
In the publication, the achievements of the modern theory of administrative law and the administrative practice of the national public administration enable to reveal the key provisions of Ukraine’s modern administrative law in the form of questions and answers. They are based on the examples faced by foreigners in Ukraine. The publication considers the human-centred theory, according to which national public administrators are required to ensure the rights and freedoms of foreigners. A popular scientific publication can be used as educational provisions for foreigners. Furthermore, it will be useful to foreign scientists and students.
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Foreigners and stateless persons’ rights and freedoms realisation shall not harm the interests of Ukraine, rights and lawful interests of its citizens or other people staying in Ukraine.

Accordingly, foreigners and stateless persons may immigrate to Ukraine for permanent residence. *Immigration* is arrival at Ukraine or stay in Ukraine of foreigners and stateless persons in the manner prescribed by law with the purpose of the permanent residence. Correspondingly, an *immigrant* is a foreigner or stateless person, granted an immigration permit and entered Ukraine for permanent residence, or staying in Ukraine on legal grounds and was granted an immigration permit and continued his/her stay in Ukraine as permanent resident.

**It is important to know! If a person intentional to be recognized as a refugee or a person requiring complimentary protection crossed the state border of Ukraine in the manner prescribed by the law of Ukraine, he/she shall apply to the central executive authority that implements public policy in this sector.**

**2.5 What rights and freedoms do foreigners enjoy in Ukraine?**

According to the legal status of foreigners, they shall enjoy some rights and freedoms as well as bear some duties. Foreigners and stateless persons’ rights and freedoms realisation shall not harm the national interests of Ukraine, rights and lawful interests of its citizens or other people residing in Ukraine.

Foreigners and stateless persons are equal before the law, regardless of their origin, social and property status, race,
nationality, gender, language, attitude to religion, type and nature of occupation and other circumstances.

According to the national regime, foreigners who stay in Ukraine shall enjoy the same scope of rights as citizens and legal entities of Ukraine. The national legal regime is unconditional: it applies to foreigners and stateless persons, regardless of whether Ukrainian citizens have similar rights in the countries of foreigners’ citizenship. The effect of the national regime on foreigners has certain restrictions: they are not fully equal in rights and duties to Ukrainian citizens. This regime generally applies to businesses of foreign persons, foreign goods, copyright protection, international civil proceedings, etc.

At the legislative level, Ukraine creates conditions for equal rights for citizens of other States and Ukrainian citizens. At the regulatory level, legal relations involving foreign citizens and legal entities are characterized by the presence of a ‘foreign element’

It is important to know! Foreigners are not restricted in their right to freedom and personal inviolability, to protection from interference with their privacy, family, conscience, home, correspondence, telephone and telegraphic communications and respect for their dignity.

The national regime enables foreign nationals to enjoy their rights: to investment and business; to work; to rest; to health care; to social protection; to private property and housing; to property

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25 The concept of a foreign element is provided for in the Law of Ukraine “On Private International Law” no. 2709-IV of 23 June 2005, the analysis thereof testifies to the protection of foreign citizens and legal entities from infringements on their rights and legitimate interests.

26 Procedure for providing medical care to foreigners and stateless persons..., approved by Resolution of the Cabinet of Ministers no. 121 of 19 March 2014.

and personal non-property rights; to education; to enjoyment of cultural achievements; to participation in associations of citizens; to marital and family relations; to protections of personal rights; to travel throughout Ukraine and choice of residence, etc.

Foreigners and stateless persons have the right to apply to the courts and other State bodies for the protection of their personal property and non-property rights.

Frequently, the national regime, applied to foreign nationals and stateless persons in Ukraine, does not preclude the application of certain elements of the most-favoured regime, special (preferential, privileged) regime or reciprocity.

According to the purpose of the stay in Ukraine, a foreign national may receive a temporary or permanent residence permit, certificate of a foreign Ukrainian, stateless person, refugee or a person requiring additional protection; a temporary certificate of a citizen of Ukraine; a certificate of a person granted a temporary protection. A stateless person who is a permanent or temporary resident of Ukraine, but does not have a travel ticket, shall receive a stateless person’s document for travel abroad, that is, a document that identifies the stateless person when crossing the state border of Ukraine and staying abroad.

2.6 What are duties and restrictions of foreigners in Ukraine?28

The national regime enables foreigners not only to enjoy the same rights as the citizens of the country of residence but also bears responsibilities established by the legislation of Ukraine. Foreigners and stateless persons are obliged to strictly abide by

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28 Irina Ryzhenko, Olena Halahan