

UKRAINE

(UKRAYINA)



BACKGROUND AND LEGAL SYSTEM

LEGAL SYSTEM	Civil law system; judicial review of legislative acts.
POLITICAL SYSTEM	Republic.
HEAD OF STATE	President, elected by popular vote for a five year term; eligible for a second term.
HEAD OF GOVERNMENT	Prime Minister, nominated and approved by the majority in the Supreme Council, officially named by the President.
SUBNATIONAL ENTITIES	Ukraine is divided into 24 provinces (<i>oblasti</i> , singular - <i>oblast'</i>), 1 autonomous republic (<i>avtonomna respublika</i>), and 2 municipalities (<i>mista</i> , singular - <i>misto</i>) with <i>oblast</i> status.
TRANSLITERATION SYSTEM	Cyrillic; on April 19, 1996, an official Ukrainian-English transliteration system was adopted by the Ukrainian Legal Termination Commission.
LANGUAGES	Ukrainian (official state language), Russian.

CONSTITUTION

ENACTMENT	Adopted June 28, 1996, amended January 1, 2006.
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CITATION FORMAT UKR. CONST. art. <article>, para. <paragraph>.

Example UKR. CONST., art. 15, para. 3.

STATUTES

GOVERNMENT
STRUCTURE A unicameral legislature: Supreme Council (*Verkhovna Rada*). Members are called national deputies. Made up of 450 seats. Seats are allocated on a proportional basis to those parties that gain 3% or more of the national electoral vote. Beginning with the March, 2006 election, members serve five-year terms. Previously, members had served four year terms.

LEGISLATIVE
PROCESS The Supreme Council is the sole legislative body in Ukraine. Laws are passed by a majority of the Supreme Council. Within 15 days, the President must sign or veto the laws. The President's veto can be overridden by a 2/3 majority of the Supreme Council. If the President does not sign the act within 15 days it becomes law anyway. A law goes into effect 10 days after it is signed, unless otherwise stated in the law.

REPORTERS FOR
LAWS PASSED BY *Official Bulletin of the Supreme Council of Ukraine (Vidomosti Verkhovnoi Rady Ukrainy)* (published weekly).

THE SUPREME
COUNCIL *Official Gazette of Ukrain (Oficijnyj Visnyk Ukrainy)* (published weekly).

Ukraine's Voice (Golos Ukrainy) (published daily).

CITATION FORMAT <name of law> (<reporter name>, <year>, No. <number>, p. <page>).

Example Law on Citizenship of Ukraine (*Oficijnyj Visnyk Ukrainy*, 1991, No. 50, p. 701).

ADMINISTRATIVE REGULATIONS

ADMINISTRATIVE SOURCES	<p>The President of Ukraine, on the basis and for the execution of the Constitution and the laws of Ukraine, issues decrees and directives that are mandatory for execution.</p> <p>The Cabinet of Ministers of Ukraine, within the limits of its competence, issues resolutions and orders that are mandatory for execution. Acts of the Cabinet of Ministers of Ukraine are signed by the Prime Minister of Ukraine.</p> <p>Normative legal acts of the Cabinet of Ministers of Ukraine, ministries and other central bodies of executive power, are subject to registration through the procedure established by law.</p>
REPORTERS FOR EXECUTIVE DECREES, RESOLUTIONS AND ORDERS	<p><i>Official Gazette of Ukraine (Oficijnyj Visnyk Ukrainy)</i> (published weekly).</p> <p><i>Governmental Courier (Uriadovyy Kurier)</i> (published daily).</p>
CITATION FORMAT	<p><name of regulation> (<reporter name>, <year>, no. <number>, p. <page>).</p>
<i>Example</i>	<p>Regulation Assigning the Ministry of Education and Science Responsibility for the National Department of Intellectual Property (<i>Oficijnyj Visnyk Ukrainy</i>, 2000, no. 25, p. 140).</p>

CODES

CIVIL CODE	In force Jan. 1, 2004. <i>Tsyvilney kodeks Ukrainy</i> (TKU).
CODE OF CIVIL PROCEDURE	In force Sept. 1, 2005. <i>Tsyvilney prosesualny kodeks Ukrainy</i> (TPKU).
CRIMINAL CODE	In force Sept. 1, 2001. <i>Kriminalny kodeks Ukrainy</i> (KKU).
CODE OF CRIMINAL PROCEDURE	In force Dec. 28, 1960. <i>Kriminalny-protsesualny kodeks Ukrainy</i> (KPKU). Legal reformers have made efforts to replace this Soviet-era code, but as of October 2006 it is still in effect.
CITATION FORMAT	<name of code>, art. <article> (<year>).

<i>Example</i>	<i>Kriminalny kodeks Ukrainy</i> , art. 100 (2001).
	The English translation is also accepted in certain instances: Ukraine Criminal Code, art 100 (2001).

CASE LAW

JUDICIAL OVERVIEW	<p>The judicial system in Ukraine consists of the Constitutional Court (<i>Konstytutsiinoho Sud Ukrainy</i>) and courts of general jurisdiction.</p> <p>The Constitutional Court of Ukraine (<i>Konstytutsiinoho Sud Ukrainy</i>) decides issues of constitutional jurisdiction, including whether laws and other legal acts conform with the Constitution. The Constitutional Court also provides official interpretation of the Constitution. It is composed of eighteen judges who serve for nine year terms. Six judges are appointed to the Constitutional Court by the President, six judges are appointed by the Supreme Council, and six judges are appointed by the Congress of Judges.</p> <p>The courts of general jurisdiction include local courts, courts of appeals, and specialized courts such as military, economic (arbitration), and administrative courts. The Supreme Court of Ukraine (<i>Verkhovnii Sud Ukrainy</i>) is the highest court of general jurisdiction. High specialized courts include the High Administrative Court of Ukraine and the High Economic Court of Ukraine.</p>
CONSTITUTIONAL COURT REPORTER	<i>The Bulletin of the Constitutional Court of Ukraine (Visnyk Konstytutsiinoho Sudu Ukrainy).</i>
CITATION FORMAT	"<case name>," <i>Visnyk Konstytutsiinoho Suda Ukrainy</i> , vol. <volume>, p. page (<year>).
<i>Example</i>	"Re Dual Mandates of Verkhovna Rada Deputies," <i>Visnyk Konstytutsiinoho Suda Ukrainy</i> , vol. 2. p. 2 (1997).

SUPREME COURT
REPORTER

Bulletin of the Supreme Court of Ukraine (Visnyk Verkhovnoho Sudu Ukrainy) (published monthly).

Resolutions of the Supreme Court of Ukraine (Rishennia Verkhovnoho Sudu Ukrainy) (published twice a year).

Compilation of the resolutions of the Plenum of the Supreme Court of Ukraine (Zbirnyk postanov Plenumu Verkhovnoho Sudu Ukrainy).

CITATION FORMAT

"<case name>," <reporter name>, vol. <volume>, p. <page> (<year>).

Example

Currently none available.

OTHER REPORTERS

Bulletin of Economic Judiciary (Visnyk hospodars'koho sudochynstva) (published by the High Economic Court of Ukraine).

CITATION FORMAT

"<case name>," <reporter name>, vol. <volume>, p. <page> (<year>).

Example

Currently none available.

SOURCES

CIA World Factbook:

<http://www.cia.gov/cia/publications/factbook/geos/up.html>

NYU Guide to Foreign and International Legal Database: Ukraine

http://www.law.nyu.edu/library/foreign_intl/ukraine.html

Library of Congress Country Studies: Ukraine

<http://www.loc.gov/rr/international/european/ukraine/ua.html>

Library of Congress Law Library: Ukraine

<http://www.loc.gov/law/guide/ukraine.html>

Constitution of Ukraine

WashLaw: Legal Research on the Web: Ukraine

<http://www.washlaw.edu/forint/europe/ukraine.html>

U.S. Department of State: Ukraine

<http://www.state.gov/p/eur/ci/up/>

Foreign Law: Current Sources of Codes and Legislation (Law Reference K 38.R49 1989)

East View Information Services

<http://www.eastview.com>

Research Guide to Ukrainian Law by Myroslava Kryvonos

<http://www.llrx.com/features/ukraine.html>

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