The Law of Ukraine

On Combating Terrorism

20 of March 2003

(Extract)

Article 14. Procedure mode in the anti-terrorist operation area

A special procedure mode may be introduced in the anti-terrorist operation area for the period of this operation, in particular, security patrol service may be established and a blockade cordon formed.

Civil rights and freedoms may be temporarily restricted in the anti-terrorist operation area.

(New part two was added to Article 14 according to Law N 1313-VII dated 5 June 2014, therefore, parts two and three shall be deemed, accordingly, parts three and four)

For the purpose of protecting citizens, the State and society from terrorist threats in the area where a long-term anti-terrorist operation is conducted, preventive detention of persons involved in the terrorist activities for a period exceeding 72 hours but no more than 30 days may be carried out as an exception and in the light of peculiarities stipulated by this Law.

(New part three was added to Article 14 according to Law N 1630-VII dated 12 August 2014, therefore, parts three and four shall be deemed, accordingly, parts four and five)

Persons not engaged in the anti-terrorist operation may stay in the area where it is conducted only subject to permission granted by the chief of the operations headquarters.

Enterprises, organizations and institutions operating in the anti-terrorist operation area shall, on demand of chiefs of the anti-terrorist operation, discontinue their activities partially or in full. During the anti-terrorist operation, respective specialists of these enterprises, organizations and institutions may be engaged to perform certain assignments subject to their consent and according to established procedures.

(Article 14, Part 5 as amended by Law N 1313-VII dated 5 June 2014)

(...)

Article 15-1. Peculiarities of preventive detention of persons involved in terrorism in the anti-terrorist operation area

To prevent terrorist threats in the anti-terrorist operation area, persons involved in terrorism may be detained preventively for more than 72 hours according to the criminal procedure legislation of Ukraine and peculiarities envisaged by this Law.

Preventive detention may not last for more than 30 days.

Reasonable suspicion of the terrorist activity carried out by a person shall be the ground for preventive detention.

Preventive detention shall be carried out subject to reasoned decision of the Head of the Chief Directorate (Department) of the Security Service of Ukraine or the Head of the Chief Directorate (Department) of the Ministry of Internal Affairs of Ukraine in the Autonomous Republic of Crimea, in the respective oblast, cities of Kyiv and Sevastopol subject to consent of the prosecutor without a ruling of the investigating judge or court.

A copy of the decision on preventive detention of a person involved in terrorist activities for the period exceeding 72 hours shall be immediately served on the detained, and shall be immediately forwarded to the investigating judge or to the court of competent jurisdiction together with an request for an appropriate preventive measure in respect of that person.

Preventive detention of a person may not be extended after the investigating judge or the court has examined the request for an appropriate preventive measure in respect of that person.

(Article 15-1 was added to the Law according to Law N 1630-VII dated 12 August 2014)