

RUSSIAN AND UKRAINIAN VERSIONS OF THE "SPECIAL STATUS" FOR DONBAS

Title	Requirements for special status of ORDLO (separate regions of Donetsk & Luhansk oblasts) according to Minsk-2	Ukrainian law on the special status of ORDLO (1); law on amnesty (2)	Russian proposals for amendments to the Constitution of Ukraine sent to Surkov (1); LNR and DNR amendments to the Constitution of Ukraine (2)	Russian proposals for amendments to the Constitution of Ukraine sent to Surkov	Letter of Yuriy Boiko to Verkhovna Rada Chairman Groysman
Author	Approved by leaders of the Normandy Four and signed by Trilateral Contact Group	Petro Poroshenko	Sent to Surkov from the address to_rf@bk.ru (SurkovLeaks2) (1); Published by Donetsk News Agency (2)	Sent to Surkov from the address kino2015dom@gmail.com (SurkovLeaks2), with the note "from V.V."	Yuriy Boiko, leader of pro-Russian Opposition Bloc
Date	12.02.2015	Adopted on 16.09.2014 (amended on 17.03.2015; amendments in bold). <i>Clauses of (2) are in italics</i>	Sent on 11.03.2015 (1); published 13.05.2015 (2). Note: amendments contained in (2) but not in (1) are in bold	Sent on 21.05.2015	RU translation of letter was forwarded to Surkov on 29.06.2015
Duration	Permanent	(1) temporary, 3 years; valid until 31.12.2019. (2) - <i>permanent</i>	The law on a special status of ORDLO is made permanent - a clause for that is enshrined in the Constitution	10 years - enshrined in the Constitution	-
Valid from	Changes to the Constitution taking into account the peculiarities of ORDLO agreed with their representatives and a permanent law on the special status of ORDLO have to be adopted by end of 2015	(1) After the local self-government bodies (SGB) of ORDLO assume power following snap elections held in accordance with Ukrainian law and OSCE standards; (2) <i>from the publication date</i>	-	After amendments to the Constitution of Ukraine come into power	-
ORDLO administrative structures	No details	Local self-governance is held according to the Constitution and laws of Ukraine by the corresponding territorial communities directly and through local self-government bodies (SGB)	Local self-government bodies (SGB) of ORDLO have their own charters. Unlike the rest of Ukraine, the president cannot make a decision on the resignation of heads of oblast or rayon administrations who have been distrusted - this is done by the SGBs. The procedure for exercising local self-government, the activity of courts and the prosecutor's office in the ORDLO is determined by separate laws.	Areas with a special order of management - territorial entities - are created in ORDLO (TE). They have Representative Assemblies (RAs, representative authorities of ORDLO consisting of MPs elected for 5 years, make decisions and resolutions that are binding in ORDLO, cannot be prematurely dissolved) and Executive Committees (ECs, executive authorities of ORDLO, their heads are elected by the RAs, they act through departments).	Creation of territorial associations of ORDLO, creation of a representative (Representative Assembly), executive (Executive Committee) bodies of power
Economics	The state supports the socio-economic development of ORDLO	Special economic regime for stimulating investment and rebuilding industry and infrastructure	The state ensures the financial autonomy of ORDLO: ensures funding sources, provides state support for its socio-economic development, provides financial assistance, concludes agreements with SGBs of ORDLO on socio-economic and cultural development, introduces a special economic regime, promotes the development of cross-border cooperation. SGBs of ORDLO develop and approve the ORDLO budget, participate in the development of the Ukrainian state budget to ensure the financial independence of ORDLO, determine the size of local taxes and payments	RA approve the budgets of TE of ORDLO, develop and implement programs of socio-economic and other development of ORDLO, create free economic zones, determine local taxes and payments. EC of TE of ORDLO represent TE of ORDLO in foreign economic relations, determine and fill the budgets of TE of ORDLO	-
Militia	Local councils can set up militia units	People's militia units can be set up by decisions of city, settlement, village councils out of Ukrainian citizens permanently residing in the settlements	SGB of ORDLO can create people's militia units and appoint their leaders	ECs give proposals to the RA regarding the structure, number of units of the people's militia. The RAs approve and coordinate these units	SGBs decide on establishment, structure, # of units of people's militia & coordinate their activities.
Amnesty	Amnesty and prohibition of discrimination for "persons related to events occurring in the ORDLO" through a separate law	(1) Amnesty and prohibition of discrimination against "participants of events in Donetsk, Luhansk oblasts" (2) <i>Amnesty for those who voluntarily laid down their weapons, except those who committed serious crimes or are involved in crash of MH17</i>	-	-	-
Status of RU	Right to linguistic self-determination	Promoting the use of Russian in all spheres of life	SGBs of ORDLO legally regulate the use of Russian, ensure rights to its use	TE of ORDLO have the right to decide on language issues. RAs grant special statuses to the Russian and other languages	-
Relations with Russia	Central government facilitates cross-border cooperation between the ORDLO and Russian regions	Central government promotes cross-border cooperation via agreements between territorial communities, SGBs, local Ukrainian executive authorities & territorial communities	SGBs of ORDLO legally regulate cross-border activity; ORDLO may conclude agreements with foreign states or their territories, the Ukrainian central government should promote cross-border activities	RAs of ORDLO make decisions on cross-border cooperation between ORDLO and Russia or other states. ECs of ORDLO conclude agreements on cross-border cooperation with the subjects of Russia and other states	-
Relations with the central Ukrainian authorities	Participation of SGBs in appointing Heads of Prosecutor's Offices and Courts in ORDLO. The central government may conclude agreements with SGBs of ORDLO	SGBs participate in appointing the heads of Prosecutor's Offices and courts in ORDLO. SGBs can conclude agreements with the central government regarding economic, social and cultural development of ORDLO regions	Appointment of judges, heads of prosecutors' offices takes place in coordination with SGBs of ORDLO. ORDLO concludes agreements on its development of these areas with the Cabinet of Ministers of Ukraine. The Cabinet facilitates the conclusion of agreements between ORDLO and ministries, cross-border cooperation of ORDLO	The President appoints President's Representatives to ORDLO. The Cabinet of Ministers concludes agreements with the ECs of TEs of ORDLO on their socio-economic and cultural development. The RAs give their consent to the appointment of heads of Prosecutor's Offices, internal affairs bodies and courts at the ORDLO. ECs of TEs of ORDLO represent TEs of ORDLO in relations with Ukrainian state authorities.	ORDLO consents to the appointment of the heads of the security services, prosecutors and courts
Other powers of the local self-government bodies (SGB) of ORDLO	Within the framework of agreements concluded with the central government	Within framework of agreements concluded with the central government; conclude agreements on cross-border cooperation, establishment of units of people's militia; promote the use of Russian. The special regime is implemented exclusively by SGBs elected in snap elections.	SGBs of ORDLO legally regulate natural resources, cultural, socio-economic, transport and other activities, executive power, courts and prosecutor's offices, develop and implement programs on linguistic, cultural, socio-economic and other policies, impose a state of emergency, conclude agreements with foreign states.	RAs appoint the ECs, regulate the industrial, agrarian, transport, etc. sectors, manage ORDLO property. RAs can appeal to the Constitutional Court of Ukraine regarding the constitutionality of Ukrainian laws. ECs of TEs of ORDLO ensure the observance of rights and freedoms in ORDLO, prepare and execute programs of socio-economic and cultural development in ORDLO, manage ORDLO property.	Special order of local self-government.
Elections	Local election issues are agreed with ORDLO representatives. Elections are conducted in compliance with OSCE standards, monitored by the OSCE ODIHR. Powers of deputies of local councils and officials elected in snap elections cannot be prematurely terminated	Early elections on December 7, 2014 according to the laws of Ukraine and OSCE standards. Powers of deputies of local councils and officials elected in early elections cannot be prematurely terminated	SGBs of ORDLO convene and hold local elections, form election commissions in the territories of these regions, determine the procedure for elections, appoint and hold local referendums	RAs of ORDLO organize and conduct local elections and referendums. The procedure for holding elections, the formation of SGBs and the governing bodies of the ORDLO is determined by a separate law. The term of office of the deputies elected to the RA is 5 years	-
Other	Ukraine gains control of Russian-Ukrainian border after snap elections & Constitution Reform	-	Requirement of a neutral status in the Constitution	-	-