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STATE BODIES OF THE MIGRATION SERVICE OF UKRAINE (2000-2010): HISTORICAL ASPECT OF FORMATION AND DEVELOPMENT

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ABSTRACT

The article highlights and analyzes the historical aspect of the formation and development of the State Migration Service of Ukraine in 2000-2010. For the first time, the author comprehensively analyzes and reveals the essence of problematic issues in their formation, departmental subordination, and distribution of powers in their activities. The author traces changes in functional powers, identifies priority tasks and problems in the formation and implementation of national policy in the field of migration.

Keywords: refugees, emigration, immigration, illegal migration, migrant, migration.

In 2000-2010, Ukraine's migration policy was going through its modern stage of formation, and migration trends that emerged during the first decade of the twenty-first century showed that our country was actively involved in global migration processes.

There was no single central state executive body that would deal with all migration issues. The uncontrollability of migration processes posed a significant threat to Ukraine's national interests, so they required effective regulation by the state to maximize its labor and demographic potential. The evolution of the State Migration Service of Ukraine as a state institution has remained insufficiently studied in the system of state-building of our country, and its study will fill in the gaps in historical science and deepen the understanding of the process of its formation. The study of the current stage of the State Migration Service of Ukraine formation in 2000-2010 will be important for understanding modern migration processes in Ukraine and developing an effective migration policy.

The formation of the SMS in 2000-2010 took place in the context of complex socio-economic and political transformations accompanied by an imperfect legislative framework, instability of the institutional structure, and insufficient resources, which significantly affected the efficiency of the state authority and its ability to respond to changing migration challenges. At the same time, despite these problems, this period was an important stage in the formation of the SMS as a key body in the field of migration management in Ukraine, which laid the foundation for the further development of the state's migration policy.

In modern historiography, this stage of the formation of the State Migration Service of Ukraine in 2000-2010 has not been the subject of special historical research. At the same time,

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among the researchers who dealt with certain aspects of the State Migration Service of Ukraine, we should mention Denis Holoborodko¹, Dmitry Hurin², Volodymyr Yevtukh³, and Olena Malynovska⁴. Factual material for the study of migration processes after Ukraine's independence is contained in well-known general works on national history, a multi-part 15-volume scientific publication "Ukraine through the Ages", edited by the Director of the Institute of History of Ukraine of the National Academy of Sciences of Ukraine, Academician Valeriy Smolii⁵. Most of the material relates to the formation of Ukraine's independence, but the problem of solving refugee problems and countering illegal migration is also highlighted.

The scientific novelty of the study is due to the introduction into scientific circulation of a set of little-known documents of the Sectoral State Archive of the Ministry of Internal Affairs of Ukraine (SSA of the MIA of Ukraine) and the Central State Archive of Higher Authorities and Governments of Ukraine (CSAGO of Ukraine), which allow to objectively and retrospectively reveal the modern stage of formation of the State Migration Service of Ukraine in 2000-2010.

The methodological basis of the study was the principles of historicism, scientific objectivity, continuity, and systematicity, which made it possible to impartially determine the logical changes in the historical process of the modern formation of the State Migration Service of Ukraine, and used general scientific and special methods.

The purpose of the article is to analyze the modern stage of formation of the State Migration Service of Ukraine in 2000-2010, and the problems which arose in the course of its practical activities during formulation and implementation of the State policy in the field of migration, which has not been a special object of study in historical science.

The Administrative Reform in Ukraine, which began in 1997, has taken many steps to improve the public administration system. One of the main objectives of the reform was to reduce the number of state bodies and their employees, as well as to introduce modern management methods. However, in our opinion, the bodies of the State Migration Service, which functioned before the Administrative Reform, faced the problem of departmental subordination and division of powers, which was resolved only after almost 10 years of implementation.

By the Resolution of the Cabinet of Ministers of Ukraine of April 4, 1999, No. 603⁶, pursuant to the Decree of the President of Ukraine of December 15, 1999, No. 1572 "On the System of Central Executive Bodies" and No. 1573 of December 15, 1999, "On Changes in the Structure of Central Executive Bodies", the State Department for Nationalities and Migration (hereinafter referred to as the State Department) was established as a governmental body of state administration that operated within the Ministry of Justice of Ukraine. Prior to the Government's decision, the State Department for Nationalities and Migration had a different name – the Department for Nationalities, Deportees and Refugees⁷.

¹ Denis Holoborodko, *On the issue of the competence of the State Migration Service of Ukraine*, in *Naukovyi visnyk Dnipropetrovskoho derzhavnoho universytetu vnutrishnikh sprav: Zbirnyk naukovykh prats*, 3 (67), 2013, p. 157-163.

² Dmitry Hurin, *Legal status of the State Migration Service in ensuring the implementation of state policy in the field of migration*, in *Pidpryiemnytstvo, hospodarstvo i pravo*, 7, 2020, p. 144-148.

³ Volodymyr Yevtukh, *On the national idea, ethnic minorities, migration*, Kyiv: Stylos, 2000, p. 236.

⁴ Olena Malynovska, *Migration and migration policy in Ukraine: transformations of the independence era*, in *Migration & law*, volume 1, issue 1, 2021, p. 10-26.

⁵ Valeriy Smolii, *Ukraine through the ages*: In 15 vols, Institute of History of Ukraine of the National Academy of Sciences of Ukraine. Kyiv: Alternatives, 2000, p. 352.

⁶ Central State Archive of Higher Authorities and Governments of Ukraine (next: CSAGO of Ukraine). Fond Cabinet of Ministers of Ukraine, file no 8191/2, p. 266.

⁷ CSAGO of Ukraine. Fond Cabinet of Ministers of Ukraine, file no 8191/2, p. 269.

The predecessor of the State Committee on Nationalities and Migration (hereinafter referred to as the State Committee on Nationalities and Migration) as a central executive body that ensured the implementation of state policy in the field of international relations, the rights of national minorities and the Ukrainian diaspora, migration relations, the development and functioning of the Ukrainian language as the state language and languages of national minorities throughout Ukraine, managed the entrusted area of management, and was responsible for the state of its development, was liquidated on 31 march 2000⁸. The liquidation of the State Committee on Immigration and Naturalization resulted in the transfer of its powers, in accordance with the Administrative Reform, to the Ministry of Justice of Ukraine, the Ministry of Internal Affairs of Ukraine, and the Ministry of Culture and Arts of Ukraine.

Hryhoriy Sereda has been appointed Head of the State National Migration Service⁹. Raul Chichlava became the first deputy director of the State Migration Service¹⁰, Alexander Yurpolsky was appointed deputy director,¹¹ and Viktor Pobedonostsev¹². The staff of the newly created body amounted to 46 people¹³.

In accordance with its tasks, the State National Migration Service participated in the implementation of state policy in the field of migration and interethnic relations; developed proposals for improving legislation on issues within its competence and submitted them to the Ministry of Justice of Ukraine; studied and analyzed trends in ethno-national and ethno-cultural development of Ukraine; took measures to support the development of national and cultural traditions, meeting the needs of national minorities in literature, art, education, and the media; made proposals for resolving issues of granting or withdrawing refugee status; kept centralized records of refugees and persons who applied for refugee status; promoted the realization of the rights and social guarantees of refugees; developed and implemented measures to integrate previously deported Crimean Tatars and persons of other nationalities into Ukrainian society, to find alternative sources of funding for their resettlement; in accordance with the established procedure, submitted proposals for the conclusion of international treaties of Ukraine on migration, interethnic relations, and ensuring the rights of persons belonging to national minorities; organize and conduct congresses, forums, conferences, seminars, meetings, exhibitions on issues within its competence in accordance with the established procedure and within the limits of the funds provided, interact with public organizations of national minorities of Ukraine¹⁴.

To coordinate the resolution of issues within the competence of the State National Migration Service and to discuss the most important areas of its activity, the Order of the Ministry of Justice of Ukraine of July 17, 2000, No. 4¹⁵, a 7-member State National Migration

⁸ CSAGO of Ukraine. Fond The State Committee of Ukraine on Nationalities and Religions and its predecessors: State Committee of Ukraine on Nationalities and Migration, State Committee of Ukraine on Religious Matters (joint fund), Kyiv, file no 66/5252, p. 12.

⁹ CSAGO of Ukraine, file no 6/5252, p. 80.

¹⁰ CSAGO of Ukraine, file No. 8/5252, p. 47.

¹¹ *Ibidem*, p. 144.

¹² CSAGO of Ukraine. file no 7/5252, p. 141.

¹³ CSAGO of Ukraine. file no 2/5252, p. 27.

¹⁴ Resolution of the Cabinet of Ministers of Ukraine of August 4, 2000, No. 1236 "On Approval of the Regulation on the State Department for Nationalities and Migration". <https://zakon.rada.gov.ua/laws/show/1236-2000-%D0%BF#Text> (accessed on 24.06.2025)

¹⁵ CSAGO of Ukraine. file no 1/5252, p. 13 a.

Board was established. To increase the role of public organizations of national minorities of Ukraine in the process of decision-making by executive authorities on legal support for the development of nationalities and ethnic policy, the State Committee for National Immigration established an Expert Advisory Council of National Minorities¹⁶ and approved its personnel accordingly.

The general state of affairs in the area of inter-ethnic relations showed many unresolved problems, in particular, the absence of departments for nationalities and migration in the Kyiv City State Administration, departments for nationalities and migration in the regional and Sevastopol City State Administrations, imperfection and lagging behind the rapid development of ethno-national processes, ensuring educational problems of national minorities, the creation of a Center for Nationalities in Kyiv, allocation of premises for public associations of national minorities.

The primary task assigned to the State National Migration Service was to concentrate its efforts on finalizing the legal framework necessary for the effective implementation of state policy in the field of interethnic relations and migration.

An urgent problem remained the updating of the centralized database on asylum seekers and refugees, which, due to the liquidation of the State Committee for Immigration, was not replenished or updated. At the same time, despite the reorganization processes, information was regularly received from Luhansk and Kharkiv regions, but there was no information from the Dnipropetrovska region¹⁷. The Migration Service of the Transcarpathian Regional State Administration has developed a mechanism for receiving applications from asylum seekers through an official of the Border Guard Troops¹⁸.

An important component of any state authority is the presence of its territorial bodies on the ground. The State Department of National Immigration was actively working to establish its regional offices, as they were responsible for most of the tasks. By the Resolution of the Cabinet of Ministers of Ukraine of February 7, 2001, No. 132¹⁹, the Model Regulations on the Department for Nationalities and Migration of the Kyiv City State Administration, the Department for Nationalities and Migration of the regional and Sevastopol City State Administrations were approved. Thus, the subordination of the regional units of the State National Migration Service was legally defined.

The main tasks of the department were to implement the state policy on interethnic relations, migration, ensuring the rights of national minorities, deportees of different nationalities who returned to Ukraine and refugees, as well as relations with Ukrainians living outside Ukraine; ensuring compliance with legislation on national minorities and migration; ensuring the implementation of measures to receive and settle deportees of different nationalities who returned to Ukraine, as well as facilitating their adaptation in Ukraine; taking measures to ensure legal and socio-economic guarantees for the protection of refugees; promoting the satisfaction of national, cultural, linguistic and educational needs of Ukrainians living outside Ukraine, and their ties with Ukraine²⁰.

¹⁶ *Ibidem*, p. 57.

¹⁷ CSAGO of Ukraine. file no 2/5252, p. 40.

¹⁸ *Ibidem*, p. 128.

¹⁹ CSAGO of Ukraine. file no 8821/2, p. 40.

²⁰ CSAGO of Ukraine. file no 8821/2, p. 2.

In accordance with the tasks assigned to the department, we note the systematic study and analysis of trends in ethno-national and ethno-cultural development and migration processes in the region, the cities of Kyiv and Sevastopol; development of current and long-term forecasts in the field of interethnic relations and migration in the region, the cities of Kyiv and Sevastopol; promotion of the activities of national and cultural associations of citizens, educational institutions, institutions and organizations related to the satisfaction of linguistic, educational and ethno-cultural needs of the nation; making decisions on granting, prolonging and revoking refugee status; issuing refugee certificates and relevant certificates to persons who have applied for refugee status; referring refugees and persons who have applied for refugee status to temporary accommodation centers, if necessary; facilitating temporary employment and training, providing social, domestic and medical services, meeting the cultural and religious needs of refugees and persons who have applied for refugee status, as well as providing refugees with pensions; keeping records of refugees and persons who have applied for refugee status; participating within its competence in the implementation of measures related to combating illegal migration; preventing manifestations of national exclusivity, intolerance towards citizens of any other nationality, and incitement to hostility and hatred on national grounds; regularly informing and submitting statistical reports to the State National Migration Service and the head of the relevant state administration on the development of interethnic relations, migration processes and relations with the Ukrainian diaspora in the region, the cities of Kyiv and Sevastopol and proposals for the formation of state policy on these issues²¹.

Summarizing the activities of the State Department for National Migration in 2000, we note that the work was mainly focused on forming the legal framework for ethnic and migration policy, bringing it into line with the Constitution of Ukraine and adapting it to international legal norms. The State National Migration Service specialists finalized and submitted to the Cabinet of Ministers of Ukraine the draft Laws of Ukraine “On the Concept of the State Ethnic and National Policy of Ukraine” and “On Approval of the State Migration Program of Ukraine for 2001-2005”. In addition, proper support was provided in the Verkhovna Rada of Ukraine for the draft Laws of Ukraine “On Amendments to the Law of Ukraine”, “On Refugees”, “On Immigration”, “On the Procedure for Granting Asylum in Ukraine to Foreigners and Stateless Persons”, “On the Rehabilitation and Ensuring the Rights of Persons from National Minorities Who Have Been Repressed and Deported from the Territory of Ukraine”, “On the Status of the Crimean Tatar People”, “On the Legal Status of Ukrainians Abroad” and a draft National Program “Ukrainians Abroad for the Period up to 2005” was developed²².

In 2000, the migration service in the Autonomous Republic of Crimea, oblasts, and the cities of Kyiv and Sevastopol examined 1335 applications for refugee status; 506 applicants were granted this status²³. In addition, the construction of Ukraine's first temporary accommodation center for refugees in Odesa Oblast was nearing completion.

The State Migration Service has existed for almost 2 years after the implementation of the Administrative Reform, consistently implementing Ukraine's migration policy. However, in accordance with Presidential Decree No. 836/2001 of September 13, 2001²⁴, in order to improve

²¹ CSAGO of Ukraine. file no 8821/2, p. 3.

²² CSAGO of Ukraine. file no 4/5252, p. 16.

²³ *Ibidem*, p. 17.

²⁴ CSAGO of Ukraine. file no 13/5252, p. 7.

the effectiveness of the implementation of state policy in the field of interethnic relations, migration, and ensuring the rights of national minorities in Ukraine, representatives of deported peoples who returned to Ukraine and refugees, the State Committee for Nationalities and Migration (hereinafter – the State Committee for Nationalities and Migration of Ukraine) was established based on the State National Migration Service, which operated as part of the Ministry of Justice of Ukraine. The State Committee was liquidated by the Resolution of the Cabinet of Ministers of Ukraine No. 1772 of December 27, 2001²⁵.

The principal differences between the State Committee for Nationalities and Immigration of Ukraine and the State National Migration Service were subordination, status, and more extensive powers. Hryhoriy Sereda was reappointed head of the new agency, Viktor Ognevyuk became his first deputy, and Raul Chichlava and Yuriy Sukhov were appointed deputies²⁶. Most of the personnel potential was retained and transferred to the new department.

In accordance with the Decree of the President of Ukraine of March 19, 2002, No. 269/2002²⁷. The State Committee on Migration de jure began to exercise its powers, with a delay of more than 6 months. According to the Regulation, the State Committee on Migration became a specially authorized central executive body for migration, a central executive body whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine.

The main tasks of the State Committee on Immigration and Naturalization of Ukraine include the preparation of proposals for the formation and implementation of state policy on issues within its competence, the development of drafts of relevant state programs and ensuring their implementation; participation in the development of drafts of the State Budget of Ukraine, the State Program of Economic and Social Development of Ukraine, the Program of Activities of the Cabinet of Ministers of Ukraine; promoting the activities of public organizations of national minorities in Ukraine and Ukrainians living abroad; providing organizational, methodological and advisory assistance to executive authorities and local governments in resolving issues within its competence; ensuring cooperation between central and local executive authorities in implementing measures to ensure the rights of national minorities of Ukraine, persons deported on ethnic grounds and returning to Ukraine, refugees, and other categories of migrants, establishing and maintaining relations with Ukrainians living outside the country; ensuring the implementation of Ukrainian legislation on refugees and migration; analyzing the migration situation in Ukraine, problems of refugees and other categories of migrants, trends in interethnic relations, promoting the harmonization of these relations, preserving and developing the ethnic identity of national minorities of Ukraine and Ukrainians living outside the state; issuing regulations on issues within its competence; submitting, in accordance with the established procedure, proposals for bringing Ukrainian legislation in line with international norms and standards; providing assistance to persons who, as a result of military conflicts in other countries, are forced to leave their permanent place of residence and arrive in Ukraine, including those who have applied for asylum in Ukraine in accordance with the established procedure; participation, within its competence, in the implementation of measures aimed at combating illegal migration; taking measures to prevent incitement to ethnic and racial hatred; cooperation with state institutions, public, cultural, national centers of foreign countries, as well as international

²⁵ CSAGO of Ukraine. file no 8928/2, p. 102.

²⁶ CSAGO of Ukraine. file no 1/5252, p. 1.

²⁷ Presidential Decree of March 19, 2002, No. 269/2002 “On the Regulation on the State Committee of Ukraine for Nationalities and Migration”. <https://zakon.rada.gov.ua/laws/show/269/2002#Text> (accessed on 24.06.2025).

organizations; participation in the preparation of international treaties of Ukraine, preparation of proposals for the conclusion and denunciation of such treaties, within its competence, concludes international treaties of Ukraine and ensures the fulfillment of Ukraine's obligations under international treaties on issues within its competence; raising funds from international and non-governmental organizations in accordance with the procedure established by law, foreign institutions to conduct charity events and implement programs aimed at developing the ethnic identity of national minorities of Ukraine, as well as to provide social support to persons deported on ethnic grounds, refugees and other categories of migrants returning to Ukraine²⁸.

In addition to the expanded functions, the State Committee for Immigration and Nationality of Ukraine received from the State Department for Nationality and Immigration a “legacy” of unfulfilled governmental decisions that should have been implemented. Acting Minister of Internal Affairs of Ukraine, Oleksandr Gapon, in his letter of July 19, 2002, No. 6554/Gn to the Cabinet of Ministers of Ukraine on the implementation of the objectives of the Program for Combating Illegal Migration for 2001-2004, emphasized that in order to ensure the quality of the measures envisaged in paragraph 19, in particular, to continue cooperation with the International Organization for Migration and other international organizations in order to improve the management of migration processes in Ukraine, to resolve issues concerning the possibility of providing appropriate assistance, to create a special fund to assist in combating illegal migration and returning illegal migrants to their countries of origin, and paragraph 24, namely, ensuring the preparation and conclusion of international agreements on cooperation between the migration services of Ukraine and other states should be entrusted to the State Committee on Immigration and Naturalization of Ukraine²⁹.

The establishment of the State Department for Citizenship, Immigration and Registration within the Ministry of Internal Affairs of Ukraine was an important and crucial moment in the expansion of the powers of the modern State Migration Service of Ukraine³⁰. In accordance with the Resolution of the Cabinet of Ministers of Ukraine No. 844 of June 14, 2002³¹, The State Department for Citizenship, Passport and Immigration Service was established as a governmental body within the Ministry of Internal Affairs of Ukraine based on the Department of Citizenship, Passport and Immigration Service, which was being liquidated. As it would turn out later, most of the functions of the State Department for Citizenship, Immigration, and Registration of Individuals would become the main functions of the modern State Migration Service of Ukraine.

The main tasks of the State Department for Citizenship, Immigration and Registration of Individuals were to participate within its competence in coordinating the activities of executive authorities related to: resolving issues of Ukrainian citizenship; organizing immigration work and combating illegal migration; ensuring that officials and citizens comply with the rules of the passport system; registering and keeping track of individuals at their place of residence/stay; organizing work on reviewing documents related to the acquisition/termination of Ukrainian citizenship, preparing materials for consideration by the Commission on Citizenship under the President of Ukraine; summarizing the practice of applying legislation on citizenship,

²⁸ Presidential Decree of March 19, 2002, No. 269/2002 “On the Regulation on the State Committee of Ukraine for Nationalities and Migration”. <https://zakon.rada.gov.ua/laws/show/269/2002#Text> (accessed on 24.06.2025).

²⁹ CSAGO of Ukraine. file no 547/2, p. 15.

³⁰ *Ibidem*, p. 20.

³¹ CSAGO of Ukraine. file no 51/2, p. 21.

immigration of foreigners and stateless persons to Ukraine, registration of individuals at their place of residence/stay and developing and submitting proposals for its improvement to the Minister of Internal Affairs; ensuring, in accordance with the law, the issuance of passport documents to Ukrainian citizens permanently residing in Ukraine, foreigners and stateless persons for entry into Ukraine, stay in Ukraine and departure from Ukraine or permanent residence on its territory; organizing registration and registration of individuals at their place of residence/stay; organizing work on the creation of the State Information System for Registration of Individuals and their documentation; organization of control over compliance by officials and citizens with the rules of the passport system, and by foreigners and stateless persons with the rules of stay in Ukraine and transit through its territory³².

The state authorities were looking for ways to develop and implement a migration policy and solve Ukraine's problems related to illegal migration. The creation of a single-state body that would have all the powers in the field of migration could have resolved several issues.

In 2003, the Government approved the Program for the Regulation of Migration Processes for 2003-2005, which aimed to create an effective mechanism for managing migration processes based on the national interests of the state³³. It is worth noting that this document contained an extraordinary measure, namely the preparation of a draft regulatory act on the establishment of the State Migration Service and its territorial bodies within the State Committee on Immigration and Naturalization of Ukraine, which was not implemented.

Since its establishment, one of the main tasks of the State Committee on Immigration and Nationality of Ukraine has been to maintain ties with Ukrainians living outside Ukraine, to help meet their national, cultural, and educational needs, and to develop their ethnic identity. The State Committee for Immigration of Ukraine is one of the leading state institutions that has developed and implemented measures aimed at developing the ethnic, cultural, and linguistic identity of Ukrainians living in Romania, the Republic of Moldova, the Russian Federation, the Republic of Belarus, and the Slovak Republic³⁴.

The State Committee for Immigration of Ukraine was involved in 39 of the 63 points of the National Program "Ukrainians Abroad" for the period up to 2005, approved by Presidential Decree No. 892/2001 of September 24, 2001, 13 of which it was the main implementer³⁵.

Due to increased funding from the State Committee for Immigration and Nationality of Ukraine for the implementation of the National Program, in 2003 Ukrainian classrooms in the villages of Katerynivka, Kamianka and Oknytsia (Transnistria) were fully equipped with textbooks and school supplies; financial support was provided for the first graduation of the Riga Ukrainian Secondary School (Latvia); participated in the scientific and practical conference "Ukrainians of the European North" held in Petrozavodsk (Republic of Karelia)³⁶, also, funds were allocated for the publication of the book "To You, World", which contains the best examples of works by Ukrainian-language authors of the Brest region; the National Cultural Autonomy of Ukrainians of Kamchatka – for the publication of the newspaper "Batkivshchyna"; the

³² CSAGO of Ukraine. file no 51/2, p. 23.

³³ Resolution of the Cabinet of Ministers of Ukraine of August 20, 2003, No. 1296 "On Approval of the Program for Regulation of Migration Processes for 2003-2005". <https://zakon.rada.gov.ua/laws/show/1296-2003-%D0%BF#Text> (accessed on 24.06.2025).

³⁴ CSAGO of Ukraine. file no 6/5252, p. 111.

³⁵ Decree of the President of Ukraine of September 24, 2001, No. 892/2001 "On the National Program *Ukrainians Abroad*", for the period up to 2005". <https://zakon.rada.gov.ua/laws/show/892/2001#Text> (accessed on 24.06.2025).

³⁶ CSAGO of Ukraine. file no 6/5252, p. 52.

Association of Ukrainians of Russia – for the publication of the magazine “Ukrainian Review”; the Federation of Ukrainians of Armenia – for the publication of the newspaper “Dnipro-Slavutych”³⁷.

In terms of the practical implementation of the current legislation on ethno-national policy, the State Committee on Nationalities and Immigration of Ukraine implemented a set of national measures aimed at satisfying the ethnic, linguistic and cultural identity of 1043 national cultural societies, 33 of which had all-Ukrainian status, and contributed to meeting their cultural, educational, language and information needs. Since 2004, the State Committee on Nationalities and Immigration of Ukraine has co-founded 7 newspapers published in the languages of national minorities of Ukraine³⁸.

The search for a single state authority that would unite all areas of migration continued. By the Resolution of the Cabinet of Ministers of Ukraine of November 8, 2006, No. 1575,³⁹ the State Committee on Nationalities and Religions and the State Department for Religious Affairs were reorganized, forming the State Committee on Nationalities and Religions. However, migration issues remained outside its competence, as First Deputy Minister of Justice Petro Krupko emphasized in his conclusion to the draft legal act of November 2, 2006, and proposed to change the name of the newly created body to the State Committee of Ukraine on Nationalities, Migration and Religions⁴⁰. This remark was unheeded by the Government. The need to determine the state body that will be entrusted with migration functions was confirmed by the conclusion of the Ministry of Economy of Ukraine⁴¹.

At the same time, according to the Regulation on the State Committee on Nationalities and Religions, approved by the Cabinet of Ministers of Ukraine on February 14, 2007, No. 201⁴², State Committee on Nationalities and Religions, after governmental consultations, was designated as a specially authorized central executive body for migration within the limits set by the refugee legislation. However, this was a new version of the relevant Regulation, so that migration issues would not be ignored, but with rather limited powers. There were no specific tasks and powers that the State Committee on Nationalities and Religions was supposed to implement. The issue of establishing a single state body to regulate migration processes was an urgent one.

The Resolution of the Cabinet of Ministers of Ukraine of June 24, 2009, No. 643 “On Establishment of the State Migration Service in Ukraine” established the State Migration Service of Ukraine as a central executive body whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs⁴³. At the same time, the State Committee on Nationalities and Religions continued to function.

In accordance with the Regulation on the State Migration Service in Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine, July 17, 2009, No. 750⁴⁴, the State Migration Service in Ukraine is a specially authorized central executive body for migration, citizenship, and

³⁷ CSAGO of Ukraine. file no 6/5252, p. 53.

³⁸ CSAGO of Ukraine. file no 17/5252, p. 13.

³⁹ CSAGO of Ukraine. file no 3006/2, p. 191.

⁴⁰ *Ibidem*, p. 196.

⁴¹ CSAGO of Ukraine. file no 3006/2, p. 198.

⁴² CSAGO of Ukraine. file no 3558/2, p. 184.

⁴³ Sectoral State Archive of the Ministry of Internal Affairs of Ukraine (next: SSA of the MIA of Ukraine), Fond State Migration Service of Ukraine, file no 94/2, p. 24.

⁴⁴ Resolution of the Cabinet of Ministers of Ukraine of July 17, 2009, No. 750 “Issues of the State Migration Service of Ukraine”. <https://zakon.rada.gov.ua/laws/show/750-2009-%D0%BF#Text> (accessed on 24.06.2025).

immigration. The State Migration Service in Ukraine became the legal successor of the Ministry of Internal Affairs and the State Committee on Nationalities and Religions in terms of the powers granted to them in the field of migration, citizenship and immigration (except for combating illegal migration and monitoring compliance by citizens and officials with the rules of the passport system established by law).

Order No. 1 of the State Migration Service of Ukraine dated October 2, 2010, approved the staffing of the central office in the amount of 37 people⁴⁵. The structure of the central office of the State Migration Service of Ukraine included the Department for Migration and Citizenship (Department for Emigration and Immigration, Department for Citizenship), the sector of organizational and analytical support, the sector of personnel work, the sector of international activities, the sector of document management, the sector of legal work and representation in courts, the sector of financial and economic support, and the sector of readmission⁴⁶. On June 24, 2009, Ihor Repeshko⁴⁷ was appointed Head of the State Migration Service of Ukraine, and Serhiy Radutnyi⁴⁸ was appointed First Deputy Head of the State Migration Service of Ukraine.

Since the beginning of its operation, the State Migration Service of Ukraine has faced many problems, most of which have called its functioning into question.

The Ukrainian Parliament Commissioner for Human Rights, Nina Karpachova, addressed the President of Ukraine, Viktor Yanukovich, with a letter of March 24, 2010, No. 1-567/34.2-10-41⁴⁹, asking him to establish the State Migration Service of Ukraine as an independent civilian executive body with a special status.

In her motivations and petition, Nina Karpachova emphasized that the State Migration Service of Ukraine, in its current status as part of the Ministry of Internal Affairs, will not be able to effectively perform a range of tasks to ensure the implementation of the state migration policy, and it is the civilian status of the State Migration Service of Ukraine that the European Union and the UN High Commissioner for Refugees emphasize. Also, the head of the State Committee on Nationalities and Religions, Yuriy Reshetnikov, proposed to suspend the creation and development of the State Migration Service of Ukraine⁵⁰.

The Head of the State Migration Service of Ukraine, Ihor Repeshko, appealing to the applicants' extremely drastic measures, noted that the Constitutional Court of Ukraine, in its decision of February 17, 2010, No. 6-rp/2010, had recognized as constitutional the provisions of the Cabinet of Ministers' resolutions of June 24, 2009, No. 643 and July 17, 2009, No. 750 on the liquidation of the Ministry of Internal Affairs of Ukraine State Department for Citizenship, Immigration and Registration of Individuals and the creation of the State Migration Service of Ukraine as a central executive body on its basis, and the only body that demonstrated inconsistent opinions on the creation and functioning of the State Migration Service of Ukraine is the Ministry of Internal Affairs (despite the fact that the State Migration Service of Ukraine was created on the

⁴⁵ SSA of the MIA of Ukraine, file no 94/1, p. 1.

⁴⁶ *Ibidem*, p. 3.

⁴⁷ Order of the Cabinet of Ministers of Ukraine of June 24, 2009 No. 726-r "On Appointment of Ihor Repeshko as the Head of the State Migration Service of Ukraine". <https://zakon.rada.gov.ua/laws/show/726-2009-%D1%80#Text> (accessed on 24.06.2025).

⁴⁸ Order of the Cabinet of Ministers of Ukraine of June 24, 2009, No. 727-r "On Appointment of S. Radutnyi as First Deputy Head of the State Migration Service of Ukraine". <https://zakon.rada.gov.ua/laws/show/727-2009-%D1%80#Text> (accessed on 24.06.2025).

⁴⁹ SSA of the MIA of Ukraine, file no 94/2, p. 21.

⁵⁰ SSA of the MIA of Ukraine, file no 94/2, p. 36.

initiative of the Ministry of Internal Affairs), which proposes to restore the State Department for Citizenship, Immigration and Registration of Individuals by liquidating the State Migration Service of Ukraine⁵¹. Such a position contradicted Ukraine's international commitments and would be viewed extremely negatively by the EU. As a result, the State Migration Service of Ukraine faced even greater difficulties, with the Ministry of Internal Affairs and the State Committee on Nationalities and Religions blocking its activities. In fact, since April 2010, the management of the State Migration Service of Ukraine has been deprived of the opportunity to enter their offices. The consequence of such radical actions was the instruction of the President of Ukraine, Viktor Yanukovich, to the Prime Minister of Ukraine, Mykola Azarov, dated May 31, 2010, No. 1-1/1056,⁵² to cancel the decision of the previous government on the establishment and operation of the State Migration Service of Ukraine.

The current stage of the State Migration Service of Ukraine development in 2000-2010 took place in the context of constant changes and transformations that were characteristic of that period in Ukraine. The institutional formation of the State Migration Service of Ukraine ensured the formation of the structure of the service, the definition of its functions and powers. At the same time, it faced a number of challenges related to the need to adapt to changing migration processes, as well as limited resources. The work of the State Migration Service of Ukraine was largely influenced by political factors. Despite all the obstacles to the formation of the State Migration Service of Ukraine, this stage laid the foundation for its further development in its current form.

The problem under study is quite promising at the present stage of state-building. For a more objective assessment of the creation of the modern State Migration Service of Ukraine, vesting of powers, and problems of its functioning, it is worthwhile to use archival sources of the territorial bodies of the State Migration Service of Ukraine.

⁵¹ *Ibidem*, p. 31.

⁵² SSA of the MIA of Ukraine, file no 94/3, p. 78.