

Wartime: How Martial Law Has Changed the Rules of Stay in Ukraine for Foreigners with Residence Permits

The process of legalizing the stay of foreigners with expired temporary and permanent residence permits in Ukraine for the period of martial law has been simplified.

Changes regarding the stay of foreigners and stateless persons in Ukraine for the period of martial law

- Decree of the President of Ukraine No. 132/2022 of March 14, 2022 ["On Temporary Introduction of Visa-Free Regime"](#):

A temporary visa-free entry regime has been introduced for foreign nationals who are employees of international medical or humanitarian organizations, funds or programs, or other organizations that arrive in Ukraine at the invitation of the Cabinet of Ministers of Ukraine to provide humanitarian assistance to the population.

This does not apply to: the foreigners who are citizens of the aggressor state.

- Resolution of the Cabinet of Ministers of Ukraine, October 2022, No. 1202 ["Certain Issues Concerning the Implementation of Legislative Acts in the Field of Migration under Martial Law"](#):

Regulates **the use by foreigners and stateless persons of temporary and permanent residence permits that expired during the period of martial law.**

THE STATE MIGRATION SERVICE OF UKRAINE INFORMS AS FOLLOWS:

The Resolution on the use of expired temporary and permanent residence permits during the period of martial law is **in force**.

The Regulation is valid during the period of martial law and one month after the end of martial law.

Right of entry and exchange of documents

Foreigners and stateless persons (except for citizens of the Russian Federation) who have a temporary or permanent residence permit which expired after February 24, 2022, but who failed to submit documents for its exchange in time, **are exempted from the obligation to renew the expired permit** and have legal grounds to stay and enter Ukraine for a certain period of validity.

NB: **After 30 calendar days from the date of termination or revocation of martial law**, foreigners or stateless persons (except for citizens of the Russian Federation) **are obliged to** submit documents for exchange of such permits for temporary or permanent residence in accordance with the procedure established by law.

Status of the temporary and permanent residence permits in Ukraine

The permit is valid for entry and stay in Ukraine for the period of martial law and one month after, unless it is revoked.

The residence permit may be canceled in accordance with paragraph 63 of the CMU Resolution No. 322 [“On Approval of the Template, Technical Description of the Form and the Procedure for Obtaining, Issuing, Exchanging, Canceling, Sending, Withdrawing, Returning to the State, Invalidating and Destroying a Temporary Residence Permit”](#) **on the below grounds:**

- 1) Obtaining **data or information that the residence permit was issued on the basis of false information, forged or invalid documents.**
- 2) Receipt of a request from the host party to cancel the residence permit (including in the case of dismissal of a foreigner) or termination of the activities of the host party – a legal entity.
- 3) Conviction of a foreigner to imprisonment in Ukraine.
- 4) Threat of the foreigner's actions to national security, public order, etc.
- 5) A decision made by an authorized state body on the forced return of a foreigner or their forced expulsion from Ukraine.
- 6) A person has received a passport of a citizen of Ukraine (temporary ID of a citizen of Ukraine), a residence permit, a refugee certificate, or a certificate of a person granted subsidiary protection.

6-1) The foreigner's grounds for staying on the territory of Ukraine have ceased, or the legal fact submitted by the foreigner for obtaining a residence permit has been recognized as invalid, canceled, etc.

6-2) Receipt of an application from the foreigner to cancel the issued permit.

6-3) In case of revocation of the decision on recognition as a stateless person.

- 7) In other cases provided for by law.

The decision to cancel the residence permit is made by the Head of the SMS or his/her authorized person, the head of the territorial authority/territorial subdivision of the SMS or his/her deputy **within five working days from the date of receiving the information that serves as the basis for its cancellation.**

How to check the validity of a temporary and permanent residence permit?

Through the service "[Verification of Invalid Documents](#)" on the SMSU website.

You have to enter the below information: residence permit series and number.

The system will automatically provide information on the residence permit validity.

! If the permit turns as invalid: You can contact the State Migration Service of Ukraine (SMSU) to find out the reasons for recognizing it invalid or canceled.

The State Migration Service of Ukraine Hotline: +38 (044) 363-22-50 (available in Ukrainian only).

Residents of the temporarily occupied territories can contact the SMSU via WhatsApp at: +38 (096) 033-24-42.

There is also an online SMSU [electronic appeals office](#).