

Extract from the
Law of Ukraine No. 389-VIII dated May 12, 2015 “On the Legal Regime of Martial Law”
(as amended by the Law of Ukraine No. 2394-IX dated July 09, 2022)

Article 8. Measures of the legal regime of martial law

1. In Ukraine or in certain areas of Ukraine where martial law has been introduced, the military command together with military administrations (if established) may independently or with the involvement of executive authorities, the Council of Ministers of the Autonomous Republic of Crimea, local self-government bodies introduce and implement, within the limits of temporary restrictions on constitutional rights and freedoms of a person and a citizen, as well as the rights and legitimate interests of legal entities, provided for by the Decree of the President of Ukraine on the introduction of martial law, the following measures of the legal regime of martial law:

1) to establish (strengthen) the protection of critical infrastructure facilities and facilities ensuring the vital activity of the population, and to introduce a special regime of their operation. The procedure for establishing (strengthening) the protection of such objects and their list, which are subject to protection upon the introduction of martial law, as well as the procedure for the special regime of their operation, shall be approved by the Cabinet of Ministers of Ukraine;

2) to introduce labour duty for able-bodied persons not involved in defence and critical infrastructure protection and not reserved for enterprises, institutions and organisations for the period of martial law in order to perform defence-related work and to eliminate the consequences of emergencies that occurred during the period of martial law, and engage them during the regime of martial law to perform socially useful work performed to meet the needs of the Armed Forces of Ukraine, other military formations, law enforcement agencies and civil defence forces, ensure the functioning of the national economy and protect critical infrastructure and, as a rule, do not require special professional training. Employees engaged in community service shall retain their previous place of work (position) for the duration of such work. The procedure for engaging able-bodied persons during the regime of martial law to perform socially useful work and issues of their social protection are determined by the Cabinet of Ministers of Ukraine, taking into account the requirements of the law;

3) to use the capacities and labour resources of enterprises, institutions and organisations of all forms of ownership for defence purposes, change their working hours, and make other changes to production activities and working conditions in accordance with labour legislation;

4) to compulsorily alienate privately or municipally owned property, seize property of state-owned enterprises and state economic associations for the needs of the state under martial law in accordance with the procedure established by law and issue relevant documents in accordance with the established form;

5) to introduce curfews in accordance with the procedure established by the Cabinet of Ministers of Ukraine (prohibition of staying on the streets and in other public places during certain periods of time without specially issued passes and certificates), as well as to establish a special regime of light camouflage;

6) to establish, in accordance with the procedure established by the Cabinet of Ministers of Ukraine, a special regime of entry and exit, to restrict the freedom of movement of citizens, foreigners and stateless persons, as well as the movement of vehicles;

7) to check documents of persons in accordance with the procedure established by the Cabinet of Ministers of Ukraine, and, if necessary, to inspect belongings, vehicles, baggage and cargo, office premises and homes of citizens, except for restrictions established by the Constitution of Ukraine;

8) prohibit peaceful assemblies, rallies, marches and demonstrations, and other mass events;

9) to raise the issue of banning the activities of political parties and public associations in accordance with the procedure established by the Constitution and laws of Ukraine, if they are aimed at eliminating the independence of Ukraine, changing the constitutional order by force, violation of the sovereignty and territorial integrity of the state, undermining its security, illegal seizure of state power, propaganda of war, violence, incitement to interethnic, racial, religious hatred, encroachment on the stability of critical infrastructure, human rights and freedoms, and public health;

10) to establish, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, a ban or restriction on the choice of place of stay or place of residence of persons in the territory where martial law is in force;

11) to regulate, in accordance with the procedure established by the Cabinet of Ministers of Ukraine, the work of providers of electronic communication networks and/or services, printing enterprises, publishing houses, broadcasting organisations, broadcasting centres and other enterprises, institutions, organisations and cultural and media institutions, as well as to use local radio stations, television centres and printing houses for military needs and for conducting explanatory work among the military and the population; to prohibit the operation of receiving and transmitting radio stations for personal and collective use and to prohibit the use of

12) in case of violation of the requirements or failure to comply with the measures of the legal regime of martial law, to seize electronic communication equipment, television, video and audio equipment, computers, as well as other technical means of communication, if necessary, from enterprises, institutions and organisations of all forms of ownership, individuals;

13) to prohibit, in accordance with the procedure established by the Cabinet of Ministers of Ukraine, the trade in weapons, potent chemicals and poisonous substances, as well as alcoholic beverages and alcohol-based substances;

14) to establish a special regime in the field of 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;

15) to seize training and military equipment, explosives, radioactive substances and materials, potent chemicals and toxic substances from enterprises, institutions and organisations;

16) to prohibit citizens being on military or special account of the Ministry of Defence of Ukraine, the Security Service of Ukraine or the Foreign Intelligence Service of Ukraine from changing their place of residence (place of stay) without the permission of the military commissar or the head of the relevant body of the Security Service of Ukraine or the Foreign Intelligence Service of Ukraine; to restrict alternative (non-military) service;

17) to impose on individuals and legal entities a military housing duty for cantonment of military personnel, ordinary and commanding officers of law enforcement agencies, personnel of the civil protection service, evacuated population and accommodation of military units, subdivisions and institutions;

18) to establish the procedure for using the fund of civil defence structures;

19) to evacuate population in case of an emergency or a threat of an emergency, as well as from armed conflict zones (from areas of possible hostilities) to safe areas;

19¹) to evacuate material and cultural property owned by the state in case of a threat of damage or destruction in accordance with the list approved by the Cabinet of Ministers of Ukraine;

20) to introduce, if necessary, in accordance with the procedure established by the Cabinet of Ministers of Ukraine, the rationing of basic food and non-food products for the population;

22) take additional measures to strengthen the protection of state secrets;

23) intern (forcibly settle) citizens of a foreign state that threatens to attack or carries out aggression against Ukraine;

24) to carry out, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, mandatory evacuation of detainees held in temporary detention centres; suspects, accused persons in respect of whom a preventive measure of detention has been applied, held in pre-trial detention centres; the stage of transfer of convicted persons serving sentences such as arrest, restriction of liberty, imprisonment for a fixed term and life imprisonment from penitentiary institutions located in areas close to the areas where hostilities are taking place to the relevant institutions located in a safe area;

25) take other measures provided for by international humanitarian law.

2. In the areas where hostilities are taking place, the introduction and implementation of measures of the martial law regime is entrusted directly to the military command and military administrations (if established).