

Apostilling in Ukraine

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1. Apostille for certification of documents

Documents drawn up by state and local authorities in Ukraine become legally valid in international circulation and can be used in the territory of another state only after their appropriate certification.

For a long time, certification of most official documents drawn up in Ukraine required a multi-stage, rather complicated and costly procedure of consular legalisation. Ukraine's accession to the Hague Convention of 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (hereinafter – the Convention) in 2002 was a significant step towards simplification of the said procedure, making apostille the most common way of certifying documents in Ukraine.

Apostille is a special stamp affixed to official documents that certifies the validity of signatures, seals, status of persons who signed such documents. Confirmation of signatures and seals in official documents with an apostille validates these documents in all countries that are

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parties to the Convention.

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As of 2022, the Convention has been signed by 124 countries, including Australia, Austria, Belgium, China, Cyprus, Denmark, Finland, Italy, Germany, Japan, Spain, Switzerland, Spain, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the United States of America, etc.

In addition, Ukraine has signed bilateral agreements with some countries on the abolition of apostille affixing. These include Azerbaijan, Belarus, Bulgaria, Armenia, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Latvia, Lithuania, Mongolia, Moldova, Poland, Romania, Serbia, Tajikistan, Hungary, Czechia. A sufficient condition for the recognition of official documents in this case is their translation into the official language of the country to which they are submitted, as well as notarization of these documents by a Ukrainian notary.

2. Documents that can be apostilled

Apostille is affixed to:

- documents issued by judicial authorities of Ukraine (court decisions, including divorce, adoption, decisions in economic matters, resolutions, court rulings, etc.);
- documents issued by prosecution authorities of Ukraine, justice authorities (resolutions on opening or closing of proceedings, birth, marriage, divorce certificates, various certificates, etc.);
- administrative documents (protocols, acts, declarations, etc.);
- documents on education and academic titles (certificates, diplomas and annexes to them, certificates, references, diplomas of academic titles, etc.);
- documents drawn up by public and private notaries (powers of attorney, certificates, applications, contracts, copies (photocopies) of documents, translations certified by a notary, etc.).

Apostille is not affixed to the originals, copies and photocopies of passport documents, military cards, employment records, gun licences, vehicle registration certificates (technical passports), identity cards, normative legal acts, explanations and legal opinions on their application, documents of correspondence nature.

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Original copies of official documents issued by institutions of the former Soviet Union republics cannot be accepted for apostillation in Ukraine. Apostille can be affixed to copies (photocopies) with translation of these documents certified in the established order in Ukraine.

3. Who can apply for apostille affixing

An application for apostille affixing may be submitted by any person provided that the following documents are available:

- an identity document of a citizen of Ukraine or
- a national passport of a foreigner or
- a document certifying the identity of a foreigner.

Therefore, foreigners do not need to go personally to Ukraine for apostille affixing, it can be done by their representatives in Ukraine.

4. Where to apply for apostille affixing

Today in Ukraine, there are three official bodies that are authorised to affix an apostille:

- Ministry of Justice of Ukraine is authorised to apostille documents issued by the judicial bodies and courts, as well as the documents executed by notaries of Ukraine (court decisions, court rulings, certificates of inheritance, powers of attorney, and other documents);
- Ministry of Education of Ukraine is responsible for apostilling documents related to education (diploma, certificate, etc.);
- Ministry of Foreign Affairs of Ukraine performs apostilling of all other types of documents.

5. Terms, cost, and documents for apostille affixing

5.1. Apostille affixing by the Ministry of Justice of Ukraine

To apply for apostille, it is necessary to submit the following:

- an original document to be apostilled or its copy certified in the prescribed manner;
- a document on payment for apostille affixing service (or a document confirming the applicant's right to exemption from payment).

The fee for apostille affixing is as follows:

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- for citizens of Ukraine, foreign citizens and stateless persons – UAH 51 (less than USD 2);
- for legal entities – UAH 85 (a bit over USD 2).

Apostille affixing or a refusal to affix it is carried out within 2 working days.

The term of consideration of documents for apostille affixing can be extended up to 20 working days. This applies in cases where it is necessary to obtain a specimen signature, seal and/or stamp, as well as to verify the documents on state registration of civil status acts in cases where there is no information about them in the State Register of Civil Status Acts of Citizens and/or there are doubts about their authenticity.

5.2. Apostille affixing by the Ministry of Foreign Affairs of Ukraine

To affix an apostille, the following documents shall be submitted:

- an original copy of the completed application for certification of the document;
- an original copy of the document to be certified by apostille;
- a copy of the 1st page of the applicant's passport with personal data;
- an original receipt of the banking institution on payment for apostille affixing services;

Note: legal entities shall also submit a letter of request (on behalf of the legal entity signed by its head with a request to certify documents with an apostille, indicating in the text of such a letter the list of documents sent for certification, the country of destination of such documents, the name of the representative authorised to certify documents with an apostille in the Ministry of Foreign Affairs of Ukraine).

The fee for apostille affixing is as follows:

- for citizens of Ukraine, foreign citizens, and stateless persons – UAH 150 (about USD 4);
- for legal entities – UAH 450 (about USD 12).

Apostille affixing or refusal to affix it is carried out within 5 working days.

The term of consideration of documents can be extended up to 20 working days if additional information is required to apostille the documents in question. Applicants shall be informed about the extension of the term during the receipt of documents.

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5.3. Apostilling by the Ministry of Education and Science of Ukraine

The following documents must be submitted for apostille affixing:

- the original document on education according to the state standard, on which it is necessary to affix an apostille, 2 photocopies of this document without notarization or any other certification; - consent to personal data processing;
- a document on payment for apostille affixing services or a copy of the document confirming the right to exemption from payment (subject to presentation of its original).

The fee for apostille affixing is as follows:

- for citizens of Ukraine, foreign citizens, and stateless persons – UAH 51 (less than USD 2);
- for legal entities – UAH 85 (a bit over 2 USD).

Apostille affixing or refusal to affix it is carried out within 40 working days.