

BTRP Regulatory Fact Sheet

I. Agreement Between the United States of America and Ukraine Concerning Assistance to Ukraine in the Elimination of Strategic Nuclear Arms and the Prevention of Proliferation of Weapons of Mass Destruction dated 25 October 1993, as amended August 27, 2002 and September 18, 2003 and extended till December 31, 2013

II. Agreement between the United States of America and Ministry of Health of Ukraine Concerning Cooperation in the Area of Prevention of Proliferation of Technology, Pathogens and Expertise that could be Used in the Development of Biological Weapons dated August 29, 2005

III. Implementing Arrangements for the Conduct of Audits and Examinations of United States Assistance to Ukraine in Connection with the Agreement Between the United States and Ukraine of October 25, 1993, dated March 5, 1996.

IV. Paragraph III of the Law of Ukraine “Concerning International Agreements of Ukraine” № 1906-IV dated June 29, 2004.

Article 19. Effect of International Treaties/Agreements of Ukraine across the Territory of Ukraine (<http://zakon2.rada.gov.ua/laws/show/1906-15/para0142#o142>)

1. International treaties of Ukraine ratified by the Verkhovna Rada of Ukraine shall be part of the national law and shall apply in the same manner as the rules of the national law.

2. If an international treaty of Ukraine, which has duly entered into force, sets forth other rules than those provided for by the relevant act of the Ukrainian law, the rules of the international treaty shall apply.

Articles 15, 16, 17, 18 provide that international agreements and treaties must be duly followed and implemented by all Ukrainian agencies and that the Foreign Ministry monitors the implementation and may request the President or the Cabinet of Ministers to take steps to prevent non-compliance with an international treaty.

V. Article 10 “ About International Agreements” of the Civil Code № 435-IV, dated 16.01.2003

<http://zakon2.rada.gov.ua/laws/show/435-15>

VI. Law of Ukraine № 2289-VI dated June 1, 2010 “About performing of governmental procurement” <http://zakon2.rada.gov.ua/laws/show/2289-17/print1361283753634831>

Article 6. International Obligations of Ukraine within Procurement

1. If the international agreement of Ukraine, ratified by Verkhovna Rada, envisions the different procurement procedure than the procedure, defined by this law, the procedures of the international agreement of Ukraine shall be applied.

- VII. Determination of Rada Legal Department in response to the Draft Law of Ukraine № 182 dated September 22, 2010 “About Ratification of the Agreement between the United States of America and Ukraine Concerning Assistance to Ukraine in the Elimination of Strategic Nuclear Arms and the Prevention of Proliferation of Weapons of Mass Destruction”, that **the CTR Umbrella Agreement does not require ratification.**
- VIII. Project Registration of the Ministry of Economic Development and Trade for MinHealth, State veterinary and Phytosanitary Service of Ukraine and National Academy of Agrarian Sciences (Project registration Card 2225-04, dated 21.05.12)
- IX. MinHealth Concept of Operations (CONOPS), dated October 22, 2009
- X. Veterinarian/Agrarian Concept of Operations (CONOPS), dated January 27, 2010

Other Relevant Regulatory Guidelines:

Para 1.24 of the Order No. 64 of the State Board of the Treasury of Ukraine (dated July 17, 2000) pertaining to the assessment of fixed assets received free of charge as technical assistance and placement on accounting balances.

Article 44 of Cabinet of Ministers Decree No, 153 dated February 15, 2002, pertaining to the placement of technical assistance on accounting balances.