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UKR101787.E

Ukraine: Residential registration procedures; whether a person deregistering from his or her former place of residence must inform the registration office of his or her new address and registration

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According to Article 33 of the Constitution of Ukraine, "[e]veryone who is legally present on the territory of Ukraine is guaranteed freedom of movement, free choice of place of residence, and the right to freely leave the territory of Ukraine, with the exception of restrictions established by law" (Ukraine 28 June 1996). These restrictions to freedom of movement are outlined in Article 13 of the Law on the Right to Freedom of Movement (ibid. 13 Jan. 2004).

Registration procedures

In a 31 January 2007 telephone interview with the Research Directorate, a consular official from the Embassy of Ukraine in Ottawa stated that residential registration is required to have access to health care and other social services. The consular official indicated that a person can have more than one address (e.g., someone who owns more than one house), but he or she need only register one official address (Ukraine 31 Jan. 2007). If a person moves within Ukraine, he or she must only deregister his or her former place of residence if he or she plans to permanently leave the registered residence (Ukraine 31 Jan. 2007). Registration is done at the district (*raion*) level (ibid.; ibid. 2 Feb. 2007).

The Law on the Right to Freedom of Movement and Choice of Place of Residence in Ukraine of 13 January 2004 stipulates the conditions that Ukrainians must meet in order to register their place of residence (Ukraine 13 Jan. 2004, Art. 6). According to Article 6, legal residents of Ukraine (including citizens, foreigners and stateless persons) must register their new place of residence within 10 days of taking up residence (ibid.). The following documents must be submitted to register:

- Application. Children between 15 and 18 years old submit separate applications. If an individual, because of a plausible excuse, cannot apply in person, registration can be performed on the basis of a procuration, legalized in due manner;
- Passport. For children under 16, the birth certificate or document certifying the citizenship of Ukraine shall be presented. In addition, foreigners and stateless persons must present a document authorizing their temporary or

permanent residence;

- Proof of payment of state fee or a document certifying the exemptions from the obligation to pay state fee and;
- Two copies of the document certifying the removal from the register. (ibid.)

The law further stipulates that persons residing outside of the territorial zone in which they are registered for more than one month must register their new place of residence (ibid.). Persons who move to a new residence within the territorial zone in which they are already registered must inform the registration authority within seven days (ibid.). Ukrainians living abroad can register their place of residence through Ukrainian diplomatic missions abroad (ibid.).

Article 7 of the law indicates that to remove one's place of residence from the register, a person must submit an application and it will be removed from the record within seven days (ibid.). It can also be removed following inquiries by the authorities registering the new place of residence or upon order of a court should it decide against a person's right to reside in the residence or determine the person is missing or dead (ibid.) Children between 15 and 18 years of age must submit separate applications to request such removal (ibid.). If applicants have a valid reason for not applying in person, they may authorize a lawyer to submit the application on their behalf (ibid.).

Obligation to provide new address

The consular official from the Embassy of Ukraine in Ottawa stated that if a person plans to move to a new permanent address, thereby cancelling his or her previously registered residential address, he or she must provide the new address to the local registration authorities of the Ministry of Interior (31 Jan. 2007). This information was corroborated by a consular official at the Embassy of Ukraine in Washington, DC (Ukraine 2 Feb. 2007). Local authorities will give the person a form that contains the old address as well as the new address; the person must then take this form to the local authorities in the district to which he or she is moving (ibid. 31 Jan. 2007). If the exact street address is unknown at the time of departure, a person may provide only the name of the district (*raion*) of his or her destination (ibid.). However, once the person arrives at the new fixed address and registers, local registration authorities will contact the authorities in charge of the previous address to inform them of the person's new address to complete the deregistration process (ibid. 2 Feb. 2007).

Registration data

According to Article 6 of the Law on the Right to Freedom of Movement and Choice of Place of Residence in Ukraine,

[d]ata related to the place of residence of an individual and other personal data is issued only in exceptional circumstances, foreseen by the legislation of Ukraine or in agreement with the individual himself. (ibid. 13 Jan. 2004)

Each district (*raion*) has its own residential registration database (ibid. 31 Jan. 2007). Registration data is centralized at the regional (*oblast*) level at a Ministry of Interior branch (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Ukraine. 2 February 2007. Embassy of Ukraine, Washington, DC. Telephone interview with a consular official.

_____. 31 January 2007. Embassy of the Ukraine, Ottawa. Telephone interview with a consular official.

_____. 13 January 2004. Law on the Right to Freedom of Movement and Choice of Place of Residence in Ukraine. (Legislationline)
<<http://www.legislationline.org/legislation.php?tid=11&lid=6203&less=false>>
[Accessed 6 Oct. 2006]

_____. 28 June 1996. Constitution of Ukraine.
<<http://www.rada.gov.ua/const/conengl.html>> [Accessed 19 Jan. 2007]

Additional Sources Consulted

Oral sources: The Consulate of Ukraine in New York and the Consulate of Ukraine in Toronto did not provide information within the time constraints of this Response.

Internet sites, including: European Country of Origin Information Network (ecoi.net), Factiva, Ministry of Internal Affairs of Ukraine, Privacy International, Office of the United Nations High Commissioner for Refugees (UNHCR) Refworld.

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