

This is an unofficial translation.

Decree of the President of Ukraine

About the Statute of the State Committee of Ukraine on Nationalities and Migration

1. To establish the Statute of the State Committee of Ukraine on Nationalities and Migration (is attached).
2. To nullify:
 - 28 October 1996 No 1001 (1001/96) Decree of the President of Ukraine on the Statute of the State Committee of Ukraine on Nationalities and Migration;
 - 23 June 1996 No 1001 (1001/96) Decree of the President of Ukraine on the Statute of the State Committee of Ukraine on Nationalities and Migration;
3. Cabinet of Ministers should bring all its decisions into line with this Decree within the one-month term.

The President of Ukraine L.Kuchma

Kiev, 19 March 2002

No 269/2002

Established
by the Decree of the President of Ukraine
of 19 March 2002 No 269/2002

Statute of the State Committee of Ukraine on Nationalities and Migration

1. The State Committee of Ukraine on Nationalities and Migration is the central body of the executive power, which activity is directed and coordinated by the Cabinet of Ministers of Ukraine.

The State Committee of Ukraine on Nationalities and Migration in accordance with established procedure introduces the motions concerning forming of the state policy in the sphere of international relations, migration, ensuring national minorities and refugees rights in Ukraine, realises this policy, performs the control in this sphere, the inter-branch coordination and the functional regulation of questions, related to its competence as well.

The State Committee of Ukraine on Nationalities and Migration is the executive power specially authorised central organ on migration.

2. The State Committee of Ukraine on Nationalities and Migration follows the Constitution and the laws of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers and this Statute as well.

The State Committee of Ukraine on Nationalities and Migration generalises the practice on the application of legislation concerning questions, that lie within its competence, elaborates propositions in regard to improvement of this legislation and in accordance with established procedure introduces them to the concern of the President of Ukraine. Within the measures of its competence the State Committee of Ukraine on Nationalities and Migration organises the execution of the legislative acts and performs the permanent control of their realisation.

3. The main duties of the State Committee of Ukraine on Nationalities and Migration are:

Participation in forming and ensuring the execution of the state policy in the sphere of international relations, ensuring the rights of the national minorities in Ukraine, of persons (formerly) deported on ground of their ethnicity, which are returning to Ukraine, refugees and other categories of migrants, and ensuring the links with Ukrainian nationals, which reside outside the territory of Ukraine.

Coordination of the preparation and fulfilment of measures concerning ensuring of refugees rights, rights of national minorities in Ukraine, rights of persons (formerly) deported on ground of their ethnicity, which are returning to Ukraine, and rights of other categories of migrants within the competence of the Committee, by the central and local bodies.

Organisation of reception, settlement and adaptation of persons of persons (formerly) deported on ground of their ethnicity, that are returning to Ukraine.

Within its competence ensuring the execution of Ukrainian legislation on refugees and migration.

Facilitation in the satisfaction of national cultural and educational needs and development of ethnic originality of Ukrainian nationals, which reside outside the territory of Ukraine.

4. The State Committee of Ukraine on Nationalities and Migration in regard to its duties:

- (1) Prepares propositions concerning forming and realisation of the state policy in regard to questions related to its competence, elaborates the drafts of certain state programs and ensures their execution;
- (2) Participates in elaboration of drafts of State budget, State program on economic and social development of Ukraine, Program of Activities of the Cabinet of Ministers.
- (3) Facilitates the activity of the public organisations of national minorities in Ukraine and the Ukrainian nationals, which reside outside the territory of Ukraine.
- (4) Provides organisational, methodical and advisory assistance to the bodies of the executive power and local government organs regarding decisions on questions related to its competence.
- (5) Ensures co-operation of central and local bodies of executive branch while taking measures concerning ensuring of national minorities rights, of persons (formerly) deported on ground of their ethnicity that are returning to Ukraine, refugees rights, rights of other categories of migrants, arranging and maintaining the relations with the Ukrainian nationals, which reside outside the territory of Ukraine.
- (6) Ensures the fulfilment of Ukrainian legislation on refugees, migration, performs the control of its execution in accordance with established procedure.
- (7) Analyses the migration situation in Ukraine, problems of refugees, other categories of migrants, tendencies in the field of international relations, facilitates the harmonisation of these relations, the preservation and development of ethnic

originality of national minorities in Ukraine and Ukrainian nationals, which reside outside the territory of Ukraine.

- (8) Issues the legislative acts concerning questions related to its competence.
- (9) In accordance with established procedure submits propositions concerning bringing the Ukrainian legislation into line with international norms and standards.
- (10) Facilitates the realisation of the national minorities rights, rights of of persons (formerly) deported on ground of their ethnicity that are returning to Ukraine, refugees rights, rights of other categories of migrants according to the legislation;
- (11) Provides assistance to persons, which were forced to leave the place of their habitual residence and arrived to Ukraine for the reason of military conflicts, including those ones, who have approached in accordance with established procedure with the request of granting the asylum in Ukraine;
- (12) Within its competence participates in taking measures, directed on struggle against the illegal migration;
- (13) Takes measures concerning elimination of interethnic and racial hostility;
- (14) Co-operates with state organs, public, cultural, national foreign centres and international organisations;
- (15) Takes part in preparation of the international treaties of Ukraine, prepares proposition on concluding and cancellation of these treaties, concludes the international treaties of Ukraine within its competence and ensures the fulfilment of the obligations by the Ukrainian state under the international treaties in questions related to its competence;
- (16) In accordance with established procedure considers applications of citizens, enterprises and organisations, complaints about the migration service bodies in Autonomous Republic of Crimea, regions, Kiev and Sevastopol cities and performs the citizen reception;
- (17) In accordance with established procedure performs the activity connected with the organisation of effective preparation, training and increasing of qualification of staff members of the State Committee of Ukraine on Nationalities and Migration, certain bodies of the Autonomous Republic of Crimea, structural departments of regional, Kiev and Sevastopol city state administrations, migration service bodies;
- (18) In accordance with established procedure coordinates the appointment to the posts and dismissal from the posts of the leaders of certain bodies of the Autonomous Republic of Crimea, structural departments of regional, Kiev and Sevastopol city state administrations;
- (19) Organises and participates in conduct of congresses, seminars, conferences, councils, other measures, performs informational and publishing activities.
- (20) Facilitates the conduct of the charitable actions and execution of programmes, directed towards the development of ethnic originality of national minorities in Ukraine and Ukrainian nationals, which reside outside the territory of Ukraine, persons, deported on the national ground, which are returning to Ukraine, other categories of migrants, and provides the social support to the refugees.
- (21) In accordance with established procedure involves the funds of international and non-governmental organisations, institutions of the foreign countries for the conduct of charitable actions and execution of programs, directed towards the development of ethnic originality of national minorities in Ukraine and providing the social support to of persons (formerly) deported on ground of their ethnicity that are returning to Ukraine, refugees and other categories of migrants.
- (22) In accordance with established procedures takes measures concerning involvement of the international technical, financial and other forms of assistance, necessary for the ensuring the discharge of its duties.

- (23) In accordance with legislation performs the functions of running of state property objects that belong to its competence, and performs control of the effective utilisation of these objects.
- (24) Distributes funds and material resources according to legislation and controls their utilisation; according to legislation confirms budgets of measures, necessary for the realisation of its duties, capital construction plans of objects; according to established procedures performs ordering functions during the purchase of goods (works, services) for the state needs; according to the legislation creates, reorganises and liquidates the enterprises, institutions and organisations.
- (25) Within its competence, defined in the legislation, realises state policy in the sphere of protection of state secret, in accordance with established procedure performs the control of the protection and preservation conditions of the state secret in the central system of the State Committee of Ukraine on Nationalities and Migration, on the enterprises, institutions and organisations, belonging to the sphere of its competence.
- (26) Ensures the execution of duties concerning the preparation and readiness of the state in (defence) mobilisation within its competence, defined in the legislation;
- (27) Performs other functions, necessary for the execution of its duties.

5. The State Committee of Ukraine on Nationalities and Migration has the rights to:

Represent the Cabinet of Ministers on its request at international organisations and during the conclusion of the international treaties of Ukraine;

Involve specialists of the central and local bodies of the executive power, enterprises, institutions and organisations in accordance with established order for the consideration of questions, belonging to its competence;

Create in case of need and in coordination with other interested central and local bodies of the executive power commissions, expert and advisory councils, working-groups;

Receive in the established order information, documents and materials, necessary for the execution of its duties, from the central and local bodies of the executive power;

Summon the councils concerning the questions related to its competence in accordance with established procedure.

6. The State Committee of Ukraine on Nationalities and Migration carries out its duties directly and through its subordinated migration service bodies, and the corresponding bodies of the Autonomous Republic of Crimea, structural departments of regional, Kiev and Sevastopol city state administration.

The State Committee of Ukraine on Nationalities and Migration while fulfilling its duties co-operates with other central and local organs of the executive power, local government and certain bodies of foreign countries.

7. The State Committee of Ukraine on Nationalities and Migration within its competence, on the basis and towards the execution of legislative acts issues the orders, organises and controls their fulfilment.

The State Committee of Ukraine on Nationalities and Migration in case of necessity issues joint acts in cooperation with other central and local organs of executive power.

Normative legal acts of the State Committee of Ukraine on Nationalities and Migration are subject to the registration in accordance with established procedure.

In cases, stipulated by the legislation, decisions of the State Committee of Ukraine on Nationalities and Migration are obligatory for the fulfilment by the central and local organs of

the executive power, local government, enterprises, institutions and organisations of all forms of property and citizens as well.

8. The State Committee of Ukraine on Nationalities and Migration is governed by a Chairman, who is appointed on the post and dismissed from the post by the President of Ukraine in accordance with established procedure.

The Chairman is personally responsible before the President of Ukraine and the Cabinet of Ministers regarding discharge of duties and fulfilment of functions established for the State Committee of Ukraine on Nationalities and Migration.

The Chairman has deputies that are appointed on the post and dismissed from the post according to the legislation.

The Chairman performs the guidance of the State Committee of Ukraine on Nationalities and Migration, distributes the duties between his/her deputies, defines their level of responsibility as well as that of the heads of the structural units of the State Committee of Ukraine on Nationalities and Migration.

9. In order to reach agreed upon solutions of issues, belonging to the competence of State Committee of Ukraine on Nationalities and Migration and discussions concerning the most important fields of its activity, in the State Committee of Ukraine on Nationalities and Migration is created a Board that consists of the Chairman (the chairman of the Board), Deputy Chairmen according to their posts and Heads of the structural units.

This Board may also include heads of other central organs of executive power, enterprises, institutions and organisations that are covered by the authority of State Committee of Ukraine on Nationalities and Migration.

Members of the Board are appointed and dismissed from their duties by the Cabinet of Ministers upon submission by the Chairman.

Decisions of the Board are implemented through orders of the State Committee of Ukraine on Nationalities and Migration.

10. In order to examine scientific recommendations and proposals concerning the development of main directions of activity of the State Committee of Ukraine on Nationalities and Migration and to discuss of the most important programmes and other questions a (Scientific) Advisory Council other advisory and consultative bodies can be created within the State Committee on Nationalities and Migration.

The composition of these bodies and their statutes are approved by the Chairman.

11. The maximal number of staff of the State Committee of Ukraine on Nationalities and Migration is approved by the Cabinet of Ministers.

The structure of the State Committee of Ukraine on Nationalities and Migration is established by its Chairman.

The list of staff members and the budget of the State Committee of Ukraine on Nationalities and Migration is approved by the Chairman with the consent of the Ministry of Finance.

Regulations on the structural units of the State Committee of Ukraine on Nationalities and Migration are adopted by its Chairman.

12. The State Committee of Ukraine on Nationalities and Migration is a juridical entity, has the own seal which includes its name and the State Arms of Ukraine.

The Head of the Administration of President of Ukraine V. Lytvyn