IMMIGRATION TO UKRAINE: COULD THE PROCESS BE DIGITAL?

Considering global reforms in Ukrainian legislation and compliance with European norms and practices, the question arises: is it possible to get a work permit and residence permit for a foreigner in Ukraine without visiting state institutions numerous number of times?

It is not a secret that Ukraine, like the most of post-Soviet countries, is committed to increased bureaucracy, receiving unlimited paper certificates and indispensable signature with a not less indispensable round stamp. Still there are a few positive changes and we can see a light at the end of the tunnel at least.
The peculiarity of the Ukrainian legislation is that a work permit is not a foreigner's document but a company's document that allows employing the certain expat to certain position. Subsequently, neither a visit by a foreigner to state institutions, nor even his presence on the territory of the country is necessary for a work permit obtaining.

Obviously, it would be better if the representative of the company could fill in an electronic form with a foreigner's data on the website of the employment center, pay fee and obtain a work permit. However, as for today each company must collect the documents, sign a draft of contract, translate and notarize the foreigner's passport, print a photo of the required size. Only after that the company physically submits papers to the employment center, where all documents are scanned by the employee and stored in the internal databases.

The situation with obtaining a temporary residence permit is very similar. It is required to collect a paper package of documents, which until recently was put into a special folder on ties, and then it goes to the migration service. Not long time ago, the Ukrainian authorities promised to issue biometric ID-cards for foreigners instead of book-alike passport residence permits. In this connection, many procedural changes were made but the documents are still being collected by the migration service in batches and then being scanned.

Today the whole process of digitalization is only the scanning of documents in the state institutions where these documents were submitted on paper and filling in an electronic application by the inspector himself during the appeal to the migration service. However, even this assumes that in a few years (decades) it will lead to the exchange of information between the employer, foreigner, employment center, migration and border services using special programs. The entire immigration process will not take more than one week which will allow a foreigner to pay attention to this work duties not to standing in endless queues.

Moreover even after obtaining a biometric ID-card it will be difficult for a foreigner to use it freely. The reason is that there is not always a practical opportunity to support the legislation in theory.

Theoretically there should be an electronic information reader in every state institution (and most importantly in this sentence - in every). This means that coming to the center for the provision of administrative services, a tax service, pension fund, registrar, inspector or a specialist conducts an ID-card on the device and it displays full information about the foreigner - photo, signature, address of the of registration, and so on. The same machines should be in banks, notaries and any other places where identification may be necessary.

It is not difficult to guess that such devices are in a very small amount and so far only border guards are equipped. Most likely only because biometric passports were used much earlier than ID-cards for foreigners on the territory of Ukraine and replacing passports of citizens of Ukraine with those same cards. As a bonus some notaries have a similar device but most likely outside the big cities no one has heard of the need to acquire a reader. According to the reviews cards are not always scanned, not all the information is displayed, and sometimes it simply cannot be turned on. We hope that this is just an adaptation period and soon the system will work.

Considering the fact that it is not possible to scan and view information about the place of registration of a foreigner because of a technical reasons but it is necessary to provide information to the state institution, foreigners (or their representatives) have to obtain an additional certificate of residence. Imagine such a A4 sheet which contains information only about the address and the foreigner living there.

The strangest thing is that each institution has set for itself the validity term for this certificate - from one week to one month. It will take huge amount of time of foreigner to collect the necessary and relevant set of documents for each individual inspector from a

tax service, a pension specialist or a registrar from the administrative services center in order to get what they want from their side to do.

All that remains is to hope that during the adaptation period influx of foreigners in Ukraine won't decrease. That complicated bureaucratic red tape and difficulties "for technical reasons" won't scare away potential investors inviting work force or consultants. That speed of the receiving documents for foreigners, the simplicity and accessibility will be a pleasant bonus of their relocation to Ukraine.

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