

Die Einbürgerung in der Ukraine

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The most common grounds for obtaining Ukrainian citizenship are family relations with citizens of Ukraine or other immigrants. However, foreign investors' interest in permanent residence in Ukraine and Ukrainian citizenship is being increased.

Making foreign investment

Those foreigners who have invested in the economy of Ukraine in a foreign convertible currency in the amount of not less than 100,000.00 US dollars are granted an immigration permit. An immigration permit is considered as a ground for obtaining a permanent residence permit, which in turn gives the legal right to continuous residence in the territory of Ukraine and to apply for Ukrainian citizenship.

Procedure for Ukrainian naturalization

A foreigner or a stateless person willing to acquire Ukrainian citizenship must file an application together with the necessary documents for the acquisition of Ukrainian citizenship to the State Migration Service of Ukraine. The State Migration Service of Ukraine checks accuracy of filling in and execution of documents, the existence of grounds for Ukrainian naturalization and the absence of grounds for refusal of Ukrainian naturalization.

After that, the State Migration Service of Ukraine submits the documents together with its decision to the Commission for Citizenship under the President of Ukraine, and the President of Ukraine decides and issues a decree on the Ukrainian naturalization of a foreigner. The date of acquisition of Ukrainian citizenship is the date of issuance of the relevant Decree of the President of Ukraine.

However, to pass the above procedure, foreigners willing to acquire Ukrainian citizenship must comply with the conditions necessary for Ukrainian naturalization.

Conditions for Ukrainian naturalization

The conditions for Ukrainian naturalization are:

- 1) recognition and observance of the Constitution of Ukraine and laws of Ukraine;
- 2) filing an obligation to terminate foreign citizenship.

Foreigners who have filed an obligation to terminate foreign citizenship must file a document to that effect (issued by an authorized body) to the State Migration Service of Ukraine within two years from the date of their admission to Ukrainian citizenship. Foreigners, who are concurrently citizens (nationals) of several states, file an obligation to terminate the citizenship (nationality) of these states.

Filing of an obligation to terminate foreign citizenship is not required:

- from foreigners who are citizens (nationals) of states, the legislation of which provides for the automatic termination of citizenship (nationality) of these states simultaneously with the acquisition of another state citizenship. Such rules, for example, apply in Norway, Austria, Japan, China, India, Indonesia;
- if the international agreements of Ukraine with other states provide for the termination of the citizenship of these states simultaneously with the acquisition of the citizenship of Ukraine by foreigners who are the citizens of these states. For example, "Agreement between Ukraine and Georgia on the prevention of cases of dual citizenship and the elimination of existing dual citizenship".

3) legal continuous residence in the territory of Ukraine for the last five years (a permanent residence permit in Ukraine may be the confirming document).

Continuous residence in the territory of Ukraine means a person's residence in Ukraine if his/her single private trip abroad did not exceed 90 days at a time, and 180 days in total for a year. Business trip, trip for study, vacation, treatment on the recommendation of the relevant medical institution abroad or change the person's place of residence in Ukraine is not a violation of the continuous residence requirement.

This condition does not apply to foreigners who have been married to a citizen of Ukraine for more than two years, and to foreigners or stateless persons who had been married to a citizen of Ukraine for more than two years, and whose marriage ended due to his/her spouse's death.

4) obtaining an immigration permit.

5) knowledge of the Ukrainian language or its understanding to the extent sufficient for communication. This condition does not apply to persons with certain physical disabilities (blind, deaf, dumb).

6) a document confirming the existence of legal sources of subsistence during the last six months before filing an application for Ukrainian naturalization.

The statement from the bank account of a foreigner may be deemed as a confirming document. Thus, the amount of funds in the bank account must be not less than 12 subsistence minimums in Ukraine, established at the time of filing an application for Ukrainian naturalization.

Ukrainian naturalization refusal

Ukrainian naturalization is refused to a person who:

- 1) has committed a crime against humanity or genocide;

2) is sentenced in Ukraine to imprisonment for committing a serious or extremely serious crime (until the expiration or removal of a criminal record), taking into account the level of threat to the national security of the state;

3) has committed an act in the territory of another state, which is recognized by the legislation of Ukraine as a serious or extremely serious crime.