

# Amended legislation on Mobilisation in Ukraine

Protection Sector meeting

9 May 2024

# Background

- Amendments to legislation registered in Parliament by Cabinet of Ministers on **30 January 2024**
- The new mobilization law was **signed on 16 April**
- **Will enter into force on 18 May 2024**

# Main changes

- Lowered conscription age from **27 to 25**
- **New requirement on** all Ukrainian men between 18 and 60 years of age to:
  - register with Ukraine’s Armed Forces
  - to carry their registration documents on them *at all times*, and
  - to update their personal information in military commissariats by 15 July 2024
- **Shortened period of obligatory basic military training** (3/5 months) for men aged 18-24
- 90 days of leave afforded for servicemen/women release from captivity
- Ukrainian men between 18 and 60 years of age who are **residing or staying abroad, incl refugee men**
  - Required to have an **individual military card updated** and valid to **be able to apply for issuance of national ID-cards or passports** through foreign branches of the State Enterprise “Document”
  - Conscripts and reservists will have **access to consular services**. However, their military profession and other personal data collected by military commissariats will be updated at the time of application for consular services.
  - **By mid-June**, provisions will be adopted on military registration of men of conscription age who are currently abroad

# Amendments to the Special Act

- **Current Act:**
  - confirmation of identity may be made on the basis of an expired document if it allows to establish the person's identity.
  - In the absence of travel documents or other documents, the identity is confirmed on the basis of a statement. The statements are currently made under penalty of perjury.
- **Amendments:**
  - A valid travel document is a requirement for:
    - for refugees willing to move to a longer-term status
    - refugees applying for temporary protection (new arrivals)
  - Only exception: in case of mass influx/ regulation by the Ministry of Interior
- [UNHCR Comments and Observations on the Draft Law amending the Act on Assistance to Citizens of Ukraine in the Context of Armed Conflict in Ukraine \("the Special Act"\) | Refworld](#)

# Access to international protection

- **Statistics:**

- From January to April 2024, 1,538 Ukrainian citizens applied for international protection in Poland, including 674 men aged 18-64
- By comparison, from January to April 2023, 487 Ukrainian citizens submitted applications, including 269 men.

- **Asylum procedures:**

- Refugees Ukraine have fallen within accelerated procedures.
- Average processing time is reportedly 2/3 months.
- Status: Most often granted subsidiary protection.
- Reference document on assessing international protection needs for draft evaders: [Guidelines on International Protection No. 10.pdf \(unhcr.org\)](#)

# Observations from border monitoring

- **Border management:** irregular border crossing of adult men of conscription age.
  - According to Ukrainian news, some 8.000 men attempted to cross the green border and were apprehended in 2023
  - This is not confirmed by official BG statistics on the Polish side. Reportedly interceptions happening mostly on the Ukrainian side.
  - Very limited number of international protection applications by men crossing the border irregularly.
  - Increase of interceptions at the Poland/German border

# Observations from protection monitoring

- **Suspension of issuance of documentation** took place in all information points to different degrees, often affecting not only men of conscription age, but also women and children below age 12 temporarily.
- **Official suspension** on issuance of ID/passport for adult men of conscription age was put on hold as of **23 April** (Q&A MoFA Ukraine)
- **Confusion, anxiety and long queues** at Consular offices and State Enterprise Service points.
- **Potential onwards movement?** To be confirmed

# Considerations and question marks

- **Conscientious objection** – on the basis of religious beliefs - is regulated in Ukrainian law and that the recently adopted law did not alter this possibility (however diverging views as to whether conscientious objection is possible in times of martial law) – possibility of **alternative military service**