcement of results of elections.	The Verkhovna Rada of Ukraine shall convoke to its first session not later than on a thirtieth day after official announcement of the election results.
A first meeting of the Verkhovna Rada of Ukraine shall be open by a member of the Parliament of Ukraine of an oldest age.	The first meeting of the Verkhovna Rada of Ukraine shall be open by the eldest member of the Parliament of Ukraine.
A procedure of work of the Verkhovna Rada of Ukraine shall be established by the Constitution of Ukraine and the Law on the Rules of the Verkhovna Rada of Ukraine.	Organization and operational procedures of the Verkhovna Rada of Ukraine shall be established by the Constitution of Ukraine and the Rules of Procedure of the Verkhovna Rada of Ukraine.
Article 85. Powers of the Verkhovna Rada of Ukraine include:	Article 85. The authority of the Verkhovna Rada of Ukraine include:
1) amendment of the Constitution of Ukraine within the limits and according to the procedure provided for by the Chapter XIII of this Constitution;	1) amendment of the Constitution of Ukraine within the limits and according to the procedure provided by Chapter XIII of this Constitution;
2) call of a national referendum of Ukraine on issues provided for by the Article 73 of this Constitution;	2) call for a national all-Ukrainian referendum on issues established by Article 73 of this Constitution;
3) adoption of laws;	3) adoption of laws and their interpretation;
4) approval of the State Budget of Ukraine and amendment of it; oversight over fulfillment of the State Budget of Ukraine. Taking a decision about a report on its fulfillment;	4) approval of the State Budget of Ukraine and amendment of it; oversight over fulfillment of the State Budget of Ukraine. Taking a decision about a report on its fulfillment;
5) determination of principles of domestic and foreign policy;	5) determination of principles of domestic and foreign policy;
6) approval of national programs of	6) approval of national programs of economic,

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economic, scientific and technical, social, national and cultural development, environmental protection;	scientific and technical, social, national and cultural development, environmental protection;
7) call of elections of the President of Ukraine within the time limits provided for by this Constitution;	7) call of elections of the President of Ukraine within the time limits provided for by this Constitution;
8) hearing of annual and extraordinary messages of the President of Ukraine on domestic and external status of Ukraine;	8) hearing of annual and extraordinary messages of the President of Ukraine on domestic and external status of Ukraine;
9) by proposal of the President of Ukraine, declaration of war and conclusion of peace, approval of a decision of the President on the use of the Armed Forces of Ukraine and other military formations in case of an armed aggression against Ukraine;	9) by proposal of the President of Ukraine, declaration of war and conclusion of peace, approval of a decision of the President on the use of the Armed Forces of Ukraine and other military formations in case of an armed aggression against Ukraine;
10) dismissal of the President of Ukraine from the office within a special procedure (impeachment), as provided for by the Article 111 of this Constitution;	10) dismissal of the President of Ukraine from the office within a special procedure (impeachment), as provided for by the Article 111 of this Constitution;
11) consideration and taking a decision on approval of the Program of Activity of the Cabinet of Ministers of Ukraine;	11) consideration and taking a decision on approval of the Program of Activity of the Cabinet of Ministers of Ukraine;
12) issuance of consent to appointment by the President of Ukraine of the Prime-Minister of Ukraine;	12) appointment, following a proposal of the President of Ukraine of the Prime-Minister of Ukraine, dismissal from the office and acceptance of resignation of the Prime-Minister of Ukraine; approval of appointments of members of the Cabinet of Ministers of Ukraine by proposal of the Prime-Minister of Ukraine, and termination of his/her authority; approval of appointment and dismissal from the office of some members of the Cabinet of Ministers of Ukraine;
13) exercise of oversight over activity of the Cabinet of Ministers of Ukraine according to this Constitution;	13) exercise of oversight over activities of the Cabinet of Ministers of Ukraine according to this Constitution;
14) approval of decisions on granting loans and economic assistance by Ukraine to foreign countries and international organizations, and on obtaining by Ukraine from foreign countries, banks and international financial organizations of loans not envisaged by the State Budget of Ukraine, exercise of oversight over their use;	14) approval of decisions on granting loans and economic assistance by Ukraine to foreign countries and international organizations, and on obtaining by Ukraine from foreign countries, banks and international financial organizations of loans not envisaged by the State Budget of Ukraine, exercise of oversight over their use;
15) appointment or election to positions, dismissal from positions, issuance of consent to appointment and dismissal from offices in cases provided for by this Constitution;	15) appointment or election to positions, dismissal from positions, issuance of consent to appointment and dismissal from offices in cases provided for by this Constitution;

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16) appointment to and dismissal from the offices of the Head and other members of the Chamber of Accounts;	16) appointment to and dismissal from the offices of the Head and other members of the Chamber of Accounts;
17) appointment to and dismissal from the office of the Ombudsman of the Verkhovna Rada of Ukraine for Human Rights; hearing of annual reports of the Ombudsman on the condition of observance and protection of human rights and freedoms in Ukraine;	17) appointment to and dismissal from the office of the Ombudsman of the Verkhovna Rada of Ukraine for Human Rights; hearing of annual reports of the Ombudsman on the condition of observance and protection of human rights and freedoms in Ukraine;
18) appointment to and dismissal from the position of the Governor of the National Bank of Ukraine, by proposal of the President of Ukraine;	18) appointment to and dismissal from the position of the Governor of the National Bank of Ukraine;
19) appointment and dismissal of one half of membership of the Board of the National Bank of Ukraine;	19) appointment and dismissal of members of the Board of the national Bank of Ukraine України;
20) appointment of one half of membership of the National Council of Ukraine for Television and Broadcasting;	20) appointment and dismissal of members of the National Council of Ukraine for Television and Broadcasting;
21) appointment to the office and termination of authority of members of the Central Elections Commission by proposal of the President of Ukraine;	21) appointment to the office and termination of authority of members of the Central Elections Commission of Ukraine by proposal of the President of Ukraine;
22) approval of the overall structure, strength and determination of functions of the Armed Forces of Ukraine, the Security Service of Ukraine and other military formations established according to the laws of Ukraine, and of the Ministry for Home Affairs of Ukraine;	22) approval of the overall structure, strength and determination of functions of the Armed Forces of Ukraine, the Security Service of Ukraine and other military formations established according to the laws of Ukraine, and of the Ministry for Home Affairs of Ukraine;
23) approval of decisions on granting military aid to other countries, sending units of the Armed Forces of Ukraine to other countries, or permission of entry for units of armed forces of other countries to the territory of Ukraine;	23) approval of decisions on granting military aid to other countries, sending units of the Armed Forces of Ukraine to other countries, or permission of entry for units of armed forces of other countries to the territory of Ukraine;
24) Issuance of a consent to appointment to and discharging from the offices by the President of Ukraine of the Head of the Antimonopoly Committee of Ukraine, Head of the State Property Funds of Ukraine, Head of the State Committee for Television and Broadcasting of Ukraine;	24) issuance of consent to appointment and dismissal by the President of Ukraine of the Head of the Antimonopoly Committee of Ukraine, Head of the State Border Guard Service of Ukraine, Head of the Security Service of Ukraine, Head of the State Committee For Television and Broadcasting of Ukraine; issuance of consent to appointment to the positions and dismissal from the positions by the Cabinet of Ministers of Ukraine of the Head of the State Customs Service of Ukraine, Head of the State Tax Administration of Ukraine, Head

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	of the State Property Fund of Ukraine;
25) issuance of consent to appointment by the President of Ukraine to the position of the General Prosecutor of Ukraine; a vote of no confidence vote to the General Prosecutor of Ukraine that shall cause his/her dismissal from the office;	25) appointment to and dismissal from the position of the General Prosecutor of Ukraine by proposal of the President of Ukraine;
26) appointment of one-third of membership of the Constitutional Court of Ukraine;	26) appointment of one-third of membership of the Constitutional Court of Ukraine;
27) election of judges for an indefinite period of time;	27) election of judges;
28) early termination of authority of the Verkhovna Rada (Parliament) of the Autonomous Republic of Crimea upon a verdict of the Constitutional Court of Ukraine about violation of the Constitution of Ukraine by it, or of laws of Ukraine; call of extraordinary elections to the Verkhovna Rada of the Autonomous Republic of Crimea;	28) early termination of authority of the Verkhovna Rada (Parliament) of the Autonomous Republic of Crimea upon a verdict of the Constitutional Court of Ukraine about violation of the Constitution of Ukraine by it, or of laws of Ukraine; call of extraordinary elections to the Verkhovna Rada of the Autonomous Republic of Crimea;
29) establishment and liquidation of districts (counties, districts), and change of boundaries of districts and municipalities, categorizing municipalities as cities/towns, naming and re-naming of municipalities and districts;	29) establishment and liquidation of administrative and territorial units , establishment and change of boundaries of districts and municipalities, categorizing municipalities as cities/towns, naming and re-naming of municipalities and districts;
30) call of ordinary and extraordinary elections to local self-governing bodies;	30) call of ordinary and extraordinary elections to local self-governing bodies;
31) within two days after a statement of the President of Ukraine, approval of decrees on introduction of a martial law or a state of emergency in Ukraine or some of its locations, on general or partial mobilization, on declaring some locations zones of an environmental emergency;	31) within two days after a statement of the President of Ukraine, approval of decrees on introduction of a martial law or a state of emergency in Ukraine or some of its locations, on general or partial mobilization, on declaring some locations zones of an environmental emergency;
32) within the time limits established by law, ratification of international treaties of Ukraine and denunciation of international treaties of Ukraine;	32) within the time limits established by law, ratification of international treaties of Ukraine and denunciation of international treaties of Ukraine;
33) exercise of parliamentary oversight within the limits provided for by this Constitution;	33) exercise of parliamentary oversight within the limits provided for by this Constitution;
34) taking a decision on filing an inquiry to the President of Ukraine upon request of a member of the Parliament of Ukraine, a group of members of the Parliament, or a standing committee of the Verkhovna Rada of Ukraine, if it was previously supported by at least one	34) taking a decision on filing an inquiry to the President of Ukraine upon request of a member of the Parliament of Ukraine, a group of members of the Parliament, or a standing committee of the Verkhovna Rada of Ukraine, if it was previously supported by at least one third of the constitutional

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third of the constitutional membership of the Verkhovna Rada of Ukraine;	membership of the Verkhovna Rada of Ukraine;
35) appointment to and dismissal from the position of a director of the secretariat of the Verkhovna Rada of Ukraine; approval of the cost estimate of the Verkhovna Rada of Ukraine and the structure of its secretariat;	35) appointment to and dismissal from the position of a director of the secretariat of the Verkhovna Rada of Ukraine; approval of the cost estimate of the Verkhovna Rada of Ukraine and the structure of its secretariat;
36) approval of the list of state-owned assets banned for privatization; definition of legal principles of withdrawal of privately-owned assets;	36) approval of the list of state-owned assets banned for privatization; definition of legal principles of withdrawal of privately-owned assets;
	37) expressing a vote of no confidence to persons appointed to their position upon consent of the Verkhovna Rada of Ukraine, which leads to their resignation from their position.
The Verkhovna Rada of Ukraine shall carry out other powers that fall within its competence according to the Constitution of Ukraine.	The Verkhovna Rada of Ukraine shall carry out other powers that fall within its competence according to the Constitution of Ukraine and the law.
Article 88. <u>Part three:</u> Chairman of the Verkhovna Rada of Ukraine shall exercise powers provided for by this Constitution according to the procedure established by the Law on the Rules of the Verkhovna Rada of Ukraine.	Article 88. <u>Part three:</u> Chairman of the Verkhovna Rada of Ukraine shall exercise powers provided for by this Constitution according to the procedure established the Rules of the Verkhovna Rada of Ukraine.
Article 89. The Verkhovna Rada of Ukraine shall approve the list of standing committees of the Verkhovna Rada of Ukraine, elect heads of such committees.	Article 89. The Verkhovna Rada of Ukraine shall approve the list of standing committees of the Verkhovna Rada of Ukraine, and elect heads of such committees.
Standing committees of the Verkhovna Rada of Ukraine shall carry out law drafting work, prepare and preliminarily consider issues that fall within the competence of the Verkhovna Rada of Ukraine.	Standing committees of the Verkhovna Rada of Ukraine shall carry out law drafting work, prepare and give preliminary consideration to issues that fall within the competence of the Verkhovna Rada of Ukraine, and by assignment of the Verkhovna Rada of Ukraine shall exercise oversight over implementation of laws and resolutions of the Verkhovna Rada of Ukraine.
The Verkhovna Rada of Ukraine, within its authority, may establish temporary ad hoc commissions for preparation and preliminary consideration of issues.	The Verkhovna Rada of Ukraine, within its authority, may establish temporary ad hoc commissions for preparation and preliminary consideration of issues.
The Verkhovna Rada of Ukraine, in order to investigate issues of public interest, shall establish temporary investigative commissions, if at least one third of the constitutional membership of the Verkhovna Rada of Ukraine votes for that.	The Verkhovna Rada of Ukraine, in order to investigate issues of public interest, shall establish temporary investigative commissions, if at least one third of the constitutional membership of the Verkhovna Rada of Ukraine votes for that.

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Conclusions and proposals of temporary investigative commissions are not decisive for interrogation and court proceedings.	Conclusions and proposals of temporary investigative commissions are not binding for investigation and court proceedings.
Organization and procedures of activity of committees of the Verkhovna Rada of Ukraine, its temporary ad hoc and temporary investigative commission shall be established by law.	Organization and working procedures of committees of the Verkhovna Rada of Ukraine, its temporary ad hoc and temporary investigative commissions shall be established by law.
Article 90. Authority of the Verkhovna Rada of Ukraine shall be terminated at the date of opening of the first meeting of the Verkhovna Rada of Ukraine of a new convocation.	Article 90. Authority of the Verkhovna Rada of Ukraine shall be terminated at the date of opening of the first meeting of the Verkhovna Rada of Ukraine of a new convocation.
The President of Ukraine may prematurely terminate the authority of the Verkhovna Rada of Ukraine if within thirty days of one ordinary session plenary meetings are not started.	The President of Ukraine may prematurely terminate the authority of the Verkhovna Rada of Ukraine:
	1) If within thirty days of one ordinary session plenary meetings of the Verkhovna Rada of Ukraine were not started;
	2) if within sixty days after abdication (resignation) of the Cabinet of Ministers of Ukraine, the Verkhovna Rada of Ukraine fails to approve new membership of the Cabinet of Ministers of Ukraine. A decision about premature termination of authority of the Verkhovna Rada of Ukraine shall be taken by the President of Ukraine after consultations with the Chairman of the Verkhovna Rada of Ukraine, deputy chairmen, heads of parliamentary factions and groups.
Authority of the Verkhovna Rada of Ukraine elected at extraordinary elections held after an early termination by the President of Ukraine of the authority of the Verkhovna Rada of Ukraine of the previous convocation may not be terminated within one year after the date it is elected.	Authority of the Verkhovna Rada of Ukraine elected at extraordinary elections held after an early termination by the President of Ukraine of the authority of the Verkhovna Rada of Ukraine of the previous convocation may not be terminated within one year after the date it is elected.
Authority of the Verkhovna Rada of Ukraine may not be terminated prematurely during the last six months of the term of authority of the President of Ukraine.	Authority of the Verkhovna Rada of Ukraine may not be terminated prematurely during the last six months of the term of authority of the President of Ukraine, and within one year after initiation and consideration by the Verkhovna Rada of Ukraine of the issue on dismissal of the President of Ukraine from the office by impeachment.
Article 92: The following shall be determined exclusively by laws of Ukraine:	Article 92: The following shall be determined exclusively by laws of Ukraine:

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1) rights and freedoms of a person and a citizen, guarantees of these rights and freedoms, main duties of a citizen;	1) rights and freedoms of a person and citizen, guarantees of these rights and freedoms, and main duties of a citizen;
2) citizenship, legal personality of citizens, status of foreigners and stateless persons;	2) citizenship, legal personality of citizens, status of foreigners and stateless persons;
3) rights of indigenous peoples and national minorities;	3) rights of indigenous peoples and national minorities;
4) procedure for use of languages;	4) procedure for use of languages;
5) principles of utilization of natural resources, exclusive (marine) economic zone, continental shelf, exploration of space, organization and operation of energy systems, transportation, communications;	5) principles of utilization of natural resources, exclusive (marine) economic zone, continental shelf, exploration of space, organization and operation of energy systems, transportation, communications;
6) principles of social protection, forms and types of pension provision, principles of regulation of labor, employment, marriage, family, protection of childhood, motherhood, fatherhood, upbringing, education, culture and healthcare; environmental safety;	6) principles of social protection, forms and types of pension provision, principles of regulation of labor, employment, marriage, family, protection of childhood, motherhood, fatherhood, upbringing, education, culture and healthcare; environmental safety;
7) legal regime of property;	7) legal regime of property;
8) legal principles and guarantees of business; rules of competition and norms of antimonopoly regulation ;	8) legal principles and guarantees of business; rules of competition and norms of antimonopoly regulation ;
9) principles of foreign relations, foreign economic activity, customs;	9) principles of foreign relations, foreign economic activity;
10) principles of regulation of demographic and migration processes;	10) principles of regulation of demographic and migration processes;
11) principles of establishment and activities of political parties, other associations of citizens, and mass media organizations;	11) principles of establishment and activities of political parties, other associations of citizens, and mass media organizations;
12) organization and activity of executive branch agencies, principles of civil service, organization of state statistics and informatics;	12) organization and activity of executive branch agencies, principles of civil service, organization of state statistics and informatics;
13) territorial system of Ukraine;	13) territorial system of Ukraine;
14) judicial system, judicial proceedings, status of judges, principles of forensic examination, organization and activity of prosecutor's offices, interrogation and investigation agencies, public notaries, penitentiary institutions; principles of organization of the bar;	14) judicial system, judicial proceedings, status of judges, principles of forensic examination, organization and activity of prosecutor's offices, interrogation and investigation agencies, public notaries, penitentiary institutions; principles of organization of the bar;
15) principles of local self-governance;	15) principles of local self-governance;
16) status of the capital city of Ukraine, special status of other cities;	16) status of the capital city of Ukraine, special status of other cities;
17) principles of national security, organization of the Armed Forces of Ukraine and law enforcement;	17) principles of national security, organization of the Armed Forces of Ukraine and law enforcement;

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18) legal regime of the state frontier;	18) legal regime of the state frontier;
19) legal regime of martial law and the state of emergency, zones of environmental emergencies;	19) legal regime of martial law and the state of emergency, zones of environmental emergencies;
20) organization and procedure of elections and referendums;	20) organization and procedure of elections and referendums;
21) organization and procedure of activity of the Verkhovna Rada of Ukraine, status of members of the Parliament of Ukraine;	21) status of a member of the Parliament of Ukraine;
22) principles of civil liability, acts that constitute a crime, administrative or disciplinary offences, and responsibility for them;	22) principles of civil liability, acts that constitute a crime, administrative or disciplinary offences, and responsibility for them; 23) principles of signing, fulfillment and denunciation of international treaties of Ukraine; 24) principles of legislative activity and main requirements to the law; 25) status, organization and procedure of activity of the Chamber of Accounts of Ukraine, and Representative of the Verkhovna Rada of Ukraine for Human Rights.
The following shall be established exclusively by laws of Ukraine:	The following shall be established exclusively by laws of Ukraine:
1) The State Budget of Ukraine and the budgetary system of Ukraine; system of taxation, taxes and levies; principles of establishment and functioning of financial, monetary, credit and capital markets; status of domestic currency as well as status of foreign currencies in the territory of Ukraine, procedure of creation and repayment of the state domestic and foreign debt; procedure of emission and circulation of government bonds, their types;	1) The State Budget of Ukraine and the budgetary system of Ukraine; system of taxation, taxes and levies; principles of customs service; principles of establishment and functioning of financial, monetary, credit and capital markets; status of domestic currency as well as status of foreign currencies in the territory of Ukraine, procedure of creation and repayment of the state domestic and foreign debt; procedure of emission and circulation of government bonds, their types;
2) procedure of assignment of units of the Armed Forces of Ukraine to missions in other countries; procedure for permission to enter and conditions of stay of units of armed forces of other countries in the territory of Ukraine;	2) procedure of assignment of units of the Armed Forces of Ukraine to missions in other countries; procedure for permission to enter and conditions of stay of units of armed forces of other countries in the territory of Ukraine;
3) units of weight, measurement, time, procedure of establishment of state standards;	3) units of weight, measurement, time, procedure of establishment of state standards;
4) procedure of the use and protection of state symbols;	4) procedure of the use and protection of state symbols;
5) state awards;	5) state awards;
6) military ranks, diplomatic ranks and other special titles;	6) military ranks, diplomatic ranks and other special titles;
7) state holidays;	7) state holidays;

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8) procedure of establishment and functioning of free and other special zones for an economic or migration regime different from the general one.	8) procedure of establishment and functioning of free and other special zones for an economic or migration regime different from the general one.
An amnesty shall be declared by a law of Ukraine.	An amnesty shall be declared by a law of Ukraine.
Article 94. The laws shall be signed by Chairman of the Verkhovna Rada of Ukraine, and expeditiously sent to the President of Ukraine.	Article 94. The laws shall be signed by Chairman of the Verkhovna Rada of Ukraine, and expeditiously sent to the President of Ukraine.
The President of Ukraine, within fifteen days upon receipt of the law, shall sign it and accept it for enforcement, and officially promulgate it, or return the law with his reasoned and formulated proposals to the Verkhovna Rada of Ukraine for repeated consideration.	The President of Ukraine, within fifteen days upon receipt of the law, shall sign it and accept it for enforcement, and officially promulgate it, or return the law with his reasoned and formulated proposals to the Verkhovna Rada of Ukraine for repeated consideration.
In case if the President of Ukraine fails to return the law for repeated consideration within the established period of time, the law shall be considered approved by the President of Ukraine, signed and officially promulgated.	<p>In case if the President of Ukraine fails to return the law for repeated consideration within the established period of time, the law shall be considered approved by the President of Ukraine, and it has to be officially promulgated by the Chairman of the Verkhovna Rada of Ukraine and signed by him.</p> <p>If, during the repeated consideration, the law is passed by at least 300 members of the Parliament of Ukraine, the President of Ukraine shall be obliged to sign it immediately.</p> <p>The law on amendment of the Constitution of Ukraine passed by the Verkhovna Rada of Ukraine, according to the procedure established by this Constitution, shall be signed by the President of Ukraine not later than on the next day after official publication.</p> <p>In case of a failure by the President of Ukraine to sign the law, it has to be officially promulgated by the Chairman of the Verkhovna Rada of Ukraine.</p>
A law shall enter into force in ten days after its official publication, unless otherwise is provided for in the law itself, but not before its publication.	A law shall enter into force in ten days after its official publication, unless otherwise is provided for in the law itself, but not before its publication.
Article 97. The Cabinet of Ministers of Ukraine, according to the law, shall file to the Verkhovna Rada of Ukraine a report on fulfillment of the State Budget of Ukraine.	Article 97. The Cabinet of Ministers of Ukraine, according to the law, shall file to the Verkhovna Rada of Ukraine a report on fulfillment of the State Budget of Ukraine.
Such report shall be made public.	Such report shall be made public by the Cabinet of Ministers of Ukraine.
Article 98. Oversight over the use of	Article 98. Oversight over revenues and use

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funds from the State Budget of Ukraine on behalf of the Verkhovna Rada of Ukraine shall be exercised by the Chamber of Accounts.	of funds from the State Budget of Ukraine on behalf of the Verkhovna Rada of Ukraine shall be exercised by the Chamber of Accounts.
Article 106. The President of Ukraine:	Article 106. The President of Ukraine:
1) ensures state independence, national security and legal succession of the state;	1) ensures state independence, national security and legal succession of the state;
2) addresses the nation with messages and with annual and extraordinary messages to the Verkhovna Rada of Ukraine on domestic and external status of Ukraine;	2) addresses the nation with messages and with annual and extraordinary messages to the Verkhovna Rada of Ukraine on domestic and external status of Ukraine;
3) represents the state in international relationships, exercises leadership of foreign political activity of the state, negotiates and signs international treaties of Ukraine;	3) represents the state in international relationships, exercises leadership of foreign political activity of the state, negotiates and signs international treaties of Ukraine;
4) makes decisions on recognition of foreign states;	4) makes decisions on recognition of foreign states;
5) appoints and dismisses heads of diplomatic missions of Ukraine to other countries and international organizations; accepts credentials and letters of recall of diplomatic representatives of foreign countries;	5) appoints and dismisses heads of diplomatic missions of Ukraine to other countries and international organizations; accepts credentials and letters of recall of diplomatic representatives of foreign countries;
6) appoints a national referendum on amendment of the Constitution of Ukraine according to Article 156 of this Constitution, announces a national referendum on people's initiative;	6) appoints a national referendum on amendment of the Constitution of Ukraine according to Article 156 of this Constitution, announces a national referendum on people's initiative;
7) appoints extraordinary elections to the Verkhovna Rada of Ukraine within the time limits established by this Constitution;	7) appoints extraordinary elections to the Verkhovna Rada of Ukraine within the time limits established by this Constitution;
8) terminates authority of the Verkhovna Rada of Ukraine, if within thirty days of one regular session plenary meetings were not started;	8) terminates authority of the Verkhovna Rada of Ukraine in cases provided for by part two of Article 90 of the Constitution of Ukraine;
9) appoints, upon consent of the Verkhovna Rada, the Prime-Minster of Ukraine; terminates authority of the Prime-Minister of Ukraine and takes a decision on his/her resignation;	9) submits a proposal to the Verkhovna Rada of Ukraine on appointment of a Prime-Minister of Ukraine;
10) appoints, by proposal of the Prime-Minister of Ukraine, members of the Cabinet of Ministers of Ukraine, heads of other central executive branch agencies, as well as heads of local state administrations, and dismisses them from these offices;	10) submits a proposal to the Verkhovna Rada of Ukraine on appointment to and dismissal from the office of the General Prosecutor of Ukraine;
11) appoints, upon consent of the Verkhovna Rada of Ukraine, the General Prosecutor of Ukraine, and dismisses him/her	11) appoints to and dismisses from the offices, by proposal of the Prime-Minister of Ukraine, and upon consent of the Verkhovna

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from this office;	Rada of Ukraine, Head of the Antimonopoly Committee of Ukraine, head of the State Border Guarding Service of Ukraine, Head of the Security Service of Ukraine, Head of the State Committee for Television and Broadcasting of Ukraine;
<p>12) appoints one-half of membership of the Board of the National Bank of Ukraine;</p> <p>13) appoints one-half of membership of the National Council of Ukraine for Television and Broadcasting;</p> <p>14) appoints to and dismisses from the offices, upon consent of the Verkhovna Rada of Ukraine, Head of the Antimonopoly Committee of Ukraine, Head of the State Property Fund of Ukraine, Head of the State Committee for Television and Broadcasting of Ukraine;</p>	paragraphs 12 – 14 shall be excluded
<p>15) establishes, reorganizes and liquidates, by proposal of the Prime-Minister of Ukraine, ministries and other central state executive branch agencies while operating within the budget appropriated for maintenance of executive branch agencies;</p>	15) by proposal of the Prime-Minister of Ukraine, establishes, re-organizes and liquidates ministries;
<p>16) cancels acts of the Cabinet of Ministers of Ukraine and acts of the Council of Ministers of the Autonomous Republic of Crimea;</p>	16) terminates, for the reason of non-compliance with the Constitution of Ukraine (unconstitutionality) or law of Ukraine, the validity of regulatory and legal acts of the Cabinet of Ministers of Ukraine, the Verkhovna Rada of the Autonomous Republic of Crimea, acts of the Council of Ministers of the Autonomous Republic of Crimea while at the same time applying to the Constitutional Court of Ukraine regarding conformity with the Constitution of Ukraine (constitutionality) of their acts, and in case they do not comply – to the General Prosecutor of Ukraine;
<p>17) Is a Commander-in-Chief of the Armed Forces of Ukraine; appoints to and dismisses from the positions high commanders of the Armed Forces of Ukraine, other military formations; exercises leadership in the spheres of national security and defense of the country;</p>	<p>17) Is a Commander-in-Chief of the Armed Forces of Ukraine; appoints to and dismisses from the positions high commanders of the Armed Forces of Ukraine, other military formations; exercises leadership in the spheres of national security and defense of the country;</p>
<p>18) Heads the Council for National Security and Defense of Ukraine;</p>	<p>18) Heads the Council for National Security and Defense of Ukraine;</p>
<p>19) files a proposal to the Verkhovna Rada of Ukraine on announcement of the state of emergency, and takes a decision about the use of the Armed Forces of Ukraine in case of</p>	<p>19) files a proposal to the Verkhovna Rada of Ukraine on announcement of the state of emergency, and takes a decision about the use of the Armed Forces of Ukraine in case of an armed</p>

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an armed aggression against Ukraine;	aggression against Ukraine;
20) according to the law, takes a decision on general or partial mobilization and introduction of the state of emergency in Ukraine or in some of its locations in case of a threat of an attack, a threat to state independence of Ukraine;	20) according to the law, takes a decision on general or partial mobilization and introduction of the state of emergency in Ukraine or in some of its locations in case of a threat of an attack, a threat to state independence of Ukraine;
21) takes, in case of a need, decisions on introduction of the state of emergency in Ukraine or in some of its locations, and declares, in case of need, some locations in Ukraine to be zones of an extraordinary environmental situation with further approval of these decisions by the Verkhovna Rada of Ukraine;	21) takes, in case of a need, decisions on introduction of the state of emergency in Ukraine or in some of its locations, and declares, in case of need, some locations in Ukraine to be zones of an extraordinary environmental situation with further approval of these decisions by the Verkhovna Rada of Ukraine;
22) appoints one third of membership of the Constitutional Court of Ukraine;	22) appoints one third of membership of the Constitutional Court of Ukraine;
23) establishes courts according to the procedure established by law;	23) establishes courts according to the procedure established by law;
24) grants higher military ranks, higher diplomatic ranks and other higher special ranks and classes;	24) grants higher military ranks, higher diplomatic ranks and other higher special ranks and classes;
25) grants state awards; establishes president's awards and grants them;	25) grants state awards in line with a procedure defined by law;
26) takes a decision about admission to Ukrainian citizenship and termination of citizenship of Ukraine, of granting asylum in Ukraine;	26) takes a decision about admission to Ukrainian citizenship and termination of citizenship of Ukraine, of granting asylum in Ukraine;
27) grants a pardon;	27) grants a pardon;
28) within the appropriations envisaged in the State Budget of Ukraine,	28) within the appropriations envisaged in the State Budget of Ukraine,
with the purpose to exercise his/her authority, establishes consultative, advisory and other auxiliary agencies and services;	with the purpose to exercise his/her authority, establishes consultative, advisory and other auxiliary agencies and services;
29) signs laws passed by the Verkhovna Rada of Ukraine;	29) signs laws passed by the Verkhovna Rada of Ukraine;
30) shall have the right to veto laws passed by the Verkhovna Rada of Ukraine with a subsequent return of them for repeated consideration by the Verkhovna Rada of Ukraine;	30) shall have the right to veto laws passed by the Verkhovna Rada of Ukraine with a subsequent return of them for repeated consideration by the Verkhovna Rada of Ukraine, except for laws on amendment of the Constitution of Ukraine passed in accordance with the Chapter XIII of the Constitution of Ukraine;
31) exercises other powers defined by the Constitution of Ukraine.	31) exercises other powers defined by the Constitution of Ukraine.
The President of Ukraine may not delegate his/her powers to other persons or agencies.	The President of Ukraine may not delegate his/her powers to other persons or agencies.

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<p>The President of Ukraine, on the basis of and in order to fulfill the Constitution and laws of Ukraine shall issue decrees and orders that are compulsory for fulfillment in the territory of Ukraine.</p>	<p>The President of Ukraine, on the basis of and in order to fulfill the Constitution and laws of Ukraine shall issue decrees and orders that are compulsory for fulfillment in the territory of Ukraine.</p>
<p>Acts of the President of Ukraine issued within the authority provided for by paragraphs 3, 4, 5, 8, 10, 14, 15, 17, 18, 21, 22, 23, 24 of this Article shall be endorsed by signatures of the Prime-Minster and of a minister responsible for fulfillment of such acts.</p>	<p>Acts of the President of Ukraine issued within the authority provided for by paragraphs 3, 4, 5, 8, 11, 15, 17, 21, 22, 23, 24 of this Article shall be endorsed by signatures of the Prime-Minster and of a minister responsible for fulfillment of such acts.</p>
<p>Article 111. The President of Ukraine may be dismissed from his position by the Verkhovna Rada of Ukraine within the procedure of impeachment in case of commitment by him/her of the high treason or another crime.</p>	<p>Article 111. The President of Ukraine may be dismissed from his position by the Verkhovna Rada of Ukraine within the procedure of impeachment in case of commitment by him/her of the high treason or another crime.</p>
<p>The issue of dismissal of the President of Ukraine from the office within the procedure of impeachment may be initiated by a majority from the constitutional membership of the Verkhovna Rada of Ukraine.</p>	<p>The issue of dismissal of the President of Ukraine from the office within the procedure of impeachment may be initiated by a majority from the constitutional membership of the Verkhovna Rada of Ukraine.</p>
<p>For the purpose of investigation, the Verkhovna Rada of Ukraine shall form a special temporary investigative commission that includes a special prosecutor and special investigators.</p>	<p>For the purpose of investigation, the Verkhovna Rada of Ukraine shall form a special temporary investigative commission that includes a special prosecutor and special investigators.</p>
<p>Findings and proposals of a temporary investigative commission shall be considered at the meeting of the Verkhovna Rada of Ukraine.</p>	<p>Findings and proposals of a temporary investigative commission shall be considered at the meeting of the Verkhovna Rada of Ukraine.</p>
<p>If there are proper reasons, the Verkhovna Rada of Ukraine, by at least two thirds of its constitutional membership, shall take a decision on laying an accusation on the President of Ukraine.</p>	<p>If there are proper reasons, the Verkhovna Rada of Ukraine, by at least two thirds of its constitutional membership, shall take a decision on laying an accusation on the President of Ukraine.</p>
<p>Decision on dismissal of the President of Ukraine from the office within an impeachment procedure shall be taken by the Verkhovna Rada of Ukraine by at least three-fourth of its constitutional membership after revision of the case by the Constitutional Court of Ukraine and obtaining its findings on observance of the constitutional procedure of investigation and consideration of the case on impeachment; and after obtaining findings of the Supreme Court of Ukraine about whether acts the President of Ukraine is accused of</p>	<p>Decision on dismissal of the President of Ukraine from the office within an impeachment procedure shall be taken by the Verkhovna Rada of Ukraine by at least two-thirds of its constitutional membership after revision of the case by the Constitutional Court of Ukraine and obtaining its findings on observance of the constitutional procedure of investigation and consideration of the case on impeachment; and after obtaining a decision of the Supreme Court of Ukraine about whether acts the President of Ukraine is accused of contain high treason or another crime.</p>

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contain high treason or another crime.	
<p>Article 112. In case of premature termination of authority of the President of Ukraine in line with the Articles 108, 109, 110, 111 of this Constitution, exercise of powers of the President of Ukraine for the period before election and entering of the office by a new President of Ukraine shall be carried out by the Prime-Minister of Ukraine. The Prime-Minister of Ukraine, for the period of exercise by him/her of the authority of the President of Ukraine, may not exercise powers provided for by paragraphs 2, 6, 8, 10, 11, 12, 14, 15, 16, 22, 25, 27 of the Article 106 of the Constitution of Ukraine.</p>	<p>Article 112. In case of premature termination of authority of the President of Ukraine in line with the Articles 108, 109, 110, 111 of this Constitution, exercise of powers of the President of Ukraine for the period before election and entering of the office by a new President of Ukraine shall be carried out by the Chairman of the Verkhovna Rada of Ukraine.</p>
	<p>In case of inability of the Chairman of the Verkhovna Rada of Ukraine to carry out his/her duties because of health condition, or if at the time of premature termination of authority of the President of Ukraine the position of the Chairman of the Verkhovna Rada of Ukraine is vacant, duties of the President of Ukraine shall be assigned to the Prime-Minister of Ukraine.</p>
	<p>A person that carries out responsibilities of the President of Ukraine before entering the office by a newly elected President of Ukraine may not exercise powers provided for by paragraphs 2, 6, 8, 10, 11, 15, 16, 19, 22, 23, 24, 25, 27 of Article 106 of the Constitution of Ukraine.</p>
<p>Article 113. The Cabinet of Ministers of Ukraine is a higher agency in the system of the executive branch.</p>	<p>Article 113. The Cabinet of Ministers of Ukraine is a higher agency in the system of the executive power.</p>
<p>The Cabinet of Ministers of Ukraine shall be responsible before the President of Ukraine, and accountable to and controllable by the Verkhovna Rada of Ukraine within the limits provided for in the Articles 85, 87 of the Constitution of Ukraine.</p>	<p>The Cabinet of Ministers of Ukraine shall be responsible before and controlled by the Verkhovna Rada of Ukraine, and be accountable to it within the limits provided for by the Constitution of Ukraine.</p>
<p>The Cabinet of Ministers of Ukraine in its activity shall be governed by the Constitution and laws of Ukraine, acts of the President of Ukraine.</p>	<p>The Cabinet of Ministers of Ukraine in its activity shall be governed by the Constitution and laws of Ukraine, resolutions of the Verkhovna Rada of Ukraine, acts of the President of Ukraine.</p>
<p>Article 114. The Cabinet of Ministers of Ukraine includes the Prime-Minister of Ukraine, the First Vice-Prime-Minister of Ukraine, three Vice-Prime-Ministers and ministers.</p>	<p>Article 114. The Cabinet of Ministers of Ukraine includes the Prime-Minister of Ukraine, the First Vice-Prime-Minister of Ukraine, three Vice-Prime-Ministers and ministers.</p>
<p>The Prime-Minister of Ukraine shall be appointed by the President of Ukraine upon</p>	<p>The Prime-Minister of Ukraine shall be appointed by the Verkhovna Rada of Ukraine by</p>

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consent of at least one-half of the constitutional membership of the Verkhovna Rada of Ukraine.	<p>proposal of the President of Ukraine.</p> <p>A representative of a political party (an electoral bloc of parties) that has the largest number of members of the Parliament in the Verkhovna Rada of Ukraine shall be appointed the Prime-Minister of Ukraine by proposal of the President of Ukraine.</p>
<p>Members of the Cabinet of Ministers of Ukraine shall be appointed by the President of Ukraine by proposal of the Prime-Minister of Ukraine.</p> <p>The Prime-Minister of Ukraine shall govern the work of the Cabinet of Ministers of Ukraine, direct it towards fulfillment of the Program of activity of the Cabinet of Ministers of Ukraine approved by the Verkhovna Rada of Ukraine.</p> <p>The Prime-Minister of Ukraine shall make proposals to the President of Ukraine on establishment, re-organization and liquidation of ministries, other central executive branch agencies within the appropriations envisaged by the State Budget of Ukraine for maintenance of these agencies.</p>	<p>In case of refusal of a political party (an electoral bloc of parties) that has the largest number of members of the Parliament to nominate a candidate for the position of the Prime-Minister of Ukraine, or rejection by the Verkhovna Rada of Ukraine of a candidate nominated by it, the right to nominate a candidate to the position of the Prime-Minister of Ukraine shall belong to the second largest party (electoral bloc of parties) by the number of members of the parliament.</p> <p>In case of rejection by the Verkhovna Rada of Ukraine of two candidates previously proposed by the President of Ukraine, the President of Ukraine shall nominate to the position of the Prime-Minister a representative of a parliamentary coalition if the latter is created on the basis of a majority of members of the parliament from the constitutional membership of the Verkhovna Rada of Ukraine.</p> <p>The Prime-Minister of Ukraine shall govern the work of the Cabinet of Ministers of Ukraine, and aim at carrying out of activity of the Cabinet of Ministers of Ukraine approved by the Verkhovna Rada of Ukraine.</p>
	<p>Candidates for positions of the ministers of foreign affairs, home affairs, defense, for extraordinary situations and protection of the population from consequences of the Chernobyl disaster shall be preliminarily agreed by the Prime-Minister of Ukraine with the President of Ukraine.</p>
<p>Article 115. The Cabinet of Ministers of Ukraine shall abdicate before a newly elected President of Ukraine.</p>	<p>Article 115. The Cabinet of Ministers of Ukraine shall abdicate before the newly elected Verkhovna Rada of Ukraine on the day of its first plenary session.</p>
<p>The Prime-Minister of Ukraine, other members of the Cabinet of Ministers of Ukraine shall have the right to declare of their resignation to the President of Ukraine.</p>	<p>The Prime-Minister of Ukraine shall have the right to declare his/her resignation before the Verkhovna Rada of Ukraine. Resignation of the Prime-Minister of Ukraine shall cause resignation of the entire Cabinet of Ministers of Ukraine.</p>
<p>Resignation of the Prime-Minister of</p>	<p>A member of the Cabinet of Ministers of</p>

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Ukraine shall cause resignation of the entire Cabinet of Ministers of Ukraine.	Ukraine shall have the right to declare his/her resignation before the Prime-Minister of Ukraine.
<p>Adoption by the Verkhovna Rada of Ukraine of the a vote of no confidence resolution against the Cabinet of Ministers of Ukraine shall cause a resignation of the Cabinet of Ministers of Ukraine.</p> <p>The Cabinet of Ministers of Ukraine, resignation of which was accepted by the President of Ukraine, by his assignment, shall continue to exercise its authority until the beginning of activity of a newly formed Cabinet of Ministers of Ukraine, but for no longer than sixty days.</p>	<p>A Cabinet of Ministers of Ukraine which resignation was accepted by the Verkhovna Rada of Ukraine, or in case the Verkhovna Rada of Ukraine passes a a vote of no confidence resolution, or if it abdicates before the newly elected Verkhovna Rada of Ukraine, it shall continue to exercise its authority by assignment of the Verkhovna Rada of Ukraine until the beginning of work of the newly created Cabinet of Ministers of Ukraine, but not more than for sixty days.</p>
<p>The Prime-Minister of Ukraine shall be obliged to file a statement to the President of Ukraine about resignation of the Cabinet of Ministers of Ukraine following a decision of the President of Ukraine, or in connection with a a vote of no confidence resolution by the Verkhovna Rada of Ukraine.</p>	<p>In case of a premature termination of authority of the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine that was dismissed, shall carry out its duties until election of a new membership of the Verkhovna Rada of Ukraine. In case of getting a relevant assignment form the newly elected Verkhovna Rada of Ukraine, it shall carry out its duties until formation by the newly elected Verkhovna Rada of Ukraine of a new Cabinet of Ministers of Ukraine, but not longer than for sixty days from the date of the first plenary session of the newly elected Verkhovna Rada of Ukraine.</p>
Article 116. Cabinet of Ministers of Ukraine:	Article 116. Cabinet of Ministers of Ukraine:
1) ensures state sovereignty and economic independence of Ukraine, implementation of domestic and foreign policy of the state, fulfillment of the Constitution and laws of Ukraine, acts of the President of Ukraine;	1) ensures state sovereignty and economic independence of Ukraine, implementation of domestic and foreign policy of the state, fulfillment of the Constitution and laws of Ukraine, acts of the President of Ukraine;
2) implements measures for ensuring rights and freedoms of a person and a citizen;	2) implements measures for ensuring rights and freedoms of a person and citizen;
3) ensures financial, pricing, investment and taxation policy; policy in the field of labor and employment of the population, social protection, education, science and culture, environmental protection, environmental safety and use of natural resources;	3) ensures financial, pricing, investment and taxation policy; policy in the field of labor and employment of the population, social protection, education, science and culture, environmental protection, environmental safety and use of natural resources;
4) develops and fulfills national programs of economic, scientific and technical, social and cultural development of Ukraine;	4) develops and fulfills national programs of economic, scientific and technical, social and cultural development of Ukraine;
5) ensures equal opportunities of development of all ownership forms; manages	5) ensures equal opportunities of development of all ownership forms; manages state-owned assets

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state-owned assets according to the law;	according to the law;
6) develops a draft law on the State Budget of Ukraine and ensures fulfillment of the State Budget of Ukraine approved by the Verkhovna Rada of Ukraine, files a report on its fulfillment to the Verkhovna Rada of Ukraine;	6) develops a draft law on the State Budget of Ukraine and ensures fulfillment of the State Budget of Ukraine approved by the Verkhovna Rada of Ukraine, files a report on its fulfillment to the Verkhovna Rada of Ukraine;
7) performs activities for ensuring defense capacity and national security of Ukraine, law and order, enforcement of crime;	7) performs activities for ensuring defense capacity and national security of Ukraine, law and order, enforcement of crime;
8) organizes and ensures fulfillment of foreign economic activity of Ukraine, customs activities;	8) organizes and ensures fulfillment of foreign economic activity of Ukraine, customs activities;
9) directs and coordinates work of ministries, other executive branch agencies;	9) directs and coordinates work of ministries, other executive branch agencies;
10) fulfills other functions defined by the Constitution and laws of Ukraine, acts of the President of Ukraine.	10) establishes, reorganizes and liquidates, by proposal of the Prime-Minister of Ukraine, executive branch agencies, except for ministries, while operating within appropriations for maintenance of the executive branch agencies;
	11) by proposal of the Prime-Minister of Ukraine, appoints heads of central executive branch agencies that are not part of the Cabinet of Ministers of Ukraine, except for cases provided for by the Constitution of Ukraine, terminates authority of these persons in their positions;
	12) carries out other functions defined by the Constitution and laws of Ukraine.
Article 118. Executive power in oblasts and districts, cities of Kiev and Sevastopol, shall be exercised by local state administrations.	Article 118. Executive power in the Autonomous Republic of Crimea shall be headed by the Council of Ministers of the Autonomous Republic of Crimea. In oblasts and districts, cities of Kiev and Sevastopol, it shall be exercised by local state administrations.
Specificities of exercise of executive power in the cities of Kiev and Sevastopol shall be defined by separate laws of Ukraine.	Specificities of exercise of executive power in the cities of Kiev and Sevastopol shall be defined by separate laws of Ukraine.
Membership of local state administrations shall be formed by heads of local state administrations.	Membership of local state administrations shall be formed by heads of local state administrations.
Heads of local state administrations shall be appointed to and dismissed from their offices by the President of Ukraine by proposal of the Cabinet of Ministers of Ukraine.	Heads of local state administrations shall be appointed to and dismissed from their offices by the Cabinet of Ministers of Ukraine by proposal of the Prime-Minister of Ukraine .
Heads of local state administrations while exercising their authority shall be accountable to the President of Ukraine and the Cabinet of	Heads of local state administrations while exercising their authority shall be accountable to the Cabinet of Ministers of Ukraine , shall report to

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Ministers of Ukraine, shall report to and be overseen by executive branch agencies of a higher level.	and be overseen by executive agencies of a higher level.
Local state administrations shall be accountable to and controlled by councils in part of powers delegated by them by relevant district or oblast councils.	Local state administrations shall be accountable to and controlled by councils in part of powers delegated by them by relevant district or oblast councils.
Local state administrations are accountable to and controlled by executive branch agencies of a higher level. Decisions of heads of local state administrations contrary to the Constitution and laws of Ukraine, other acts of legislation of Ukraine, may be cancelled by the President of Ukraine in line with the law, or by head of a local state administration of the higher level.	Decisions of heads of local state administrations contrary to the Constitution and laws of Ukraine, other acts of legislation of Ukraine, may be cancelled by the Cabinet of Ministers of Ukraine in line with the law, or by head of a local state administration of the higher level.
An oblast or a district council may express a vote of no confidence to the head of a relevant local administration. Based on that, the President of Ukraine takes a decision and gives a reasoned response.	An oblast or a district council may express a vote of no confidence to the head of a relevant local administration. Based on that, the Cabinet of Ministers of Ukraine takes a decision and gives a reasoned response.
If a a vote of no confidence to the head of a district or an oblast state administration was expressed by two-thirds of members of a relevant council, the President of Ukraine shall take a decision on resignation of the head of a local state administration.	If a a vote of no confidence to the head of a district or an oblast state administration was expressed by two-thirds of members of a relevant council, the Cabinet of Ministers of Ukraine shall take a decision on resignation of the head of a local state administration.
CHAPTER VII	CHAPTER VII
PROSECUTOR'S OFFICE	PROSECUTOR'S OFFICE
Article 121. Prosecutor's office of Ukraine is a uniform system in charge of:	Article 121. Prosecutor's office of Ukraine is a uniform system in charge of:
1) support of public prosecution in a court of law;	1) support of public prosecution in a court of law;
2) representation of interests of a citizen or a state in court in cases provided for by law;	2) representation of interests of a citizen or a state in court in cases provided for by law;
3) oversight over observance of laws by agencies in charge of search and investigation activities, interrogation, pre-trial examination;	3) oversight over observance of laws by agencies in charge of search and investigation activities, interrogation, pre-trial examination;
4) oversight over observance of laws while enforcing judicial decisions on criminal cases, and while applying other enforcement measures connected to restriction of personal freedom of citizens.	4) oversight over observance of laws while enforcing judicial decisions on criminal cases, and while applying other enforcement measures connected to restriction of personal freedom of citizens.
	5) oversight over observance of rights and freedoms of a person and a citizen, as well as over observance of laws by executive branch agencies and local self-governing bodies.
Article 122. The Prosecutor's Office of	Article 122. The Prosecutor's Office of

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Ukraine shall be headed by the General Prosecutor of Ukraine who is appointed to his/her position upon consent of the Verkhovna Rada of Ukraine, and dismissed by the President of Ukraine. The Verkhovna Rada may express a vote of no confidence to the General Prosecutor of Ukraine which causes his/her resignation.	Ukraine shall be headed by the General Prosecutor of Ukraine, who shall be appointed to the position by the Verkhovna Rada of Ukraine by proposal of the President of Ukraine. Expressing of a vote of no confidence to the General Prosecutor of Ukraine by the Verkhovna Rada of Ukraine shall cause his/her resignation from the office.
The term of authority of the General Prosecutor of Ukraine is five years.	The term of authority of the General Prosecutor of Ukraine is five years.
<p>Article 126. <u>Part 4</u> Judges shall occupy their positions for an indefinite period of time, except for judges of the Constitutional Court of Ukraine, and judges who are appointed to their office for the first time.</p>	<p>Article 126. <u>Part 4 shall be excluded</u></p>
<p>Article 128. <u>Part 1</u> First appointment to the position of a professional judge for the period of five years shall be done by the President of Ukraine. All other judges, except for judges of the Constitutional Court of Ukraine, shall be elected by the Verkhovna Rada of Ukraine for an indefinite period of time, according to the procedure provided for by law.</p>	<p>Article 128. <u>Part 1</u> First appointment to the position of a professional judge for the period of five years shall be done by the President of Ukraine. All other judges, except for judges of the Constitutional Court of Ukraine, shall be elected by the Verkhovna Rada of Ukraine for the period of 10 years, with the right to re-election in line with a procedure established by law.</p>
<p>Article 133. The administrative territorial system of Ukraine consists of: the Autonomous Republic of Crimea, oblasts, districts, cities and towns, city districts, settlements and villages. Ukraine consists of: the Autonomous Republic of Crimea; the following oblasts: Vinnitska, Volynska, Dniepropetrovska, Donetska, Zhitomirska, Zakarpatska, Zaporizhska, Ivano-Frankivska, Kyivska, Kirovogradska, Luganska, Lvivska, Mykolaiivska, Odesska, Poltavska, Rivnenska, Sumska, Ternopilska, Kharkivska, Khersonska, Khmel'nitska, Cherkasska, Chernivetska, Chernigivska; cities of Kiev and Sevastopol. Cities of Kiev and Sevastopol shall have a special status that is to be defined by laws of Ukraine.</p>	<p>Article 133. The administrative territorial units of Ukraine are: the Autonomous Republic of Crimea; oblasts: Vinnitska, Volynska, Dniepropetrovska, Donetska, Zhitomirska, Zakarpatska, Zaporizhska, Ivano-Frankivska, Kyivska, Kirovogradska, Luganska, Lvivska, Mykolaiivska, Odesska, Poltavska, Rivnenska, Sumska, Ternopilska, Kharkivska, Khersonska, Khmel'nitska, Cherkasska, Chernivetska, Chernigivska, cities of Kiev and Sevastopol, districts, communities (village, settlement, city/town communities). A community is an administrative and territorial unit that includes residents of one or several municipalities with a relevant territory, has defined boundaries and is administered by local self-governing bodies according to the law. Cities of Kiev and Sevastopol shall have a special status defined by law.</p>
<p>Article 136. Verkhovna Rada of the Autonomous Republic of Crimea is a representative body of the Autonomous</p>	<p>Article 136. Verkhovna Rada of the Autonomous Republic of Crimea is a representative body of the Autonomous Republic of Crimea.</p>

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Republic of Crimea.	
Verkhovna Rada of the Autonomous Republic of Crimea, within its authority, shall make decisions and resolutions that are compulsory for fulfillment in the Autonomous Republic of Crimea.	Verkhovna Rada of the Autonomous Republic of Crimea, within its authority, shall make decisions and resolutions that are compulsory for fulfillment in the Autonomous Republic of Crimea.
Council of Ministers of the Autonomous Republic of Crimea shall be the government of the Autonomous Republic of Crimea. Chairman of the Council of Ministers of the Autonomous Republic of Crimea shall be appointed to and dismissed from the office by the Verkhovna Rada of the Autonomous Republic of Crimea, after consultations with the President of Ukraine.	Chairman of the Council of Ministers of the Autonomous Republic of Crimea shall be appointed to and dismissed from the office by the Verkhovna Rada of the Autonomous Republic of Crimea, after consultations with the Prime-Minister of Ukraine .
Authority, procedure of formation and activity of the Verkhovna Rada of the Autonomous Republic of Crimea, and of the Council of Ministers of the Autonomous Republic of Crimea, shall be defined by the Constitution of Ukraine and laws of Ukraine, regulations of the Verkhovna Rada of the Autonomous Republic of Crimea on issues that fall within its competence.	Authority, procedure of formation and activity of the Verkhovna Rada of the Autonomous Republic of Crimea, and of the Council of Ministers of the Autonomous Republic of Crimea, shall be defined by the Constitution of Ukraine and laws of Ukraine, regulations of the Verkhovna Rada of the Autonomous Republic of Crimea on issues that fall within its competence.
Justice in the Autonomous Republic of Crimea shall be exercised by courts that belong to the uniform system of courts of Ukraine.	Justice in the Autonomous Republic of Crimea shall be exercised by courts that belong to the uniform system of courts of Ukraine.
Article 140. Local self-governance shall be the right of a territorial community – residents of a village or a voluntary association into a rural community of residents of several villages, a settlement or a city/town to independently resolve issues of local importance within the Constitution and laws of Ukraine.	Article 140. Local self-governance shall be the right and a possibility guaranteed by law to residents, and local self-governing bodies to independently resolve issues of local importance within the Constitution of Ukraine and laws. Specificities of exercising local self-governance in the cities of Kiev and Sevastopol shall be defined by special laws of Ukraine.
Specificities of exercising local self-governance in the cities of Kiev and Sevastopol shall be defined by special laws of Ukraine.	Distribution of powers between the state and local self-governance, principles and procedures of mutual delegation of authorities shall be defined by law.
Local self-governance shall be exercised by a territorial community according to the procedure established by law, both directly and through local self-governing bodies: village, settlement, city/town councils and their executive agencies.	Powers vested with state authorities and local self-governing bodies may not overlap.
Local self-governing bodies that represent common interests of territorial communities of villages, settlements and	Local self-governance shall be exercised by residents of a community according to the procedure established by law, both directly and

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<p>cities/towns are district and oblast councils.</p> <p>Issues of organization of administration of city districts belong to the competence of city councils.</p> <p>Village, settlement, city/town councils may allow, by initiative of residents, to establish block, street, quarter and other bodies of self-organization of the population, and delegate to them part of their competence, finances and assets.</p>	<p>through local self-governing bodies: councils of communities and their executive bodies.</p> <p>Local self-governing bodies that represent common interests of community (village, settlement, city/town communities) are district and oblast councils, their executive bodies.</p> <p>Issues of organization of administration of city districts belong to the competence of city councils.</p>
	<p>Councils of communities may allow, by initiative of residents, to establish bloc, street, quarter and other bodies of self-organization of the population, and provide them with part of their own competence, finances, assets.</p>
<p>Article 141. A village, settlement, city/town council consists of members elected by residents of a village, settlement, city/town on the basis of general, equal and direct election law by secret ballot for the period of four years.</p>	<p>Article 141. Councils of communities shall include members elected by residents of a relevant community of the basis of general, equal, direct election law by secret ballot, for the period of four years.</p>
<p>Territorial communities, on the basis of general, equal, direct election law, by a secret ballot, shall elect for the period of four years, shall elect relevant village, settlement and city/town mayors, who shall head an executive body of the council, and chair meetings of such council.</p>	<p>Residents of a community, on the basis of a general, equal, direct election law, shall elect, by secret ballot, for the period of four years, head of a relevant community who shall chair an executive body of the council, and chair its meetings.</p>
<p>Status of chairmen, members and executive bodies of councils and their authority, the procedure of establishment, reorganization and liquidation shall be defined by law.</p>	<p>Status of chairmen, members and executive bodies of councils and their authority, the procedure of establishment, reorganization and liquidation shall be defined by law.</p>
<p>Head of a district council and head of an oblast council shall be elected by a relevant council, and chair an executive office of the council.</p>	<p>Head of a district council and head of an oblast council shall be elected by a relevant council, and chair an executive body of the council.</p>
<p>Article 142. Materially and financially, local self-governance shall be based on real estate and movable property, revenues of local budgets, other funds, land, natural resources owned by territorial communities of villages, settlements, cities/towns, city districts, as well as jointly owned assets managed by district and oblast councils.</p>	<p>Article 142. Materially and financially, local self-governance shall be based on real estate and movable property, revenues of local budgets, other funds, land, natural resources owned by communities (of a village, settlement, city/town), city districts, as well as jointly owned assets managed by district and oblast councils.</p>
<p>Territorial communities of villages, settlements and cities/towns may merge municipal assets on a contract basis, as well as funds of their budgets, for fulfillment of joint</p>	<p>Communities (of villages, settlements and cities/towns) may merge municipal assets on a contract basis, as well as funds of their budgets, for fulfillment of joint project, or for joint financing</p>

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project, or for joint financing (maintenance) of utility companies, organizations and institutions, and establish relevant agencies and services for this purpose.	(maintenance) of utility companies, organizations and institutions, and establish relevant agencies and services for this purpose.
The state shall take part in formation of revenues of budgets of local self-governance, financially support local self-governance. Expenditures of local self-governing bodies made as a result of decisions of the central government shall be compensated by the state.	The state shall take part in formation of revenues of budgets of local self-governance, financially support local self-governance. Expenditures of local self-governing bodies made as a result of decisions of the central government shall be compensated by the state.
<p>Article 143. Territorial communities of a village, settlement, city/town, either directly or through local self-governing bodies established by them, shall manage assets owned by a municipality; approve programs of social and economic and cultural development, and oversee their fulfillment; approve budgets of relevant administrative and territorial units and oversee their fulfillment; establish local taxes and levies according to the law; ensure local referendums and implementation of their results; establish, reorganize and liquidate municipal companies, organizations and institutions, oversee their activity; resolve other issues of local importance that fall within their competence according to the law.</p>	<p>Article 143. Communities (of a village, settlement, city/town), either directly or through local self-governing bodies established by them, shall manage assets owned by a municipality; approve programs of social and economic and cultural development, and oversee their fulfillment; approve budgets of relevant administrative and territorial units and oversee their fulfillment; establish local taxes and levies according to the law; ensure local referendums and implementation of their results; establish, reorganize and liquidate municipal companies, organizations and institutions, oversee their activity; resolve other issues of local importance that fall within their competence according to the law.</p>
<p>Oblast and district councils shall establish programs of social and economic and cultural development of relevant oblasts and districts, and oversee their fulfillment; approve district and oblast budgets that are formed from appropriations of the state budget, for their relevant distribution among territorial communities, or for fulfillment of joint projects, and from funds collected on a contract basis from local budgets for implementation of joint social and economic and cultural programs, and oversee their fulfillment; resolve other issues that fall within their competence according to the law.</p>	<p>Oblast and district councils shall approve programs of social, economic and cultural development of relevant oblasts and districts, and oversee fulfillment of them; approve district and oblast budgets and oversee fulfillment of them; resolve other issues that fall within their competence according to the law.</p>
<p>Local self-governing bodies may receive some powers of executive branch agencies according to the law. The state shall finance exercise of such powers in full amount on the account of appropriations of the State Budget of Ukraine, or by collection of some national taxes to a local budget in line with a procedure established by law, and transfer relevant state-owned assets to local self-governing bodies.</p>	<p>Local self-governing bodies, upon the principles and according to the procedure defined by law, may receive some powers of executive agencies according to the law. The state shall finance exercise of such powers in full amount on the account of appropriations of the State Budget of Ukraine, or by collection of some national taxes to a local budget in line with a procedure established by law, and transfer relevant state-</p>

Current Constitution of Ukraine	Proposed new version
	owned assets to local self-governing bodies.
Local self-governing bodies, on the issues of exercise by them of powers of executive branch agencies, shall be accountable before relevant executive branch agencies.	Local self-governing bodies, on the issues of exercise by them of powers of executive agencies, shall be accountable before relevant executive agencies.
Article 150. The following shall be included into the competence of the Constitutional Court of Ukraine:	Article 150. The following shall be included into the competence of the Constitutional Court of Ukraine:
1) resolution of the issue of conformity to the Constitution of Ukraine (constitutionality) of:	1) resolution of the issue of conformity to the Constitution of Ukraine (constitutionality) of:
laws and other legal acts of the Verkhovna Rada of Ukraine;	laws and other legal acts of the Verkhovna Rada of Ukraine;
acts of the President of Ukraine;	acts of the President of Ukraine;
acts of the Cabinet of Ministers of Ukraine;	acts of the Cabinet of Ministers of Ukraine;
legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea.	legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea and acts of the Council of Ministers of the Autonomous Republic of Crimea
These issues shall be considered following an appeal by: the President of Ukraine; at least forty-five members of the Parliament of Ukraine; the Supreme Court of Ukraine; Ombudsman of the Verkhovna Rada of Ukraine for Human Rights; Verkhovna Rada of the Autonomous Republic of Crimea;	These issues shall be considered following an appeal by: the President of Ukraine; at least forty-five members of the Parliament of Ukraine; the Supreme Court of Ukraine; Ombudsman of the Verkhovna Rada of Ukraine for Human Rights; Verkhovna Rada of the Autonomous Republic of Crimea;
2) official interpretation of the Constitution of Ukraine and laws of Ukraine.	2) official interpretation of the Constitution of Ukraine;
	3) issuance of opinion for a draft law on amendment of the Constitution of Ukraine, according to the requirements of the Chapter XII of this Constitution.