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ADOPTION OF A CHILD RESIDING IN UKRAINE

**recommendations for foreign citizens
and ukrainian citizens permanently
residing abroad**

Family Law Committee of the UNBA
Centre «Child Advocate» of the UNBA HSA

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PREFASE

As a result of Russia's armed aggression against Ukraine, the number of children left without parental care is constantly growing. Many caring Ukrainians and foreigners alike want to help and care of children who have lost their parents or need care.

That is why the adoption issue is receiving much attention today. Since the beginning of the war, the adoption process has been suspended. Risks to the interests of children provoked this, as it was tough to complete the entire procedure. Now the process is more accessible, but restrictions remain.

Today, adoption is carried out only in those regions where there are no hostilities and the Ukrainian state authorities are operating, and only to those children for whom it is possible to establish the circumstances of their parents and other relatives.

Another current restriction is the ban on the adoption of children living in Ukraine (on the register of orphans or children deprived of parental care in the local authorities of Ukraine) by foreigners and citizens of Ukraine who permanently live outside its borders. This restriction also applies to citizens of Ukraine who temporarily live outside its borders. The ban on adoption by the specified categories of persons is extended for the entire period of martial law in Ukraine and within 90 days after its end. But there are exceptions to the rules.

The purpose of these guidelines is to provide step-by-step instructions on the adoption process for foreigners and citizens of Ukraine permanently residing abroad who wish to adopt a child residing in Ukraine based on the best child's best interests.

This material has been drawn up by:

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- Centre «Child Advocate» of the Ukrainian National Bar Association's Higher School of Advocacy <https://www.hsa.org.ua>

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I. Glossary of terms

Citizens of Ukraine permanently residing abroad are citizens of Ukraine who, under the legislation of Ukraine, have executed documents for the departure of Ukrainian citizens abroad for permanent residing and have permanent residence in another state or the states. The issue of issuing travel documents for permanent residence is regulated:

- Law of Ukraine «On the Procedure of Ukrainian Citizens Entry in Ukraine and Departure from Ukraine» <https://zakon.rada.gov.ua/laws/show/3857-12?lang=en#Text>;
- Order of the Ministry of Internal Affairs No.816 «On Approval of the Procedure for Proceedings on Applications for Documents for Departure of Ukrainian Citizens Abroad for Permanent Living» of August 16, 2016 <https://zakon.rada.gov.ua/laws/show/z1241-16?lang=en#Text>;
- Order of the Ministry of Foreign Affairs of Ukraine No.573 «On the Procedure for Proceedings in Diplomatic Institutions of Ukraine on Applications for Documents for Permanent Residing Abroad of Ukrainian Citizens Who Temporarily Left for Foreign States» of December 22, 2017 <https://zakon.rada.gov.ua/laws/show/z0077-18?lang=en#Text>;
- Resolution of the Cabinet of Ministers of Ukraine No.207 «On Approval of the Rules for Registration of Residence and the Procedure for Transferring Information to the Unified State Demographic Register by Registration Authorities» of March 2, 2016 <https://zakon.rada.gov.ua/laws/show/207-2016-%D0%BF?lang=en>.

A foreigner is a person who is not a citizen of Ukraine and is a citizen (subject) of another state or states. Foreigners who stay in Ukraine on legal grounds enjoy the same rights and freedoms and bear the same obligations as citizens of Ukraine, with the exceptions established by the Constitution, laws, or international treaties of Ukraine. Foreigners are obliged to comply with the Constitution and laws of Ukraine strictly, and other regulatory legal acts, not to encroach on the rights and freedoms, honor and dignity of other people, interests of society and the state (Article 1, clause 6, Article 3 of the Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons»).

Foreigners permanently residing in Ukraine are foreigners who have a permanent residence permit in Ukraine. Under Article 4(1), Article 4(17), and Article 5(1) of the Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons», these are:

- foreigners who have immigrated to Ukraine for permanent residence under the Law of Ukraine «On Immigration»;
- foreigners who, before the decision to terminate Ukrainian citizenship was made, permanently resided in Ukraine and who, after the decision to terminate Ukrainian citizenship was made, remained permanently resident in Ukraine are considered to be permanently residing in Ukraine.



Foreigners temporarily residing in Ukraine are foreigners who have temporary residence permit in Ukraine. Under paragraphs 4-15, 18, 20 of Article 4 and paragraphs 3-22 of Article 5 of the Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons», these are:

- foreigners and stateless persons who, under the law, arrived in Ukraine for employment or conclusion of a gig-contract or, while staying legally on the territory of Ukraine in the case provided for in part thirteen of this Article, obtained a permit for the use of the labour of foreigners and stateless persons in Ukraine and a temporary residence permit, shall be considered to be legally staying on the territory of Ukraine for the period of work in Ukraine;
- foreigners and stateless persons who have arrived in Ukraine to participate in the implementation of international technical assistance projects registered by the established procedure and have received a temporary residence permit for the period of work in Ukraine;
- foreigners who have arrived in Ukraine to preach religious beliefs, perform religious rites, or other canonical activities at the invitation of religious organizations and in agreement with the state body that registered the relevant religious organization and has obtained a temporary residence permit;
- foreigners who have arrived in Ukraine to participate in the activities of branches, departments, representative offices, and other structural units of public (non-governmental) organizations of foreign states registered by the established procedure and have received a temporary residence permit, etc.

Adoption is the acceptance by an adoptive parent of a person into his or her family as a daughter or son based on a court decision, except in the case of the child's adoption who is a citizen of Ukraine but resides outside Ukraine. In this case, adoption is carried out at a consular post or diplomatic mission of Ukraine (Articles 207, 282 of the Family Code of Ukraine).

Under Article 69 of the Law of Ukraine «On Private International Law», adoption and its revocation are governed by the child's and adopter's personal law. If the adoptive parent is a spouse who does not have a common personal law, the law governing the legal consequences of marriage applies.



II. Ukrainian legislation regulating interstate adoption

The issue of adoption of a child residing in Ukraine by foreign citizens and citizens of Ukraine permanently residing abroad is regulated by many legislative and regulatory acts, namely:

- United Nations Convention on the Rights of the Child (hereinafter – the Convention);
- Family Code of Ukraine;
- Civil Procedure Code of Ukraine;
- Law of Ukraine «On Private International Law»;
- Law of Ukraine «On Protection of Childhood»;
- Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons»;
- Law of Ukraine «On Amendments to the Rules of Civil Registration in Ukraine»;
- Resolution of the Cabinet of Ministers of Ukraine No.905 «On Approval of the Procedure for Conducting Adoption Activities and Supervising the Observance of the Rights of Adopted Children» of October 08, 2008, (hereinafter – the Resolution);
- Resolution of the Cabinet of Ministers of Ukraine dated No.907 «On Amendments to the Procedure for Conducting Adoption Activities and Supervision of Observance of the Rights of Adopted Children» of August 16, 2022 (hereinafter – Resolution No.907);
- The Resolution of the Plenum of the Supreme Court of Ukraine No.3 «On the Practice of Application of Legislation by Courts in Adoption Cases and Cases on Deprivation and Restoration of Parental Rights» of March 30, 2007;
- Order of the Ukrainian Ministry of Social Policy, No.445 «On the Procedure and Conditions of Reception of Citizens of Ukraine Residing Outside Ukraine and Foreigners Who Wish to Adopt a Child in Ukraine for Giving by Them Put» of November 17, 2011 (hereinafter – Order No.445).



III. Restrictions on the adoption of a child living in Ukraine by foreign citizens or citizens of Ukraine permanently residing outside Ukraine

Resolution No.907 of the Cabinet of Ministers of Ukraine dated August 16, 2022 «On Amendments to the Procedure for Conducting Adoption Activities and Supervision of Observance of the Rights of Adopted Children» (hereinafter – Resolution No.907) introduced restrictions on the adoption of a child living in Ukraine by foreigners citizens or citizens of Ukraine who permanently or temporarily live outside its borders during the period of martial law.

Thus, Clause 134 of Resolution No.907 states that during martial law and within three months after its termination or cancellation, the adoption of children by citizens of Ukraine who temporarily or permanently reside (stay) outside of Ukraine and by foreigners, including adoption such persons are not registered as candidates for adopters, they are not issued referrals for getting to know and establishing contact with the child, except in cases where the adopter is a relative of the child, or the issue of adopting a child who is a biological brother/sister of a child previously adopted by them is being resolved.

In the event that citizens of Ukraine who temporarily or permanently live (stay) outside of Ukraine and foreigners met and established contact with a child based on the referral of the National Social Service, which was issued before the introduction of martial law in Ukraine, such prospective adopters can complete the adoption of a child in accordance with legislation of Ukraine.

Thus, foreigners and citizens of Ukraine who permanently or temporarily live outside its borders can adopt a child who lives in Ukraine during the period of martial law only in the following cases:

- the adopter is a relative of the child;
- the adopted child is a sibling of a previously adopted child;
- contact with the child was established by the referral of the National Social Service of the Ministry of Social Policy of Ukraine before the start of martial law (until February 24, 2022).



IMPORTANT: if the adoption process was started before the introduction of martial law, and the child who was intended to be adopted was evacuated outside Ukraine, then the adoption process can be continued only after the return of such a child to the territory of Ukraine.



IV. Stages of adoption of a child residing in Ukraine by foreign citizens or citizens of Ukraine permanently residing abroad

The first stage of the child adoption is collecting a package of documents in the state of permanent residence of a person who has expressed a desire to adopt a child residing in Ukraine and the formation of a case for submission to the National Social Service of the Ukrainian Ministry of Social Policy (hereinafter – the National Social Service) [8].

The National Social Service receives applicants by the established schedule. Thus, under paragraph 3 of Order No.445, the National Social Service receives applicants for filing cases annually from the third Monday of January to March 31, from the second Monday of April to June 30, from the second Monday of July to September 30, and from the second Monday of October to December 10 per the schedule approved by it [6].

(Registration of applicants and their documents occurs at the Ukrainian Ministry of Social Policy at 8/0 Esplanadna St., Kyiv, 01601, tel. +38 (044) 226-24-45, fax +38 (044) 289-00-98, e-mail: info@nssu.gov.ua).

Foreigners who permanently reside in Ukraine, which is confirmed by a permanent residence permit in Ukraine issued by the territorial bodies or subdivisions of the State Migration Service of Ukraine, draw up documents in Ukraine.

Foreigners who temporarily reside in Ukraine should apply for documents in their state of permanent residence.

Applications and appeals of foreigners legally on the territory of Ukraine shall be drawn up in Ukrainian and notarized.

Citizens of Ukraine permanently residing outside Ukraine and foreigners wishing to adopt a child residing in Ukraine shall submit the following documents to the National Social Service:

1. A notarized application for registration as a candidate for adoptive parents. The application is made in any form, with the obligatory indication of the applicant's address of residence (if there are several places of residence, all addresses are indicated), passport data, telephone number, and e-mail address of the applicant(s).
2. A copy of the passport of a citizen of Ukraine, foreigner, or other identity documents in four copies;
3. The conclusion of the competent authority of the state of residence confirming the applicant's ability to be an adoptive parent (in triplicate). This executive body is similar to the one that ensures the children adoption residing in the same state as the adopter.

In order to correctly determine the competent authority, a person who wishes to adopt a child residing in Ukraine should seek the assistance of a local lawyer (attorney) who will help determine the appropriate authority to implement the adoption policy in a particular city of the adopter's state of residence.



The conclusion shall include the address, residing conditions (number of bedrooms, availability of living conditions for the child), biographical data, family composition (number of persons living with the applicant, degree of kinship, presence of own children), applicants' attitude to adoption, training on acceptance and upbringing of the adopted child, preliminary familiarization with the requirements for the adoption of an orphan or a child deprived of parental care in Ukraine, information on previously adopted children, their health status, and the possibility of adopting a child with a disability. The conclusion should contain recommendations on the number, age, and health status of children who may be adopted by the applicants, and information on the possibility of adopting a child with a disability. If the applicant wishes to adopt a child with a disability or other illness, the recommendations on the child's health status shall include an exhaustive list of diseases for which the applicant is recommended to adopt the child. The conclusion states whether it is possible to adopt a child suffering from a disease included in the respective list of diseases.



IMPORTANT: *the conclusion also contains information on the presence (absence) of court decisions declaring the applicants incapacitated, depriving them of parental rights, repealing the adoption or invalidating it, taking away their children, as well as the facts of the applicants' refusal to raise their own or previously adopted children.*

The conclusion may be issued to the applicant by either a state or an accredited non-governmental body for the children adoption in a foreign state. In this case, the conclusion from a non-governmental body shall be attached to the conclusion:

- a notarized document containing information on the accreditation of an organization for the children adoption in a foreign state;
- a copy of the license (for each copy of the conclusion) for the adoption-related activities of such a body.

A notarized copy of the document confirming the conclusion of an agreement between the adoptive parents and the relevant organization for the children adoption in the territory of a foreign state, with information on ensuring timely reporting by the organization and the adoptive parents, informing the consular office or diplomatic mission of Ukraine about any emergencies, including a change of place of residence of the child, the possibility of cancellation of the adoption or transfer of the adopted child to other foreigners for upbringing, with



IMPORTANT: *For foreigners who permanently reside in Ukraine, which is confirmed by a permanent residence permit in Ukraine issued by the territorial bodies or subdivisions of the State Migration Service of Ukraine, the conclusion is prepared by the service for children at their place of residence.*

4. Permission from the competent authority of the applicants' state of residence for the entry and permanent residence of the adopted child, except for Ukrainian citizens residing outside Ukraine and foreigners residing in a state with which Ukraine has a visa-free regime;

5. The applicant's commitment is notarized (in duplicate) and addressed to the National Social Service and the consular office or diplomatic mission of Ukraine in the state of residence of the adoptive parent:

- to register the child with the relevant consular office or diplomatic mission of Ukraine (indicating the name of the office, mission, and its address) within one month after entering the state of residence;
- to ensure the right of an adopted child to retain Ukrainian citizenship until he or she reaches the age of 18;
- to submit a report to the consular office or diplomatic mission of Ukraine at least once a year during the first three years after adoption and then once every three years until the child reaches the age of eighteen years on the residing conditions and health status of the adopted child in the form;
- to provide an opportunity for a representative of a consular office or diplomatic mission of Ukraine to communicate with the child;

- to notify the consular office or diplomatic mission of Ukraine of the change of place of residence of the adopted child;
- Within 20 business days, notify the consular office or diplomatic mission of Ukraine of the transfer of the adopted child to other foreigners, institutions for orphans and children deprived of parental care, as well as the removal of the child by law enforcement and social welfare authorities;
- immediately, but no later than three days, report to the consular office or diplomatic mission of Ukraine cases of violation of the rights and legitimate interests of the adopted child, as well as accidents with the adopted child and his or her death.

6. A notarized written consent of the other spouse to the child adoption, stating the reason for the adoption by one of the spouses only (in case of adoption by one of the spouses), unless otherwise provided by law;

7. A certificate of salary from the place of employment for the last six months or a copy of the income tax return for the previous calendar year, certified by the issuing authority or notarized;

8. A notarized copy of the marriage document registered with the competent authorities of the state (in duplicate);

9. Conclusion on the state of health of each applicant;

10. A certificate of verification in the state of residence of the facts of the presence or absence of a criminal record for each applicant issued by the competent authority of the state of residence;

11. A certified notarized copy of the document confirming the right of ownership or use of the residential premises, indicating its total and residing space and the number of bedrooms;

12. A notarized written consent of the applicant, who is a foreigner, to receive information about him/her from the Interpol General Secretariat and law enforcement agencies of the state of which the foreigner is a citizen and the state in which he/she resides (in two copies) for the period until the adopted child reaches the age of 18;



13. A document issued by the competent authority of the applicant's state of residence in the prescribed form or, in the absence thereof, a notarized written consent of the applicant to receive and process personal data about him/her and the adopted child in all competent authorities of the state of residence (in triplicate) for the period until the adopted child reaches the age of eighteen;

14. Information from the competent authority of the applicant's state of residence and information from the consular office or diplomatic mission of Ukraine on the timeliness (untimeliness) of submission of reports and the presence (absence) of facts of improper performance of duties by the adoptive parent who is a foreigner or citizen of Ukraine permanently residing outside Ukraine in case of repeated adoption in Ukraine.



IMPORTANT: *in case of adoption of a child by one of the spouses, the documents provided for in subparagraphs 2, 9, 10, 12, and 13 shall be submitted by each of the spouses.*

Notarized statements of the applicants' salary or other income, property or rights to use property, and other statements do not replace the above documents.



IMPORTANT: *As of the documents' submission date to the Ukrainian Ministry of Social Policy, their further validity shall be at least six months. If the documents are valid for less than six months under the laws of the state that issued them, they shall be valid as of the date of submission to the Ukrainian Ministry of Social Policy.*

The second stage is the registration of the applicants, which takes place upon receipt of a conclusion from the competent authority of the state of residence confirming the applicants' ability to become adoptive parents. On the day of the aforementioned registration, the applicants or their representatives are informed of the date of the case submission.

The third step for the applicants is submitting the case in person or by his/her representative to the Ukrainian Ministry of Social Policy at the above address. Please note that the case is submitted in a separate folder with the state of residence, surname, and applicant's full name on the front page and a list of submitted documents signed by the applicant or his/her representative on the back page. In the upper right corner of the first page of each document, the serial number of this document according to the list is indicated. For ease of use and proper storage, the files are filed in folders of appropriate colours: Israel, Canada - white, Spain - blue, Italy - green, Germany - blue, the USA - red, France - yellow, and other states - purple [7].



IMPORTANT: *The Ukrainian Ministry of Social Policy does not accept cases received by mail.*



At this stage, the applicant is registered as a candidate for adoption. Information about the candidate is entered into a special book of candidates and a certificate is issued. The certificate is valid for one year from the date of receipt. This means that during the year, a candidate for adoption may adopt a child without updating his or her information with the National Social Service unless there have been significant changes that make adoption impossible or may in some way affect the adoption process or violate the child's rights.

The fourth stage is receiving an invitation to an interview to get acquainted with information about children who may be adopted and, directly, the interview at the National Social Service.

What children may be adopted by foreigners and citizens of Ukraine permanently residing abroad?

The categories of children who may be adopted are different for foreigners and Ukrainian citizens permanently residing abroad.

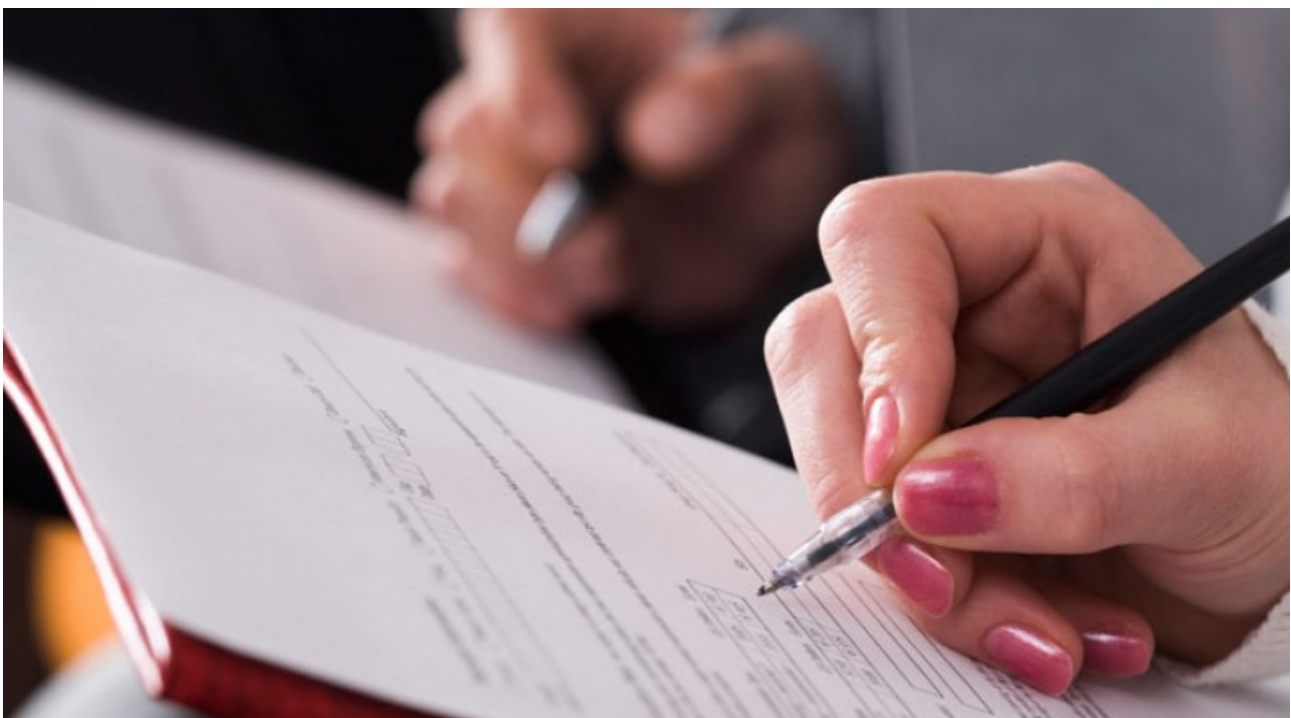
Under Ukrainian law, **foreigners may only adopt a child who has reached the age of five and has been registered for at least one year with the central executive body responsible for** adopting and protecting children's rights (the Ukrainian Ministry of Social Policy).

Adoption may be carried out before the expiration of the specified period, as well as before the child reaches the age of five, in the following cases:

- adopter is a relative of the child;
- child suffers from a disease included in the special list of diseases approved by the Ministry of Health of Ukraine (Order of the Ministry of Health of Ukraine No.973 of November 27, 2011);
- all siblings are adopted into one family if one of them has reached the age of five and has been registered with the central executive body responsible for the adoption and protection of children's rights for at least one year;
- foreigners have expressed a desire to adopt a child who is a sibling of a child previously adopted by them (Article 283 of the Family Code of Ukraine).

In addition, foreigners who are:

- relatives of the child;
- citizens of states with which Ukraine has concluded a treaty on the provision of mutual legal assistance.



As for Ukrainian citizens permanently residing outside of Ukraine, they may adopt a child registered with the centralized registry, regardless of the child's age and the period of their stay on such registration.



IMPORTANT: spouses, one of whom is a citizen of Ukraine and the other is a foreigner, may only adopt a child whom a foreigner may adopt.

After the interview and familiarization with the information about children who may be adopted, **the fifth stage is to** meet and establish contact with the child at his or her place of residence.



IMPORTANT: during the period of martial law and within three months after its termination or cancellation, referrals are not issued to adoptive parents to get to know and establish contact with the child, except in cases when the adopter is a relative of the child, or the issue of adopting a child who is a sibling is being resolved/ the sister of their previously adopted child.

The sixth stage is submitting an application to the Children's Affairs Service at the child's place of residence to express the child's desire to be adopted and obtain a conclusion on the feasibility of adoption and its compliance with the child's interests.

The seventh stage is obtaining consent from the Ukrainian Ministry of Social Policy to adopt a child.

Time limits for consideration of the child adoption by citizens of Ukraine residing outside Ukraine or by foreigners of a child residing in Ukraine:

1. Within ten business days from the date of acceptance of the case, the National Social Service sends a request to the National Police to check foreigners for the presence or absence of compromising information in the law enforcement agencies of the state of which the foreigners are citizens and the state in which they reside, and the General Secretariat of Interpol. In the case of the child adoption by one of the spouses, the check is carried out to both husband and wife.

2. Within 10 days after receiving a request from the National Social Service, the National Police of Ukraine checks the applicants for registration with the Interpol General Secretariat, formulating and sending a corresponding request to the law enforcement agencies of the state of which foreigners are citizens and the state in which they reside.



IMPORTANT: if the Interpol General Secretariat has compromising information about the applicants, the National Police informs the National Social Service within three days after receiving the results of the verification.

In the absence of such information, the National Police of Ukraine informs the National Social Service within 40 days of receipt of the request that there is no compromising information about the applicants in the Interpol General Secretariat, as well as the results of the verification of the applicants by the law enforcement agencies of the state of which the foreigners are citizens and the state in which they reside.

3. Within 25 business days, the National Social Service checks the documents for compliance with the requirements of the law and, if they comply with the law, registers the applicants as candidates for adoption and enters their data in the Book of Registration of Candidates for Adoption. The National Social Service informs the applicant about the registration of candidates for adoption within seven business days from the date of such a decision in writing and electronically.



IMPORTANT: If it is necessary to clarify the information in the submitted documents or verify newly discovered circumstances, the National Social Service has the right to request additional documents and extend the period for reviewing documents for no more than 20 business days.

According to Clause 134 of Resolution No.907, during the period of martial law and within three months after its termination or cancellation, the registration of candidates for adoption of Ukrainians citizens who temporarily or permanently reside (stay) outside of Ukraine and foreigners is not carried.

Adoption may be denied in the following cases:

- Adoption may be denied in the following cases:
- the documents or their translation contain corrections or additions not certified by the established procedure;
- the translation does not correspond to the content of the original document;
- the applicants (one of them) may not be adoptive parents under Article 212 of the Family Code of Ukraine;
- the age difference between the child and the applicants is less than fifteen years;
- among the children who have been on the centralized register for more than a year, unless otherwise provided by law, there are no children who, by age and health condition, would meet the recommendations contained in conclusion;

- the amount of the total income for each family member, taking into account the number of children recommended for adoption, is less than the minimum income per person established for the region of the applicants' state of residence;
- the facts of the applicants' transfer of their previously adopted child to other foreigners, institutions for orphans and children deprived of parental care, the removal of the child from the applicants by law enforcement and social welfare authorities, as well as information about violations of the rights and legitimate interests of the previously adopted child, accidents with the previously adopted child and his or her death through their fault. These facts and information may be confirmed both by the adoptive parents and by the competent authorities of the state of residence.

After obtaining the consent of the Ukrainian Ministry of Social Policy, **the next step** is to prepare and submit the relevant application for adoption to the court at the child's residence.



IMPORTANT: the applicant may be a person wishing to adopt a child; submission of an application for adoption through a representative is not allowed.

When preparing a child adoption case for consideration, the judge decides on the participation of the interested persons of the relevant guardianship and custody authority and the authorized executive body.

After the decision enters into force (30 days from the date of the court decision), a copy of the decision is sent to the state civil registration authority at the place of the decision to make the necessary changes to the birth record of the adopted child or adult, as well as to the authorized executive body. If the actual place of residence of the person in respect of whom the adoption application has been filed does not coincide with the place of his or her birth, a copy of the court decision is sent to the state civil registration authority at the place of birth of such person [10].

The adoptive parent may also apply to the state civil registry office to obtain a new birth certificate for the adopted child. When obtaining a new certificate, changes may be made to the birth record regarding: surname, name, patronymic, date, place of birth of the child, and the record of the applicant as the child's mother or father. The application procedure is regulated by the Law of Ukraine «On State Registration of Civil Status Acts». It includes submitting an application requesting to amend the child's birth record based on a court decision on adoption. The application is submitted in any form with a copy of the court decision on adoption, a copy of the adoptive parent's passport, and the child's original birth certificate to the civil registry office where the child's birth certificate was first issued.

After the adoptive parents receive a new birth certificate, **the next step** is to prepare documents for the child's departure for permanent residence abroad: a passport of a citizen of Ukraine for traveling abroad.



IMPORTANT: *an adopted child retains the citizenship of Ukraine until he or she reaches the age of eighteen. An adopted child has the right to preserve his or her national identity by the Convention and other international treaties (Article 283 of the Family Code of Ukraine).*

The last step in the adoption process is registering the child with the consulate in the state of residence. To do this, the adoptive parents shall apply to the Consulate of Ukraine in their state and submit an application for the child's consular registration.

Registration of children adopted by foreigners and residing outside Ukraine and supervision over the observance of their rights until they reach the age of 18 is carried out by the relevant consular office or diplomatic mission of Ukraine on behalf of the Ministry of Foreign Affairs.



V. Useful links

1. Law of Ukraine «On Amendments and Additions to the Rules of Civil Registration in Ukraine»: <https://zakon.rada.gov.ua/laws/show/z1058-03?lang=en#Text>;
2. Law of Ukraine «On Private International Law»: <https://zakon.rada.gov.ua/laws/show/2709-15?lang=en>;
3. Law of Ukraine «On Protection of Childhood»: <https://zakon.rada.gov.ua/laws/show/2402-14?lang=en#Text>;
4. Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons»: <https://zakon.rada.gov.ua/laws/show/3773-17?lang=en>;
5. United Nations Convention on the Rights of the Child: https://zakon.rada.gov.ua/laws/show/995_021?lang=en#Text;
6. Order of the Ukrainian Ministry of Social Policy of Ukraine No.445 «On the Procedure and Conditions for Reception of Ukrainian Citizens Residing Outside Ukraine and Foreigners Wishing to Adopt a Child in Ukraine for Submission of Cases» of November 17, 2011: <https://zakon.rada.gov.ua/laws/show/en/z1406-11?lang=en#Text>;
7. Official website of the Ministry of Foreign Affairs of Ukraine. Consular issues. For citizens of Ukraine. Interstate adoption: <https://mfa.gov.ua/consul/forua/int-adopt>, In English: <https://mfa.gov.ua/en/consular-affairs/international-adoption>;
8. Official website of the National Social Service of the Ukrainian Ministry of Social Policy: <https://nssu.gov.ua/en>;
9. Resolution of the Cabinet of Ministers of Ukraine No.905 «On Approval of the Procedure for Conducting Adoption Activities and Supervising the Observance of the Rights of Adopted Children» of October 08, 2008: <https://zakon.rada.gov.ua/laws/show/905-2008-%D0%BF?lang=en>;
10. Resolution of the Plenum of the Supreme Court of Ukraine No.3 «On the Practice of Application of Legislation by Courts in Adoption Cases and Cases on Deprivation and Restoration of Parental Rights» of March 30, 2007: <https://zakon.rada.gov.ua/laws/show/v0003700-07?lang=en#Text>.
11. Family Code of Ukraine: <https://zakon.rada.gov.ua/laws/show/2947-14?lang=en#Text>;
12. Civil Procedure Code of Ukraine: <https://zakon.rada.gov.ua/laws/show/1618-15?lang=en#Text>;
13. Resolution of the Cabinet of Ministers of Ukraine No.907 «On Amendments to the Procedure for Conducting Adoption Activities and Supervision of Observance of the Rights of Adopted Children» of August 16, 2022: <https://zakon.rada.gov.ua/laws/show/907-2022-%D0%BF?lang=en#Text>.





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