

Law No. 315-VIII of 9 April 2015 - On Perpetuation of the Victory over Nazism in World War II of 1939-1945 [*Pro uvichnennyya peremogi nad natsizmom u Drugiy svitoviy viyni 1939 – 1945 rokiv*].

Introduces forms of commemoration of the Victory over Nazism, such as the introduction of a Day of Remembrance and Reconciliation on May 8, while May 9 was confirmed to be a State holiday as the “Day of Victory over Nazism”.

According to the Constitution of Ukraine, including Article 11, which obliges the State to promote the consolidation and development of the Ukrainian nation, its historical consciousness, basing on the UN General Assembly Resolution № A / RES / 59/26 dated November 22, 2004, and № A / RES / 64/257 dated March 2, 2010, seeking to develop and strengthen the independent, democratic, law-based state, being aware that the Second World War of 1939-1945, which began as a result of the agreements of the National Socialist (Nazi) regime of Germany and Communist totalitarian regime of the USSR, became the largest tragedy of humanity in the 20th century, considering the fact that during World War II of 1939-1945 National Socialist (Nazi) and Communist totalitarian regimes committed on the territory of Ukraine numerous crimes against humanity and against mankind, war crimes and crimes of genocide, in consequence of which Ukraine and Ukrainian people suffered huge losses, marking the worldwide historic significance of the victory over Nazism in World War II of 1939-1945, paying tribute to all victims of World War II of 1939-1945, and considering the need for constant care for veterans of the War, members of the liberation movement and victims of Nazism, seeking to preserve the memory of the victory over Nazism in World War II of 1939-1945, the Verkhovna Rada of Ukraine has adopted this Law.

Article 1. Perpetuation of the Victory over Nazism in World War II of 1939-1945

1. Reverent attitude to the memory of the victory over Nazism in World War II of 1939-1945, of the war veterans, participants of the Ukrainian liberation movement and victims of Nazism is the sacred duty of the state and citizens of Ukraine.
2. In order to commemorate all victims of World War II of 1939-1945 in Ukraine Memorial and Reconciliation Day is established, which is celebrated every year on May 8.
3. In Ukraine every year on May 9, a national holiday the day of victory over Nazism in World War II (Victory Day) is celebrated.
4. Procedure for memorial and commemorative events dedicated to the Memorial and Reconciliation Day and to the Victory Day is established by the Cabinet of Ministers of Ukraine.

Article 2. Forms of Perpetuation of the Victory over Nazism in World War II of 1939-1945

1. Main forms of perpetuation of the victory over Nazism in World War II of 1939-1945 are:
 - 1) observation of the Memorial and Reconciliation Day, the Victory Day, the days of the Nazi expulsion of Ukraine, of the Autonomous Republic of Crimea, of Kyiv and Sevastopol, and of other administrative units;
 - 2) setting the honour guard at the Eternal Flame, Tombs of the Unknown Soldier and the Unknown Seaman, laying wreaths and flowers to the monuments and memorials dedicated to the perpetuation of victory over Nazism and commemoration of the victims of World War II of 1939-1945;
 - 3) prevention of falsification of the history of World War II of 1939-1945 in research studies, educational literature, textbooks, mass-media, public statements of government officials, local government officials and office holders;

- 4) facilitation to objective and comprehensive research of history of World War II of 1939-1945, reflection of the events of the war, its victims, actions of participants in works of literature and art, memorial books and albums, mass-media;
- 5) improvement, maintenance and erection of monuments and memorials for commemoration of the victims and participants of World War II of 1939-1945, creation of museums, memorial facilities devoted to World War II of 1939-1945;
- 6) provision of research work under the state assistance with the view of identification of the names of the perished and missing individuals, the reburial of the remnants of soldiers who died during World War II of 1939-1945.

Article 3. Guard of Honour

1. During the Memorial and Reconciliation Day, the Victory Day and the Day of Defender of Ukraine guard of honour shall be set and wreaths and flowers shall be laid in the capital of Ukraine, the capital of the Autonomous Republic of Crimea, Sevastopol, in regional centres around the monuments and memorials dedicated to the perpetuation of victory over Nazism and commemoration of the victims of World War II of 1939-1945.

Article 4. Monuments of World War II of 1939-1945

1. The following objects shall be recognized as monuments of World War II of 1939-1945: military cemeteries and military plots on civilian cemeteries; mass and single beds of honour; monuments, memorials, sculptural, architectural and other structures; compositions and objects that perpetuate memories of the times of World War II of 1939-1945, its participants and victims.

The unified national register of monuments of World War II of 1939-1945 shall be approved by the Cabinet of Ministers of Ukraine.

2. The monuments identified by para.1 of this Article are protected by the state.

3. The activities related to the proper maintenance of monuments outlined in para. 1 of this Article shall be financed at the expense of the state and local budgets allocated for the relevant purpose and also by the cost of the donations from legal entities and physical persons, international organizations or foreign countries.

4. State agencies and local governments are responsible within their competence for accounting and preservation of the monuments of World War II of 1939-1945.

5. Unidentified military graves, the remains of victims and soldiers killed in World War II of 1939-1945 are searched for in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

6. Combatants of World War II of 1939-1945 shall be buried by the executive authorities and local governments at the cost of the state and local budgets.

7. Desecration of monuments of World War II of 1939-1945, their destruction or demolition entails responsibility under the law.

Article 5. International Agreements on Mitigation of Consequences of World War II of 1939-1945 and Preservation of Monuments Related to the Events of World War II of 1939-1945

1. Ukraine ensures adherence to international agreements on mitigation of consequences of World War II of 1939-1945 and concludes agreements on compensation to victims of Nazism. On the basis of international agreements Ukraine provides construction and preservation of the burial places of soldiers who perished during World War II of 1939-1945 outside the territory of Ukraine.

2. Under international agreements Ukraine facilitates the identification of graves of the times of World War II of 1939-1945 located in its territory, construction and preservation of monuments on the burial places, revival of humanistic attitude towards them.
3. Ukraine strictly adheres to international obligations as for prevention of manifestations of Nazism and totalitarianism in any form on its territory.

Article 6. Responsibility for Failure to Comply with the Law

1. Persons guilty of violating the provisions of this Law shall be liable under the laws.

Article 7. Final Provisions

1. This law comes into force on the day following the day of its publication.
2. To declare void the Law of Ukraine "On perpetuation of the Great Patriotic War of 1941-1945" (Bulletin of Verkhovna Rada of Ukraine, 2000, № 30, Article 239; 2011, № 44, Article 470; 2012, № 28, Article 310).
3. Article 73, para1, the it.6 of the Labour Code of Ukraine (Bulletin of Verkhovna Rada of Ukrainian SSR, 1971, Annex to № 50, Article 375) shall be amended as follows:
“The 9th of May is the Day of Victory over Nazism in World War II (Victory Day)”.

President of Ukraine P. Poroshenko

Kyiv,
April 9, 2015
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