

Immigration to Ukraine

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The fundamental principle of Ukrainian migration law is the freedom of movement of individuals and citizens, which is also their subjective right. According to Article 33 of the Constitution of Ukraine, everyone who is legally present in Ukraine is guaranteed freedom of movement, free choice of residence, and the right to freely leave Ukraine, except for restrictions established by law.

Under Ukrainian law, foreign citizens may immigrate to Ukraine for permanent residence, come to Ukraine for employment, study, family reunification, etc. in accordance with the established procedure.

There are 3 separate procedures to highlight here:

obtaining an immigration permit;

obtaining a temporary residence permit in Ukraine;

obtaining a permanent residence permit in Ukraine.

1. Immigration permit

An immigration permit can be obtained either directly in Ukraine or outside Ukraine at a Ukrainian consulate in the foreign citizen's country of residence. However, a permanent residence permit can only be obtained in Ukraine at a territorial division of the State Migration Service of Ukraine (SMS) at the location of future registration of the foreigner's residence.

Permits for immigration to Ukraine are granted to certain categories of immigrants.

The first group is persons under the immigration quota established by the government of Ukraine, which includes:

- scientists and cultural figures whose immigration serves the interests of Ukraine – this can be confirmed by a request from the Ministry of Culture and Science to support the migrant's application based on their significant achievements in culture or science;
- highly qualified professionals and workers who are in high demand in the Ukrainian economy – usually evidenced by a diploma confirming the required qualification as a professional or worker, the availability of whom is limited in

- Ukraine, and whose necessity is confirmed by relevant information from the Ministry of Social Policy and Labour;
- foreigners who have made a foreign investment in the Ukrainian economy in foreign convertible currency in the amount of at least 100 thousand US dollars – in the form of shares, securities, etc. confirming the person's investment in the Ukrainian economy;
 - foreigners who are full siblings, grandparents, or grandchildren of Ukrainian citizens;
 - foreigners who previously held Ukrainian citizenship – usually confirmed by a certificate from the Migration Service that the person had Ukrainian citizenship;
 - parents, spouses and minor children of immigrants – copies of birth or marriage certificates must be provided;
 - foreigners who have continuously resided in Ukraine for 3 years from the date of establishing their status as victims of human trafficking;
 - foreigners who have served in the Armed Forces of Ukraine, the State Special Transport Service, or the National Guard of Ukraine for 3 or more years;
 - foreigners who have served in the Armed Forces of Ukraine, the State Special Transport Service or the National Guard of Ukraine (regardless of the length of military service) and have been recognised by military medical commissions as unfit for military service due to their state of health as a result of illness, injuries (traumas, traumatic brain injuries, mutilations) sustained while performing military service duties;
 - foreigners who have arrived in Ukraine for employment or to enter into a gig contract, to work in branches and representative offices of legal entities, for the purpose of family reunification, provided that they have resided continuously in Ukraine based on a temporary residence permit for the past 5 years.

The second group includes persons eligible for immigration outside the immigration quota:

- a spouse of a Ukrainian citizen with whom they have been married for more than 2 years, children and parents of Ukrainian citizens;
- a spouse of a deceased citizen of Ukraine who served in the Armed Forces of Ukraine, other military entities established in accordance with the laws of Ukraine, the Security Service of Ukraine, the State Service for Special Communications and Information Protection of Ukraine, the National Guard of Ukraine, the State Border Service of Ukraine, the State Security Service of Ukraine, the State Special Transport Service, special-purpose law enforcement agencies or intelligence agencies of Ukraine (regardless of the duration of marriage valid at the time of death), in the case of an application for immigration permission during the period of martial law and within 6 months from the date of its termination or cancellation;
- foreigners who are guardians or caretakers of Ukrainian citizens, or who are under the guardianship or care of Ukrainian citizens;
- foreigners who are entitled to acquire Ukrainian citizenship by territorial origin;
- foreigners whose immigration serves the national interest of Ukraine;
- Ukrainians living abroad, spouses of Ukrainians living abroad, and their children in the case of joint entry and stay in Ukraine;
- stateless persons who have lived in Ukraine based on a temporary residence permit for 2 years from the date of their recognition as stateless persons.

If the above grounds for immigration to Ukraine are present, a foreign citizen must submit:

- an application for an immigration permit;
- 3 photographs (3.5 cm x 4.5 cm);
- the original and a copy of a document confirming their identity (international passport);
- a translation into Ukrainian of the personal data page of their passport;
- a document confirming their place of residence in Ukraine and abroad;
- information about their family composition (marriage certificate and children's birth certificates);
- information confirming that the applicant does not suffer from chronic alcoholism, drug addiction, or any chronic diseases, the list of which is established by the Ministry of Health of Ukraine;
- a certificate issued by the competent authority of the country of previous residence or its diplomatic mission or consular office in Ukraine confirming that the person has no criminal record;
- a receipt for payment of the state duty or consular fee.

All documents issued by foreign state authorities must be translated into Ukrainian and legalised (apostilled).

The processing time for an application for an immigration permit is 6 months if the documents are submitted directly in Ukraine, and 1 year if submitted abroad.

2. Temporary residence permit in Ukraine

A temporary residence permit in Ukraine is an official document confirming the legal right of a citizen of another country to temporarily reside in Ukraine, subject to certain conditions.

Pursuant to Ukrainian legislation, persons arriving for one of the following purposes are eligible to apply for a temporary residence permit in Ukraine:

- employment in Ukraine or conclusion of a gig contract;
- family reunification with citizens of Ukraine;
- family reunification with persons holding a temporary residence permit in Ukraine;
- implementation of an international technical assistance project (registered in accordance with the established procedure);
- work in a religious organisation (preaching religious beliefs, performing religious rites or other canonical activities);
- work in representative offices and branches of foreign organisations, companies or banks;
- cultural, educational, scientific or volunteer activities;
- work as a correspondent or representative of foreign media;
- studying;
- providing medical care and rehabilitation assistance as volunteer medical workers or rehabilitation specialists during martial law;
- implementing international technical assistance projects registered in accordance with the established procedure;
- becoming founders and/or participants and/or beneficial owners (controllers) of a legal entity registered in Ukraine, if the size of the share of ownership in the authorised capital of the Ukrainian legal entity is not less than EUR 100,000 at the official exchange rate of the National Bank of Ukraine on the date of the foreign investment;
- provide training (shooting, tactical, medical, radio technical, explosive ordnance

disposal, etc.) assistance to units of the Armed Forces of Ukraine, other military entities established in accordance with the laws of Ukraine, special purpose law enforcement agencies, the Ministry of Internal Affairs of Ukraine, involved in conducting the anti-terrorist operation (hereinafter referred to as the ATO), being directly in the areas where it is conducted, and/or involved in measures to ensure national security and defence, repel and deter armed aggression by the Russian Federation in the Donetsk and Luhansk regions, while being directly in the areas where they are being carried out, or volunteer units that were formed or self-organised to protect the independence, sovereignty and territorial integrity of Ukraine and, together with the above-mentioned units, took direct part in the ATO, ensuring its conduct, while being directly in the ATO areas during its conduct, as well as those who participated in the performance of combat or service tasks of the ATO and/or measures to ensure national security and defence, repel and deter armed aggression by the Russian Federation in the Donetsk and Luhansk regions, together with the aforementioned units or volunteer formations;

- provision of small arms, tactical, radio technical, explosive ordnance disposal, medical and other assistance to units of the Armed Forces of Ukraine, the National Guard of Ukraine, in particular territorial defence units, volunteer units of territorial communities, while being directly in the areas of combat operations, and participating/having participated in combat or service tasks for at least 6 months together with such units.

Foreigners who are eligible for a temporary residence permit must submit the following documents to the relevant unit of the State Migration Service of Ukraine (SMS):

- a passport or identity document with a type D visa – long-term, obtained from the embassy/consulate of Ukraine in the foreigner's country of citizenship;
- a notarised translation into Ukrainian of the passport pages containing personal data;
- a valid medical insurance policy for the permit's entire period of validity and a copy thereof;
- a receipt for payment of the administrative fee.

Depending on the purpose (goal) of arrival in Ukraine and registration of the permit, the following additional documents are required:

- employment – additionally, a permit for the employment of foreigners (work permit) and a copy thereof; information about the foreign founder's (participant's) share in the legal entity in the amount of at least EUR 100,000 at the official exchange rate of the National Bank of Ukraine on the date of the foreign investment as a contribution to the authorised capital, if the foreign investment is made in cash, certified by an authorised official of the legal entity;
- participation in international technical assistance projects – a copy of the registration card for the international technical assistance project issued by the Ministry of Economic Development and Trade of Ukraine; a copy of the customs declaration for movable assets transferred as a contribution to the authorised capital of the legal entity and a copy of the acceptance and transfer certificate for such assets, if the foreign investment is made in the form of property, certified by an authorised official of the legal entity;
- participation in the activities of branches, departments, representative offices and other structural units of public (non-governmental) organisations of foreign states registered in Ukraine – the original and a copy of the certificate of

registration of the structural unit of a public (non-governmental) organisation of a foreign state in Ukraine; a copy of the acceptance and transfer certificate for movable or immovable assets transferred as a contribution to the authorised capital of a legal entity, if the foreign investment is made in the form of property, but such property is acquired in Ukraine, certified by an authorised official of the legal entity;

- work in branches or representative offices of foreign banks registered in Ukraine – the original and a copy of the certificate of accreditation of the branch or representative office; an extract from the securities account, if the foreigner is a shareholder of a joint-stock company registered in Ukraine, certified by an authorised official of the legal entity.
- study – a document confirming the fact of study in Ukraine (usually, such a document is an internal order of the head (rector) on enrolment in an educational institution) and the obligation of the educational institution to notify of expulsion;
- medical assistance, rehabilitation assistance as a volunteer medical worker or rehabilitation specialist – an application must be submitted by a healthcare institution or other enterprise, institution or organisation that has involved in its activities to provide medical assistance, rehabilitation assistance the foreigner who meets the requirements for education and professional qualifications and have documents on education and relevant professional qualifications, certified in accordance with the procedure of consular legalisation or by affixing an apostille in the country in which they work, and have also notified the Ministry of Health of the period for which such persons are involved;
- founders and/or participants, and/or beneficial owners (controlling persons) of a legal entity:
 - a copy of the legal entity's constituent document, certified by an authorised official of the legal entity;
 - a written pledge from the legal entity to notify the State Migration Service if a foreigner loses their status as a founder and/or participant and/or beneficial owner (controlling person) of this legal entity;
 - other documents depending on the type of foreign investment:

Once the documents have been accepted by an employee of the State Migration Service, the residence permit must be issued within within 15 days.

Within 30 days of receiving the residence permit, foreigners must register at the address previously indicated in the documents submitted to the migration service.

3. Permanent residence permit in Ukraine

A permanent residence permit is an official document confirming the right of a foreigner or a stateless person to permanently reside in Ukraine.

A permanent residence permit is issued for a period of 10 years and is subject to replacement in the following cases:

- changes to the information entered in the permit;
- discovery of an error in the information entered in the permit;
- the permit's expiry;
- the permit's unsuitability for further use (the permit/photograph is damaged to the extent that it is impossible to visually identify the person, read their surname, name, date and place of birth, issuing authority, the official's signature

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and the date of issue; damage to the series and number that makes it impossible to establish the details of the certificate; corrections, damage that makes it impossible to read the information, as well as changes to the information on the contactless electronic medium); and in the event of a part of the certificate being missing;

- reaching the age of 25 or 45 (if the certificate does not contain a contactless electronic medium).

To obtain a permanent residence permit, a foreign citizen must apply to the territorial body of the State Migration Service of Ukraine at their place of residence with an application for the issuance of such a certificate.

The following documents must be attached to the application:

- the foreigner's valid passport (or passports, if the foreigner holds multiple citizenships (multiple nationalities) or a document certifying statelessness, with a type D visa and a border crossing stamp;
- a notarised translation into Ukrainian of the passport page containing personal data;
- a copy of the decision to grant immigration permission;
- documents confirming the availability of housing in Ukraine where the person has the right to register (e.g., an order, title deed, lease (sublease, rental) agreement);
- receipt for payment of state duty;
- receipt for payment to the services of the State Migration Service of Ukraine;
- four 3.5 x 4.5 cm photographs (on matte paper);
- a copy of the tax ID number certificate issued by the tax authority (if available);
- an extract from the territorial community register (if available).

The processing time for a permanent residence permit application is 15 working days.