

Exiting Ukraine and immigration considerations for the UK

This table sets out general immigration considerations for people seeking to leave Ukraine and those who have already reached a bordering country. It then provides more information on the options available in the UK.

It is deliberately high level and anybody seeking to move countries will need to understand the rules of their preferred destination. For the UK, the ['Ukraine Advice Project UK'](#) are available to provide pro bono immigration advice beyond family migration and including asylum. This note does not deal with asylum as it is not an area of law that Fragomen practises.

	General considerations	UK arrangements
If you are still in Ukraine	<ul style="list-style-type: none">▶ Not everybody can leave Ukraine – this includes men aged 18 to 60 and women in strategically important jobs (e.g. doctors). There are limited exceptions.▶ There are no commercial flights from Ukraine so travel will be over land and most Visa Application Centres are closed.▶ Evacuation will probably need to be through a bordering country: Hungary, Moldova, Poland, Slovakia or Romania.▶ Generally, travellers will need a biometric passport to be able to cross borders, although exceptions are permitted if an individual is able to show documentation to prove their identity, e.g. ID, birth certificate, expired passport.	<ul style="list-style-type: none">▶ The UK Visa Application Centres in Ukraine are closed.▶ Applications must now be made outside of Ukraine (see below).
Reaching a bordering country	<ul style="list-style-type: none">▶ This note can only cover the immigration/visa considerations which are accurate at the time of writing.▶ Travel to the border is difficult and may be dangerous. Queues are long and people may wait more than 24 hours to reach border crossing points.▶ Once at a border, people are expected to hold certain documents in order to cross the border, this document should help. As above, there is some flexibility.	<ul style="list-style-type: none">▶ You can now apply at a Visa Application Centre in any country if you are able to travel safely.
Leaving for a bordering country without a visa	<ul style="list-style-type: none">▶ The quickest option is visa-free travel as a visitor.▶ You can view visa-free options for Ukrainian nationals here.▶ Under normal circumstances visitors are limited to 90 or 180 days in their destination country (if the country is a member of the Schengen area, the limitation applies to the entire Schengen area) but in some cases, they can switch to a work or other visa category.▶ Arrangements differ in each country and concessions may be available for Ukrainian nationals. You may wish to research those options before deciding on a destination country, where you have a choice. <p>The EU Temporary Protection Directive has now been triggered. It is intended to deal with mass arrivals of displaced persons within the EU and aims to provide protection (for one year from 4 March 2022 but extendable) in all EU states. It includes a residence right, access to employment (subject to local labour market policies) and social welfare.</p> <p>* Denmark is not bound by this legislation due to opt-out clauses</p>	<ul style="list-style-type: none">▶ Ukrainian nationals cannot enter the UK without a visa.

General considerations

Other visa options

- ▶ There may be long-term immigration options available in your preferred destination country but visa applications take time to prepare and for governments to consider.
- ▶ The generous EU arrangements may be a sensible option in the first instance if or when it is confirmed and in operation.

UK arrangements

Conventional Sponsored Routes:

- ▶ UK immigration rules allow for visas to be granted where:
 - **Work:** an employer is willing to sponsor you
 - **Study:** an academic institution is willing to sponsor you

Ukraine Family Scheme

To qualify under the Ukraine Family Scheme, an individual must :

- be Ukrainian (or immediate family members of Ukrainians);
- who have been residing in the Ukraine on or immediately before 1 January 2022;
- to join or accompany their UK based immediate or extended family member in the UK
- ▶ UK based family member must be British, hold permanent residency or status under the EU Settlement Scheme. Evidence of such relationships should be provided at the time of application.
- ▶ Immediate family members are spouses, civil partners, unmarried partners (living together in a relationship for at least 2 years), a parents of children under the age of 18, a child under the age of 18, or an adult relative you provide care for who lives with you due to a medical condition.
- ▶ Extended family members of British nationals or those who hold ILR/ EUSS, such as non-dependant parents, grandparents, adult children, siblings, aunts, uncles, nieces, nephews, cousins, in-laws including grandparent and sibling in-laws from Ukraine, as well as their immediate family members will also be able to apply under the extended Family Route.
- ▶ Leave will be granted for three years and will allow holders to live, work and study in the UK.
- ▶ The Scheme is free, and does not include any salary or language requirements and the Immigration Health Surcharge is not payable.
- ▶ Applications can be made at a VAC or via a digital app.

Information, including the Home Office contact number can be found [here](#).

Homes for Ukraine Scheme

- ▶ To qualify under the Homes for Ukraine Scheme, an individual must:
 - be Ukrainian (or immediate family members of Ukrainians);
 - who have been residing in the Ukraine on or immediately before 1 January 2022; and
 - have a UK based Sponsor who can provide accommodation for at least 6 months. Sponsors can be anyone in the UK (of any nationality and any immigration status providing they have at least 6 months to remain in the UK).
- ▶ Phase 1 is for individuals to sponsor Ukrainians who they already know (e.g. friends and colleagues). Phase 2 is for organisations and individuals that are willing to sponsor unknown applicants and is not yet live.
- ▶ People or organisations wanting to be sponsors but do not know anyone personally can [register their interest online](#) to be kept updated as the scheme develops. The first phase of the scheme will look to match sponsors with Ukrainian nationals.
- ▶ Participants of the scheme, both Ukrainian nationals and sponsors, will be subject to standard security checks.
- ▶ Leave will be granted for three years and will allow holders to live, work and study in the UK.
- ▶ The Scheme is free, and does not include any salary or language requirements, and the Immigration Health Surcharge is not payable.

General considerations

Other visa options cont.

UK arrangements

- ▶ Applications can be made at a VAC or via a digital app.
- ▶ Sponsors should provide accommodation for a minimum period of at least 6 months. They must be able to offer a residential spare room or separate self-contained accommodation that is unoccupied, fit for people to live in and suitable for the number of people to be accommodated.

Applicants who have a sponsor can apply online for phase 1 [here](#).

Other Visa Categories:

- ▶ Other visa applications may be available, although each category has eligibility requirements, and some may not be suitable. We recommended seeking professional advice when considering any of the above.

Ukrainian nationals already based in another country

- ▶ Currently, individuals may not be able return to Ukraine directly due to the airspace being closed.
- ▶ Ukrainian nationals under current immigration employment-based status can extend their documents in respective countries based on standard immigration procedures subject to meeting regular conditions.
- ▶ Ukrainian nationals under a visitor visa can switch into an employment-based immigration route without a consular step in a number of countries in the EU.
- ▶ Family reunion applications may also be possible subject to meeting local immigration requirements.
- ▶ Ukrainian nationals under a points-based system route can extend their leave in the UK.
- ▶ Ukrainian nationals holding a visitor visa can switch into a points-based system route without having to leave the UK.
- ▶ Ukrainian nationals under a visitor visa can apply under the family route for further leave without meeting the immigration status requirement, provided they meet the requirements for leave based on exceptional circumstances.
- ▶ Ukrainian nationals in the UK who hold a Seasonal Worker visa can extend their visa to 31 December 2022 if they cannot return to Ukraine. The government fees for Ukrainian nationals already in the UK who are switching to a points-based route or a family visa route, will be waived.

We are grateful to Temple Translations for their generous support in the translation of this document.

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