



Strasbourg, 9 October 2013

Opinion 735/2013

CDL-REF(2013)043

Eng. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

COMPARATIVE TABLE
TO SECTION 12 OF THE DRAFT LAW
ON THE PUBLIC PROSECUTOR'S OFFICE
OF UKRAINE

COMPARATIVE TABLE
to Section 12 of the Law of Ukraine *On the Public Prosecutor's Office*

Current version	Amended version
Labor Code of Ukraine	
<p>Article 136. Procedure for covering losses caused by an employee ...</p> <p>Recovery of losses from executives and deputy executives of companies, institutions and organizations in the court shall be claimed on the basis of the lawsuit of the higher authority in the chain of command or upon the application of the public prosecutor.</p>	<p>Article 136. Procedure for covering losses caused by an employee ...</p> <p>Recovery of losses from executives and deputy executives of companies, institutions and organizations in the court shall be claimed on the basis of the lawsuit of the higher authority in the chain of command.</p>
<p>Article 222. Procedure for consideration of labor disputes for certain categories of employees The aspects of consideration of labor disputes of judges, prosecution and investigation department's officers as well as employees of educational, academic and other prosecution agencies who have the class ranks shall be regulated by the legislation.</p>	<p>Article 222. Procedure for consideration of labor disputes for certain categories of employees The aspects of consideration of labor disputes of judges, public prosecutors as well as employees of educational, academic and other prosecution agencies who have the class ranks shall be regulated by the legislation.</p>
<p>Article 231. Consideration of labor disputes in raion, district, city and inter-city courts Raion, district, city and inter-city courts shall consider the labor disputes upon the applications of: ...</p> <p>2) the public prosecutor if the public prosecutor believes that the decision of the labor dispute commission contradicts the current legislation.</p>	<p>Article 231. Consideration of labor disputes in raion, district, city and inter-city courts Raion, district, city and inter-city courts shall consider the labor disputes upon the applications of: ...</p> <p>2) Delete.</p>
<p>Article 233. Timelines for applying to raion, district, city and inter-city courts for settlement of labor disputes ...</p>	<p>Article 233. Timelines for applying to raion, raion, district, city and inter-city courts for settlement of labor disputes ...</p>

<p>The timelines specified by Part Three of this Article shall be also applied in case of appealing to the higher instance court or to the public prosecutor.</p>	<p>The timelines specified by Part Three of this Article shall be also applied in case of appealing to the higher instance court.</p>
<p>Article 259. Supervision and control over compliance with the labor legislation ... The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall be the supreme authorities to supervise the compliance with, and proper application of, labor laws. ...</p>	<p>Article 259. Supervision and control over compliance with the labor legislation ... Delete ...</p>
<p>Code of Ukraine on Administrative Offences</p>	
<p>Article 7. Ensuring legitimacy during application of enforcement measures for administrative offences ... Compliance with the requirements of the law during enforcement measures for administrative offences shall be ensured through regular control by the higher authorities and officials, through supervision by the public prosecutor, the right of appeal and other ways established by law. N/A.</p>	<p>Article 7. Ensuring legitimacy during application of enforcement measures for administrative offences ... Compliance with the requirements of the law during enforcement measures for administrative offences shall be ensured through regular control by the higher authorities and officials, the right of appeal and other ways established by law. The public prosecutor shall supervise compliance with the laws during application of enforcement measures for administrative offences by exercising his/her powers to supervise compliance of the laws during application of enforcement measures connected with restriction of personal freedom of individuals as well as in the area of anti-corruption.</p>
<p>Article 15. Liability of military personnel and other persons covered by the disciplinary regulations for committing administrative offences Military personnel, persons eligible for military duty and reservists during the training as well as junior and senior officers of the State Criminal Enforcement Service of Ukraine, internal affairs authorities and the State Service of Special Communication and Information Protection shall bear liability for administrative offences according to disciplinary regulations. These persons shall bear administrative liability in accordance with the</p>	<p>Article 15. Liability of military personnel and other persons covered by the disciplinary regulations for committing administrative offences Military personnel, persons eligible for military duty and reservists during the training as well as junior and senior officers of the State Criminal Enforcement Service of Ukraine, internal affairs authorities and the State Service of Special Communication and Information Protection shall bear liability for administrative offences according to disciplinary regulations. These persons shall bear administrative liability in accordance with the</p>

CDL-REF(2013)043

<p>usual practice for violation of rules, norms and standards relating to road-traffic safety, sanitary-hygienic and sanitary and epidemiological standards and norms, hunting rules, fishery and fishery protection, customs rules, corruption offences, disturbing peace in public places, illegal use of public assets, illegal storage of special eavesdropping devices, failure to take actions in regard to a separate ruling of the court or a separate ruling of the judge or the motion of the public prosecutor, evasion from performance of lawful requirements of the public prosecutor, violation of the Law of Ukraine <i>On State Secret</i>, violation of the accounting procedure and storage and use of documents and other information medium with the confidential information belonging to the state. Public works, correctional tasks and administrative arrest cannot be applied to such persons.</p> <p>...</p>	<p>usual practice for violation of rules, norms and standards relating to road-traffic safety, sanitary-hygienic and sanitary and epidemiological standards and norms, hunting rules, fishery and fishery protection, customs rules, corruption offences, disturbing peace in public places, illegal use of public assets, illegal storage of special eavesdropping devices, failure to take actions in regard to a separate ruling of the court, evasion from performance of lawful requirements of the public prosecutor, violation of the Law of Ukraine <i>On State Secret</i>, violation of the accounting procedure and storage and use of documents and other information medium with the confidential information belonging to the state. Public works, correctional tasks and administrative arrest cannot be applied to such persons.</p> <p>...</p>
<p>Article 185⁴. Malicious evasion of the witness, victim, expert, interpreter from appearance in the pre-trial investigation authorities or meeting the public prosecutor</p> <p>Malicious evasion of the witness, victim, expert, interpreter from appearance in the pre-trial investigation authorities or meeting the public prosecutor –</p> <p>...</p>	<p>Article 185⁴. Malicious evasion of the witness, victim, expert, interpreter from appearance in the pre-trial investigation authorities or meeting the public prosecutor</p> <p>Malicious evasion of the witness, victim, expert, interpreter from appearance in the pre-trial investigation authorities or meeting the public prosecutor during the pre-trial investigation –</p> <p>...</p>
<p>Article 185⁶. Failure to take actions as to a separate ruling of the court or a separate ruling of the judge or the motion of the public prosecutor</p> <p>Failure of an official to consider a separate ruling of the court or a separate ruling of the judge or failure to take actions to remove the violations of the law specified in such rulings or delays in responding to a separate ruling of the court or a separate ruling of the judge –</p> <p>...</p> <p>Failure by an official to consider the motion of the public prosecutor as well as delays in responding to the motion – shall lead to imposing a penalty from 20 to 50 tax-exempted minimum incomes of citizens.</p>	<p>Article 185⁶. Failure to take actions as to a separate ruling of the court</p> <p>Failure of an official to consider a separate ruling of the court or failure to take actions to remove the violations of the law specified in the ruling or delays in responding to a separate ruling of the court–</p> <p>...</p> <p>Delete.</p> <p>...</p>
<p>Article 185⁸. Evasion from meeting the lawful requirements of the public prosecutor</p> <p>Evasion from meeting the lawful requirements of the public prosecutor shall lead to imposing a penalty from 20 to 40 tax-exempt</p>	<p>Article 185⁸. Evasion from meeting the lawful requirements of the public prosecutor</p> <p>Evasion from meeting the lawful requirements of the public prosecutor shall lead to imposing a penalty from 20 to 40 tax-exempt</p>

<p>minimum incomes of citizens. Evasion from coming to the public prosecutor's office upon summons – shall lead to imposing a penalty from 20 to 50 tax-exempt minimum incomes of citizens for citizens; and from 20 to 80 tax-exempt minimum incomes of citizens for officials.</p>	<p>minimum incomes of citizens. Evasion from meeting the lawful requirements of the public prosecutor as to appearance in the public prosecutor's office – shall lead to imposing a penalty from 20 to 80 tax-exempt minimum incomes of citizens.</p>
<p>Article 188³⁵. Non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine, a member of the High Qualifications Commission of Judges of Ukraine as to provision of information Non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine, a member of the High Qualifications Commission of Judges of Ukraine to provide information, the copies of documents as well as violation of the timelines for submitting such documents established by law, provision of misleading information -</p>	<p>Article 188³⁵. Non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine, the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine or members of these authorities as to provision of information Non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine, a member of the High Qualifications Commission of Judges of Ukraine the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine, a member of the Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine to provide information, the copies of documents as well as violation of the timelines for submitting such documents established by law, provision of misleading information - ...</p>
<p>Article 250. Supervision by the public prosecutor of compliance with the laws during proceedings on administrative offences The public prosecutor, deputy public prosecutor supervising compliance with, and proper application of, the laws during proceedings on administrative offences shall be entitled to: initiate proceedings on the administrative offence, see the case files, check the legality of actions taken by the authorities (officials) during the proceedings on the case, participate in consideration of the case; file petitions, give conclusions on the issues arising during consideration of the case; check the correct application of enforcement measures for administrative offences by the corresponding authorities (officials), submit the motions, appeal against the resolution and ruling on the administrative claim as well as take any other actions specified by the Law.</p>	<p>Article 250. Supervision of compliance with the laws by the public prosecutor in case of taking enforcement measures relating to restriction of liberty of citizens as well as in the area of anti-corruption The public prosecutor supervising the compliance with the laws in case of taking enforcement measures relating to restriction of liberty of citizens as well as in the area of anti-corruption shall be entitled to: compile an administrative offence report, see the case files, participate in consideration of the case, submit petitions, check the legality of enforcement measures applied by the corresponding authorities (officials) for administrative offences, appeal the ruling or resolution on complaints about administrative offense cases, and take other actions specified by the Law.</p>

CDL-REF(2013)043

<p>For the proceedings on the administrative offences specified by Articles 172-4 – 172-9 of this Code participation of the public prosecutor in consideration of the case by the court shall be obligatory.</p>	<p>For the proceedings on the administrative offences specified by Articles 172-4 – 172-9 of this Code participation of the public prosecutor in consideration of the case by the court shall be obligatory.</p>
<p>Article 255. Persons authorized to compile administrative offence reports</p> <p>The following persons shall have the right to compile administrative offence reports on administrative cases considered by the authorities specified by Articles 218 – 221 of this Code:</p> <p>1) officials authorized to compile the reports:</p> <p>at internal affairs authorities (Part One of Article 44, Articles 44¹, 46¹, 46², 51, 51², 92, Part One of Article 106¹, Article 106², Part Four and Seven of Article 121, Part Three and Four of Article 122, Articles 122², 122⁴, 122⁵, Part Two and Three of Article 123, Article 124, Part Four of Article 127, Parts One and Two of Article 127¹, Article 130, Part Three of Article 133, Article 135¹, Article 136 (on violations committed on motor vehicles), Article 139, Part Four of Article 140, Articles 148, 151, 152, 154, 155, 155² – 156², 159, 160, 162 – 162³, 164 – 164¹¹, 164¹⁵, 164¹⁶, 165¹, 165², 166¹⁴ – 166¹⁸, 172⁴ – 172⁹, 173 – 173², 174, Article 175¹ (except of violations committed in the places prohibited by the decision of the corresponding village, town or city council), Articles 176, 177, 178 – 181¹, 181³ – 185², 185⁴ – 185⁹, 186, 186¹, 186³, 186⁵ – 187, 188²⁸, 189 – 196, and Articles 204¹, 206¹, 212⁶, 212⁷, 212⁸, 212¹⁰, 212¹², 212¹³, 212¹⁴, 212²⁰);</p> <p>...</p> <p>the Secretariat of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine (Article 188¹⁹);</p> <p>...</p> <p>8) investigator, the public prosecutor (Part Four of Article 184, Article 185⁴, Part Two of Article 185⁶, Articles 185⁸, 185¹¹);</p> <p>N/A.</p> <p>...</p>	<p>Article 255. Persons authorized to compile administrative offence reports</p> <p>The following persons shall have the right to compile administrative offence reports on administrative cases considered by the authorities specified by Articles 218 – 221 of this Code:</p> <p>1) officials authorized to compile the reports:</p> <p>at internal affairs authorities (Part One of Article 44, Articles 44¹, 46¹, 46², 51, 51², 92, Part One of Article 106¹, Article 106², Part Four and Seven of Article 121, Part Three and Four of Article 122, Articles 122², 122⁴, 122⁵, Part Two and Three of Article 123, Article 124, Part Four of Article 127, Parts Articles 127¹, 130, Part Three of Article 133, Article 135¹, Article 136 (on violations committed on motor vehicles), Article 139, Part Four of Article 140, Articles 148, 151, 152, 154, 155, 155² – 156², 159, 160, 162 – 162³, 164 – 164¹¹, 164¹⁵, 164¹⁶, 165¹, 165², 166¹⁴ – 166¹⁸, 172⁴ – 172⁹, 173 – 173², 174, Article 175¹ (except of violations committed in the places prohibited by the decision of the corresponding village, town or city council), Articles 176, 177, 178 – 181¹, 181³ – 185², 185⁴ – 185⁹, 186, 186¹, 186³, 186⁵ – 187, 188²⁸, 189 – 196, and Articles 204¹, 206¹, 212⁶, 212⁷, 212⁸, 212¹⁰, 212¹², 212¹³, 212¹⁴, 212²⁰);</p> <p>...</p> <p>Delete;</p> <p>...</p> <p>8) investigator (Part Four of Article 184, Article 185⁴, 185¹¹);</p> <p>8¹) authorized persons of the Secretariat of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine or representatives of the Secretariat of the Authorized Human Rights Representative of the Verkhovna Rada of Ukraine (Articles 188¹⁹, 212³ (except of violation of the right to information according to the Law of Ukraine <i>On the Bar and Lawyer's Practice</i>));</p>

<p>N/A.</p> <p>N/A.</p> <p>...</p> <p>11) the public prosecutor or the person authorized by him from among the officials of the public prosecutor's office (Part Three of Articles 127¹, Articles 172⁴ – 172⁹, 188³², 188³⁵, 212³ (except of violation of the right to information according to the Law of Ukraine <i>On the Bar and Lawyer's Practice</i>));</p> <p>...</p>	<p>...</p> <p>9²) Chairman, Deputy Chairman of the High Council of Justice (Article 188³²);</p> <p>9³) Chairman, Deputy Chairman of the High Qualifications Commission of Judges of Ukraine (Article 188³⁵ (as to non-performance of lawful requirements of the High Qualifications Commission of Judges of Ukraine or its member));</p> <p>9³) Chairman, Deputy Chairman of the High Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine (Article 188³⁵ (as to non-performance of lawful requirements of the High Qualifications and Disciplinary Commission of Public Prosecutors of Ukraine or its member));</p> <p>11) the public prosecutor (Articles 185⁴, 185⁸, 185¹¹, 172⁴ -172⁹);</p> <p>...</p>
<p>Article 257. Sending the report</p> <p>...</p> <p>The person who has compiled an administrative corruption offence report shall send to it the court and a notification about the fact of compiling the report to the public prosecutor, government authorities, local government authorities, executive of the company, institution or organizations which employs the person who is prosecuted; such notification to specify the nature of the offence and the provisions of the laws which were violated.</p>	<p>Article 257. Sending the report</p> <p>...</p> <p>The person who has compiled an administrative corruption offence report shall send it to the court a notification about the fact of compiling the report to government authorities, local government authorities, executive of the company, institution or organizations which employs the person who is prosecuted; such notification to specify the nature of the offence and the provisions of the laws which were violated.</p>
<p>Article 267. Appeal against the measures of ensuring proceedings in administrative cases</p> <p>Administrative detention, personal inspection and inspection and seizure of belongings including the driver's license, vehicle license card, temporary seizure of vehicle, suspension of pilots from driving vehicles, river vessels and small size vessels, ascertaining the presence of drug, alcohol or other intoxication and the presence of medical substances which</p>	<p>Article 267. Appeal against the measures of ensuring proceedings in administrative cases</p> <p>Administrative detention, personal inspection and inspection and seizure of belongings including the driver's license, vehicle license card, temporary seizure of vehicle, suspension of pilots from driving vehicles, river vessels and small size vessels, ascertaining the presence of drug, alcohol or other intoxication and the presence of medical substances which</p>

CDL-REF(2013)043

<p>impair attention and slow reaction can be appealed by the person concerned to the higher authority (higher official) against the authority (official) who applied these actions, to the public prosecutor or the court.</p> <p>Appeal against the measures of ensuring proceedings in administrative cases or submission of the motion by the public prosecutor shall not terminate execution of the measures.</p>	<p>impair attention and slow reaction can be appealed by the person concerned to the higher authority (higher official) against the authority (official) who applied these actions, or to the court.</p> <p>Appeal against the measures of ensuring proceedings in administrative cases shall not terminate execution of the measures.</p>
<p>Article 279. Procedure for consideration of the administrative case</p> <p>...</p> <p>The Chairman at the meeting of the Board or the official who is considering the case shall announce which case is under consideration, who is brought to administrative liability, as well as he/she shall explain the rights and obligations to the persons participating in consideration of the case. This shall be followed by the reading of the administrative offence report. The meeting shall hear the persons participating in consideration of the case, examine evidence and address petitions. In case of engagement of the public prosecutor in consideration of the case the meeting shall hear his/her conclusion.</p>	<p>Article 279. Procedure for consideration of the administrative case</p> <p>...</p> <p>The Chairman at the meeting of the Board or the official who is considering the case shall announce which case is under consideration, who is brought to administrative liability, as well as he/she shall explain the rights and obligations to the persons participating in consideration of the case. This shall be followed by the reading of the administrative offence report. The meeting shall hear the persons participating in consideration of the case, examine evidence and address petitions.</p>
<p>Section 24</p> <p>APPEALING THE RULING ON ADMINISTRATIVE OFFENCE CASES OR SUBMITTING THE MOTION OF THE PUBLIC PROSECUTOR AGAINST IT</p>	<p>Section 24</p> <p>APPEALING THE RULING ON ADMINISTRATIVE OFFENCE CASES</p>
<p>Article 287. The right to appeal against the ruling on administrative offence cases</p> <p>The ruling on administrative offence case can be appealed by the public prosecutor, the person it refers to and the victim.</p> <p>...</p>	<p>Article 287. The right to appeal against the ruling on administrative offence cases</p> <p>The ruling on administrative offence case can be appealed by the public prosecutor in the cases specified by Part Five of Article 7 of this Code, the person it refers to and the victim.</p> <p>...</p>
<p>Article 288. Procedure for appealing the ruling on administrative offence cases</p> <p>...</p> <p>The ruling of an authorized agency (official) to impose administrative sanction can be revoked or changed upon the motion of the public prosecutor by the head of the corresponding agency; and by the head of the higher authority independent of fact of submitting the motion by the public prosecutor.</p>	<p>Article 288. Procedure for appealing the ruling on administrative offence cases</p> <p>...</p> <p>Delete.</p> <p>...</p>

<p>...</p>	
<p>Article 289. The timelines for appealing the ruling on administrative offence cases Complaints about the ruling on administrative offence case can be submitted within ten days from the moment of issuing the ruling. In case of failure to meet these timelines for a valid reason the authority (official) authorized to consider the complaint can resume the timelines upon the application of the public prosecutor and the person the ruling refers to.</p>	<p>Article 289. The timelines for appealing the ruling on administrative offence cases Complains about the ruling on administrative offence case can be submitted within ten days from the moment of issuing the ruling. In case of failure to meet these timelines for a valid reason the authority (official) authorized to consider the complaint can resume the timelines upon the application of the person the ruling refers to.</p>
<p>Article 290. Submitting the motion of the public prosecutor against the ruling on administrative offence case The public prosecutor can submit the motion against the ruling on administrative offence case within ten days from the moment of issuing the ruling.</p>	<p>Delete.</p>
<p>Article 291. Effective date of the ruling on administrative case issued by the administrative authority (official) The ruling on administrative case issued by the administrative authority (official) shall come into force from the moment of expiry of the period for appealing (submitting the motion by the public prosecutor) against the ruling except for the rulings relating to sanctions specified by Clause 26 of this Code and the cases relating to imposing a penalty which shall be collected at the place where administrative offence is committed.</p>	<p>Article 291. Effective date of the ruling of on administrative case issued by the administrative authority (official) The ruling on administrative case issued by the administrative authority (official) shall come into force from the moment of expiry of the period for appealing against the ruling except for the rulings relating to sanctions specified by Clause 26 of this Code and the cases relating to imposing a penalty which shall be collected at the place where administrative offence is committed.</p>
<p>Article 292. The timelines for consideration of the complaint and submitting the motion by the public prosecutor against the ruling on administrative case The complaint and the motion of the public prosecutor against the ruling on administrative case shall be considered by the authorized agencies (officials) within ten days from the moment of their submission unless otherwise specified by the laws of Ukraine.</p>	<p>Article 292. The timelines for consideration of the complaint about the ruling on administrative case The complaint about the ruling on administrative case shall be considered by the authorized agencies (officials) within ten days from the moment of its submission unless otherwise specified by the laws of Ukraine.</p>
<p>Article 293. Consideration of the complaint and the motion of the public prosecutor against the ruling on administrative case</p>	<p>Article 293. Consideration of the complaint about the ruling on administrative case</p>

CDL-REF(2013)043

<p>While considering a complaint or the motion of the public prosecutor against the ruling on administrative case the authority (official) shall check the legitimacy and validity of the ruling and make one of the following decisions:</p> <p>1) uphold the ruling and reject the complaint or the motion of the public prosecutor;</p> <p>...</p>	<p>While considering a complaint about the ruling on administrative case the authority (official) shall check the legitimacy and validity of the ruling and make one of the following decisions:</p> <p>1) uphold the ruling and reject the complaint;</p> <p>...</p>
<p>Article 294. Effective date of the ruling of the judge on administrative case and review of the ruling</p> <p>...</p> <p>The person who is brought to administrative liability, his/her legal representative, defense counsel, the victim, his/her representative or the public prosecutor can appeal against the ruling of the judge on administrative case within ten days from the day of issuing the ruling. The Court of Appeal shall return the appeal to the person who submitted the appeal after expiry of this period unless the person makes a petition to resume the timelines and in the case of rejecting the petition seeking to renew the appeal period.</p> <p>...</p>	<p>Article 294. Effective date of the ruling of the judge on administrative case and review of the ruling</p> <p>...</p> <p>The person who is brought to administrative liability, his/her legal representative, defense counsel, the victim, his/her representative can appeal against the ruling of the judge on administrative case within ten days from the day of issuing the ruling. The Court of Appeal shall return the appeal to the person who submitted the appeal after expiry of this period unless the person makes a petition to resume the timelines and in the case of rejecting the petition seeking to renew the appeal period.</p> <p>...</p>
<p>Article 295. Sending a copy of the resolution on the complaint about the ruling</p> <p>...</p> <p>The public prosecutor shall be informed about the results of consideration of the complaint submitted by the public prosecutor.</p>	<p>Article 295. Sending a copy of the resolution on the complaint about the ruling</p> <p>...</p> <p>Delete.</p>
<p>Article 299. Submitting the ruling for enforcement</p> <p>...</p> <p>In case of appealing against the ruling which imposes an administrative sanction or in case of submitting the public prosecutor's motion against it the ruling shall be subject to enforcement after the complaint or the motion has been rejected except of the rulings imposing a sanction in the form of the warning or the penalty which shall be collected at the place where the administrative offence takes place.</p>	<p>Article 299. Submitting the ruling for enforcement</p> <p>...</p> <p>In case of appealing against the ruling which imposes an administrative sanction the ruling shall be subject to enforcement after the complaint has been rejected except of the rulings imposing a sanction in the form of the warning or the penalty which shall be collected at the place where the administrative offence takes place.</p> <p>...</p>

<p>...</p> <p>Article 303. Limitation for execution of resolutions imposing administrative sanctions</p> <p>The resolution imposing an administrative sanction shall not be executed if it was not submitted within three months from the day of issuing the resolution. In case of appealing the resolution or submitting the motion of the public prosecutor against it the period of limitation shall be suspended before considering the complaint or the motion of the public prosecutor. In case of suspension of execution of the resolution according to Article 301 of this Code the period of limitation shall be suspended until the expiry of the suspension period.</p> <p>...</p>	<p>Article 303. Limitation for execution of resolutions imposing administrative sanctions</p> <p>The resolution imposing an administrative sanction shall not be executed if it was not submitted within three months from the day of issuing the resolution. In case of appealing the resolution the period of limitation shall be suspended before considering the complaint. In case of suspension of execution of the resolution according to Article 301 of this Code the period of limitation shall be suspended until the expiry of the suspension period.</p> <p>...</p>
<p>Article 307. The timelines and procedure for execution of the ruling imposing a penalty</p> <p>The penalty shall be paid by the offender within 15 days following the receipt of the ruling imposing a penalty and in case of appeal or the motion of the public prosecutor against it – within 15 days from the day of notification about rejection of the complaint or the motion.</p> <p>...</p>	<p>Article 307. The timelines and procedure for execution of the ruling imposing a penalty</p> <p>The penalty shall be paid by the offender within 15 days following the receipt of the ruling imposing a penalty and in case of appeal – within 15 days from the day of notification about rejection of the complaint.</p> <p>...</p>
<p>Economic Procedure Code of Ukraine</p>	
<p>Article 30. Participation of officials and other employees of companies, institutions, organizations and public and other authorities in the trial</p> <p>Officials and other employees of companies, institutions, organizations and public and other authorities can participate in the court hearings if they have been summoned to supply explanations on the issues arising during consideration of the case. They shall have the right to see the case files, supply explanations, provide evidence and participate in inspection and examination of evidence.</p> <p>These persons shall come to the economic court upon summons, inform about the data and circumstances they are aware of and provide written explanations on the demand of the economic court.</p>	<p>Article 30. Participation of the Ukrainian Parliament Commissioner for Human Rights, officials and other employees of companies, institutions, organizations and public and other authorities in the trial</p> <p>Officials and other employees of companies, institutions, organizations and public and other authorities can participate in the court hearings if they have been summoned to supply explanations on the issues arising during consideration of the case. They shall have the right to see the case files, supply explanations, provide evidence and participate in inspection and examination of evidence.</p> <p>These persons shall come to the economic court upon summons, inform about the data and circumstances they are aware of and provide written explanations on the demand of the economic court.</p>

CDL-REF(2013)043

<p>N/A.</p>	<p>In order to protect the rights and freedoms of man and citizen in the cases established by Law the Ukrainian Parliament Commissioner for Human Rights shall be entitled, personally or using his/her representative, to apply to the Economic Court of Ukraine with the lawsuits (applications), participate in consideration of cases based on his/her lawsuits (applications) as well as to join the cases initiated on the basis of lawsuits (applications) of other persons at any stage of the proceedings, submit appeals and cassation appeals, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts, including in the cases initiated on the basis of lawsuits (applications) of other persons. To this end, the Ukrainian Parliament Commissioner for Human Rights shall provide to the Economic Court the documents proving that the person cannot protect his/her interests on his/her own.</p>
<p>Forest Code of Ukraine</p>	
<p>Article 91. Authorities of the officials of State Forest Protection Service Officials of the State Forest Protection Service shall be entitled to: ... 14) apply to the public prosecutor's offices with the request to submit the lawsuits to the court seeking to compensate the losses of the forestry as well as to return the misappropriated or temporarily occupied woodlots whose period of use has expired. ...</p>	<p>Article 91. Authorities of the officials of State Forest Protection Service Officials of the State Forest Protection Service shall be entitled to: ... 14) file the lawsuits to the court seeking to compensate the losses of the forestry as well as to return the misappropriated or temporarily occupied woodlots whose period of use has expired. ...</p>
<p>Criminal Code of Ukraine</p>	
<p>Article 381¹. Non-performance of the public prosecutor's orders by the investigator 1. Willful regular failure of an investigator of the pre-trial investigation agency to comply with the lawful orders of the public prosecutor submitted</p>	<p>Article 381¹. Non-performance of the public prosecutor's orders by the investigator 1. Willful regular failure of an investigator of the pre-trial investigation agency to comply with the lawful orders of the public prosecutor submitted</p>

<p>by the latter in writing in the manner established by the Criminal Procedure Code of Ukraine during criminal proceedings shall be punished with a penalty to the amount from 300 to 500 tax-exempt minimum incomes or restriction of liberty up to three years with deprivation of the right to hold certain posts or carry our certain activity up to two years or without it.</p> <p>N/A.</p>	<p>by the latter in writing in the manner established by the Criminal Procedure Code of Ukraine during criminal proceedings shall be punished with a penalty to the amount from 300 to 500 tax-exempt minimum incomes or restriction of liberty up to three years with deprivation of the right to hold certain posts or carry our certain activity up to two years or without it.</p> <p>2. Willful regular failure of an official of the detective department to comply with the lawful orders of the public prosecutor submitted by the latter in writing in order to supervise the compliance with the laws during detective activities shall be punished with a penalty to the amount from 300 to 500 tax-exempt minimum incomes or restriction of liberty up to three years with deprivation of the right to hold certain posts or carry our certain activity up to two years or without it.</p>
<p>Family Code of Ukraine</p>	
<p>Article 48. Declaring the marriage void</p> <p>1. The marriage registered in the absence of the fiancé and (or) fiancée shall be considered void. The entry with the Civil Register made by the State Civil Registry Office shall be cancelled on the basis of the court ruling upon the application of the person concerned and upon the application of the public prosecutor.</p>	<p>Article 48. . Declaring the marriage void</p> <p>1. The marriage registered in the absence of the fiancé and (or) fiancée shall be considered void. The entry with the Civil Register made by the State Civil Registry Office made by the state registration authority shall be cancelled on the basis of the court ruling upon the application of the person concerned.</p>
<p>Criminal Executive Code of Ukraine</p>	
<p>Article 22. Supervision of execution of criminal punishment by the public prosecutor</p> <p>1. The Prosecutor General of Ukraine as well as the public prosecutors subordinate to him shall supervise compliance with the laws during execution of criminal judgments in the agencies and institutions of execution of punishment, according to the Law <i>On the Public Prosecutor's Office.</i></p>	<p>Article 22. Supervision of compliance with the laws during execution of criminal punishment</p> <p>According to the Law <i>On the Public Prosecutor's Office</i>, the public prosecutor shall supervise compliance with the laws by the agencies and institutions of execution of punishment during execution of criminal judgments as well as in case of applying enforcement measures relating to restriction of personal liberty of citizens.</p> <p>...</p>
<p>Article 24. Visiting institutions of execution of criminal punishment</p>	<p>Article 24. Visiting institutions of execution of criminal punishment</p>

CDL-REF(2013)043

<p>1. The following persons shall have the right to visit the institutions of execution of criminal punishment without a special permit in order to exercise control:</p> <p>...</p> <p>The Prosecutor General of Ukraine as well as the public prosecutors authorized by him/her and the public prosecutors who supervise execution of punishment in the corresponding territory;</p> <p>...</p>	<p>1. The following persons shall have the right to visit the institutions of execution of criminal punishment without a special permit in order to exercise control:</p> <p>...</p> <p>The Prosecutor General of Ukraine as well as the public prosecutors authorized by him/her and the public prosecutors supervising compliance with the laws in the corresponding territory during execution of criminal judgments as well as in case of applying other enforcement measures relating to restriction of liberty of citizens;</p> <p>...</p>
<p>Civil Procedure Code of Ukraine</p>	
<p>Article 45. Participation of the authorities and persons authorized by law to protect the rights, freedoms and interests of other persons in the civil process</p> <p>1. In cases specified by the Law the Ukrainian Parliament Commissioner for Human Rights, government authorities, local government authorities, individuals and legal entities can apply to the court with the application to protect rights, freedoms and interests of other persons or the interests of the government or the public and participate in these cases. In this case the Ukrainian Parliament Commissioner for Human Rights, government authorities and local government authorities shall provide the documents to the court specifying reasonable grounds why these persons cannot apply to the court to protect their rights, freedoms and interests on their own.</p> <p>N/A.</p>	<p>Article 45. Participation of the authorities and persons authorized by law to protect the rights, freedoms and interests of other persons in the civil process</p> <p>1. In cases specified by the law the government authorities, local government authorities, individuals and legal entities can apply to the court with the application to protect rights, freedoms and interests of other persons or the interests of the government or the public and participate in these cases. In this case the government authorities and local government authorities shall provide the documents to the court specifying reasonable grounds why these persons cannot apply to the court to protect their rights, freedoms and interests on their own.</p> <p>In order to protect the rights and freedoms of man and citizen in the cases established by Law the Ukrainian Parliament Commissioner for Human Rights shall be entitled, personally or using his/her representative, to apply to the court with the lawsuits (applications), participate in consideration of cases based on his/her lawsuits (applications) as well as to join the cases initiated on the basis of lawsuits (applications) of other persons at any stage of the proceedings, submit appeals and cassation appeals, petition for</p>

	<p>review of judgments by the Supreme Court of Ukraine, review of cases upon discovery of new facts including on the cases initiated on the basis of lawsuits (applications) of other persons. To this end, the Ukrainian Parliament Commissioner for Human Rights shall provide to the court the documents proving that the person cannot protect his/her interests on his/her own</p> <p>...</p>
<p>Code of Administrative Legal Proceedings of Ukraine</p>	
<p>Article 18. In rem jurisdiction over administrative cases</p> <p>...</p> <p>4. The High Administrative Court of Ukraine as the first-instance court shall have jurisdiction over the cases relating to establishing the election results or the results of the national referendum by the Central Election Commission, cases on early termination of the authorities of a member of the Ukrainian parliament, and the cases relating to appeal against acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice and the High Qualifications Commission of Judges of Ukraine.</p> <p>...</p>	<p>Article 18. In rem jurisdiction over administrative cases</p> <p>...</p> <p>4. The High Administrative Court of Ukraine as the first-instance court shall have jurisdiction over the cases relating to establishing the election results or the results of the national referendum by the Central Election Commission, cases on early termination of the authorities of a member of the Ukrainian parliament, and the cases relating to appeal against acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine.</p> <p>...</p>
<p>Article 20. Instance jurisdiction of administrative cases</p> <p>1. Local administrative courts (local general courts acting as administrative courts and district administrative courts) and the High Administrative Court of Ukraine shall settle administrative cases as the courts of first instance in the cases specified by this Code.</p> <p>2. The appeal administrative courts shall act as the courts of appeal to review the court rulings of local administrative courts (local general courts acting as administrative courts and district administrative courts) located within their territorial jurisdiction, according to the appeals procedures.</p> <p>3. The High Administrative Court of Ukraine shall act as the cassation court to review the court rulings of local and appeal administrative courts, under the cassational procedure.</p> <p>In the case specified by Part Six of Article 177 of this Code the High Administrative Court of Ukraine shall act as the court of appeal to review the court rulings of Kyiv Appeal Administrative Court, according to the</p>	<p>Article 20. Instance jurisdiction of administrative cases</p> <p>1. Local administrative courts (local general courts acting as administrative courts and district administrative courts), as well as the appeal administrative courts and the High Administrative Court of Ukraine shall settle administrative cases as the courts of first instance in the cases specified by this Code.</p> <p>2. The appeal administrative courts shall act as the courts of appeal to review the court rulings of local administrative courts (local general courts acting as administrative courts and district administrative courts) located within their territorial jurisdiction, according to the appeals procedures.</p> <p>3. The High Administrative Court of Ukraine shall act as the cassation court to review the court rulings of local and appeal administrative courts, under the cassational procedure.</p> <p>In the cases specified by this Code the High Administrative Court of Ukraine shall act as the court of appeal to review the court rulings of the appeal administrative court, according to the appeals procedure.</p>

CDL-REF(2013)043

<p>appeals procedure.</p> <p>4. In the cases specified by this Code the Supreme Court of Ukraine shall review the court rulings of administrative courts after their review under the cassational procedure.</p>	<p>4. In the cases specified by this Code the Supreme Court of Ukraine shall review the court rulings of administrative courts after their review under the cassational procedure.</p>
<p>Article 60. Participation of the authorities and persons entitled by law to protects the rights, freedoms and interest of other persons in the proceedings</p> <p>1. In cases specified by the Law the Ukrainian Parliament Commissioner for Human Rights, government authorities, local government authorities, individuals and legal entities can apply to the administrative court with administrative lawsuits to protect rights, freedoms and interests of other persons or the interests of the government or the public and participate in these cases. In this case the Ukrainian Parliament Commissioner for Human Rights, government authorities and local government authorities shall provide the documents to the administrative court specifying reasonable grounds why these persons cannot apply to the administrative court to protect their rights, freedoms and interests on their own.</p> <p>N/A.</p>	<p>Article 60. Participation of the authorities and persons entitled by law to protects the rights, freedoms and interest of other persons in the proceedings</p> <p>1. In cases specified by the Law the government authorities, local government authorities, individuals and legal entities can apply to the administrative court with administrative lawsuits to protect rights, freedoms and interests of other persons or the interests of the government or the public and participate in these cases. In this case the government authorities and local government authorities shall provide the documents to the administrative court specifying reasonable grounds why these persons cannot apply to the administrative court to protect their rights, freedoms and interests on their own.</p> <p>In order to protect the rights and freedoms of man and citizen in the cases established by law, the Ukrainian Parliament Commissioner for Human Rights shall be entitled, personally or using his/her representative, to apply to the administrative court with lawsuits (applications), participate in consideration of cases based on his/her administrative lawsuits (applications) as well as to join the cases initiated on the basis of administrative lawsuits (applications) of other persons at any stage of the proceedings, submit appeals and cassation appeals, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts, including in the cases initiated on the basis of administrative lawsuits (applications) of other persons. To this end, the Ukrainian Parliament Commissioner for Human Rights shall provide to the administrative court the documents proving that the person cannot protect his/her interests on his/her own</p> <p>...</p>

<p>...</p> <p>Article 171¹. Special features of the proceedings on the cases relating to appeal against acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice and the High Qualifications Commission of Judges of Ukraine.</p> <p>1. The rules of this Article cover the administrative cases relating to:</p> <p>1) legitimacy (save for constitutional) of the decrees of the Verkhovna Rada of Ukraine, and decrees and orders of the President of Ukraine;</p> <p>2) acts of the High Council of Justice;</p> <p>3) actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice;</p> <p>4) resolutions, actions or omission thereof by the High Qualifications Commission of Judges of Ukraine.</p> <p>N/A.</p> <p>2. Acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, as well as the decisions, actions or omission of the High Qualifications Commission of Judges of Ukraine shall be appealed to the High Administrative Court of Ukraine. To this end, the High Administrative Court of Ukraine shall establish a separate chamber.</p> <p>3. In case of initiating the proceedings on administrative case relating to the regulatory act of the Verkhovna Rada of Ukraine, of the President of Ukraine the High Administrative Court of Ukraine shall oblige the defendant to publish an announcement of the same. The announcement shall be published subject to the requirements specified by Parts Three – Five of Article 171 of this Code. If the announcement is published on time all the parties concerned shall be deemed to have been notified properly about the court hearing.</p> <p>4. Administrative case as to appeal against the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice as well as the decisions, actions or omission of the High Qualifications Commission of Judges of Ukraine shall be settled by the</p>	<p>Article 171¹. Special features of the proceedings on the cases relating to appeal against acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice and the High Qualifications Commission of Judges of Ukraine.</p> <p>1. The rules of this Article cover the administrative cases relating to:</p> <p>1) legitimacy (save for constitutional) of the decrees of the Verkhovna Rada of Ukraine, and decrees and orders of the President of Ukraine;</p> <p>2) acts of the High Council of Justice;</p> <p>3) actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice;</p> <p>4) resolutions, actions or omission thereof by the High Qualifications Commission of Judges of Ukraine.</p> <p>5) resolutions, actions or omission thereof by the High Qualifications and Disciplinary Commission of Public Prosecutors.</p> <p>2. Acts, actions or omission thereof by the Verkhovna Rada of Ukraine and the President of Ukraine shall be appealed to the High Administrative Court of Ukraine. To this end, the High Administrative Court of Ukraine shall establish a separate chamber. Acts, actions or omission thereof by the High Council of Justice, as well as the decisions, actions or omission of the High Qualifications Commission of Judges of Ukraine, and Qualifications and Disciplinary Commission of Public Prosecutors shall be appealed to Kyiv Administrative Court of Appeal.</p> <p>3. In case of initiating the proceedings on administrative case relating to the regulatory act of the Verkhovna Rada of Ukraine, of the President of Ukraine the High Administrative Court of Ukraine shall oblige the defendant to publish an announcement of the same. The announcement shall be published subject to the requirements specified by Parts Three – Five of Article 171 of this Code. If the announcement is published on time all the parties concerned shall be deemed to have been notified properly about the court hearing.</p> <p>4. Administrative case as to appeal against the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice as well as the decisions, actions or omission thereof of the High Qualifications Commission of Judges of Ukraine, the Qualifications and Disciplinary Commission of Public Prosecutors</p>
---	---

CDL-REF(2013)043

Panel of Judges which shall consist of at least five judges, within the reasonable time period but no later than within one month from the moment of initiating the proceedings on the case. The court can prolong the time for consideration of the case in exceptional cases with due regard to certain aspects of the case; such prolongation period shall not exceed one month.

5. On the basis of the results of the court hearing the High Administrative Court of Ukraine can:

1) declare unlawful the act of the Verkhovna Rada of Ukraine, the President of Ukraine, the decision of the High Qualifications Commission of Judges of Ukraine, in full or in part;

2) declare unlawful the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, the High Qualifications Commission of Judges of Ukraine and oblige the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, the High Qualifications Commission of Judges of Ukraine to take certain actions.

In case the regulatory act is declared unlawful and void the substantive provisions of the judgment shall be published by the defendant, after the judgment comes into force, in the media in which it was officially announced.

6. The decision of the High Administrative Court of Ukraine as to the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, **the High Council of Justice as well as the decisions, actions or omission thereof of the High Qualifications Commission of Judges of Ukraine** shall be final and shall not be subject to review under the appeal or cassation procedures.

N/A.

shall be settled by the Panel of Judges which shall consist of at least five judges, within the reasonable time period but no later than within one month from the moment of initiating the proceedings on the case. The court can prolong the time for consideration of the case in exceptional cases with due regard to certain aspects of the case; such prolongation period shall not exceed one month.

5. On the basis of the results of the court hearing the High Administrative Court of Ukraine **or Kyiv Appeal Administrative Court** can:

1) declare unlawful the act of the Verkhovna Rada of Ukraine, the President of Ukraine, the decision of the High Qualifications Commission of Judges of Ukraine, the **Qualifications and Disciplinary Commission of Public Prosecutors** in full or in part;

2) declare unlawful the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, the High Qualifications Commission of Judges of Ukraine, **the Qualifications and Disciplinary Commission of Public Prosecutors** and oblige the Verkhovna Rada of Ukraine, the President of Ukraine, the High Council of Justice, the High Qualifications Commission of Judges of Ukraine, **the Qualifications and Disciplinary Commission of Public Prosecutors** to take certain actions.

In case the regulatory act is declared unlawful and void the substantive provisions of the judgment shall be published by the defendant, after the judgment comes into force, in the media in which it was officially announced.

6. The decision of the High Administrative Court of Ukraine as to the acts, actions or omission thereof by the Verkhovna Rada of Ukraine, the President of Ukraine shall be final and shall not be subject to review under the appeal or cassation procedures.

7. The rulings of Kyiv Administrative Court of Appeal relating to appeals of acts, actions or omission thereof by the High Council of Justice as well as the decisions, actions or omission thereof by the High Qualifications Commission of Judges of Ukraine and the Qualifications and Disciplinary Commission of Public Prosecutors

	<p>can be appealed according to the appeals procedure. The Court of Appeal in such cases shall be the High Administrative Court of Ukraine whose rulings are final and are not subject to appeal.</p>
<p>Budget Code of Ukraine</p>	
<p>Section VI. FINAL AND TRANSITIONAL PROVISIONS ... 9. Establish that prior to the direct debiting of the budget funds and reimbursement of losses caused to the budget: ... 9) the funds reimbursed by the state from the state budget (from local budgets by the Autonomous Republic of Crimea, local government authorities) according to this Clause shall be considered as losses of the state budget (local budgets). Upon the motion of the central executive authority implementing the public policy in the area of treasury servicing of public funds the public prosecutor's offices shall apply to the court on behalf of the state with the lawsuits to reimburse the losses caused to the state budget (local budgets); 10) Following the internal investigation the central government authorities, local government authorities, (government authorities of the Autonomous Republic of Crimea, local government authorities) and the public prosecutor's offices on the basis of the materials submitted by the corresponding authorities which provide treasury servicing of public funds can apply to the court, within one month, with the lawsuits to reimburse the losses caused to the state budget (local budget) and submit a counter claim to the amount of paid compensation to the officials and officers of these authorities who caused the losses (except for reimbursement for employment-related payments and compensation for non-pecuniary damages). ...</p>	<p>Section VI. FINAL AND TRANSITIONAL PROVISIONS ... 9. Establish that prior to the direct debiting of the budget funds and reimbursement of losses caused to the budget: ... 9) the funds reimbursed by the state from the state budget (from local budgets by the Autonomous Republic of Crimea, local government authorities) according to this Clause shall be considered as losses of the state budget (local budgets). The central executive authority implementing the public policy in the area of treasury servicing of public funds shall apply to the court on behalf of the state with the lawsuits to reimburse the losses caused to the state budget (local budgets); 10) Following the internal investigation the central government authorities, local government authorities, (government authorities of the Autonomous Republic of Crimea, local government authorities) and the authorities which provide treasury servicing of public funds can apply to the court, within one month, with the lawsuits to reimburse the losses caused to the state budget (local budget) and submit a counter claim to the amount of paid compensation to the officials and officers of these authorities who caused the losses (except for reimbursement for employment-related payments and compensation for non-pecuniary damages). ...</p>
<p>Customs Code of Ukraine</p>	

CDL-REF(2013)043

<p>Article 486. Objectives and content of proceedings in the cases relating to violation of customs rules</p> <p>...</p> <p>2. The proceedings in the case relating to violation of customs rules shall include the procedural actions specified by Article 508 of this Code, consideration of the case, issue of resolution and review of resolution in case of appeal (the motion of the public prosecutor).</p>	<p>Article 486. Objectives and content of proceedings in the cases relating to violation of customs rules</p> <p>...</p> <p>2. The proceedings in the case relating to violation of customs rules shall include the procedural actions specified by Article 508 of this Code, consideration of the case, issue of resolution and review of resolution in case of appeal.</p>
<p>Article 529. Procedure for appealing against the rulings in the cases relating to violation of customs rules</p> <p>...</p> <p>5. The ruling of the court (judge) on the case relating to violation of customs rules can be appealed by the person it refers to, representative of the person, the public prosecutor or the customs authority who conducted the proceedings on the case. The procedure for appealing the ruling of the court (judge) on the case relating to violation of customs rules shall be defined by the Code of Administrative Offences of Ukraine and other laws of Ukraine.</p>	<p>Article 529. Procedure for appealing against the rulings in the cases relating to violation of customs rules</p> <p>...</p> <p>5. The ruling of the court (judge) on the case relating to violation of customs rules can be appealed by the person it refers to, representative of the person or the customs authority who conducted the proceedings on the case. The procedure for appealing the ruling of the court (judge) on the case relating to violation of customs rules shall be defined by the Code of Administrative Offences of Ukraine and other laws of Ukraine.</p>
<p>Article 530. Checking the legitimacy and validity for the ruling in the case on violation of customs rules</p> <p>1. The legitimacy and validity for the decision of the customs house relating to violation of the customs rules can be checked by the court or the central executive authority which ensures implementation of the public policy in the area of public customs, while the decision made by the central executive authority shall be checked by the court in connection with any administrative lawsuit, the motion of the Public Prosecutor or for control purposes.</p> <p>...</p>	<p>Article 530. Checking the legitimacy and validity for the ruling in the case on violation of customs rules</p> <p>1. The legitimacy and validity for the decision of the customs house relating to violation of the customs rules can be checked by the court or the central executive authority which ensures implementation of the public policy in the area of public customs, while the decision made by the central executive authority shall be checked by the court in connection with any administrative lawsuit or for control purposes.</p> <p>...</p>
<p>Article 532. Timelines for considering a complaint (administrative lawsuit), the motion of the public prosecutor against the ruling on the case relating to violation of customs rules</p> <p>1. A complaint (administrative lawsuit), the motion by the public prosecutor against the judgment on the case relating to violation of</p>	<p>Article 532. Timelines for considering a complaint (administrative lawsuit) about the ruling on the case relating to violation of customs rules</p> <p>1. A complaint (administrative lawsuit) about the judgment on the case relating to violation of customs rules shall be considered within the timelines established by law.</p>

<p>customs rules shall be considered within the timelines established by law.</p>	
<p>Article 533. Implications of submitting a complaint (administrative lawsuit) or the motion by the public prosecutor 1. In case of submitting a complaint or the motion by the public prosecutor the execution of the ruling on the case relating to violation of customs rules shall be suspended until conclusion of the consideration of the complaint (administrative lawsuit) or the motion.</p>	<p>Article 533. Implications of submitting a complaint (administrative lawsuit) 1. In case of submitting a complaint the execution of the ruling on the case relating to violation of customs rules shall be suspended until conclusion of the consideration of the complaint (administrative lawsuit).</p>
<p>Article 539. Procedure for execution of the decision of the customs authority to impose a penalty 1. The penalty shall be paid by the person who violated the customs rules not later than within 15 days from the day of servicing the decision of the customs authority to impose a penalty or from the day of sending a copy of the decision. In case of appeal against the decision or submission of the motion by the public prosecutor against it the penalty shall be paid not later than within 15 days from the moment of rejection the complaint (administrative lawsuit) or the motion. </p>	<p>Article 539. Procedure for execution of the decision of the customs authority to impose a penalty 1. The penalty shall be paid by the person who violated the customs rules not later than within 15 days from the day of servicing the decision of the customs authority to impose a penalty or from the day of sending a copy of the decision. In case of appeal against the decision the penalty shall be paid not later than within 15 days from the moment of rejection the complaint (administrative lawsuit). </p>
<p>Code of Criminal Procedure of Ukraine</p>	
<p>Article 3. Definition of the key terms in the Code 1. The terms used in this Code shall have the following meaning unless specified otherwise: ... 9) the head of a public prosecutor's office means the Prosecutor General of Ukraine, a public prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, inter-raion public prosecutor, the public prosecutor of city, raion and public prosecutors with the similar status and their deputies acting within their authorities; 15) a public prosecutor is the Prosecutor General of Ukraine, first deputy, deputies of the Prosecutor General of Ukraine, their senior assistants, assistants, public prosecutors of the Autonomous</p>	<p>Article 3. Definition of the key terms in the Code 1. The terms used in this Code shall have the following meaning unless specified otherwise: ... 9) the head of a public prosecutor's office means the Prosecutor General of Ukraine, head of regional public prosecutor's office, head of local public prosecutor's office and their first deputies who act within their authorities; ... 15)) a public prosecutor is the person who holds the post as specified by Article 15 of the Law of Ukraine <i>On Public Prosecutor's Office</i>;</p>

CDL-REF(2013)043

<p>Republic of Crimea, oblasts, Kyiv and Sevastopol cities, public prosecutors of cities and raions, city districts, inter-raion and specialized public prosecutors, their first deputies, deputies of public prosecutors, heads of head offices, offices, departments of public prosecutor's offices, their first deputies, deputies, senior public prosecutors and public prosecutors of the public prosecutor's offices of all levels who act within their authorities specified by this Code.</p> <p>...</p>	<p>...</p>
<p>Article 36. The public prosecutor</p> <p>...</p> <p>4. The right for submitting an appeal or a cassation appeal, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts shall be also granted to the officials of public prosecutor's offices of the highest level independent of their participation in the legal proceedings: the Prosecutor General of Ukraine, public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, public prosecutors with the similar status and their deputies.</p> <p>The Prosecutor General of Ukraine, public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, public prosecutors with the similar status and their deputies shall have the right to amend, change or revoke the appeal or cassation lawsuits, applications for revision of judgments upon discovery of new facts submitted by them or the public prosecutors of the lower level.</p> <p>Officials of the public prosecutor's offices of the highest level can participate in the court hearings relating to review of court judgments under the appeal or cassation procedure, by the Supreme Court of Ukraine or upon discovery of new facts.</p> <p>5. In case of inefficient pre-trial investigation the Prosecutor General of Ukraine, public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and public prosecutors with the similar status shall have the right to use their substantiated decision to instruct a different pre-trial agency to carry out pre-trial investigation of the criminal offence including the investigator of a higher level department within one agency.</p>	<p>Article 36. The public prosecutor</p> <p>...</p> <p>4. The right for submitting an appeal or a cassation appeal, petition for review of judgments by the Supreme Court of Ukraine, revision of judgments upon discovery of new facts shall be also granted to the Public Prosecutors of the highest level independent of their participation in the legal proceedings: the Prosecutor General of Ukraine, heads of regional public prosecutor's offices, their first deputies and deputies.</p> <p>The Prosecutor General of Ukraine, heads of regional public prosecutor's offices, their first deputies and deputies shall have the right to amend, change or revoke the appeal or cassation lawsuits, applications for revision of judgments upon discovery of new facts submitted by them, heads, first deputies or deputy heads or the public prosecutors of the public prosecutor's offices of the lower level.</p> <p>Public prosecutors of the public prosecutor's office of the highest level can participate in the court hearings relating to review of court judgments under the appeal or cassation procedure, by the Supreme Court of Ukraine or upon discovery of new facts.</p> <p>5. In case of inefficient pre-trial investigation the Prosecutor General of Ukraine, the heads of regional public prosecutor's offices, their first deputies and deputies shall have the right to use their substantiated decision to instruct a different pre-trial agency to carry out pre-trial investigation of the criminal offence including the investigator of a higher level department within one agency.</p>

<p>6. While supervising compliance with the laws during the pre-trial investigation, the Prosecutor General of Ukraine, public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, public prosecutors of cities and raions, city districts, inter-raion and specialized public prosecutors, their first deputies, deputies shall be entitled to revoke unlawful and unjustified resolutions of investigators and the subordinate public prosecutors within the timelines of pre-trial investigations specified by Article 219 of this Code. In case of revoking the resolutions it shall be necessary to notify the Public Prosecutor supervising compliance with the laws during the corresponding pre-trial investigation.</p>	<p>6. While supervising compliance with the laws during the pre-trial investigation, the Prosecutor General of Ukraine, heads of regional public prosecutor's offices, their first deputies and deputies shall be entitled to revoke unlawful and unjustified resolutions of investigators and the public prosecutors of lower level within the timelines of pre-trial investigations specified by Article 219 of this Code. In case of revoking the resolutions it shall be necessary to notify the public prosecutor supervising compliance with the laws during the corresponding pre-trial investigation.</p>
<p>Article 87. Inadmissibility of evidence obtained through gross violation of human rights and freedoms</p> <p>...</p> <p>2. The court shall treat as gross violation of human rights and fundamental freedoms, in particular, the following actions:</p> <p>...</p> <p>6) obtaining the testimony from the witness who is later declared a suspect or found guilty in this criminal proceeding.</p> <p>N/A.</p> <p>3. The evidence specified by this Article shall be treated by the court as inadmissible during any court hearing except for the trial relating to liability for the above-mentioned gross violation of human rights and freedoms committed to obtain the evidence.</p>	<p>Article 87. Inadmissibility of evidence obtained through gross violation of human rights and freedoms</p> <p>...</p> <p>2. The court shall treat as gross violation of human rights and fundamental freedoms, in particular, the following actions:</p> <p>...</p> <p>6) Delete.</p> <p>3. The evidence shall be inadmissible if it is obtained:</p> <p>1) On the basis of testimony of the witness who is later declared a suspect or found guilty in this criminal proceeding;</p> <p>2) After the beginning of the criminal proceedings where a pre-trial investigation agency or the public prosecutor's office exercise the authorities which are not established in this Code for pre-trial investigation of criminal offences.</p> <p>4. The evidence specified by this Article shall be treated by the court as inadmissible during any court hearing except for the trial relating to liability for the above-mentioned gross violation of human rights and freedoms committed to obtain the evidence.</p>
<p>Article 214. Beginning of the pre-trial investigation</p>	<p>Article 214. Beginning of the pre-trial investigation</p>

CDL-REF(2013)043

<p>...</p> <p>6. The investigator shall immediately inform the public prosecutor in writing about the beginning of the pre-trial investigation, the grounds for beginning the pre-trial investigation and provide other information specified by Part Five of this Article.</p> <p>...</p>	<p>...</p> <p>6. The investigator shall immediately inform the head of a public prosecutor's office in writing about the beginning of the pre-trial investigation, the grounds for beginning the pre-trial investigation and provide other information specified by Part Five of this Article.</p> <p>...</p>
<p>Article 294. General provisions about the prolongation of the pre-trial investigation timelines</p> <p>...</p> <p>2. If the pre-trial investigation of the offence (pre-trial investigation) cannot be completed within the time specified by Clause 2 of Part One of Article 219 of this Code the time period can be extended within the timelines specified by Clause 2 and 3 of Part Two of Article 219 of this Code:</p> <ol style="list-style-type: none"> 1) 1) up to three months – by the regional (local) or other public prosecutor with the similar status; 2) up to six months – by the public prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, public prosecutor with the similar status and their deputies; <p>...</p>	<p>Article 294. General provisions about the prolongation of the pre-trial investigation timelines</p> <p>...</p> <p>2. If the pre-trial investigation of the offence (pre-trial investigation) cannot be completed within the time specified by Clause 2 of Part One of Article 219 of this Code the time period can be extended within the timelines specified by Clause 2 and 3 of Part Two of Article 219 of this Code:</p> <ol style="list-style-type: none"> 3) up to three months – by the head of the local public prosecutor's office; 4) up to six months – by the head of the regional public prosecutor's office or his/her first deputy or deputies; <p>...</p>
<p>Article 312. Procedure for appealing the decisions, actions or omission thereof by the public prosecutor</p> <p>...</p> <p>2. The investigator's complaint shall be submitted to the public prosecutor's office of a higher level if it challenges the decisions, actions of omission thereof by the public prosecutor's office where the investigator works.</p> <p>...</p>	<p>Article 312. Procedure for appealing the decisions, actions or omission thereof by the public prosecutor</p> <p>...</p> <p>2. The investigator's complaint shall be submitted to the public prosecutor of a higher level if it challenges the decisions, actions of omission thereof by the public prosecutor.</p> <p>...</p>
<p>Article 313. Procedure for settlement of complaint on the decision, actions or omissions thereof by a public prosecutor</p> <p>1. The official of the public prosecutor's office of a higher level who receives a complaint on the decision, actions or omission thereof by the public prosecutor shall consider the complaint within three days from the moment of its receipt and send his/her decision to the investigator and the public</p>	<p>Article 313. Procedure for settlement of complaint on the decision, actions or omissions thereof by a public prosecutor</p> <p>1. The public prosecutor of a higher level who receives a complaint on the decision, actions or omission thereof by the public prosecutor shall consider the complaint within three days from the moment of its receipt and send his/her decision to the investigator and the public prosecutor whose decisions, actions</p>

<p>prosecutor whose decisions, actions or omission thereof have been challenged.</p> <p>...</p> <p>3. In case of cancelling a decision or ruling that an action or omission thereof is illegal, the official of the public prosecutor's office of a higher level shall be entitled to replace the public prosecutor with another one from among the officers of the same level of the public prosecutor's office during the pre-trial proceeding where the illegal decision, action or omission thereof took place.</p> <p>4. The decision of the official of the public prosecutor's office of a higher level shall be final and not subject to appeal in the court, other government authorities, with their officials or officers.</p>	<p>or omission thereof have been challenged.</p> <p>...</p> <p>3. In case of cancelling a decision or ruling that an action or omission thereof is illegal, the public prosecutor of a higher level shall be entitled to replace the public prosecutor with another one from among the officers of the same level of the public prosecutor's office during the pre-trial proceeding where the illegal decision, action or omission thereof took place.</p> <p>4. The decision of the public prosecutor of a higher level shall be final and not subject to appeal in the court, other government authorities, with their officials or officers.</p>
<p>Article 341. Agreeing the change of accusation, bringing new accusations and dropping the charge</p> <p>1. If during the court proceedings the public prosecutor comes to the conclusion that it is necessary to drop the charge, change it or bring additional charges the public prosecutor shall coordinate the corresponding procedural documents with a public prosecutor of a higher level. The court shall postpone the court hearing upon the petition of the public prosecutor and give time to the public prosecutor to compile and agree the corresponding procedural documents.</p> <p>If the head of the public prosecutor's office who made of the above-mentioned conclusions participates in the court hearing he/she shall agree the corresponding procedural documents with the public prosecutor of a higher level.</p> <p>2. If the head of the public prosecutor's office, the public prosecutor of a higher level refuse to approve the bill of indictment with a new accusation, the petition for bringing additional charges or the resolution to drop charges he/she shall remove the public prosecutor who initiated the issue from participation in the court hearing. In this case he/she shall personally participate in the court hearing as the public prosecutor or instruct other public prosecutor to do it. The court hearing shall continue according to the standard procedure.</p>	<p>Article 341. Agreeing the change of accusation, bringing new accusations and dropping the charge</p> <p>1. If during the court proceedings the public prosecutor, except where it is the Prosecutor General of Ukraine, comes to the conclusion that it is necessary to drop the charge, change it or bring additional charges the public prosecutor shall coordinate the corresponding procedural documents with a public prosecutor of a higher level. The court shall postpone the court hearing upon the petition of the public prosecutor and give time to the public prosecutor to compile and agree the corresponding procedural documents.</p> <p>Delete.</p> <p>2. If the public prosecutor of a higher level refuses to approve the bill of indictment with a new accusation, the petition for bringing additional charges or the resolution to drop charges he/she shall remove the public prosecutor who initiated the issue from participation in the court hearing. In this case he/she shall personally participate in the court hearing as the public prosecutor or instruct other public prosecutor to do it. The court hearing shall continue according to the standard procedure.</p>

CDL-REF(2013)043

<p>Article 481. Notice of suspicion 1. Notice of suspicion shall be made in writing to: 1) the lawyer, deputy of local government, MP of the Verkhovna Rada of the Autonomous Republic of Crimea, village, two or city mayor by the Prosecutor General of Ukraine, his/her deputy, the public prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities acting within his/her powers; ... </p>	<p>Article 481. Notice of suspicion 1. Notice of suspicion shall be made in writing to: 1) the lawyer, deputy of local government, MP of the Verkhovna Rada of the Autonomous Republic of Crimea, village, two or city mayor by the Prosecutor General of Ukraine, his/her deputy, the head of a regional public prosecutor's office acting within his/her powers; ... </p>
<p>Article 575. Procedure for preparing the documents and sending inquiries ... 4. The petition for extradition of a person shall be submitted to the corresponding central authority of Ukraine via the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and the public prosecutors with the similar status within 10 days from the day of detention of the person on the territory of a foreign state. The head of the corresponding pre-trial investigation department of the central internal affairs authorities, security agency or the agency exercising control over compliance with the tax legislation, State Investigation Bureau of Ukraine shall submit the petition for extradition of the person to the Prosecutor General's Office of Ukraine within the specified time. ... </p>	<p>Article 575. Procedure for preparing the documents and sending inquiries ... 4. The petition for extradition of a person shall be submitted to the corresponding central authority of Ukraine via the corresponding public prosecutor's office within 10 days from the day of detention of the person on the territory of a foreign state. The head of the corresponding pre-trial investigation department of the central internal affairs authorities, security agency or the agency exercising control over compliance with the tax legislation, State Investigation Bureau of Ukraine shall submit the petition for extradition of the person to the Prosecutor General's Office of Ukraine within the specified time. ... </p>
<p>Article 582. Aspects of detaining a person who committed a criminal offence outside Ukraine ... 3. After receiving the notification the public prosecutor shall check the legitimacy of detention of the person wanted by the competent authorities of foreign states and immediately inform the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities. 4. After detention of such persons a public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities shall within 60 hours inform the corresponding central authority of Ukraine which in turn shall inform the competent authority of the foreign state within the next three days. 5. A public prosecutor's office of the Autonomous Republic of </p>	<p>Article 582. Aspects of detaining a person who committed a criminal offence outside Ukraine ... 3. After receiving the notification the public prosecutor shall check the legitimacy of detention of the person wanted by the competent authorities of foreign states and immediately inform the corresponding public prosecutor's office. 4. After detention of such persons the corresponding public prosecutor's office shall within 60 hours inform the corresponding central authority of Ukraine which in turn shall inform the competent authority of the foreign state within the next three days. 5. The corresponding public prosecutor's office shall also inform the Ministry of Foreign Affairs of Ukraine about each case of detaining a foreigner </p>

<p>Crimea, oblasts, Kyiv and Sevastopol cities shall also inform the Ministry of Foreign Affairs of Ukraine about each case of detaining a foreigner who committed a crime outside Ukraine.</p> <p>...</p>	<p>who committed a crime outside Ukraine.</p> <p>...</p>
<p>Article 586. Terminating a temporary arrest or a preventive measure</p> <p>1. A temporary arrest or a preventive measure shall be terminated in case of:</p> <p>...</p> <p>2. A temporary arrest or a preventive measure shall be terminated by the public prosecutor of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities or his deputy upon the instruction (request) of the central authority of Ukraine, and in the case specified by Clause 2 of Part One of this Article – upon the agreement with the corresponding central authority of Ukraine. The copy of the ruling about termination of the temporary arrest or the preventive measure shall be sent to the authorized official of the detention center, the investigative judge who issued the decision about the temporary arrest or a preventive measure as well as to the person against whom the non-custodial preventive measure was applied.</p>	<p>Article 586. Terminating a temporary arrest or a preventive measure</p> <p>A temporary arrest or a preventive measure shall be terminated in case of:</p> <p>...</p> <p>2. A temporary arrest or a preventive measure shall be terminated by the head of the corresponding regional public prosecutor's office, his first deputy or his deputy upon the instruction (request) of the central authority of Ukraine, and in the case specified by Clause 2 of Part One of this Article – upon the agreement with the corresponding central authority of Ukraine. The copy of the ruling about termination of the temporary arrest or the preventive measure shall be sent to the authorized official of the detention center, the investigative judge who issued the decision about the temporary arrest or a preventive measure as well as to the person against whom the non-custodial preventive measure was applied.</p>
<p>Article 587. Extradition investigation</p> <p>1. The Central Authority of Ukraine or the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities upon the instruction or the motion of the Central Authority shall investigate into the circumstances preventing the extradition.</p> <p>...</p>	<p>Article 587. Extradition investigation</p> <p>1. The Central Authority of Ukraine or the corresponding regional public prosecutor's office upon the instruction of the motion of the Central Authority shall investigate into the circumstances preventing the extradition.</p> <p>...</p>
<p>Article 591. The procedure for appealing the decision about extradition</p> <p>...</p> <p>2. If the complaint on the decision about extradition is submitted by the person in custody the authorized official of the detention facility shall immediately send the complaint to the investigative judge and inform the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities of the same.</p> <p>...</p>	<p>Article 591. The procedure for appealing the decision about extradition</p> <p>...</p> <p>2. If the complaint on the decision about extradition is submitted by the person in custody the authorized official of the detention facility shall immediately send the complaint to the investigative judge and inform the corresponding regional public prosecutor's office of the same.</p> <p>...</p>
<p>Article 592. Suspension of extradition</p>	<p>Article 592. Suspension of extradition</p>

CDL-REF(2013)043

<p>...</p> <p>2. Following the decision about suspension of extradition the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities shall upon the instruction or the motion of the Central Authority supervise the process of serving the sentence by the individual or control the curative treatment.</p> <p>3. If there are no grounds for suspension of actual extradition of the individual as specified by Part One of this Article the public prosecutor's office of the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities shall ensure extradition arrest according to the procedure established by this Code.</p> <p>...</p>	<p>...</p> <p>2. Following the decision about suspension of extradition the corresponding regional public prosecutor's office shall upon the instruction or the motion of the Central Authority supervise the process of serving the sentence by the individual or control the curative treatment.</p> <p>3. If there are no grounds for suspension of actual extradition of the individual as specified by Part One of this Article the corresponding regional public prosecutor's office shall ensure extradition arrest according to the procedure established by this Code.</p> <p>...</p>
<p>Law of Ukraine <i>On Police</i></p>	
<p>Article 27. Supervision of compliance with the laws by the police The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with the laws by the police.</p>	<p>Article 27. Supervision of compliance with the laws by the police The public prosecutor shall supervise compliance with the laws by the police units which perform detective operations, make inquiries and carry out pre-trial investigation as well as during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of liberty of individuals.</p>
<p>Law of Ukraine <i>On Basic Principles of Social Security of Disabled People in Ukraine</i></p>	
<p>Article 9. Central and local executive authorities, local government authorities in partnership with NGOs formed by disabled people shall within their authorities to develop and coordinate long-term and short-term programs pursuing the public policy as to disabled people and control implementation of such programs, contribute to development of international cooperation on the issues relating to disabled people. The public prosecutor's offices of Ukraine shall also supervise implementation of the above-mentioned programs.</p> <p>...</p>	<p>Article 9. Central and local executive authorities, local government authorities in partnership with NGOs formed by disabled people shall within their authorities to develop and coordinate long-term and short-term programs pursuing the public policy as to disabled people and control implementation of such programs, contribute to development of international cooperation on the issues relating to disabled people.</p> <p>...</p>

Law of Ukraine On Foreign Economic Activities	
<p>Article 34. Responsibility of Ukraine as the state</p> <p>...</p> <p>The lawsuit shall be submitted according to the standard procedure specified by the civil procedural legislation of Ukraine. The government authority and/or the official specified in the lawsuit and/or one of the public prosecutors of Ukraine shall participate in the trial on behalf of Ukraine as the state.</p> <p>...</p>	<p>Article 34. Responsibility of Ukraine as the state</p> <p>...</p> <p>The lawsuit shall be submitted according to the standard procedure specified by the civil procedural legislation of Ukraine. The government authority and/or the official specified in the lawsuit shall participate in the trial on behalf of Ukraine as the state.</p> <p>...</p>
Law of Ukraine On Freedom of Conscience and Religious Organizations	
<p>Article 16. Terminating the activity of a religious organization</p> <p>...</p> <p>The court shall consider the case on termination of the activity of a religious organization in the course of the ordinary proceeding specified by the Civil Procedure Code of Ukraine upon the application of the agency authorized to register the Charter of the specific religious organization or the application of the public prosecutor.</p>	<p>Article 16. Terminating the activity of a religious organization</p> <p>...</p> <p>The lawsuit demanding to terminate the activity of a religious organization shall be submitted to the Administrative Court by the agency authorized to register the Charter of the specific religious organization.</p>
<p>Article 29. Public control over compliance with the legislation on freedom of conscience and religious organizations</p> <p>The central executive authorities which develop and implement the public policy in the area of religion, other central authorities, the public prosecutor's offices, local executive authorities and local government authorities shall within their authorities ensure enforcement and compliance with the laws on freedom of conscience, outlook, religion and religious organizations.</p>	<p>Article 29. Public control over compliance with the legislation on freedom of conscience and religious organizations</p> <p>The central executive authorities which develop and implement the public policy in the area of religion, other central authorities, local executive authorities and local government authorities shall within their authorities ensure enforcement and compliance with the laws on freedom of conscience, outlook, religion and religious organizations.</p>
Law of Ukraine On Environmental Protection	

CDL-REF(2013)043

<p>Article 37. Supervision of compliance with the environmental laws by the public prosecutor The Prosecutor General of Ukraine and the public prosecutor's offices subordinate to him/her shall supervise the compliance with the environmental laws. Supervising the compliance with the law the public prosecutor's offices shall execute the rights granted to them according to the laws of Ukraine including the right to apply to the court with the lawsuit to compensate for the losses caused as a result of violation of the environmental laws and to terminate environmentally dangerous activity. The public prosecutor's office can establish special environmental departments if necessary.</p>	<p>Delete.</p>
<p><i>Law of Ukraine On Social and Legal Protection of the Military Personnel and Members of their Families</i></p>	
<p>Article 22. Supervision of compliance with this Law The public prosecutor's office shall supervise the compliance with this Law by the executive authorities, local government authorities, their officials and officers.</p>	<p>Delete</p>
<p><i>Law of Ukraine On Detective Operations</i></p>	
<p>Article 9¹. Timelines for carrying out detective operations In case of obtaining the information during the detective operations about participation of an individual in preparation of a grave or especially grave crime the following authorities can extend the time frame for conducting the case up to 12 months: heads of main independent departments of the Ministry of Internal Affairs of Ukraine, the Central Administration of the Security Service of Ukraine, main departments, departments of the Ministry of Internal Affairs of Ukraine and the tax police in the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities, regional authorities and agencies of the Military Counterintelligence Service of</p>	<p>Article 9¹. Timelines for carrying out detective operations In case of obtaining the information during the detective operations about participation of an individual in preparation of a grave or especially grave crime the following authorities can extend the time frame for conducting the case up to 12 months: heads of main independent departments of the Ministry of Internal Affairs of Ukraine, the Central Administration of the Security Service of Ukraine, main departments, departments of the Ministry of Internal Affairs of Ukraine and the tax police in the Autonomous Republic of Crimea, oblasts, Kyiv or Sevastopol cities, regional authorities and agencies of the Military Counterintelligence Service of</p>

<p>Ukraine, intelligence unit of a specially authorized central executive authority for the protection of state border of Ukraine, local authorities of a specially authorized central executive authority for the protection of state border of Ukraine, the Head of State Border Guard Service of Ukraine, the Head of State Customs Service of Ukraine, the Head of the Foreign Intelligence Service of Ukraine, the head of the intelligence unit of the Ministry of Defense of Ukraine or their deputies upon the agreement with the Prosecutor General of Ukraine, the public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities, and public prosecutors with the similar status and their deputies.</p> <p>The time frame for carrying out the detective operations which include the actions specified by Part Four of Article 8 of this Law and Clause 6 of Part Two of Article 7 of the Law of Ukraine <i>On Counterintelligence Activities</i> shall be extended without the agreement with the public prosecutor.</p> <p>...</p>	<p>Ukraine, intelligence unit of a specially authorized central executive authority for the protection of state border of Ukraine, local authorities of a specially authorized central executive authority for the protection of state border of Ukraine, the Head of State Border Guard Service of Ukraine, the Head of State Customs Service of Ukraine, the Head of the Foreign Intelligence Service of Ukraine, the head of the intelligence unit of the Ministry of Defense of Ukraine or their deputies upon the agreement with the Prosecutor General Of Ukraine, the heads of regional public prosecutor's offices, their first deputies and deputies.</p> <p>The time frame for carrying out the detective operations which include the actions specified by Part Four of Article 8 of this Law and Clause 6 of Part Two of Article 7 of the Law of Ukraine <i>On Counterintelligence Activities</i> shall be extended without the agreement with the public prosecutor.</p> <p>...</p>
<p>Article 14. Supervision of compliance with the laws during detective operations</p> <p>Compliance with the laws during detective operations shall be supervised by the Prosecutor General of Ukraine, his/her deputies, the public prosecutors of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities and public prosecutors with the similar status and their deputies as well as by the persons authorized by the order of the Prosecutor General of Ukraine, heads and public prosecutors of offices, departments of the Prosecutor General's Office of Ukraine and the public prosecutor's offices of the Autonomous Republic of Crimea, oblasts, Kyiv and Sevastopol cities.</p> <p>The heads of local, raion, inter-raion, inter-city public prosecutor's offices and public prosecutor's offices with the similar status shall supervise compliance with the laws during detective operations carried out as part of the detective cases initiated by the subordinate operative departments of the law-enforcement units in their administrative areas.</p> <p>...</p>	<p>Article 14. Supervision of compliance with the laws during detective operations</p> <p>Compliance with the laws during detective operations shall be supervised by the Prosecutor General of Ukraine, his/her deputies, heads of regional public prosecutor's offices, their first deputies and deputies as well as by the persons authorized by the order of the Prosecutor General of Ukraine, public prosecutors of the Prosecutor General's Office of Ukraine and those authorized by the order of the head of the regional public prosecutor's office and the public prosecutors of the corresponding regional public prosecutor's offices.</p> <p>The head of the local public prosecutor's office and the public prosecutors of the corresponding local public prosecutor's office authorized by him shall supervise compliance with the laws during detective operations carried out as part of the detective cases initiated by the subordinate operative departments of the law-enforcement units in their administrative areas.</p> <p>...</p>

CDL-REF(2013)043

Law of Ukraine <i>On Security Service of Ukraine</i>	
<p>Article 34. Supervision of compliance with the laws The Prosecutor General of Ukraine and the public prosecutors authorized by him/her shall be the supreme authorities to supervise enforcement and compliance with the laws by the Security Service of Ukraine.</p>	<p>Article 34. Supervision of compliance with the laws The public prosecutor shall supervise compliance with the laws by the units of the Security Service of Ukraine which perform detective operations, make inquiries and carry out pre-trial investigation as well as during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of liberty of individuals.</p>
Law of Ukraine <i>On Internal Troops of the Ministry of Internal Affairs of Ukraine</i>	
<p>Article 14. Control over the activity of internal troops shall be exercised by the Minister of Internal Affairs of Ukraine. The Prosecutor General of Ukraine and the public prosecutors authorized by him shall supervise the compliance with the laws by the internal troops.</p>	<p>Article 14. Control over the activity of internal troops shall be exercised by the Minister of Internal Affairs of Ukraine. The public prosecutor shall supervise compliance with the laws by the internal troops by exercising his/her powers to supervise compliance with the laws during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of liberty of individuals.</p>
Law of Ukraine <i>On Veterinary Medicine</i>	
<p>Article 105. Authorities authorized to consider cases of violations in veterinary medicine ... 3. Upon request of specialists of the national veterinary service, officers of police, security and public prosecutor's offices shall be involved in actions to stop violations in veterinary medicine if necessary.</p>	<p>Article 105. Authorities authorized to consider cases of violations in veterinary medicine ... 3. Upon request of specialists of the national veterinary service, police and security officers shall be involved in actions to stop violations in veterinary medicine if necessary.</p>
Law of Ukraine <i>On Labor Protection</i>	
<p>Article 39. Rights and liability of officials of central executive authorities implementing the public policy of labor protection Officials of the central executive authorities implementing the public</p>	<p>Article 39. Rights and liability of officials of central executive authorities implementing the public policy of labor protection Officials of the central executive authorities implementing the public</p>

<p>policy of labor protection shall have a right to:</p> <p>...</p> <p>send motions to employers, describing the unsuitability of certain officials for their jobs, hand over materials to public prosecutor's offices to bring these officials to liability under the law.</p> <p>...</p>	<p>policy of labor protection shall have a right to:</p> <p>...</p> <p>send motions to employers, describing the unsuitability of certain officials for their jobs, hand over materials to respective authorities to bring these officials to liability under the law.</p> <p>...</p>
<p>Regulatory Principles of Health Care of Ukraine</p>	
<p>Article 23. Supervision of compliance with healthcare laws The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with healthcare laws.</p>	<p>Delete.</p>
<p><i>Law of Ukraine On Basic Principles of Public Financial Control in Ukraine</i></p>	
<p>Article 2. Key objectives of a public financial control authority</p> <p>Key objectives of a public financial control shall be to exercise public financial control over application and saving of public financial resources, non-current and other assets, correct needs in public funds and assumed obligations, efficiency of application of funds and property, the state and reliability of accounting and financial reporting procedures in the ministries and other executive authorities, state funds, compulsory social insurance funds, public sector organizations and public sector companies as well as in enterprises, establishments and organizations which receive (or received in a period under review) funds from any public budget, state funds and compulsory social insurance funds or use (used in the period under review) public or community-owned property (hereinafter referred to as accountable institutions), over compliance with laws at every stage of the budget process in regard to the state and local budgets, compliance with laws on public procurement, operations of business entities of any ownership other than accountable institutions, upon a court ruling delivered on the basis of a motion submitted by a public prosecutor or investigator to ensure investigation into a criminal case.</p> <p>...</p>	<p>Article 2. Key objectives of a public financial control authority</p> <p>Key objectives of a public financial control shall be to exercise public financial control over application and saving of public financial resources, non-current and other assets, correct needs in public funds and assumed obligations, efficiency of application of funds and property, the state and reliability of accounting and financial reporting procedures in the ministries and other executive authorities, state funds, compulsory social insurance funds, public sector organizations and public sector companies as well as in enterprises, establishments and organizations which receive (or received in a period under review) funds from any public budget, state funds and compulsory social insurance funds or use (used in the period under review) public or community-owned property (hereinafter referred to as accountable institutions), over compliance with laws at every stage of the budget process in regard to the state and local budgets, compliance with laws on public procurement, operations of business entities of any ownership other than accountable institutions, upon a court ruling delivered in criminal proceedings.</p> <p>...</p>

CDL-REF(2013)043

<p>Article 11. Audits by public financial control authorities</p> <p>...</p> <p>Surprise on-site audits of business entities of any form of ownership which do not belong to accountable institutions under this Law shall be carried out by public financial control authorities upon a court ruling delivered on the basis of a petition submitted by an investigator or public prosecutor to ensure investigation in criminal proceedings.</p> <p>A public financial control authority, public prosecutor or investigator that initiates a surprise on-site audit shall submit to a court a document in writing justifying reasons of such audit and specifying dates of beginning and ending, documents that prove grounds for such audit as prescribed by Part Five and Part Seven of this Article, and, upon request of the court, other information.</p>	<p>Article 11. Audits by public financial control authorities</p> <p>...</p> <p>Surprise on-site audits of business entities of any form of ownership which do not belong to accountable institutions under this Law shall be carried out by public financial control authorities upon a court ruling delivered in criminal proceedings.</p> <p>An authority or person that initiates a surprise on-site audit shall submit to a court a document in writing justifying reasons of such audit and specifying dates of its beginning and ending, papers that prove grounds for such audit as prescribed by Part Five and Part Seven of this Article, and, upon request of the court, other information.</p>
<p>Law of Ukraine <i>On Pre-Trial Detention</i></p>	
<p>Article 20. Grounds and procedures for release of individuals from custody</p> <p>...</p> <p>The head of a pre-trial detention center shall immediately release an individual from custody upon expiration of the maximum term of extradition arrest established by the Criminal Procedure Code of Ukraine and notify of the same a public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city or his/her deputy as well as the court which ordered the extradition arrest. Ten days before expiration of the maximum term of extradition the head of the pre-trial detention center shall send a notice of the date of expiration to the public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city or his/her deputy as well as to the court which ordered the extradition arrest.</p> <p>In case of termination of temporary or extradition arrest, the head of a pre-trial detention center shall release an individual from custody upon a resolution of the public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city or his/her deputy according to Article 586 the Criminal Procedure Code of Ukraine.</p> <p>...</p>	<p>Article 20. Grounds and procedures for release of individuals from custody</p> <p>...</p> <p>The head of a pre-trial detention center shall immediately release an individual from custody upon expiration of the maximum term of extradition arrest established by the Criminal Procedure Code of Ukraine and notify of the same the head of a regional prosecutor's office, his/her first deputy or deputy, as well as the court which ordered the extradition arrest. Ten days before expiration of the maximum term of extradition the head of the pre-trial detention center shall send a notice of the date of expiration to the head of a regional prosecutor's office, his/her first deputy or deputy as well as to the court which ordered the extradition arrest.</p> <p>In case of termination of a temporary or extradition arrest, the head of a pre-trial detention center shall release an individual from custody upon a resolution of the head of a regional prosecutor's office, his/her first deputy or deputy according to Article 586 the Criminal Procedure Code of Ukraine.</p>

	...
<p>Article 22. Supervision by public prosecutors of compliance with laws in pre-trial detention centers</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with laws in pre-trial detention centers according to the Law of Ukraine <i>On Public Prosecutor's Office</i>.</p> <p>...</p>	<p>Article 22. Supervision of compliance with laws in pre-trial detention centers</p> <p>A public prosecutor shall supervise compliance with laws in pre-trial detention centers by exercising his/her powers to supervise compliance with laws during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of personal liberty of individuals.</p> <p>...</p>
<p>Law of Ukraine <i>On Collective Agreements and Contracts</i></p>	
<p>Article 20. Procedures of bringing to liability</p> <p>...</p> <p>Such cases shall be considered in court upon a motion submitted by any party to the collective agreement, contract, respective commissions or on public prosecutor's initiative.</p>	<p>Article 20. Procedures of bringing to liability</p> <p>...</p> <p>Such cases shall be considered in court upon a motion submitted by any party to the collective agreement, contract or respective commissions.</p>
<p>Law of Ukraine <i>On Status of War Veterans, Guarantees of Their Social Protection</i></p>	
<p>Article 21. Supervision of compliance with this Law</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with, and proper application of, this Law by all organizations, companies, institutions, officials and individuals.</p>	<p>Delete.</p>
<p>Law of Ukraine <i>On Public Service</i></p>	
<p>Article 9. Legal regulation of the status of public servants of government authorities and their administrations</p> <p>...</p> <p>The legal status of public servants employed by administrations of public prosecutor's offices, courts, diplomatic service, customs authorities, security service, police and other authorities shall be regulated</p>	<p>Article 9. Legal regulation of the status of public servants of government authorities and their administrations</p> <p>...</p> <p>The legal status of public servants employed by public prosecutor's offices, administrations of courts, diplomatic service, customs authorities, security service, police and other authorities shall be regulated under this</p>

CDL-REF(2013)043

under this Law unless otherwise established by laws of Ukraine.	Law unless otherwise established by laws of Ukraine.
Law of Ukraine On State Protection of Court Staff and Law-Enforcement Agencies Staff	
<p>Article 14. Authorities deciding on special security measures Decisions on special security measures shall be made by:</p> <p>...</p> <p>c) heads of prosecutor's offices – on protection officers of prosecutor's office and their close relatives;</p> <p>...</p>	<p>Article 14. Authorities deciding on special security measures Decisions on special security measures shall be made by:</p> <p>...</p> <p>c) the head of a public prosecutor's office – on protection officers of prosecutor's office and their close relatives;</p> <p>...</p>
<p>Article 19. Rights and obligations of individuals under protection 1. An individual in regard to whom a decision on special security measures was made shall have a right to:</p> <p>...</p> <p>c) appeal to a public prosecutor or a respective higher security authority against unlawful decisions and actions of officials who ensure his/her security.</p> <p>...</p>	<p>Article 19. Rights and obligations of individuals under protection 1. An individual in regard to whom a decision on special security measures was made shall have a right to:</p> <p>...</p> <p>c) appeal to the court or a respective higher security authority against unlawful decisions and actions of officials who ensure his/her security.</p> <p>...</p>
<p>Article 20. Cancelling special security measures</p> <p>...</p> <p>Provided that there are grounds to cancel special security measures, an authorized official of an authority indicated in Article 14 hereof shall issue a motivated resolution to cancel the measures. An individual under protection shall be immediately notified of the same. The individual concerned can appeal against such resolution to a public prosecutor or a respective higher security authority, with such appeal to be considered immediately. The individual shall be notified of a court ruling within 24 hours.</p> <p>...</p>	<p>Article 20. Cancelling special security measures</p> <p>...</p> <p>Provided that there are grounds to cancel special security measures, an authorized official of an authority indicated in Article 14 hereof shall issue a motivated resolution to cancel the measures. An individual under protection shall be immediately notified of the same. The individual concerned can appeal against such resolution to the court or a respective higher security authority, with such appeal to be considered immediately. The individual shall be notified of a court ruling within 24 hours.</p> <p>...</p>
<p>Article 24. Control and supervision of compliance with laws on protection of court staff and law-enforcement officers</p> <p>...</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with laws in course of protection of court staff and law-enforcement officers and their close relatives.</p>	<p>Article 24. Control over compliance with laws on protection of court staff and law-enforcement officers</p> <p>...</p> <p>Delete.</p>

Law of Ukraine On Ensuring Security of Persons Involved in Criminal Proceedings	
<p>Article 22. Procedures to make decisions on application and cancellation of security measures</p> <p>...</p> <p>5. Provided that there are grounds to cancel security measures, a detective agency, investigator, public prosecutor, investigative judge or court shall issue a motivated resolution or decree on the cancellation. An individual indicated in Article 2 hereof shall be notified in writing of such resolution or decree.</p> <p>This decision can be appealed by the individual concerned to a public prosecutor or a respective higher authority ensuring the security.</p>	<p>Article 22. Procedures to make decisions on application and cancellation of security measures</p> <p>...</p> <p>5. Provided that there are grounds to cancel security measures, a detective agency, investigator, public prosecutor, investigative judge or court shall issue a motivated resolution or decree on the cancellation. An individual indicated in Article 2 hereof shall be notified in writing of such resolution or decree.</p> <p>This decision can be appealed by the individual concerned to a public prosecutor, respective higher authority ensuring the security and, according to procedures established by the Criminal Procedure Code of Ukraine, to the court.</p>
<p>Article 28. Control and supervision of security</p> <p>...</p> <p>2. The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with laws in course of protection of parties involved in criminal proceedings, their family members and close relatives.</p>	<p>Article 28. Control over security</p> <p>...</p> <p>2. Delete.</p>
Law of Ukraine On Administrative Supervision of Persons Released from Prisons	
<p>Article 13. Control over administrative supervision</p> <p>...</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall exercise the highest control over compliance with, and proper application of, laws on administrative supervision.</p>	<p>Article 13. Control over administrative supervision</p> <p>...</p> <p>Delete.</p>
Law of Ukraine On Procedures of Reimbursement for Damage Caused to an Individual by Illegal Actions of Detective Agencies, Pre-Trial Investigation Authorities, Prosecutor's Offices and Courts	
<p>Article 12. Depending on an authority which was involved in investigation (detective operations) or considered the case, the respective agencies involved in detective operations, pre-trail investigation, a</p>	<p>Article 12. Depending on an authority which was involved in investigation (detective operations) or considered the case, the respective agencies involved in detective operations, pre-trail investigation, a</p>

CDL-REF(2013)043

<p>prosecutor's office and court shall, within one month of an application filed by the citizen, establish the size of reimbursement of damage described in paragraphs 1, 3 and 4 of Article 3 hereof and issue a resolution (decree) thereof. If criminal proceedings were closed by a court when a criminal case was considered according to the appeals or cassation procedure, such actions shall be taken by the court of first instance which considered the case.</p> <p>If the individual disagrees with the reimbursement resolution (decree), pursuant to the civil procedure laws he/she can appeal against such resolution (decree) in court or, in case of the resolution made by a court, in a higher court according to the appeals procedure. An appeal to the court shall not deprive the individual of a right to file an appeal to a respective public prosecutor.</p>	<p>prosecutor's office and court shall, within one month of an application filed by the citizen, establish the size of reimbursement of damage described in paragraphs 1, 3 and 4 of Article 3 hereof and shall issue a resolution (decree) thereof. If criminal proceedings were closed by a court when a criminal case was considered according to the appeals or cassation procedure, such actions shall be taken by the court of first instance which considered the case.</p> <p>If the individual disagrees with the reimbursement resolution (decree), pursuant to the civil procedure laws he/she can appeal against such resolution (decree) in court or, in case of the resolution made by a court, in a higher court according to the appeals procedure.</p>
<p>Law of Ukraine <i>On Agencies and Services for Children and Special Establishments for Children</i></p>	
<p>Article 17. Supervision by public prosecutors of compliance with this Law</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with, and proper application of, the Law of Ukraine <i>On Agencies and Services for Children and Special Establishments for Children</i> according to the Law of Ukraine On Public Prosecutor's Office.</p>	<p>Article 17. Supervision of compliance with laws by agencies and services for children and special establishments for children</p> <p>A public prosecutor shall supervise compliance with laws by authorized police units, children reception centers, comprehensive schools and vocational schools of social rehabilitation, special educational establishments of the State Criminal Enforcement Service of Ukraine by exercising his/her powers to supervise compliance with laws by agencies involved in detective operations, interrogation, and pre-trial investigation, and powers to supervise compliance with laws during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of personal liberty of individuals.</p>
<p>Law of Ukraine <i>On Nuclear Energy Use and Radiation Safety</i></p>	
<p>Article 25. Public supervision of nuclear energy and radiation safety</p> <p>...</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall be the supreme authorities to supervise compliance with, and application of, nuclear laws.</p>	<p>Article 25. Public supervision of nuclear energy and radiation safety</p> <p>...</p> <p>Delete.</p>

Law of Ukraine <i>On Remuneration of Labor</i>	
Article 35. Control over compliance with labor remuneration laws ... The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall be the supreme authorities to supervise compliance with labor remuneration laws. ...	Article 35. Control over compliance with labor remuneration laws ... Delete. ...
Law of Ukraine <i>On Addresses of Citizens</i>	
Article 29. Supervision of compliance with laws on citizens' addresses by public prosecutors The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with the laws on citizens' addresses. The public prosecutors shall have powers under the law to take measures to restore infringed rights, defend lawful interests of citizens and bring infringers to liability.	Delete.
Law of Ukraine <i>On State Regulation of Securities Market in Ukraine</i>	
Article 9. Authorised officials of the National Commission of Securities and Stock Market ... Authorised officials of the National Commission of Securities and Stock Market shall have a right to: ... consider within their mandate and in line with distribution of duties or a written instruction any violations of applicable laws on the issue and circulation of securities, including standards and rules established by regulatory acts of the National Commission of Securities and Stock, issue orders to remedy violations of securities laws, request prosecutor's offices of Ukraine and the Ministry of Internal Affairs of Ukraine to conduct investigations or take other measures according to applicable laws;	Article 9. Authorised officials of the National Commission of Securities and Stock Market ... Authorised officials of the National Commission of Securities and Stock Market shall have a right to: ... consider within their mandate and in line with distribution of duties or a written instruction any violations of applicable laws on the issue and circulation of securities, including standards and rules established by regulatory acts of the National Commission of Securities and Stock, issue orders to remedy violations of securities laws, address law-enforcement agencies regarding pre-trial investigations or other measures to be taken according to applicable laws; ...

CDL-REF(2013)043

<p>...</p> <p>Law of Ukraine <i>On Vacations</i></p>	
<p>Article 27. Agencies that control and supervise compliance with vacation laws</p> <p>...</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall be the supreme authorities to supervise compliance with, and proper application of, vacation laws.</p>	<p>Article 27. Agencies that control and supervise compliance with vacation laws</p> <p>...</p> <p>Delete.</p>
<p>Law of Ukraine <i>On Local Self-Government in Ukraine</i></p>	
<p>N/A.</p>	<p>Article 18¹. Relations between local self-government authorities and courts of general jurisdiction</p> <p>1. A local self-government authority can act as a plaintiff or defendant in courts of general jurisdiction, in particular, it can apply to the court if it is necessary for the exercise of its powers and performance of local self-government functions.</p>
<p>Law of Ukraine <i>On the Ukrainian Parliament Commissioner for Human Rights</i></p>	
<p>Article 13. Rights of the Commissioner</p> <p>The Commissioner shall have a right to:</p> <p>...</p> <p>10) file an application to the court on protection of human rights and freedoms of individuals who are unable to do so on their own for health or other valid reasons; and participate in the court process personally or using his/her representative as established by law;</p> <p>...</p>	<p>Article 13. Rights of the Commissioner</p> <p>The Commissioner shall have a right to:</p> <p>...</p> <p>10) for the purpose of protection of human rights and freedoms, personally or using his/her representative as established by law: apply to the court for protection of rights and freedoms of individuals who are unable to protect their rights and freedoms because of their physical condition, minority status, old age, full or partial incapacity; participate in trials where proceedings are initiated on the basis of his/her lawsuits (applications, petitions (motions)); join cases initiated on the basis of lawsuits (applications, petitions (motions)) of other persons at any stage of the trial; initiate review of court rulings irrespective of his/her involvement in the proceedings;</p>

<p>12) control the respect of human rights and freedoms by respective government authorities, including those involved in detective operations, make proposals according to established procedures on how to improve activities of such authorities in this area;</p> <p>...</p>	<p>...</p> <p>12) control the respect of human rights and freedoms by respective government authorities, including those involved in detective operations or implement court rulings, make proposals according to established procedures on how to improve activities of such authorities in this area;</p> <p>...</p>
<p>Law of Ukraine <i>On the High Council of Justice</i></p>	
<p>Article 13. Appointment of members of the High Council of Justice by All-Ukrainian Conference of Public Prosecution Employees</p> <p>...</p> <p>Delegates of the All-Ukrainian Conference of Public Prosecution Employees shall be elected by the republican (in the Autonomous Republic of Crimea), oblast and city (in Kyiv city and Sevastopol city) conferences of employees of prosecutor's offices. All responsible prosecution officers in a respective administrative unit can participate in such conferences.</p>	<p>Article 13. Appointment of members of the High Council of Justice by All-Ukrainian Conference of Public Prosecution Employees</p> <p>...</p> <p>Procedures to convene the All-Ukrainian Conference of Public Prosecution Employees shall be established by the Law of Ukraine <i>On the Public Prosecutor's Office</i>.</p>
<p>Article 25. Powers of the High Council of Justice to consider cases</p> <p>...</p> <p>A member of the High Council of Justice shall, under instructions of the High Council of Justice or the Chairman of the High Council of Justice, verify information about grounds to dismiss judges for the breach of oath, about a disciplinary offence of a judge of the Supreme Court of Ukraine or a judge of a high specialized court, about violation of incompatibility requirements by a judge or public prosecutor, about circumstances described in complaints against decisions of the High Qualifications Commission of Judges of Ukraine and against decisions on bringing public prosecutors to disciplinary liability.</p> <p>...</p>	<p>Article 25. Powers of the High Council of Justice to consider cases</p> <p>...</p> <p>A member of the High Council of Justice shall, under instructions of the High Council of Justice or the Chairman of the High Council of Justice, verify information about grounds to dismiss judges for the breach of oath, about a disciplinary offence of a judge of the Supreme Court of Ukraine or a judge of a high specialized court, about violation of incompatibility requirements by a judge or public prosecutor, about circumstances described in complaints against decisions of the High Qualifications Commission of Judges of Ukraine and against decisions of a qualifications and disciplinary commission of public prosecutors following disciplinary proceedings.</p> <p>...</p>
<p>Article 27. Regulatory acts of the High Council of Justice</p> <p>The High Council of Justice shall adopt the following regulatory acts:</p> <p>...</p>	<p>Article 27. Regulatory acts of the High Council of Justice</p> <p>The High Council of Justice shall adopt the following regulatory acts:</p> <p>...</p>

CDL-REF(2013)043

<p>5) a decision on a complaint against a decision on bringing to disciplinary liability; N/A.</p> <p>...</p>	<p>5) a decision on a complaint against a decision on bringing judges to disciplinary liability; 5¹) a decision on a complaint against a decision of a qualifications and disciplinary commission of public prosecutors following disciplinary proceedings;</p> <p>...</p>
<p>Article 34. Entities authorized to apply about violation of incompatibility requirements</p> <p>The following entities may submit a proposal to the High Council of Justice to consider incompatibility of judge's or public prosecutor's actions with his/her position:</p> <ol style="list-style-type: none"> 1) a member of Ukrainian Parliament; 2) the President of the Supreme Court of Ukraine, the presidents of high specialized courts of Ukraine, the Minister of Justice of Ukraine – in regard to judges; 3) the Prosecutor General of Ukraine – in regard to public prosecutors; 4) the High Qualifications Commission of Judges of Ukraine <p>On the basis of available documents, the High Council of Justice can consider the incompatibility issue on its own initiative.</p>	<p>Article 34. Entities authorized to apply about violation of incompatibility requirements</p> <p>The following entities may submit a proposal to the High Council of Justice to consider incompatibility of judge's or public prosecutor's actions with his/her position:</p> <ol style="list-style-type: none"> 1) the High Qualifications Commission of Judges of Ukraine provided that it adopts such decision following disciplinary proceedings 2) a qualifications and disciplinary commission of public prosecutors provided that it adopts such decision following disciplinary proceedings 3) a member of the High Council of Justice of Ukraine following verification of information about incompatibility of actions of a judge or public prosecutor with his/her position, where such member was authorized by this Law to conduct such verification.
<p>Article 36. Decisions on incompatibility of the public prosecutor's position with his/her other activities</p> <p>The High Council of Justice shall, on the basis of motions of entities set out in Article 34 hereof or a proposal of the disciplinary board of the prosecution service or on its own initiative, consider incompatibility of the public prosecutor's position with his/her other activities.</p> <p>A decision on incompatibility shall be adopted at the meeting by a majority vote of the total membership of the High Council of Justice and must be sent to, and implemented immediately by, respective heads of prosecutor's offices.</p>	<p>Article 36. Decisions on incompatibility of the public prosecutor's position with his/her other activities</p> <p>The High Council of Justice shall consider incompatibility of the public prosecutor's position with his/her other activities on the basis of motions filed by entities indicated in Article 34 hereof.</p> <p>A public prosecutor whose incompatibility is challenged and/or his/her representative shall be entitled to give explanations, ask questions to the meeting participants, make objections, submit petitions and challenges.</p> <p>The public prosecutor whose incompatibility is challenged must be invited to the meeting of the High Council of Justice. If the public prosecutor cannot attend the meeting for valid reasons, he/she may give explanations in writing on the issues raised, with the explanations to be attached to verification materials. The written explanations of the public prosecutor must be read out at the meeting</p>

	<p>of the High Council of Justice. Failure of the public prosecutor to attend the meeting for the second time shall enable the meeting to consider his/her incompatibility in his/her absence.</p> <p>A decision on incompatibility shall be adopted at the meeting by a majority vote of the total membership of the High Council of Justice and must be sent to, and implemented immediately by, respective persons authorized to decide on dismissal of the public prosecutor.</p>
<p>Article 45. Powers of the High Council of Justice to consider complaints against decisions on bringing judges and public prosecutors to liability</p> <p>The High Council of Justice shall consider complaints against decision on bringing judges of specialized, appeals and local courts to liability as well as public prosecutors within one month of filing or, if additional verification of circumstances and case papers is required, within three months of filing.</p>	<p>Article 45. Powers of the High Council of Justice to consider complaints against decisions on bringing judges and public prosecutors to liability</p> <p>The High Council of Justice shall consider complaints against decision on bringing judges of specialized, appeals and local courts to liability as well as against decisions of qualifications and disciplinary commissions of public prosecutors adopted following the disciplinary proceedings within one month after the complaint was filed or, if additional verification of circumstances and case papers is required, within three months of filing.</p>
<p>Article 47. Considering complaints against decisions on bringing public prosecutors to disciplinary liability</p> <p>The High Council of Justice shall, in line with the report of a member of the High Council of Justice, consider complaints of public prosecutors against decisions on bringing them to disciplinary liability and make a decision.</p> <p>A public prosecutor's complaint can be accepted by the High Council of Justice within one month following the date when the public prosecutor is handed over an order on bringing him/her to disciplinary liability. The High Council of Justice may extend the period for a public prosecutor to file a complaint if it acknowledges that the one-month period was missed for valid reasons.</p> <p>Following consideration of the public prosecutor's complaint, the High Council of Justice may, should it have proper grounds thereto:</p> <ol style="list-style-type: none">1) satisfy the prosecutor's complaint, cancel the decision on bringing him/her to disciplinary liability and close the disciplinary proceedings;2) satisfy the complaint in full or in part and change the decision of an authority which imposed the disciplinary action;	<p>Article 47. Considering complaints against decisions of qualifications and disciplinary commissions of public prosecutors adopted following disciplinary proceedings</p> <p>The High Council of Justice shall, in line with the report of a member of the High Council of Justice, consider complaints of public prosecutors against decisions of qualifications and disciplinary commissions of public prosecutors adopted following disciplinary proceedings and make a decision.</p> <p>A public prosecutor's complaint can be accepted by the High Council of Justice within one month following the date when the public prosecutor receives personally or by mail a copy of a decision on him/her adopted by a qualifications and disciplinary commission of public prosecutors following disciplinary proceedings. The High Council of Justice may extend the period for a public prosecutor to file a complaint if it acknowledges that the one-month period was missed for valid reasons.</p> <p>Following consideration of the public prosecutor's complaint, the High Council of Justice may, should it have proper grounds thereto:</p> <ol style="list-style-type: none">1) satisfy the prosecutor's complaint, cancel the decision of the qualifications and disciplinary commission of public prosecutors and

CDL-REF(2013)043

<p>3) dismiss the complaint without changing the decision of the authority which imposed the disciplinary action. Considering disciplinary liability of a public prosecutor, the High Council of Justice shall listen to his/her explanations. If the public prosecutor cannot attend the meeting for valid reasons, he/she may give explanations in writing on the issues raised, such explanations to be attached to case papers. The written explanations of the public prosecutor must be read out at the meeting of the High Council of Justice. Failure of the public prosecutor to attend the meeting for the second time shall enable the meeting to consider his/her complaint in his/her absence.</p>	<p>close the disciplinary proceedings 2) satisfy the complaint in full or in part and change the decision of the qualifications and disciplinary commission of public prosecutors 3) dismiss the complaint without changing the decision of the qualifications and disciplinary commission of public prosecutors. A public prosecutor whose complaint is considered by the High Council of Justice and/or his/her representative shall be entitled to provide explanations, ask questions to the meeting participants, make objections, submit petitions and challenges. The public prosecutor must be invited to the meeting of the High Council of Justice. If the public prosecutor cannot attend the meeting for valid reasons, he/she may give explanations in writing on the issues raised. The written explanations of the public prosecutor must be read out at the meeting of the High Council of Justice. Failure of the public prosecutor to attend the meeting for the second time shall enable the meeting to consider his/her complaint in his/her absence.</p>
<p>Law of Ukraine <i>On the Verkhovna Rada of the Autonomous Republic of Crimea</i></p>	
<p>Article 9. Powers of the Verkhovna Rada of the Autonomous Republic of Crimea ... N/A.</p>	<p>Article 9. Powers of the Verkhovna Rada of the Autonomous Republic of Crimea ... 3. The Verkhovna Rada of the Autonomous Republic of Crimea shall be entitled to apply to the court if it is necessary for the exercise of its powers and performance of its objectives established by law.</p>
<p>Law of Ukraine <i>On Waste</i></p>	
<p>Article 37. Control and supervision of waste management ... The Prosecutor General of Ukraine and his/her subordinate public prosecutor's offices shall supervise compliance with laws in waste management.</p>	<p>Article 37. Control over waste management ... Delete.</p>
<p>Law of Ukraine <i>On Youth and Children's Non-Governmental Organizations</i></p>	

<p>Article 12. Final provisions ... 4. Statutory documents of youth and children's non-governmental organizations and their associations registered before this Law comes into force shall be harmonized herewith within one year after the date of its publication. Upon a motion of a legalizing authority or a public prosecutor, activities of youth and children's non-governmental organizations whose statutory document are in conflict with this Law can be prohibited by judicial procedures. ...</p>	<p>Article 12. Final provisions ... 4. Statutory documents of youth and children's non-governmental organizations and their associations registered before this Law comes into force shall be harmonized herewith within one year after the date of its publication. Upon a motion of a legalizing authority, activities of youth and children's non-governmental organizations whose statutory document are in conflict with this Law can be prohibited by judicial procedures. ...</p>
<p>Law of Ukraine <i>On the Charter of Garrison and Guard Service of the Armed Forces of Ukraine</i></p>	
<p>On military detention facilities (Appendix 12) 27. ... On production of an identity card, respective public prosecutors, their deputies and assistants, for the purpose of supervision of compliance with laws, and investigators, in pre-trial investigation, shall be allowed to a garrison detention facility by a duty officer subject to notice to the garrison commandant and to a military detention facility by a duty officer subject to notice to the military unit commander. ...</p>	<p>On military detention facilities (Appendix 12) 27. ... On production of an identity card, respective public prosecutors, for the purpose of supervision of compliance with laws, and investigators, in pre-trial investigation, shall be allowed to a garrison detention facility by a duty officer subject to notice to the garrison commandant and to a military detention facility by a duty officer subject to notice to the military unit commander. ...</p>
<p>Law of Ukraine <i>On Local State Administrations</i></p>	
<p>Article 28. Rights of local state administrations For the exercise of their powers, local state administrations shall have a right to: ... 5) perform other functions and powers under applicable laws.</p>	<p>Article 28. Rights of local state administrations For the exercise of their powers, local state administrations shall have a right to: ... 5) apply to the court and perform other functions and powers under applicable laws.</p>

CDL-REF(2013)043

Law of Ukraine On Enforcement Proceedings	
<p>Article 7. Participants of enforcement proceedings and persons involved in enforcement actions</p> <p>1. Participants of enforcement proceedings shall include a public enforcement officer, parties, representatives of the parties, a public prosecutor, experts, specialists, translators and appraisers who are business entities.</p> <p>A public prosecutor shall take part in enforcement proceedings provided that he/she represents interests of an individual or the state before court and enforcement proceedings were initiated on the basis of his/her application.</p> <p>N/A.</p> <p>...</p>	<p>Article 7. Participants of enforcement proceedings and persons involved in enforcement actions</p> <p>1. Participants of enforcement proceedings shall include a public enforcement officer, parties, representatives of the parties, a public prosecutor, experts, specialists, translators and appraisers who are business entities.</p> <p>A public prosecutor shall take part in enforcement proceedings provided that he/she represents interests of an individual or the state in the court and enforcement proceedings were initiated on the basis of his/her application.</p> <p>A public prosecutor can join enforcement proceedings initiated by others provided that he/she represented interests of a citizen or the state in the court in a respective case. The public prosecutor can see documents of such enforcement proceedings, make excerpts and copies thereof to check whether grounds are in place for him/her to join the enforcement proceedings.</p> <p>...</p>
<p>Article 12. Rights and obligations of parties and other participants of enforcement proceedings</p> <p>1. Parties to enforcement proceedings shall have a right to see papers of enforcement proceedings, make excerpts and copies thereof, file challenges as established hereby, appeal against decisions, actions or omission thereof of a public enforcement officer related to enforcement proceedings according to procedures established by this Law, file additional documents and petitions, participate in enforcement actions, give oral and written explanations, arguments and express their thoughts on any issue arising in course of the enforcement proceedings, including examination procedures, object to petitions, arguments and thoughts of other participants of the enforcement proceedings and enjoy other rights granted under laws.</p> <p>...</p>	<p>Article 12. Rights and obligations of parties and other participants of enforcement proceedings</p> <p>1. Parties to enforcement proceedings and a public prosecutor as a participant of the enforcement proceedings shall have a right to see papers of enforcement proceedings, make excerpts and copies thereof, file challenges as established hereby, appeal against decisions, actions or omission thereof of a public enforcement officer related to enforcement proceedings according to procedures established by this Law, file additional documents and petitions, participate in enforcement actions, give oral and written explanations, arguments and express their thoughts on any issue arising in course of the enforcement proceedings, including examination procedures, object to petitions, arguments and thoughts of other participants of the enforcement proceedings and enjoy other rights granted under laws.</p> <p>...</p>

<p>Article 21. Jurisdiction of enforcement units over enforcement proceedings</p> <p>1. Enforcement of decisions is a responsibility of enforcement units of the Department of the State Enforcement Service of the Ministry of Justice of Ukraine where:</p> <p>1) debtors are the Administration of the Verkhovna Rada of Ukraine, Administration of the President of Ukraine, higher or central executive authorities, the Constitutional Court of Ukraine, the Supreme Court of Ukraine, high specialized courts, courts of appeals, the Prosecutor General's Office of Ukraine, prosecutor's offices in the Autonomous Republic of Crimea, oblasts, Kyiv city and Sevastopol city, specialized prosecutor's offices with oblast status, the High Council of Justice, the National Bank of Ukraine, the Accounting Chamber, Administration of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, councils in oblasts, Kyiv city and Sevastopol city or local state administrations in oblasts, Kyiv city and Sevastopol city and their structural units, other government authorities and their officials;</p> <p>...</p> <p>2. Enforcement of decisions is a responsibility of enforcement units of departments of the State Enforcement Service of the Chief Department of Justice of the Ministry of Justice of Ukraine in the Autonomous Republic of Crimea, of the chief departments of justice in oblasts, Kyiv city and Sevastopol city where:</p> <p>1) debtors are local offices of central executive authorities, local courts, city, district or village councils, or district state administrations and their structural units, city, district, inter-district and other prosecutor's offices with the similar status, other local offices of government authorities and their officials;</p> <p>...</p>	<p>Article 21. Jurisdiction of enforcement units over enforcement proceedings</p> <p>1. Enforcement of decisions is a responsibility of enforcement units of the Department of the State Enforcement Service of the Ministry of Justice of Ukraine where:</p> <p>1) debtors are the Administration of the Verkhovna Rada of Ukraine, Administration of the President of Ukraine, higher or central executive authorities, the Constitutional Court of Ukraine, the Supreme Court of Ukraine, high specialized courts, courts of appeals, the Prosecutor General's Office of Ukraine, regional prosecutor's offices, the High Council of Justice, the National Bank of Ukraine, the Accounting Chamber, Administration of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, councils in oblasts, Kyiv city and Sevastopol city or local state administrations in oblasts, Kyiv city and Sevastopol city and their structural units, other government authorities and their officials;</p> <p>...</p> <p>2. Enforcement of decisions is a responsibility of enforcement units of departments of the State Enforcement Service of the Chief Department of Justice of the Ministry of Justice of Ukraine in the Autonomous Republic of Crimea, of the chief departments of justice in oblasts, Kyiv city and Sevastopol city where:</p> <p>1) debtors are local offices of central executive authorities, local courts, city, district or village councils, or district state administrations and their structural units, local prosecutor's offices, other local offices of government authorities and their officials;</p> <p>...</p>
<p>Article 37. Circumstances that require a mandatory suspension of enforcement proceedings</p> <p>1. Enforcement proceedings must be suspended in case of:</p> <p>...</p> <p>11) admission by a court of a cassation appeal of a public prosecutor against a court ruling;</p>	<p>Article 37. Circumstances that require a mandatory suspension of enforcement proceedings</p> <p>1. Enforcement proceedings must be suspended in case of:</p> <p>...</p> <p>11) adoption of a court ruling on suspension of enforcement of a court ruling;</p>

CDL-REF(2013)043

...	...
N/A.	<p>Article 83¹. Supervision of compliance with laws during implementation of court rulings in criminal cases</p> <p>A public prosecutor shall supervise compliance with laws during implementation of court rulings in criminal cases.</p>
<p>Law of Ukraine <i>On Scrap Metal</i></p>	
<p>Section III GOVERNMENT REGULATION, CONTROL AND SUPERVISION OF SCRAP METAL OPERATIONS</p>	<p>Section III GOVERNMENT REGULATION AND CONTROL OVER SCRAP METAL OPERATIONS</p>
<p>Article 14. Public control over scrap metal operations</p> <p>...</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutor's offices shall supervise compliance with laws in scrap metal operations within their powers established by law.</p>	<p>Article 14. Public control over scrap metal operations</p> <p>...</p> <p>Delete.</p>
<p>Law of Ukraine <i>On Transplantation of Human Organs and Other Human Anatomic Materials</i></p>	
<p>Article 16. Conditions and procedures to retrieve anatomic materials from deceased people for transplantation and/or production of bio-implants</p> <p>...</p> <p>If a forensic medical examination is required, the anatomic materials shall be retrieved from a deceased person with the permission and in the presence of a forensic medical expert. The retrieval of anatomic materials should not hamper the investigation, and the forensic medical expert shall notify a district (city) public prosecutor of the same within 24 hours.</p> <p>...</p>	<p>Article 16. Conditions and procedures to retrieve anatomic materials from deceased people for transplantation and/or production of bio-implants</p> <p>...</p> <p>If a forensic medical examination is required, the anatomic materials shall be retrieved from a deceased person with the permission and in the presence of a forensic medical expert. The retrieval of anatomic materials should not hamper pre-trial investigation, and the forensic medical expert shall notify the head of a local prosecutor's office of the same within 24 hours.</p> <p>...</p>
<p>Law of Ukraine <i>On Admission Procedures and Conditions for Presence of Armed Forces Formations of Other Countries in Ukraine</i></p>	
<p>Article 23. Control over activities of armed forces formations of other countries and supervision of their compliance with laws of Ukraine</p>	<p>Article 23. Control over activities of armed forces formations of other countries and supervision of their compliance with laws of Ukraine</p>

<p>...</p> <p>2. The Prosecutor General's Office of Ukraine and its subordinate public prosecutor's offices shall supervise compliance by armed forces formations of other countries with laws of Ukraine and international treaties ratified by the Verkhovna Rada of Ukraine.</p>	<p>...</p> <p>2. Delete.</p>
<p>Law of Ukraine <i>On the Psychiatric Care</i></p>	
<p>Article 31. Supervision of compliance with laws in the provision of psychiatric care</p> <p>The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with, and application of, laws in the provision of psychiatric care in accordance with laws.</p>	<p>Article 31. Supervision of compliance with laws in the provision of psychiatric care</p> <p>A public prosecutor shall supervise compliance with laws in the provision of psychiatric care by exercising his/her powers to supervise compliance with laws during execution of court rulings in criminal cases and during other enforcement measures relating to restriction of personal liberty of individuals.</p>
<p>Law of Ukraine <i>On Participation of Citizens in Protection of Public Order and State Frontiers</i></p>	
<p>Article 8. Termination of activities of civil organizations for protection of public order and state frontiers</p> <p>...</p> <p>If a civil organization violates applicable laws in its activities, a court can, on the basis of an application filed by a registration authority or a public prosecutor, rule to prohibit the activities according to established procedures.</p> <p>The court shall consider the application of the registration authority or the public prosecutor on prohibition of activities of the civil organization and adopt a ruling within 30 days after the application is filed.</p>	<p>Article 8. Termination of activities of civil organizations for protection of public order and state frontiers</p> <p>...</p> <p>If a civil organization violates applicable laws in its activities, a court can, on the basis of an application filed by a registration authority, rule to prohibit the activities according to established procedures.</p> <p>The court shall consider the application of the registration authority on prohibition of activities of the civil organization and adopt a ruling within 30 days after the application is filed.</p>
<p>Law of Ukraine <i>On Political Parties in Ukraine</i></p>	
<p>Article 6. Membership and restrictions thereof in political parties</p> <p>...</p> <p>The following persons may not be members of political parties:</p> <p>...</p>	<p>Article 6. Membership and restrictions thereof in political parties</p> <p>...</p> <p>The following persons may not be members of political parties:</p> <p>...</p>

CDL-REF(2013)043

<p>2) prosecution officers; ...</p>	<p>2) public prosecutors; ...</p>
<p>Article 21. Ban on a political party On the basis of a motion of a central executive authority, which implements the public policy of state registration (legalization) of citizens' associations and other civil organizations, or of the Prosecutor General of Ukraine, a political party can be banned according to judicial procedures if it violates the requirements for establishment and activities of political parties in Ukraine prescribed by the Constitution of Ukraine, this Law and other laws of Ukraine. ...</p>	<p>Article 21. Ban on a political party On the basis of an administrative lawsuit of a central executive authority, which implements the public policy of state registration (legalization) of citizens' associations and other civil organizations, a political party can be banned according to judicial procedures if it violates the requirements for establishment and activities of political parties in Ukraine prescribed by the Constitution of Ukraine, this Law and other laws of Ukraine. ...</p>
<p>Law of Ukraine <i>On the Animal World</i></p>	
<p>Article 8. Termination of ownership right to animals ... An ownership right to animals can be terminated in cases described in Part One of this Article according to judicial procedures on the basis of lawsuits filed by a central executive authority that implements the public policy of government supervision (control) of environmental protection, sustainable use, restoration and protection of natural resources, or by a public prosecutor.</p>	<p>Article 8. Termination of ownership right to animals ... An ownership right to animals can be terminated in cases described in Part One of this Article according to judicial procedures on the basis of lawsuits filed by a central executive authority that implements the public policy of government supervision (control) of environmental protection, sustainable use, restoration and protection of natural resources.</p>
<p>Law of Ukraine <i>On the Military Service of Law and Order in the Armed Forces of Ukraine</i></p>	
<p>Article 17. Supervision of compliance with law by the Law and Order Service Prosecutor's offices of Ukraine shall supervise compliance with laws by the Law and Order Service.</p>	<p>Delete.</p>
<p>Law of Ukraine <i>On the Status of People's Deputies of Local Councils</i></p>	
<p>Article 31. Notice of suspicion of a criminal offence to a people's deputy of a local council 1. Acting within his/her powers, the Prosecutor General of Ukraine, Deputy Prosecutor General of Ukraine or a public prosecutor of the</p>	<p>Article 31. Notice of suspicion of a criminal offence to a people's deputy of a local council 1. Acting within his/her powers, the Prosecutor General of Ukraine, Deputy Prosecutor General of Ukraine or the head of a respective</p>

<p>Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city respectively may give notice of suspicion of a criminal offence to a people's deputy of a local council.</p> <p>...</p>	<p>regional prosecutor's office respectively may give notice of suspicion of a criminal offence to a people's deputy of a local council.</p> <p>...</p>
<p>Law of Ukraine <i>On Fish, Aquatic Biodiversity and Fish Food Products</i></p>	
<p>Article 7. Producer's responsibility to ensure quality and safety of fish and fish food</p> <p>...</p> <p>If violations of technological processes of a producer are revealed, a laboratory shall have a right to stop production and shall notify a higher organization and local executive authorities, and, if necessary, prosecutor's offices.</p> <p>...</p>	<p>Article 7. Producer's responsibility to ensure quality and safety of fish and fish food</p> <p>...</p> <p>If violations of technological processes of a producer are revealed, a laboratory shall have a right to stop production and shall notify a higher organization and local executive authorities.</p> <p>...</p>
<p>Law of Ukraine <i>On the Public Control Over the Land Use and Protection</i></p>	
<p>Article 10. Powers of government inspectors controlling the land use and protection and compliance with land protection laws of Ukraine</p> <p>Government inspectors controlling the land use and protection and compliance with land protection laws of Ukraine shall have a right to:</p> <p>...</p> <p>petition to prosecutor's offices to file a lawsuit with a court requesting to reimburse losses of the agriculture and forestry and/or to return land plots occupied without authorization or temporarily where the term of use has expired.</p> <p>...</p>	<p>Article 10. Powers of government inspectors controlling the land use and protection and compliance with land protection laws of Ukraine</p> <p>Government inspectors controlling the land use and protection and compliance with land protection laws of Ukraine shall have a right to:</p> <p>...</p> <p>file a lawsuit with a court requesting to reimburse losses of the agriculture and forestry and/or to return land plots occupied without authorization or temporarily where the term of use has expired.</p> <p>...</p>
<p>Law of Ukraine <i>On Democratic Civil Control Over the Military Organization and Law-Enforcement Agencies of the State</i></p>	
<p>Article 6. The civil control system and entities</p> <p>The system of civil control over the Military Organization and law-enforcement agencies shall include:</p> <p>...</p> <p>control by court authorities and supervision by public</p>	<p>Article 6. The civil control system and entities</p> <p>The system of civil control over the Military Organization and law-enforcement agencies shall include:</p> <p>...</p> <p>control by court authorities and public prosecutor's offices</p>

CDL-REF(2013)043

<p>prosecutor's offices; ...</p>	<p>exercised according to procedures established by the Constitution and laws of Ukraine; ...</p>
<p>Article 24. Article 24. Control over compliance with laws in control actions Control over compliance with laws in civil control over the Military Organization and law-enforcement agencies shall be a responsibility of prosecutor's offices of Ukraine.</p>	<p>Article 24. Control over compliance with laws in civil control Control over compliance with laws in civil control shall be exercised according to procedures established by the Constitution and laws of Ukraine.</p>
<p>Law of Ukraine On Protection of Public Morality</p>	
<p>Article 15. Supervision and control in public morality protection Government supervision of compliance with this Law and applicable laws on protection of public morality shall be exercised by the following authorities within their mandate: the Ministry of Culture and Arts of Ukraine, Ministry of Health Care of Ukraine, Ministry of Justice of Ukraine, Ministry of Education of Ukraine, Ministry of Internal Affairs, Prosecutor General's Office of Ukraine, National Customs Service of Ukraine, Government Committee for Television and Radio Broadcasting of Ukraine, National Television and Radio Broadcasting Council of Ukraine and National Expert Commission for Public Morality Protection of Ukraine. ...</p>	<p>Article 15. Supervision and control in public morality protection Government supervision of compliance with this Law and applicable laws on protection of public morality shall be exercised by the following authorities within their mandate: the Ministry of Culture and Arts of Ukraine, Ministry of Health Care of Ukraine, Ministry of Justice of Ukraine, Ministry of Education of Ukraine, Ministry of Internal Affairs, National Customs Service of Ukraine, Government Committee for Television and Radio Broadcasting of Ukraine, National Television and Radio Broadcasting Council of Ukraine and National Expert Commission for Public Morality Protection of Ukraine. ...</p>
<p>Law of Ukraine On the Judiciary and the Status of Judges</p>	
<p>Article 144. Welfare support and social protection of court staff 1. The salary, welfare support and social protection of the staff of court administrations, State Court Administration of Ukraine, High Qualifications Commission of Judges of Ukraine and National School of Judges of Ukraine shall be established by law and may not be below standards established for respective categories of public servants of legislative and executive authorities. N/A.</p>	<p>Article 144. Welfare support and social protection of court staff 1. The salary, welfare support and social protection of the staff of court administrations, State Court Administration of Ukraine, High Qualifications Commission of Judges of Ukraine and National School of Judges of Ukraine shall be established by law and may not be below standards established for respective categories of public servants of legislative and executive authorities. The basic salary of a court administration officer whose position falls within category No.6 of public service positions shall be 30 per cent of the basic salary of a local court judge. Basic salaries of court administration officers whose positions fall within each</p>

<p>...</p>	<p>subsequent category of public service positions shall have a multiplier of 1.3 applied in proportion to the basic salaries of the court administration officers whose positions belong to preceding categories.</p> <p>...</p>
<p>Law of Ukraine <i>On the Government Regulation of Public Utilities</i></p>	
<p>Article 6. Powers of the National Commission for Government Regulation of Public Utilities</p> <p>...</p> <p>2. To perform its objectives and functions, the National Commission for Government Regulation of Public Utilities shall have a right to:</p> <p>1) apply to the court to defend interests of the state, consumers, natural monopolists and business entities in related markets on the grounds established by law;</p> <p>...</p>	<p>Article 6. Powers of the National Commission for Government Regulation of Public Utilities</p> <p>...</p> <p>2. To perform its objectives and functions, the National Commission for Government Regulation of Public Utilities shall have a right to:</p> <p>1) apply to the court to defend interests of the state, consumers, natural monopolists and business entities in related markets on the grounds established by law as well as in other cases if necessary for the exercise of its powers and performance of its objectives established by law;</p> <p>...</p>
<p>Law of Ukraine <i>On the Cabinet of Ministers of Ukraine</i></p>	
<p>Article 37. Relations between the Cabinet of Ministers of Ukraine and courts of general jurisdiction</p> <p>1. The Cabinet of Ministers of Ukraine can act as a plaintiff or defendant in courts of general jurisdiction.</p> <p>2. The Ministry of Justice of Ukraine shall defend interests of the Cabinet of Ministers of Ukraine unless otherwise provided for by laws of Ukraine or regulations of the Cabinet of Ministers of Ukraine.</p> <p>3. Upon request of the Cabinet of Ministers of Ukraine or the Ministry of Justice of Ukraine, executive authorities, public sector enterprises, establishments and organizations shall, within the time established by the Cabinet or the Ministry, submit materials required for courts to consider cases.</p>	<p>Article 37. Relations between the Cabinet of Ministers of Ukraine and courts of general jurisdiction</p> <p>1. The Cabinet of Ministers of Ukraine can act as a plaintiff or defendant in courts of general jurisdiction, in particular, apply to the court if it is necessary for the exercise of its powers and performance of its objectives established by law.</p> <p>2. The Ministry of Justice of Ukraine shall defend interests of the Cabinet of Ministers of Ukraine unless otherwise provided for by laws of Ukraine or regulations of the Cabinet of Ministers of Ukraine.</p> <p>3. Upon request of the Cabinet of Ministers of Ukraine or the Ministry of Justice of Ukraine, executive authorities, public sector enterprises, establishments and organizations shall, within the time established by the Cabinet or the Ministry, submit materials required for courts to consider cases.</p>

CDL-REF(2013)043

Law of Ukraine <i>On the Central Executive Authorities</i>	
N/A	<p>Article 28. Applying to the court</p> <p>1. The ministries, other central executive authorities and their territorial offices shall apply to the court if it is necessary for the exercise of their powers and performance of their objectives established by law.</p>
Law of Ukraine <i>On Free Legal Aid</i>	
<p>Article 16. Centers of free secondary legal aid</p> <p>1. The Ministry of Justice of Ukraine shall establish centers for free secondary legal aid at the chief departments of justice in the Autonomous Republic of Crimea, oblasts, Kyiv city and Sevastopol city with account of the needs of a particular administrative unit.</p> <p>...</p>	<p>Article 16. Centers of free secondary legal aid</p> <p>1. The Ministry of Justice of Ukraine shall establish centers for free secondary legal aid at the chief departments of justice in the Autonomous Republic of Crimea, oblasts, Kyiv city and Sevastopol city as well as in raion, district, city (in cities of oblast status), inter-city and inter-district departments of justice with account of the needs of a particular administrative unit and access to secondary legal aid for citizens.</p> <p>...</p>
<p>Article 17. Powers of centers of free secondary legal aid</p> <p>1. A center of free secondary legal aid in the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city shall:</p> <p>...</p> <p>12) submit reports on its performance to the chief department of justice in the Autonomous Republic of Crimea, oblasts, Kyiv city or Sevastopol city;</p> <p>...</p>	<p>Article 17. Powers of centers of free secondary legal aid</p> <p>1. A center of free secondary legal aid shall:</p> <p>...</p> <p>12) submit reports on its performance to a respective department of justice;</p> <p>...</p>
<p>Section VI</p> <p>FINAL AND TRANSITIONAL PROVISIONS</p> <p>...</p> <p>6. Starting from January 1, 2014, free secondary legal aid shall be provided on a phased basis to persons indicated in paragraphs 1, 2, 8-12 of Part One of Article 14 hereof.</p> <p>Starting from January 1, 2017, free secondary legal aid shall be provided in full to all categories of persons indicated in Article 14</p>	<p>Section VI</p> <p>FINAL AND TRANSITIONAL PROVISIONS</p> <p>...</p> <p>6. Starting from July 1, 2014, free secondary legal aid shall be provided in full to all categories of persons indicated in Article 14 hereof.</p> <p>...</p>

hereof. ...	
Law of Ukraine <i>On the Council of Ministries of the Autonomous Republic of Crimea</i>	
Article 14. General issues falling within the competence of the Council of Ministries of the Autonomous Republic of Crimea ... N/A.	Article 14. General issues falling within the competence of the Council of Ministries of the Autonomous Republic of Crimea ... 6. The Council of Ministries of the Autonomous Republic of Crimea shall be entitled to apply to the court if it is necessary for the exercise of its powers and performance of its objectives established by law.
Law of Ukraine <i>On Combating Human Trafficking</i>	
Section VII CONTROL AND SUPERVISION OF COMPLIANCE WITH LAWS IN COMBATING HUMAN TRAFFICKING	Section VII CONTROL OVER COMPLIANCE WITH LAWS IN COMBATING HUMAN TRAFFICKING
Article 27. Supervision by public prosecutors 1. The Prosecutor General of Ukraine and his/her subordinate public prosecutors shall supervise compliance with, and application of, laws in the activities and actions against human trafficking.	Delete.
Law of Ukraine <i>On State Guarantees of Enforcement of Court Rulings</i>	
Article 6. Liability and reimbursement of state budget losses ... 2. Public prosecutor's offices shall, on the basis of a motion filed by an agency of the State Treasury Service of Ukraine, apply on behalf of the state to the court with lawsuits for reimbursement of losses caused to the state budget. If a guilty verdict, which has taken effect, finds that actions of an official or officer of a government authority represent a crime , government authorities shall, according to procedures established by law, exercise the right to submit a counter claim (recourse) for the amount of paid	Article 6. Liability and reimbursement of state budget losses ... 2. Agencies of the State Treasury Service of Ukraine shall apply to the court with lawsuits for reimbursement of losses caused to the state budget. If a guilty verdict, which has taken effect, finds that actions of an official or officer of a government authority represent a criminal offence , government authorities shall, according to procedures established by law, exercise the right to submit a counter claim (recourse) for the amount of

CDL-REF(2013)043

compensation to such official to reimburse the state budget losses unless otherwise provided for by laws.

After execution of court rulings on direct debiting of accounts with state budget funds, government authorities shall, in cases indicated herein, conduct an internal investigation regarding involved officials of such government authorities, if a court ruling did not find that actions of the officials represented a **criminal offence**.

Following the internal investigation the government authorities and **prosecutor's offices, upon submission of respective materials by** agencies of the State Treasury Service of Ukraine may apply within one month to the court with a lawsuit for reimbursement of state budget losses and submit a counterclaim (recourse) for the amount of paid compensation to the officials and/or officers of such authorities whose actions caused the losses (except for reimbursement for employment-related payments and compensation for non-pecuniary damages).

3. If a guilty verdict, which has taken effect, finds that actions of an official of a public sector enterprise or legal entity represent a **crime, prosecutor's offices** shall, **upon a motion filed by** an agency of the State Treasury Service of Ukraine, apply to the court on behalf of the state with lawsuits for reimbursement of the state budget losses.

After execution of court rulings under this Law, the government authority responsible for management of the public sector enterprise shall, upon a motion filed by an agency of the State Treasury Service of Ukraine, ensure that an internal investigation is conducted regarding officials of such public sector enterprise whose actions caused the state budget losses, if a court ruling did not find that actions of the officials represented a **crime**.

Following the internal investigation **and submission of respective materials by government authorities, the prosecutor's offices** may apply within one month to the court with a lawsuit for reimbursement of the state budget losses and submit a counterclaim (recourse) for the amount of paid compensation to the officials of public sector enterprises whose actions caused the losses.

paid compensation to such official to reimburse the state budget losses unless otherwise provided for by laws.

After execution of court rulings direct debiting of accounts with state budget funds, government authorities shall, in cases indicated herein, conduct an internal investigation regarding involved officials of such government authorities, if a court ruling did not find that actions of the officials represented a **criminal offence**.

Following the internal investigation the government authorities and agencies of the State Treasury Service of Ukraine may apply within one month to the court with a lawsuit for reimbursement of state budget losses and submit a counterclaim (recourse) for the amount of paid compensation to the officials and/or officers of such authorities whose actions caused the losses (except for reimbursement for employment-related payments and compensation for non-pecuniary damages).

3. If a guilty verdict, which has taken effect, finds that actions of an official of a public sector enterprise or legal entity represent a **criminal offence**, agencies of the State Treasury Service of Ukraine shall apply to the court on behalf of the state with lawsuits for reimbursement of the state budget losses.

After execution of court rulings under this Law, the government authority responsible for management of the public sector enterprise shall, upon a motion filed by an agency of the State Treasury Service of Ukraine, ensure that an internal investigation is conducted regarding officials of such public sector enterprise whose actions caused the state budget losses, if a court ruling did not find that actions of the officials represented a **criminal offence**.

Following the internal investigation and submission of respective materials by government authorities, the **agencies of the State Treasury Service of Ukraine** may apply within one month to the court with a lawsuit for reimbursement of the state budget losses and submit a counterclaim (recourse) for the amount of paid compensation to the officials of public sector enterprises whose actions caused the losses.

<p>Article 10. Intern lawyer. Internship.</p> <p>1. Internship is meant to test aptitude of a person who received a proficiency test certificate for independent lawyer's practice. Internship shall take six months under the mentorship of a lawyer according to recommendations of a regional council of lawyers.</p> <p>...</p> <p>3. Any lawyer of Ukraine with at least five years of lawyer's practice can be a mentor. One lawyer can mentor not more than three intern lawyers at the same time. A regional council of lawyers can appoint a mentor from among lawyers whose business addresses are in a respective region.</p> <p>...</p> <p>5. Individuals whose length of service as a legal assistant is at least one year over the last two years at the date of application for admission to the proficiency test shall be released from internship.</p> <p>...</p>	<p>Article 10. Intern lawyer. Internship.</p> <p>1. Internship is meant to test aptitude of a person who received a proficiency test certificate for independent lawyer's practice. Unpaid internship shall take six months under the mentorship of a lawyer according to recommendations of a regional council of lawyers.</p> <p>...</p> <p>3. Any lawyer of Ukraine with at least five years of lawyer's practice can be a mentor. One lawyer can mentor not more than three intern lawyers at the same time. A regional council of lawyers can appoint a mentor from among lawyers whose business addresses are in a respective region. An individual who received a proficiency test certificate can take an internship under the mentorship of a lawyer selected by the individual, such lawyer to give his/her consent and meet the internship mentor criteria.</p> <p>...</p> <p>5. Individuals whose length of service as a legal assistant is at least one year over the last three years at the date of the proficiency test shall be released from internship.</p> <p>...</p>
<p>Article 20. Professional rights of a lawyer</p> <p>1. In his/her lawyer's practice, a lawyer shall have a right to take any actions not prohibited by law, rules of lawyer's ethics and a legal aid contract and required for proper performance of the contract, in particular:</p> <p>...</p> <p>3) to see documents and papers necessary for lawyer's practice in companies, establishments and organizations, except for documents with restricted access information;</p> <p>...</p> <p>N/A</p>	<p>Article 20. Professional rights of a lawyer</p> <p>1. In his/her lawyer's practice, a lawyer shall have a right to take any actions not prohibited by law, rules of lawyer's ethics and a legal aid contract and required for proper performance of the contract, in particular:</p> <p>...</p> <p>3) to see documents and papers necessary for lawyer's practice in companies, establishments and organizations, except for documents with restricted access information, having direct access (subject to production of documents certifying lawyer's right to provide legal aid) to the premises of these companies, establishments, organizations;</p> <p>...</p> <p>7¹) have a right to free access to information databases of the central and local government authorities, the Pension Fund of Ukraine and compulsory state social insurance funds, except for databases with restricted access information;</p>

CDL-REF(2013)043

<p>8) use technical devices, including copiers to make copies of papers of a case where the lawyer provides defense, representation or other legal aid, record procedural actions where he/she is involved and the course of court sessions as established by law;</p> <p>...</p>	<p>8) use technical devices, including copiers to make copies of papers of a case where the lawyer provides defense, representation or other legal aid, as well as during visits to pre-trial detention centers or other places where his/her client is kept, during legal proceedings where he/she is involved (including places of pre-trial detention), and during court sessions;</p> <p>...</p>
<p>Article 23. Guarantees of lawyer's practice</p> <p>1. Professional rights, honor and dignity of a lawyer shall be guaranteed and protected by the Constitution of Ukraine, this Law and other laws, in particular:</p> <p>...</p> <p>3) detective or investigative actions in regard to a lawyer, which actions are subject to a court permission only, shall be taken on the basis of a court ruling approved upon a petition of the Prosecutor General of Ukraine, his/her deputies, a public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city;</p> <p>...</p> <p>13) a notice of suspicion that a criminal offence was committed by a lawyer may be submitted only by the Prosecutor General of Ukraine, his/her deputy, a public prosecutor of the Autonomous Republic of Crimea, oblast, Kyiv city or Sevastopol city;</p> <p>...</p>	<p>Article 23. Guarantees of lawyer's practice</p> <p>1. Professional rights, honor and dignity of a lawyer shall be guaranteed and protected by the Constitution of Ukraine, this Law and other laws, in particular:</p> <p>...</p> <p>3) detective or investigative actions in regard to a lawyer, which actions are subject to a court permission only, shall be taken on the basis of a court ruling approved upon a petition of the Prosecutor General of Ukraine, his/her deputies, the head of a regional prosecutor's office;</p> <p>...</p> <p>13) a notice of suspicion that a criminal offence was committed by a lawyer may be submitted only by the Prosecutor General of Ukraine, his/her deputy, the head of a regional prosecutor's office;</p> <p>...</p>
<p>Article 58. Financial support to self-governance organizations of lawyers</p> <p>...</p> <p>2. Fees for the proficiency test shall be established with account of needs to cover costs of qualifications and disciplinary commissions of the bar and the High Qualifications and Disciplinary Commission of the Bar and may not exceed three minimum salaries established by law at the date of application for admission to the proficiency test.</p> <p>Annual contributions of lawyers to sustain self-governance of lawyers shall be established with account of financial needs to sustain activities of regional councils of lawyers, the Council of Lawyers of Ukraine, the</p>	<p>Article 58. Financial support to self-governance organizations of lawyers</p> <p>...</p> <p>2. Fees for the proficiency test shall be established with account of needs to cover costs of qualifications and disciplinary commissions of the bar and the High Qualifications and Disciplinary Commission of the Bar and may not exceed three minimum salaries established by law at the date of application for admission to the proficiency test.</p> <p>Annual contributions of lawyers to sustain self-governance of lawyers shall be established with account of financial needs to sustain activities of self-governance organizations of lawyers and maintain the Uniform</p>

High Audit Commission of the Bar and maintain the Uniform Register of Lawyers of Ukraine. The size of annual contributions to sustain self-governance of lawyers shall be the same for all lawyers. Lawyers whose right to lawyer's practice was suspended shall be released from payment of the annual contributions to sustain self-governance of lawyers for a period of such suspension.

Contributions of qualifications and disciplinary commissions of the bar to sustain the High Qualifications and Disciplinary Commission of the Bar shall be established with account of financial needs to sustain these activities.

...

Register of Lawyers of Ukraine. The size of annual contributions to sustain self-governance of lawyers shall be the same for all lawyers. Lawyers whose right to lawyer's practice was suspended shall be released from payment of the annual contributions to sustain self-governance of lawyers for a period of such suspension. **Proceeds from annual contributions of lawyers shall be distributed among self-governance organizations of lawyers with account of their financial needs to sustain their activities, with the proceeds to be distributed equally to sustain activities of:**

- 1) the High Qualifications and Disciplinary Commission of the Bar
- 2) other self-governance organizations of lawyers established by this Law.

Contributions of qualifications and disciplinary commissions of the bar to sustain activities of the High Qualifications and Disciplinary Commission of the Bar shall be established with account of financial needs to sustain these activities.

Self-governance organizations of lawyers may not introduce contributions or other payments other than those established hereby.

...