



IMPOSITION OF MARTIAL LAW IN UKRAINE



The term of martial law: Martial law is introduced for a 30-day period, **from 2:00 p.m. on November 26 to 2:00 p.m. on December 26, 2018.**



Martial law will be effective in the Vinnytsia, Luhansk, Mykolaiv, Odesa, Sumy, Kharkiv, Chernihiv, as well as Donetsk, Zaporizhzhia, Kherson regions and Ukrainian inland waters of the Azov-Kerch water area.



Elections – Presidential election is set for March 31, 2019.



No full nation-wide mobilization is applied.



No restrictions are imposed on banking activity. Non-cash payments are not limited, banks continue to work in the normal regime.



Justice **continues to be** exercised by courts only.



The temporary introduction of martial law **cannot serve** as an automatic reason for non-fulfillment of contractual obligations – the causal link is necessary between non-performance under an agreement and the introduction of martial law as well as a CCI certificate.

ATTENTION! The temporary introduction of martial law in certain regions of Ukraine does not automatically limit the constitutional rights and freedoms of man and citizen as well as the rights and legitimate interests of legal entities.

Note:

This publication is not a legal advice and provides only general information about the most important legislation changes in Ukraine. In order to avoid any risks prior to making any decisions related to information contained in this publication, please, seek legal counsel.

According to the transcript of the extraordinary plenary session of the Parliament of Ukraine as of November 26, 2018¹ state of emergency will be ordered **only in case of a ground invasion of regular troops of the Russian Federation** outside the Operation of the Joint Forces and outside the illegally annexed Crimea.

THE STATE AUTHORITIES HAVE THE RIGHT TO IMPOSE THE FOLLOWING RESTRICTIONS:

1. To take (confiscate) property, vehicles, machinery and equipment for the needs of the State.
2. To use production facilities of enterprises for defense purposes, to change their operating schedule, to change production activity as well as working conditions.
3. To inspect residential premises and offices.
4. To use premises to accommodate servicemen, law enforcement officers and evacuees.
5. To check personal documents as well as to view things, vehicles, and luggage.
6. To restrict freedom of movement and free choice of place of residence. Obligated reservists may be prohibited from changing their place of residence. Also, special regime for entry to and exit from the country may be imposed.
7. Introduction of curfew is possible. It will be forbidden to stay outside or in public places at certain times of the day without specially issued passes or certificates.
8. To involve employees of enterprises and organizations in the work necessary for the defense sector, elimination of the consequences of natural disasters as well as of other emergencies that may arise during martial law.
9. To impose a special regime in the production and sale of medicinal products containing narcotic drugs, psychotropic substances and precursors, other potent substances, the list of which is determined by the Cabinet of Ministers of Ukraine.
10. To restrict the scope of information that may be disseminated by the media.

IMPOSED RESTRICTIONS AS OF NOVEMBER 30, 2018:

- Prohibition of foreigners entering Crimea²;
- Prohibition of entry into Ukraine of male citizens of the Russian Federation aged 16 to 60 years³.

Kind regards,
Arzinger team

1. <http://portal.rada.gov.ua/meeting/stenogr/show/6966.html>

2. <https://dpsu.gov.ua/ua/news/Derzhprikordonsluzhba-v-mezhah-kompetencii-bere-uchast-u-zaprovadzhenni-ta-zdiysnenni-zahodiv-pravovogo-rezhimu-vonnogo-stanu/>

3. <https://tsn.ua/politika/ukrayina-zaboronila-v-yizd-cholovikam-rosiyanam-vikom-vid-16-do-60-rokiv-1258002.html>