



Ukraine- Researched and compiled by the Refugee Documentation Centre of Ireland on Wednesday 21 February 2018

Information on dual citizenship including legalities and risks to holders

A report issued in March 2017 by the *United States Department of State* points out that:

“Either birthplace or parentage determines citizenship” (United States Department of State (3 March 2017) *2016 Country Reports on Human Rights Practices: Ukraine*, p.32).

The *Government of Ukraine* in 2016 states that:

“The Legislation of Ukraine on Citizenship is based on the following principles:
1) single citizenship - citizenship of the State of Ukraine that rules out the possibility for existence of a citizenship of administrative-territorial units of Ukraine. If a citizen of Ukraine has acquired the citizenship of (allegiance to) another state or states, then in legal relations with Ukraine such person shall be recognized as a citizen of Ukraine only. If a foreigner has acquired the citizenship of Ukraine, then in legal relations with Ukraine he/she shall be recognized as a citizen of Ukraine only...” (Government of Ukraine (2016) *Law of Ukraine, On Citizenship of Ukraine (last amended 2016)*, p. 3).

A compilation of COI sources issued by the *Immigration and Refugee Board of Canada* in February 2015 states that:

“Sources state that dual citizenship is not recognized in Ukraine...” (Immigration and Refugee Board of Canada) 6 February 2015) *Armenia and Ukraine: Requirements and procedures to renounce and acquire Armenian citizenship after renunciation, including for minors; recognition of dual citizenship in Ukraine (2003-2015)*, p.5).

In April 2013 the *European University Institute* notes in a report for Ukraine the:

“...non-recognition of dual/multiple citizenship (European University Institute (April 2013) *Country Report: Ukraine*, p.1).

This report also states that:

“A new version of the citizenship law adopted in 2001, and amendments to this law adopted in 2005, further aligned the Ukrainian legislation with European citizenship norms, such as the 1997 European Convention on Nationality. In the process of crafting the 2001 and 2005 changes, Ukraine softened its opposition to dual/multiple citizenship by allowing some exceptions to the prohibition, mirroring the 1997 Convention. However, the issue of dual citizenship remains politicized in Ukraine, and this politicization continues to inform the politics of citizenship policymaking, resulting in a situation where dual citizenship continues to be viewed negatively” (ibid, p.2).

It is also stated in this report that:

“Ukrainian legislation does not recognise dual citizenship. Art. 4 of the 1996 Constitution states that in Ukraine there is single citizenship. The 2001 Citizenship Law also states that single citizenship is one of the principles on which the law is based...The single citizenship clause in the 2001 Law further stipulates that if a citizen of Ukraine acquires citizenship of another state, in legal relations with Ukraine such person is considered only to be a citizen of Ukraine” (ibid, p.12).

This report also states that:

“More recently...Ukraine has contextualized and somewhat softened its opposition to multiple citizenship. This is evidenced by many qualifying clauses regarding dual citizenship introduced in many changes to the Citizenship Law in 2001, when the new version of the law was adopted, and additionally in 2005, when the 2001 Law was amended. The 2001 Law de facto recognised dual citizenship in several specific instances, since art. 19 specified exceptions to the clause that Ukrainian citizenship is lost if an adult Ukrainian citizen voluntarily acquires foreign citizenship. According to art. 19, para. 1, sect. 2, a foreign citizenship shall not be deemed to have been acquired voluntarily, and therefore Ukrainian citizenship should not be terminated, if: (a) a child acquires by birth the citizenship of Ukraine concurrently with the citizenship of another state or states; (b) a child who is a citizen of Ukraine acquires the citizenship of his/her adoptive parents who are foreigners; (c) a citizen of Ukraine acquires another citizenship automatically by virtue of marriage with a foreigner. Conditions (a) and (c) are the same ones found in art. 14 of the 1997 European Convention on Nationality as the cases of multiple citizenship that states who are signatories of the Convention agree to allow...” (ibid, p.13).

In December 2017 the *International Crisis Group* points out in a report that:

“Officials in Kyiv – including the president – have also called for banning dual citizenship to stem the tide of Hungarian "passportification"” (International Crisis Group (21 December 2017) *Ukraine: Will the Centre Hold?*, p.11).

A report published by *BBC Monitoring* in April 2017 notes that:

“The introduction of dual citizenship in Ukraine is "fundamentally unacceptable" amid Russia's "aggression", Ukrainian Foreign Minister Pavlo Klimkin has said” (BBC Monitoring (11 April 2017) *Ukraine says dual citizenship "fundamentally unacceptable"*).

In March 2017 *Deutsche Welle* states that:

“Ukraine does not recognize dual citizenship. Under current laws, newly naturalized Ukrainian citizens must give up other nationalities within two years” (Deutsche Welle (28 March 2017) *Dual citizenship in Europe: Which rules apply where?*).

Radio Free Europe/Radio Liberty in March 2017 states:

“Ukrainian President Petro Poroshenko has proposed a bill that would ban dual citizenship. The Verkhovna Rada, Ukraine's parliament, said on March 14 that the amendments to the law on citizenship proposed on March 13 were sent to the parliamentary Committee for Human Rights, Ethnic Minorities, and Interethnic Relations for discussion. The bill was described as urgent. Under the proposed amendments, Ukrainians would lose their citizenship if they "voluntarily" obtain citizenship in another country. They also specify that anyone who obtained Ukrainian

citizenship but did not return the passports of the countries of their previous citizenship would also lose Ukrainian citizenship" (Radio Free Europe/Radio Liberty (14 March 2017) *Poroshenko proposes bill to ban dual citizenship in Ukraine*).

No further information on this issue could be found among sources available to the RDC.

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