

Legal status of foreigners defending Ukraine

On 20 August 2024, the Ukrainian parliament adopted the Law of Ukraine 'On Amendments to Certain Laws of Ukraine on the Legal Status of Foreigners and Stateless Persons Participating in the Defence of the Territorial Integrity and Inviolability of Ukraine' (the "Law"), which regulates the possibility for foreign citizens and stateless persons defending the territorial integrity of Ukraine (as well as for their families) to obtain temporary residence permits, immigration permits and Ukrainian citizenship.

After 24 November 2024, when the Law enters into force, it will provide for the following:

- the possibility to acquire Ukrainian citizenship under a simplified procedure for foreigners who are or have been performing military service under contract with the Armed Forces of Ukraine, the State Special Transport Service or the National Guard of Ukraine and persons involved in the defence of Ukraine as part of the Territorial Defence Forces or volunteer formations of territorial communities;
- the possibility for foreigners who are or have been performing military service under contract with the Armed Forces of Ukraine, the State Special Transport Service or the National Guard of Ukraine and for persons involved in the defence of Ukraine as part of the Territorial Defence Forces or volunteer formations of territorial communities to obtain temporary residence permits or immigrate to Ukraine, even if their documents have already expired;
- family members of persons who have concluded a contract with the Armed Forces of Ukraine, the State Special Transport Service or the National Guard of Ukraine will be eligible to obtain a temporary residence permit;
- the possibility to submit a declaration of renunciation of foreign citizenship instead of a document on the termination of foreign citizenship together with an application for Ukrainian citizenship for foreigners who are or have been serving in the defence forces, as well as their spouses and children.

Citizens of the Russian Federation and the Republic of Belarus who acquired Ukrainian citizenship after 24 February 2022 shall submit documents renouncing their citizenship within one year after the cancellation of martial law.

Related article: Temporary residence permit in Ukraine

Consideration and acceptance of applications for Ukrainian citizenship from citizens of the Russian Federation will resume only one year after the date of termination or cancellation of martial law. This will not apply to citizens of the Russian Federation who:

- have outstanding merits before Ukraine or whose admission to Ukrainian citizenship is in Ukraine's national interest, as well as the spouses of such citizens;
- are or have been performing military service under a contract with the Armed Forces of Ukraine, the State Special Transport Service or the National Guard and have been awarded a state award of Ukraine, as well as their spouses;
- have terminated (cancelled) their service contract for health reasons, as well as

- their spouses;
- have been involved in defending Ukraine as part of the Territorial Defence or volunteer formations of territorial communities, as well as their spouses;
- are minors and have legal grounds for acquiring Ukrainian citizenship.

Foreign nationals who are or have been performing military service under contract with the Armed Forces of Ukraine, the State Special Transport Service or the National Guard of Ukraine in accordance with the established procedure and persons involved in defending Ukraine as part of the Territorial Defence Forces or volunteer formations of territorial communities and who obtained Ukrainian citizenship during martial law and committed to take exams to confirm it, have the right to take these exams within 2 years after the end or cancellation of martial law.

In addition, the Law makes it impossible for a person who, through his or her unlawful actions, creates or has created threats to the national security of Ukraine, to acquire Ukrainian citizenship.