

Changes to the Ukrainian mobilization laws

On 19 May 2024, the Law of Ukraine “On Amendments to the Code of Ukraine on Administrative Offenses to Strengthen Liability for Violation of Military Registration Rules and Legislation on Defence, Mobilization Preparation and Mobilization” No. 3696-IX of 9 May 2024 came into force.

The amendments significantly increase the penalties for violations of the rules of military registration and applicable laws concerning defence, mobilization training, and mobilization:

Increased penalties:

**Conscripts,
persons liable for
military service,
and reservists**

UAH 17,000-25,500

- Violation of military registration rules during martial law
- Violation of laws on defence, mobilization training and mobilization during martial law

**Officials of an
employer**

UAH 34,000-59,500

Violation of laws on defence, mobilization training and mobilization during martial law

Changes to Ukrainian mobilization law



On 18 May 2024, the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Specific Issues of Military Service, Mobilization and Military Registration" No. 3633-IX, dated 11 April 2024 (the "Mobilization Law"), came into force. The Mobilization Law, among other things, introduces new obligations for persons liable for military service, as well as possible sanctions to be imposed on citizens who violate the law provisions.

The principal changes are as follows:



Military registration document

- The introduction of an obligation to always carry a military registration document (i.e., a military ID) along with an identity document.
- Representatives of Territorial Centres of Recruitment and Social Support ("TCRs"), police officers and representatives of the State Border Guard Service of Ukraine may demand that persons liable for military service present their military registration document for inspection at any time.



Personal data updates

- Citizens of Ukraine registered for military service are required to update their personal data with the TCR by 16 July 2024. This includes the obligation to specify a residential address, contact number, email address (if any), and other personal data. The requirement applies to persons both residing in and outside of Ukraine.
- New mechanisms for updating personal data are introduced, including via the government's Administrative Service Centres along with the use of an electronic account (registration is voluntary). Those residing abroad may update their personal data remotely via email or by contacting the TCR.
- Effective 18 May 2024, the Ministry of Defence of Ukraine, through its Reserve+ application, launched an electronic account of conscripts, persons liable for military service, and reservists.



Valid reasons for non-appearance at the TCR

- There are a few valid reasons for a citizen to fail to appear at the TCR within the time period specified in the respective summons:
 - A natural disaster, personal illness, combat operations in the relevant territory and their consequences, or other circumstances that deprived the citizen of the opportunity to arrive in person at the place and time specified;
 - The death of a close relative (parents, spouse, child, siblings, grandparents) or a close relative of his/her spouse.
- Citizens are obliged to report the reasons for non-appearance as soon as possible, but not later than 3 days from the date and time specified in the summons. They must then appear within 7 calendar days.



Enforcement measures

- If a person liable for military service fails to fulfil their mobilization obligations, the head of the TCR applies to the police for administrative detention and the forcible delivery of the person to the TCR.
- If it is impossible to carry out this request, the head of the TCR sends a demand to the respective person to fulfil their duty to appear within 5 days of receiving a written response from the police.
- If the person liable for military service does not voluntarily fulfil the obligation(s) specified in the demand within 10 calendar days from the date of its delivery, the TCR will apply to the court for a temporary ban on the right of such a person to drive a vehicle until the demand is fulfilled or withdrawn.



Persons abroad liable for military service

- To continue to receive consular services via the embassies and consulates of Ukraine, Ukrainian males aged 18 to 60 who have not updated their personal data, must simultaneously update their personal data at the time of receipt of the services.
- Similarly, passports will only be issued to such persons, provided that they possess military registration documents that are in order.

- Persons liable for military service who have been removed from military registration due to being outside of the territory of Ukraine for more than three months are obliged to re-register within 30 days from the date of entry into force of the resolution of the Cabinet of Ministers of Ukraine No. 563 dated 16 May 2024 (i.e., by mid-June 2024).



Grounds for deferral from mobilization

Under the updated list of grounds for deferral from mobilization, among other, the following categories of people lose the right to a deferral:

- Persons liable for military service with three or more dependent children under the age of 18 lose their deferral status if they have **child support arrears** exceeding the total amount due for three months.
- With certain exceptions, persons with a spouse registered as having Group III disability. Depending on the degree of the persistent impairment of body functions caused by the illness, injury (its consequences) or birth defects, there are three groups of disability in Ukraine. Group I is the most severe, whereby a person is unable to care for themselves, while persons with a Group III disability are deemed to suffer from a moderate impairment which also affects their capacity to work.
- Persons studying at a level of education the same or lower than the level previously obtained (e.g., earning a Master's Degree for the second time). Persons liable for military service who are studying and had a deferral for the duration of their studies retain this deferral until the end of the current academic year, even if they would have otherwise lost this right after the Mobilization Law came into force.

On 16 May 2024, the Cabinet of Ministers of Ukraine adopted Resolution No. 560, which approved the Procedure for the conscription of citizens for military service during mobilization. This procedure, among other things, regulates the process for granting deferrals from military service during mobilization.



Military transportation duty

- The Mobilization Law has clarified the provisions on military transportation duty and introduced new restrictions on companies' right to dispose and use of vehicles.
- The Cabinet of Ministers of Ukraine will develop a resolution that will define the norms for free requisition, seizure, and forced alienation of vehicles and equipment during the period of martial law.
- A vehicle owned by a citizen is not subject to transfer to the Armed Forces of Ukraine or other military formations if he/she does not own another vehicle.



Reservation from mobilization

- The ultimate beneficial owners of companies deemed critically important may be reserved mobilization, even if they are not employees of such companies.
- Employers must now formalize the deferral of reserved employees at the TCR in the territory where they are located.
- Significant changes are expected in the procedure for reserving persons liable for military service from mobilization.



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