

приписів Вищої ради правосуддя.

Основними видами таких актів є:

накази, що охоплюють ключові питання кадрових призначень, організації роботи, забезпечення дисципліни;

розпорядження, які мають оперативний характер та регулюють поточні питання діяльності апарату й внутрішньої адміністрації суду.

Ці акти, хоча й не мають нормативно-правового статусу у класичному розумінні, але відіграють суттєву роль у забезпеченні ефективного функціонування Верховного Суду та реалізації принципів самоврядності судової влади. Їх вивчення є важливим для науки адміністративного права, оскільки вони відображають особливий публічно-владний характер судової організації, поєднуючи правозастосування з елементами адміністративного управління в межах судової системи.

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## LEGAL PROVISIONS ON THE STATUS OF STATELESS PERSONS IN UKRAINE

The issue of statelessness remains a significant human rights challenge globally, and Ukraine is no exception. In recent years, Ukraine has taken important steps toward ensuring legal protection and recognition of stateless persons within its jurisdiction. This scientific article examines the legal framework, international obligations, and national practices governing the status of stateless individuals in Ukraine.

Ukraine is a party to key international conventions, including the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. These instruments obligate states to provide legal identity, documentation, and access to fundamental rights for stateless individuals. In line with these commitments, Ukraine adopted new legislation, particularly the Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine Concerning Recognition as a Stateless Person» (2020), which significantly improved the legal procedures for determining stateless status.

The article outlines the procedural mechanism for identifying and recognizing stateless persons. Applicants must submit a request to the State Migration Service, which conducts an individual assessment and may grant official status upon verification. Recognized stateless individuals are issued identity documents, are granted the right to reside legally, and may eventually apply for permanent residence or naturalization.

Despite these advancements, the article identifies several challenges and shortcomings, including bureaucratic delays, lack of awareness among local authorities, and limited access to legal aid. Stateless Roma, former Soviet Union citizens, and displaced persons due to conflict in eastern Ukraine and Crimea are among the most vulnerable categories.

The article concludes by recommending further harmonization of national law with international standards, enhancement of administrative capacity, public awareness campaigns, and expanded cooperation with UNHCR and civil society organizations to effectively address the causes and consequences of statelessness.

**Keywords:** stateless persons, legal status, human rights, Migration Law, naturalization, refugees, armed conflict.

#### Луо Женгронг. ПРАВОВІ ПОЛОЖЕННЯ ЩОДО СТАТУСУ ОСІБ БЕЗ ГРОМАДЯНСТВА В УКРАЇНІ

У статті викладено процедурний механізм виявлення та визнання осіб без громадянства. Заявники повинні подати звернення до Державної міграційної служби, яка проводить індивідуальну оцінку та після перевірки може надати офіційний статус. Визнаним особам без громадянства видаються документи, що посвідчують особу, надається право на легальне проживання, а згодом вони можуть подати заяву на постійне місце проживання або натуралізацію.

Україна є стороною ключових міжнародних конвенцій, зокрема Конвенції про статус апатридів 1954 року та Конвенції про скорочення безгромадянства 1961 року. Ці документи зобов'язують держави надавати особам без громадянства правову ідентичність, документи та доступ до основних прав. Відповідно до цих зобов'язань Україна прийняла нове законодавство, зокрема Закон України «Про внесення змін до деяких законодавчих актів України щодо визнання особою без громадянства» (2020), який значно вдосконалив правові процедури визначення статусу особи без громадянства.

Попри ці досягнення, у статті визначено низку проблем і недоліків, зокрема бюрократичні затримки, недостатню обізнаність місцевих органів влади та обмежений доступ до правової допомоги. До найбільш вразливих категорій належать роми без громадянства, колишні громадяни Радянського Союзу та внутрішньо переміщені особи внаслідок конфлікту на сході України та в Криму.

У висновку статті надано рекомендації щодо подальшої гармонізації національного законодавства з міжнародними стандартами, посилення адміністративної спроможності, проведення інформаційних кампаній серед населення та розширення співпраці з УВКБ ООН і громадськими організаціями для ефективного вирішення причин та наслідків безгромадянства.

**Ключові слова:** особи без громадянства, правовий статус, права людини, міграційне право, натуралізація, біженці, збройний конфлікт.

**Formulation of the problem.** There has long been a large number of stateless people in Ukraine, who lack basic civil rights protection and are in trouble. The Ukrainian government has introduced a series of relevant laws in recent years to try to improve the situation of this group, but the implementation effect has not been satisfactory.

Stateless persons are often unable to obtain birth certificates and nationality due to unknown parents or abandonment at birth. In Ukraine, these people cannot enjoy basic social rights such as employment, medical care and education, and are trapped in a vicious circle of poverty.

**Analysis of recent research and publications.** Questions of determining statelessness in Ukraine are not always in the field of scientific research by domestic scientists. Among the latter, the works of such scientists as Liu Jiang Xizi, Yanfang Long, Cao imeng, Gao Yuanyuan and some others. The scientific works of these researchers definitely have theoretical and practical significance, however, taking into account the current conditions, it is necessary to revise conceptual approaches to understanding the essence of statelessness, the peculiarities of its understanding.

**The purpose of this article** is to comprehensively analyze the legal framework governing the status of stateless persons in Ukraine, with a focus on national legislation, international legal obligations, and practical implementation mechanisms.

**The main material of the research.** Although the Government has formulated the procedures for the registration of stateless persons, many stateless persons can not complete the registration smoothly due to the lack of effective publicity and supporting measures.

In addition, there are some loopholes in the existing Ukrainian law. For example, protection measures for stateless children are not able to obtain birth certificates and face problems such as inability to enroll and access to health care. There are also difficulties in helping stateless adults, unable to get identification, find jobs and survive.

To solve this problem, the Ukrainian government needs to further improve the relevant laws and regulations, and increase the registration and assistance of stateless groups. At the same time, the government should also strengthen the cooperation with international organizations, draw on the successful experience of other countries, and provide a more comprehensive protection for these homeless people. Only in this way can Ukraine truly achieve the goal of "not having any one left behind" and ensure that every citizen can enjoy his due rights and dignity.

#### 1. Legal status and development of stateless people in Ukraine

The legal status of stateless people in Ukraine is a complex issue. According to international conventions, stateless persons should enjoy basic human rights, but there are still many challenges in practical implementation. Ukraine, as an independent country, faces many difficulties in dealing with stateless people.

1.1. Ukraine's legal system lacks a clear definition of stateless status and relevant regulations. This makes stateless people face many obstacles in acquiring basic civil rights, such as obtaining identification, employment, education, medical care and other rights. At the same time, the ambiguous legal status of stateless people also makes it difficult for law enforcement agencies to effectively identify and protect this group.

1.2. after Ukrainian independence, a large number of former Soviet citizens cannot obtain Ukrainian citizenship. These people have lived in Ukraine for a long time, but they cannot enjoy their civil rights due to the

lack of relevant documents. The lack of clear policy guidance for the government in dealing with this group leads to insufficient protection of the rights of stateless people.

In addition, the Ukrainian stateless group also includes refugees, asylum-seekers and deported foreigners. The legal status of these groups is more complex, often trapped in a legal vacuum, and it is difficult to obtain the protection of basic rights [1].

Therefore, to improve the legal status of Ukrainian stateless people and to clarify the relevant rights and obligations are important issues to be solved urgently. The government should introduce relevant laws and regulations as soon as possible to provide more effective protection of their rights for stateless people. At the same time, strengthening law enforcement to ensure that stateless people can actually enjoy their basic rights is the key direction of the Ukrainian government. Only by improving the legal system and effectively protecting the legitimate rights and interests of stateless people can we promote fairness and justice in Ukrainian society and achieve inclusive development.

## **2. The rights and protection of stateless refugees**

The conflict in Ukraine has triggered the emergence of a large number of stateless refugees, and how to protect their basic rights has become the focus of the international community. As an important country in Eastern Europe, Ukraine's legal practice in the management of stateless people deserves attention. The Ukrainian government has formulated a series of laws and regulations, which provide a clear legal basis for the identification, residence right, social security and other aspects of stateless people. The introduction of these laws and regulations is not only conducive to safeguarding the legitimate rights and interests of stateless people, but also provides useful experience for other countries [2].

The Citizenship Law is the core law regulating the status of stateless persons. The law defines the definition of stateless persons and stipulates their basic rights and obligations. At the same time, Ukraine has also issued the Refugee and Humanitarian Protection Law, which provides legal guarantees for the temporary residence, work and social security of stateless refugees. In addition, the Ukrainian government has also formulated relevant administrative regulations, with specific provisions on the identification procedures and asylum applications for stateless people.

These measures of the Ukrainian government fully demonstrate its determination and responsibility to protect the rights of stateless people. This is not only conducive to safeguarding the legitimate rights and interests of stateless people, but also provides a legal support for them to integrate into the local society and rebuild their lives. At the same time, it also provides useful experience for other countries to deal with similar problems, and is of great significance to the improvement of the international protection system for stateless people.

Overall, the Ukrainian legal practice in the management of stateless people provides a noteworthy and learned example for the international community. We should pay close attention to this issue and make joint efforts to effectively safeguard the legitimate rights and interests of stateless people and promote their social integration.

## **3. The legal status of stateless Ukrainians**

Ukraine is a multi-ethnic country with a large stateless population living on its territory. Most of these stateless people were left over from the former Soviet Union, and they lacked valid citizenship documents and enjoyed basic civil rights. The Ukrainian government is aware of the seriousness of the problem and has enacted corresponding laws and regulations to try to improve the living situation of these stateless people.

3.1. the Government of Ukraine promulgated the Law on Civil Idards, which clearly defined the procedures for stateless persons to obtain Ukrainian citizenship. The law stipulates that stateless persons can gain legal status by applying for Ukrainian citizenship or stateless identification documents. When applying, relevant proof materials, such as birth certificate, marriage certificate, etc., and can obtain the identity certificate.

3.2. the Government of Ukraine also enacted the Law on the Status of Refugees and Stateless Persons, which provides more comprehensive protection for stateless persons. The law provides that stateless persons enjoy the same basic rights as Ukrainian citizens, including education, medical care, employment, and more. The law also stipulates the obligations of stateless persons, such as abiding by Ukrainian laws and paying taxes [3].

Ukraine's law on stateless persons is also implemented in the following areas to ensure the rights of stateless persons:

The Constitution of Ukraine clearly states that stateless persons enjoy the same rights and obligations in Ukraine as their citizens. This reflects the importance and protection of the Ukrainian government to the group of stateless people.

Under the Ukrainian Citizenship Law, stateless persons can obtain Ukrainian citizenship through naturalization or naturalization. This provides a channel for the legalization of stateless persons.

Ukraine's Refugee Law stipulates that stateless persons can apply for refugee status. Once they receive refugee status, they can enjoy the same social welfare and rights protection as their citizens.

The Foreigners Law of Ukraine clearly stipulates that stateless persons can obtain a permanent residence permit. Stateless persons with this certificate can live and work legally in Ukraine for a long time.

In addition, Ukraine has issued the Convention on the Legal Status of Stateless Persons and other relevant regulations to provide institutional protection for the legitimate rights and interests of stateless persons.

The Ukrainian government attaches great importance to the social integration of stateless people. Provide equal public services for stateless people in education, employment and medical care.

The Ukrainian judicial organs safeguard the legitimate rights and interests of stateless persons. Stateless persons may protect their rights and seek legal remedy according to law.

The Government of Ukraine also works closely with the United Nations Refugee Agency and other international organizations to promote the protection of the rights of stateless persons.

In general, Ukraine has made active explorations in the protection of the legal status of stateless persons, providing useful experience for other countries [4].

In addition, the Ukrainian government has established relevant administrative agencies responsible for accepting applications and providing legal aid. Staff in these institutions need to receive specialized training to better understand and address the problems of stateless people. At the same time, the Government has also cooperated with the UNHCR and other international organizations to jointly promote the solution of the problem of stateless persons.

Overall, the Ukrainian government has made active efforts in protecting the rights of stateless people. However, due to the complexity of the problems left over from history and the lack of relevant certification materials for some stateless people, the solution of this problem still faces many challenges. In the future, the Ukrainian government needs to further improve relevant laws and regulations, strengthen law enforcement, and at the same time strengthen cooperation with the international community to jointly promote the solution of the problem of stateless people.

However, at the same time, it should be noted that Ukraine still has some difficulties and challenges in implementing the protection of the rights of stateless persons, and it needs to continuously improve relevant laws and regulations.

#### **4. Protection of the rights and interests of stateless people in Ukraine: a game between law and reality**

As a sovereign state, Ukraine clearly defines the legal status of stateless persons within its territory. Under Ukrainian law, a stateless person is an individual without any nationality. Ukrainian laws grant stateless persons certain legal rights and obligations to ensure that their basic life and rights and interests in Ukraine are guaranteed. However, there is still a big gap between the law and the reality, and there will be some problems and difficulties in the implementation of the law.

4.1. Ukraine has faced the problem of stateless persons since its independence. Most of these stateless people, left over from the former Soviet Union, had neither Ukrainian citizenship nor acquired national citizenship from other countries. These stateless people have lived in the gray area of the law for a long time, lack of basic rights protection, and face various living difficulties.

4.2. To solve this issue, the Ukrainian government has enacted relevant laws and regulations. In 2011, Ukraine adopted the book on the Legal Status of stateless Persons, which clearly defines the legal status, rights and obligations of stateless persons. The law provides a legal basis for stateless persons to obtain citizenship, employment, education, and medical care.

4.3. However, the effect of these laws and regulations is not ideal. Due to the lack of effective implementation mechanisms and supporting measures, many stateless people are still unable to successfully obtain citizenship and enjoy basic rights. Some local governments lack attention to this and poor law enforcement, leading to the problem of stateless people.

4.4. In addition, the stateless group in Ukraine also faces other difficulties. Some stateless people have lived below the poverty line for a long time and lack access to basic living security. Some stateless children are unable to enroll and cannot enjoy educational resources. These problems have seriously affected the quality of life of stateless people.

4.5. In order to effectively protect the rights and interests of stateless people, the Ukrainian government needs to further improve relevant laws and regulations, strengthen law enforcement and implement supporting measures. At the same time, more social assistance and public services for stateless people are needed to help them get out of difficulties and integrate into society. Only through the joint efforts of the government and all sectors of society can the problem of stateless people in Ukraine be effectively solved [5].

The Ukrainian government attaches great importance to the legitimate rights and interests of stateless persons. On the one hand, the Ukrainian government has promulgated relevant laws and regulations that clearly stipulate the legal status of stateless persons. On the other hand, the Ukrainian government has also established a sound administrative management mechanism, responsible for accepting the identification and citizenship application of stateless persons. At the same time, the Ukrainian government has also actively cooperated with the United Nations refugee Agency and other international organizations to jointly promote the solution of the problem of stateless people.

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In general, Ukraine provides a strong guarantee for the legitimate rights and interests of stateless people, reflecting the importance the Ukrainian government attaches to the cause of human rights. This is not only conducive to safeguarding the legitimate rights and interests of stateless people, but also conducive to promoting the harmonious and stable development of the Ukrainian society [6].

### **5. Protection of the rights and interests of stateless people in Ukraine: Discussion on the legal framework and practice**

5.1. Ukraine's Constitution clearly states that everyone has the right to citizenship. The Ukrainian government has enacted a series of laws guaranteeing the basic rights and freedoms of stateless persons.

5.2. In 2011, Ukraine adopted the Law on the Status of Stateless Persons, which stipulates that stateless persons enjoy the same social, economic, political and cultural rights as their citizens. The law defines the definition of stateless persons, the identification procedures, and the responsibilities of relevant government departments.

5.3. By law, stateless persons can apply for Ukrainian citizenship. The Government is obliged to provide identification documents for stateless persons and to assist them in obtaining citizenship. At the same time, the law also forbids discrimination against stateless persons and guarantees their basic rights such as education, employment and medical care.

5.4. In practice, the Government of Ukraine has established a registration system for stateless persons and provided free legal advice for stateless persons. At the same time, the Government has also cooperated with the UNHCR and other international organizations to jointly promote the protection of the rights and interests of stateless people.

5.5. Despite some progress, Ukraine still faces challenges such as a large stateless population and difficult identification. In the future, Ukraine needs to further improve relevant laws and regulations, strengthen law enforcement, and effectively protect the legitimate rights and interests of stateless people [7].

**Conclusions.** After its independence, Ukraine faced the legal status of a large number of stateless people. The Ukrainian government has issued relevant laws and regulations aimed to protect the basic rights of stateless people and ensure their smooth integration into society. However, in the actual implementation process, there are still some challenges and difficulties. I will deeply analyze the status and challenges of the protection of the rights and interests of stateless people in Ukraine from the aspects of their legal status, citizenship procedures and social security, so as to provide suggestions for improving the relevant legal system.

The Civilian Law of Ukraine clearly stipulates that stateless persons enjoy the same rights and obligations in Ukraine as their citizens, except for a few rights such as participating in political activities. The government also issued the Law on the Status of Stateless Persons, which detailed the definition of stateless persons and the protection of their rights. These laws and regulations provide a legal basis for stateless people to safeguard their legitimate rights and interests.

The Ukrainian government has established a fast track for citizenship for stateless people. Stateless persons can apply for citizenship only if they have lived in Ukraine for at least five consecutive years. During the application process, the government provides free legal advice to help stateless people complete all the procedures. However, in practice, there are still some stateless people who cannot apply smoothly due to the lack of necessary documents.

Ukrainian law stipulates that stateless people enjoy the same social security rights as their citizens, including medical care, education, employment and other aspects. However, due to the cultural background, language barriers and other factors, some stateless people are difficult to fully enjoy these rights. The government is taking steps to raise stateless peoples awareness of their rights and help them better integrate into Ukrainian society.

First, it is to further simplify the procedures for stateless persons to obtain citizenship and reduce the requirements of relevant certification materials; second, to increase the social integration support for stateless groups, to provide more language training, vocational training and other services; and third, to strengthen law enforcement supervision to ensure that the legitimate rights and interests of stateless persons are effectively protected. Only by constantly improving the relevant legal system and strengthening the enforcement efforts, can the equal status and full development of stateless people in Ukraine be truly realized.

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