

Institutional consolidation of the State Migration Service of Ukraine (2009–2011): strategic guidelines and implementation challenges

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Abstract.

The purpose of this article is to provide a comprehensive historical and institutional analysis of the consolidation process of the State Migration Service of Ukraine between 2009 and 2011.

Methodology. The study is grounded in the principles of historicism, scientific objectivity, and systematicity, enabling an impartial examination of developmental patterns in the institutional process. The methodological toolkit combines general scientific approaches (historical and logical) with specialized historical methods (historical-comparative, historical-genetic, subject-chronological, and retrospective analysis). **Scientific novelty.** The novelty of the study lies in a systematic examination of the consolidation of the State Migration Service of Ukraine amidst the broader institutional transformations of 2009–2011. Particular focus is placed on the agency's strategic orientation, functional authority shifts, human resources policy evolution, and inter-agency cooperation dynamics that directly affected the execution of Ukraine's national migration policy. Furthermore, future prospects for institutional development within the national migration framework are outlined.

Conclusions. The institutional consolidation of the State Migration Service of Ukraine in 2009–2011 unfolded alongside nationwide administrative reforms and shifting state migration priorities. The article analyzes key stages in establishing the modern State Migration Service of Ukraine as a distinct executive body, detailing its institutional architecture and inter-agency interactions. Significant attention is given to the legislative and regulatory framework governing its operations during reforms aimed at aligning with European migration management standards. The findings demonstrate that during 2009–2011, the State Migration Service of Ukraine did not achieve full operational capacity as a unified state institution, which adversely affected state migration policy execution. Key challenges—such as rising migrant numbers, the necessity of effective flow controls, refugee and stateless person protection, and irregular migration countermeasures—required immediate state intervention. Structural changes, digital transformation (including modern data processing, procedure automation, public registries, and electronic document workflows), and functional re-evaluations were driven by both internal administrative restructuring and external pressures from intensifying migration trends.

Keywords: citizenship, immigration, irregular migration, migration management, refugees, State Migration Service of Ukraine, stateless persons.

Інституційна консолідація Державної міграційної служби України (2009–2011): стратегічні орієнтири та проблематика реалізації

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Анотація.

Метою статті є комплексний історико-інституційний аналіз процесу консолідації Державної міграційної служби України у 2009–2011 роках. **Методологічною основою** дослідження є принципи історизму, наукової об'єктивності та систематичності, що дало можливість неупереджено з'ясувати логічні зміни в історичному процесі. Методи дослідження представлені як загальнонауковими (історичний, логічний), так і спеціальними (історико-порівняльний, історико-генетичний, предметно-хронологічний, ретроспективний) методами. **Наукова новизна** дослідження полягає у здійсненні комплексного та системного аналізу процесу консолідації Державної міграційної служби України в контексті інституційних змін, що відбувалися у 2009–2011 роках. Автором зроблено акцент на стратегічних орієнтирах Державної міграційної служби України, змінах у функціональних повноваженнях її діяльності, еволюції кадрової політики, особливостях взаємодії з іншими державними інституціями, що безпосередньо впливали на ефективність реалізації державної міграційної політики України. Окремлено перспективи подальшого розвитку інституції в контексті державної політики у сфері міграції. **Висновки.** Встановлено, що інституційна консолідація Державної міграційної служби України у 2009–2011 роках відбувалась у контексті загальнонаціональних адміністративних реформ і змін у державній політиці щодо міграції. Проаналізовано ключові етапи становлення сучасної Державної міграційної служби України як окремої урядової інституції, виокремлено особливості її інституційного оформлення, взаємодію з іншими органами влади. Значну увагу приділено вивченню законодавчого та нормативно-правового підґрунтя її діяльності у світлі реформ, ініційованих у рамках адаптації до європейських стандартів управління міграційними процесами. Доведено, що Державна міграційна служба України у 2009–2011 роках повноцінно не функціонувала як державна інституція, що мало свої негативні наслідки при реалізації державної міграційної політики. Констатовано, що основні виклики, які постали перед Державною міграційною службою України в цей період: зростання кількості мігрантів, необхідність налагодження ефективного контролю за міграційними потоками, проблема біженців та осіб без громадянства, а також боротьба з нелегальною міграцією, потребували оперативного вирішення на державному рівні. Акцентовано увагу на структурних змінах у інституції, її переорієнтації на сучасні методи обробки інформації, автоматизацію процедур, формування відкритих реєстрів та електронного документообігу. Етап інтенсивного становлення та реформування Державної міграційної служби України у 2009–2011 роках свідчить про її функціональне переосмислення та істотні структурні зміни, спричинені як внутрішніми адміністративними реформами, так і зовнішніми викликами, зумовленими посиленням міграційних процесів в Україні та навколо неї.

Ключові слова: біженці, громадянство, імміграція, міграція, міграційні процеси, мігрант.

The Problem statement. The first decade of the 21st century was a period of profound institutional modernization for Ukraine's state apparatus, particularly in the field of migration policy. Intensifying migration flows, European integration imperatives, and internal socio-economic challenges created a strategic necessity to establish an effective executive mechanism. In this context, the establishment and launch of the State Migration Service of Ukraine (hereinafter referred to as the

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SMS) between 2009 and 2011 marked a crucial stage in the institutionalization of the national migration management framework.

The relevance of this study stems from the need for a historical re-evaluation of institutional transformation processes during a period characterized by active administrative reform and the emergence of modern migration governance strategies. In contemporary scholarly discourse, this issue remains underexplored, particularly regarding the comprehensive analysis of this specific phase in the operation of the SMS, its regulatory foundation, organizational structure, and primary functional shifts.

Analysis of sources and recent studies. It should be noted that there is currently no comprehensive historical scientific study on the activities of the State Migration Service. At the same time, current trends in the development of migration processes, both in Ukraine and in a global context, are leading to growing scientific interest in the problems of institutional transformation in the field of migration policy. The period under study is marked by intensive reforms of the public administration system and the formation of new conceptual foundations for regulating the migration sphere.

Certain aspects of the activities of the State Migration Service of Ukraine in 2009–2011 are covered in the works of D. Goloborodko (Goloborodko, 2013), O. Grechko (Grechko, 2011), and O. Malynovska (Malynovska, 2021). The analytical report of the National Institute for Strategic Studies «Migration Policy: Status and Prospects for Development» (Malynovska, 2010), highlights the problems of legislative and institutional support for Ukraine's migration policy, which is an important source for understanding the strategic directions of the SMS's development during the period in question.

A. Maksymenko's scientific article (Maksymenko, 2015) examines the administrative and legal foundations of the SMS's activities, reveals the peculiarities of its formation and reform at the present stage, and defines the main tasks and forms of activity of its structural subdivisions. The functions of the State Migration Service as an entity counteracting administrative offenses committed by foreigners are highlighted in the article by S. Ryzhkova (Ryzhkova, 2022). In particular, the dynamic nature of management functions, which change in the process of public regulation of the migration sphere, is emphasized, which causes certain transformations in the list of functions of the State Migration Service. O. Sikorsky (Sikorsky, 2010) analyzes the current legislative framework and scientific sources on the implementation of state migration policy, as well as existing problems that have arisen in connection with the creation of the State Migration Service, and proposes specific directions for improving its legal status to increase the effectiveness of its activities in the future.

Noteworthy are the scientific works of L. Ananko (Ananko, 2011), N. Naumenko (Naumenko, 2023), and S. Oliinyk (Oliinyk, 2014), devoted to Ukraine's international legal cooperation on readmission issues and the role of the State Migration Service in this process.

The regional dimension of the functioning of Ukraine's migration service agencies has been thoroughly analyzed in the works O. Vitiuk (Vitiuk, 2025; Vitiuk, Romaniuk, 2025; Vitiuk, 2026). These works examine the process of institutional development of the regional refugee protection system, mechanisms for combating illegal migration, and the establishment of cooperation with Ukrainian diaspora communities, which contributes to a deeper understanding of the decentralized aspects of state migration policy.

The source base of the study was previously unpublished documents stored in the Sectoral State Archive of the Ministry of Internal Affairs of Ukraine, Kyiv (SSA MIA of Ukraine). Fund 94 «State Migration Service of Ukraine» is extremely informative, containing a significant number of information documents on the activities of the SMS and the transformation of its powers.

The purpose of the article is to provide a comprehensive historical and institutional analysis of the process of consolidation of the State Migration Service of Ukraine in 2009–2011.

Presentation of the main material. The establishment of the State Migration Service in 2009 was a key milestone and challenge in the development of the institutional mechanism for implementing Ukraine's state migration policy. The decision was quite deliberate and was influenced both by external political factors, including Ukraine's desire to integrate with the European Union, and by internal needs to reform the management of migration processes, which became particularly relevant in connection with increased population mobility and acute demographic challenges.

The institutional establishment of the SMS was aimed at ensuring effective state control in the field of migration, combating illegal migration, improving asylum and citizenship procedures, and implementing Ukraine's international obligations in this area.

The SMS was established in accordance with Resolution of the Cabinet of Ministers of Ukraine no. 643 of June 24, 2009 «On the Establishment of the State Migration Service of Ukraine» (hereinafter referred to as Resolution no. 643) (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 9. Ark. 1–2). However, this was only the first stage in the establishment of the SMS as a specially authorized central executive body for migration, citizenship, immigration, and registration of individuals. The SMS

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became the successor to the Ministry of Internal Affairs of Ukraine (hereinafter referred to as the MIA) and the State Committee for Nationalities and Religions in terms of the powers granted to it in the field of migration, citizenship, immigration, and registration of individuals.

I. Repeshko was appointed Head of the SMS by Decree of the Cabinet of Ministers of Ukraine no. 726-r of June 24, 2009. Repeshko was appointed as the head of the SMS (Decree of the Cabinet of Ministers of Ukraine, 2009, no. 726-r), and S. Radutny became his first deputy (Decree of the Cabinet of Ministers of Ukraine, 2009, no. 727-r).

By order of the Head of the SMS dated March 2, 2010, no. 1, the staffing table of the central apparatus of the SMS was approved (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 1. Ark. 1). The number of staff of the SMS apparatus was set at 37 persons. The apparatus consisted of the following departments: organizational and analytical support, human resources, international activities, legal work and representation in courts, financial and economic support, the Department for Migration and Citizenship (the Emigration and Immigration Division and the Citizenship Division) and the Readmission Sector (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 9. Ark. 2–3).

It should be noted that the effectiveness of any state authority depended on many circumstances, primarily on its availability of management levers in the regions – territorial bodies. The SMS system included migration service bodies in the Autonomous Republic of Crimea, regions, cities of Kyiv and Sevastopol, established in accordance with Resolution of the Cabinet of Ministers of Ukraine no. 700 of May 27, 2004 «On the Establishment of Migration Service Bodies in the Autonomous Republic of Crimea, Regions, Cities of Kyiv and Sevastopol» (Resolution of the Cabinet of Ministers of Ukraine, 2004, no. 700), temporary accommodation centers for refugees, territorial divisions and subdivisions of the citizenship, immigration, and registration service (departments (divisions) for citizenship, immigration, and registration of individuals, main departments, departments of the Ministry of Internal Affairs of the Autonomous Republic of Crimea, regions, cities of Kyiv and Sevastopol, departments (sectors) for citizenship, immigration and registration of individuals of city and district departments (divisions) of the Ministry of Internal Affairs), temporary accommodation centers for foreigners and stateless persons illegally staying in Ukraine. Two state-owned enterprises were also transferred to the SSM's sphere of management: «The State Center for Document Personalization» and «Document».

In addition, Resolution no. 643 approved the Regulations on the State Migration Service (hereinafter referred to as the Regulations). The main tasks of the State Migration Service, in accordance with the Regulations, were defined as follows : participation in the formation and implementation of state policy in the field of migration, citizenship, immigration, and registration of individuals; carrying out, within the limits of its powers, activities related to the consideration of documents on the acquisition/termination of Ukrainian citizenship, the preparation of materials for consideration by the Commission under the President of Ukraine on Citizenship Issues, and the adoption of decisions on the granting, loss, and deprivation of refugee status in Ukraine (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 9. Ark. 3).

The SMS organized the issuance of passports and other identity documents to Ukrainian citizens permanently residing in Ukraine, as well as documents for foreigners and stateless persons for entry into Ukraine, stay in Ukraine, and departure from its territory or permanent residence on its territory, and refugee certificates; ensuring the protection of the rights of refugees and other categories of migrants; registering/deregistering individuals from their place of residence/stay, identifying Ukrainian citizens who have lost their passports and other identity documents, and conducting address and reference work; creating and ensuring the functioning of the State Information System for the Registration and Documentation of Individuals; preventing illegal migration and implementing international readmission agreements (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 9. Ark. 4).

Given their extremely limited human resources, the territorial bodies of the migration service carried out significant work in implementing the Law of Ukraine «On Refugees». As of July 1, 2009, approximately 3,000 foreigners were registered with the migration service of Ukraine, of whom 840 (37.7%) were forced migrants who had been forced to leave their places of permanent residence in Abkhazia (Georgia) and 2,226 were officially recognized refugees: 1,131 citizens of Afghanistan, 189 of Armenia, 185 of Azerbaijan, 115 of the Russian Federation, 61 from Georgia, 56 from Sudan, 54 from Ethiopia, 47 from Iraq, 49 each from Congo and Syria, and others from Africa and Asia. 489 persons applied for refugee status, including: 26 (5.3%) citizens of European countries, 365 (74.6%) from Asia, 83 (16.9%) from Africa, and 15 citizens from other countries. It is important to note that 69.1% or 338 foreigners who applied for refugee status arrived in Ukraine illegally, including 168 citizens of Afghanistan, 15 of Bangladesh, 8 of Vietnam, 48 of Pakistan, 10 of Palestine, and 37 of Somalia (Yerukh, 2009, 3). The number of foreign citizens varied across different regions of our country, depending on the conditions of their admission and the purposes of their stay.

In accordance with its assigned tasks, the SMS made decisions on granting, losing, or revoking refugee status; granting, refusing, or revoking immigration permits; shortening the period of

..... stay of foreigners or stateless persons in Ukraine; expulsion of foreigners or stateless persons from Ukraine and taking appropriate measures; ensuring the creation of central and regional databases on foreigners and stateless persons who are prohibited from entering Ukraine by decision of the internal affairs authorities on grounds specified by law; foreigners and stateless persons who have been granted immigration permits, as well as those whose period of stay in Ukraine has been extended; issued and lost passport documents; persons who have applied for refugee status; persons who have applied for Ukrainian citizenship (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 9. Ark. 5). An equally important functional duty of the SMS and its territorial bodies was and remains today the implementation of measures to counter illegal migration.

A new development for the newly created SMS was the assignment of responsibilities for the implementation of international readmission agreements. The Agreement between Ukraine and the European Community on the readmission of persons (hereinafter referred to as the Agreement) (Agreement, 2007) entered into force in relation to the readmission of citizens of the Contracting Parties (i.e., Ukraine and the European Community) on January 1, 2008, and in relation to the readmission of third countries on January 1, 2010.

The implementation of the Agreement regarding the readmission of citizens of the Contracting Parties at the beginning of the SMS's activities was limited only to Ukraine's fulfillment of requests for the readmission of Ukrainian citizens to the territory of our state. As of March 3, 2010, 95 requests had been processed (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 11) received from the police of the Czech Republic (no readmission requests were received from other European Community countries), and the readmission of Ukrainian citizens from the territory of the Czech Republic was agreed upon.

With regard to the readmission of third-country nationals and stateless persons, the Agreement is not unilateral in nature and does not establish a rule obliging Ukraine to accept illegal migrants into its territory. International law and the practice of concluding bilateral agreements are based on the principle of equality of the parties, which means uniform conditions for the participants in the Agreement and mutual respect between the partners. In view of this, the Agreement provides for an obligation that establishes the principle of returning third-country nationals and stateless persons to their countries of origin or permanent residence, rather than to countries of transit.

In view of this, the competent authorities of Ukraine, in particular the SMS, take comprehensive measures to verify the implementation of this principle by the competent authorities of the European Union. They will also carry out a multi-level verification of the means by which the other Contracting Party has proven or established the citizenship of persons subject to readmission, as well as confirm the fact of transit through the territory of Ukraine.

Ukraine has concluded 17 readmission agreements (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 12), in particular with the Republic of Moldova, Georgia, Turkey, and Vietnam, which provide for a significant simplification of the procedure for readmission of third-country nationals from the territory of Ukraine.

The SMS has taken effective measures to improve the readmission space, especially with countries that are potential sources of illegal migrants (Bangladesh, India, Iran, Iraq, Sri Lanka, China, Afghanistan). In this regard, updated draft agreements and executive protocols were developed and sent to the competent authorities of these countries. Work was completed on the conclusion of readmission agreements with Azerbaijan, Kazakhstan, Kyrgyzstan, and Tajikistan (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 12).

The process of forming a new state body was accompanied by a number of organizational, legal, and institutional challenges, most of which cannot be predicted or completely eliminated before it begins to function fully. In the practice of public administration, political factors often influence the activities of newly created institutions, making them dependent on the current political elite. In this context, the State Migration Service has also been subject to such influence.

The Ukrainian Parliament Commissioner for Human Rights N. Karpachova, in a letter dated March 24, 2010, no. 1-567/34.2-10-41, addressed to the President of Ukraine V. Yanukovich with a proposal «On the adoption of the Basic Principles of State Migration Policy and the creation of a civil State Migration Service of Ukraine» (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 21). She justified her submission by the fact that Ukraine is and remains a zone of permanent «mixed migration flows», accepting on its territory labor migrants and foreigners who used it as a transit country on their way to European Union member states, as well as asylum seekers. In essence, this submission was commented on in a very narrow manner, as it dealt with limited issues of labor migration.

The SMS leadership reviewed this submission and provided relevant comments. In his letter dated May 27, 2010, no. 1/1-190 to the Head of the Presidential Administration of Ukraine, S. Levochkin, the Head of the SMS, I. Repeshko, noted that the only body that demonstrates inconsistency of opinion regarding the creation and functioning of the SMS is the Ministry of Internal Affairs (despite the fact that the SMS was created on the initiative of the Ministry of Internal Affairs).

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 The Ministry of Internal Affairs proposes to cancel the government's decisions on the creation of the State Migration Service and to restore the activities of the government body of state administration within the Ministry of Internal Affairs – the State Department for Citizenship, Immigration and Registration of Individuals, which was liquidated by Resolution of the Cabinet of Ministers of Ukraine no. 750 of July 17, 2009 «Issues of the State Migration Service of Ukraine» (hereinafter – Resolution no. 750) (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 24), in connection with the approval of the new version of the Regulations on the SMS. The SMS did not support the proposal to establish a civil SMS, arguing that this would contradict Ukraine's international obligations and would be negatively perceived by the European Community.

At the same time, Y. Reshetnikov, Chairman of the State Committee of Ukraine for Nationalities and Religions (hereinafter referred to as the State Committee for Nationalities and Religions), expressed his position on the inexpediency of creating the SMS in any format, arguing that this would lead to an ineffective distribution of powers between the Ministry of Internal Affairs and the newly created body, which, in his opinion, would complicate the process of improving the state migration management system (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 36). This position of the State Committee for Nationalities and Religions led to institutional confrontation with the SMS, which significantly affected its formation and functioning at the initial stage of its activity.

Supporting his position, the Chairman of the State Committee for Nationalities and Religions, Y. Reshetnikov, sent an official letter dated April 26, 2010, no. 1-7/82, to the Deputy Prime Minister of Ukraine, V. Semynozhenko, with an initiative to review the organizational structure of the agency he headed (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 92). The letter emphasized that, in accordance with Resolution no. 750, the powers between the State Migration Service and the State Committee for Nationalities and Religions had been redistributed, as a result of which the latter lost its status as a specially authorized central executive body in the field of migration. At the same time, as of the end of April 2010, the SMS was not actually performing its functional duties, in particular with regard to the implementation of legislation on refugees, which indicated the existence of systemic problems in the field of migration management.

Given the lack of adequate institutional support for the SMS, which made it impossible to fully implement legislation in the field of refugee protection, and in order to ensure the proper implementation of Ukraine's international obligations in this area, it seemed reasonable to restore the status of the State Committee for Nationalities and Religions as the specially authorized central executive body for migration issues (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 92 rev.).

As expected, the leadership of the SMS did not share the position expressed by the State Committee for Nationalities and Religions, arguing its disagreement with the existence of objective grounds. The head of the State Migration Service, I. Repeshko, expressed his position in a letter dated May 18, 2010, no. 1/1-173, addressed to the head of the State Committee for Nationalities and Religions, Y. Reshetnikov (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 114–115).

As I. Repeshko noted, in order to ensure the proper performance of the SMS's functions in the field of refugee protection, it was necessary for the State Committee for Nationalities and Religions to comply with the provisions of a number of government acts, in particular Resolution no. 750, Resolution no. 810 of July 29, 2009, «On Amendments and Recognition of Certain Acts of the Cabinet of Ministers of Ukraine as Invalid» (Resolution of the Cabinet of Ministers of Ukraine, 2009, no. 810), as well as Order of the Cabinet of Ministers of Ukraine no. 362-r of March 2, 2010, «On the transfer of integral property complexes of temporary accommodation centers for refugees to the management of the State Migration Service» (Order of the Cabinet of Ministers of Ukraine, 2010, 362-r). These documents provided for the transfer to the SMS of entire property complexes, in particular, temporary accommodation centers for refugees, which were previously under the authority of the State Committee for Nationalities and Religions in the cities of Mukachevo, Perechyn (Zakarpattia region), Yahotyn (Kyiv region), and Odesa. The State Committee for Nationalities and Religions failed to ensure the proper implementation of government orders, which, in turn, complicated the process of establishing and operating the State Migration Service as a specially authorized central executive body in the field of migration.

The Prosecutor General's Office of Ukraine, performing its function of supervising compliance with and proper application of legislation by central executive bodies, in its letter dated April 19, 2010, no. 07/1/2-57vich-10, informed the Cabinet of Ministers of Ukraine that only the State Migration Service has the authority to decide on issues related to the granting, deprivation, or loss of refugee status (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 2. Ark. 248).

Despite support from the Prosecutor General's Office of Ukraine and European Community institutions, the situation regarding the functioning of the SMS further deteriorated. According to an order of the Ministry of Internal Affairs, which was not officially communicated to the leadership of the State Migration Service, as of April 28, 2010, SMS employees were denied access to the office premises at 10 Bogomoltsia Street, Kyiv, the official legal address of the SMS. As of June 26, 2010,

these premises were sealed, and access to the relevant administrative building for SMS employees was blocked (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 3. Ark. 4).

The institutional confrontation between the SMS and the State Committee for Nationalities and Religions continued, in particular, during the finalization of the draft Law of Ukraine «On the State Migration Service of Ukraine» which was sent by the last letter of the SMS dated May 29, 2010, no. 1/1-188 (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 3. Ark. 32). The draft law provided for the creation of a specially authorized central executive body in the field of migration by transferring part of the powers of existing structures, primarily the Ministry of Internal Affairs in the areas of passport issuance, citizenship acquisition, organization of immigration work, prevention of illegal migration, and registration of individuals, as well as the Department for Refugees and Asylum of the State Committee for Nationalities and Religions in the area of protecting the rights of refugees and providing asylum to foreigners.

In the process of analyzing the submitted draft law, the State Committee for Nationalities and Religions expressed reservations about the insufficient correspondence of the functions envisaged for the SMS to the scale of challenges in the field of migration policy. According to the State Committee for Nationalities and Religions, the newly created body with limited powers will not be able to effectively implement a set of measures to manage migration processes, its operation will be financially costly, and it will not solve the problem of fragmentation of powers, when the existence of six other state authorities with relevant competences makes it impossible to clearly define the entity responsible for implementing a comprehensive state migration policy (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 3. Ark. 33). Certain provisions of the draft law are inconsistent with the requirements of current legislation: the SMS was assigned functions that are enshrined in Ukrainian law as the responsibility of the Ministry of Internal Affairs and the Ministry of Labor and Social Policy.

The institutional confrontation between the SMS and the State Committee for Nationalities and Religions resulted in the liquidation of the former. In a letter dated May 31, 2010, no. 1-1/1056, President of Ukraine V. Yanukovich addressed Prime Minister of Ukraine M. Azarov (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 3. Ark. 78), noting that the SMS had failed to fulfill its assigned tasks, and proposed to urgently repeal the previous government's decision on the establishment and activities of the SMS and bring the acts of the Cabinet of Ministers of Ukraine into line with the Constitution of Ukraine.

By Resolution of the Cabinet of Ministers of Ukraine no. 559 of July 7, 2010, «Certain Issues of State Administration in the Field of Migration» (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 8. Ark. 1), a decision was made to liquidate the SMS. In accordance with the order of the Cabinet of Ministers of Ukraine no. 1386-r of July 12, 2010, the Head of the SMS, I. Repeshko, was dismissed from his post (SSA MIA of Ukraine. F. 94. Op. 1. Spr. 3. Ark. 122). Summarizing the results of the initial stage of the SMS's operation, it should be noted that its establishment and activities in 2009 took place in the context of complex political and legal transformations, which led to tense relations between the executive and presidential branches of power.

The final stage of the formation of the SMS in 2010 was influenced by a combination of internal and external political factors. In particular, the growth in the intensity of migration processes necessitated the introduction of effective instruments of state regulation in this area. Ukraine's orientation towards European integration required the adaptation of national migration policy to European Union standards, especially in matters of control over the movement of persons, ensuring the rights of refugees, and combating illegal migration. In addition, the imperfection of the existing institutional structure, manifested in the duplication of powers between individual authorities, complicated the implementation of a coordinated state policy in the field of migration. Ukraine's international obligations to leading international structures, in particular the UN and the European Union, regarding the observance of the rights of migrants and persons in need of international protection also played an important role.

In addition, the administrative reform carried out in 2009–2010 provided for the implementation of government measures aimed at optimizing the system of central executive bodies, in particular by forming new institutional structures with clearly defined functional powers.

With a view to optimizing the system of central executive bodies, eliminating duplication of their powers, reducing the size of the administrative apparatus and the costs of its maintenance, as well as improving the efficiency of public administration, the President of Ukraine, guided by paragraph 15 of part one of Article 106 of the Constitution of Ukraine, issued Decree no. 1085/2010 of December 9, 2010, «On Optimizing the System of Central Executive Bodies» (Decree of the President of Ukraine, 2010, no. 1085/2010). This decree established the SMS as a central executive body responsible for implementing state policy in the areas of citizenship, immigration, registration of individuals, and migration within the limits defined by refugee legislation. At the same time, the decree provided for the liquidation of the State Committee for Nationalities and Religions, whose functions were transferred to the newly created service.

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In accordance with Presidential Decree no. 1175/2010 of December 23, 2010, D. Vorona was appointed Head of the SMS (Presidential Decree, 2010, no. 1175/2010), and V. Sheibut was appointed First Deputy Head of the SMS (Decree of the President of Ukraine, 2010, no. 1286/2010).

It should be noted that since its final institutional formation, the SMS has actively initiated the establishment and development of cooperation with international partners, diplomatic missions, and government structures of foreign states. On March 17, 2011, an official meeting was held between the leadership of the SMS – Chairman D. Vorona, First Deputy Chairman V. Sheibut – and the Ambassador Extraordinary and Plenipotentiary of the Socialist Republic of Vietnam to Ukraine, Ms. Ho Duc Minh Ngoc. The event was also attended by the First Secretary and Consul of the Embassy, Ms. Nguyen Quynh Mai. During the meeting, issues related to the legal status of Vietnamese citizens residing in Ukraine were discussed. The Ambassador requested assistance in resolving certain problematic issues related to obtaining permanent residence permits for Vietnamese citizens (Migration, 2011, (3), 1). In response, the Head of the SMS, D. Vorona, assured her of his readiness to cooperate within the framework of the current legislation of Ukraine, emphasizing the need to comply with legal procedures in the process of resolving migration issues.

The process of legal formalization of the SMS was completed with the adoption of a regulatory act that regulates its legal status, defines its key tasks, functional powers, and organizational principles. The relevant Regulation was approved by Decree of the President of Ukraine no. 405/2011 of April 6, 2011, «Issues of the State Migration Service of Ukraine» (Decree of the President of Ukraine, 2011, no. 405/2011).

According to the Regulations, the SMS is a central executive body whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs of Ukraine. The SMS is part of the executive branch and was established to implement state policy in the areas of migration (immigration and emigration), including combating illegal (irregular) migration, citizenship, registration of individuals, refugees, and other categories of migrants specified by law.

In accordance with its tasks, the SMS analyzes the migration situation in Ukraine, the problems of refugees and other categories of migrants, and develops current and long-term forecasts on these issues. within its competence, carries out proceedings on the acquisition/termination of Ukrainian citizenship and submits the relevant documents for consideration by the Commission under the President of Ukraine on Citizenship Issues, and also ensures the implementation of the decisions of the President of Ukraine on citizenship issues; in accordance with the law, makes decisions on the establishment of Ukrainian citizenship, the formalisation of the acquisition of Ukrainian citizenship and its revocation; participates, within the limits defined by law, in resolving issues of labor migration and issues related to the education of foreigners and stateless persons in Ukraine; issues and delivers documents certifying the identity and citizenship of Ukrainian citizens permanently residing in Ukraine, delays the issuance and withdraws these documents in cases provided for by law (Migration, 2011, (4), 2).

In April 2011, there were personnel changes in the management structure of the SMS – O. Zabrudsky was appointed to the position of Head of the SMS, replacing D. Vorona (Decree of the President of Ukraine, 2011, no. 541/2011). On May 18, 2011, the newly appointed head of the SMS took part in the first meeting of the Coordination Center for the Implementation of the Action Plan on Visa Liberalization between Ukraine and the European Union, and also held a meeting with the Regional Representative of the Office of the United Nations High Commissioner for Refugees in Ukraine, Republic of Belarus and Moldova, Oldrich Andrisek (Migration, 2011, (5), 2). Mr. Oldrich praised the process of establishing the SMS and the start of its actual operation, expressing his hope that the institutional development stage would be completed in a short time. He also emphasized the importance of the role of the SMS as a potentially effective mediator in communication between international organizations dealing with refugee issues and Ukrainian state authorities.

A key step in the formation of the institutional structure of the SMS at the regional level was the adoption of Resolution no. 658 of the Cabinet of Ministers of Ukraine of June 15, 2011, «On the Establishment of Territorial Bodies of the State Migration Service» (Resolution of the Cabinet of Ministers of Ukraine, 2011, no. 658). In accordance with this regulatory act, 27 territorial bodies of the SMS were established as legal entities under public law, including departments in the Autonomous Republic of Crimea, regions, and the cities of Kyiv and Sevastopol.

The territorial bodies of the SMS were formed on the basis of the liquidated divisions of the State Department for Citizenship, Immigration, and Registration of Individuals, which operated within the Ministry of Internal Affairs. The Ministry of Internal Affairs was tasked with providing premises for the newly created territorial bodies of the SMS.

The adoption of this regulatory act contributed to the decentralisation of migration management, brought administrative services closer to citizens and increased the effectiveness of the implementation of state migration policy at the local level.

Conclusions. In 2009–2011, the transformation of the SMS unfolded alongside nationwide administrative reforms and broader shifts in state migration policy. This process was primarily driven by the imperative to align national migration management with European standards and advance integration into international frameworks.

The SMS traversed a complex and contentious path of institutional development, marked by internal political friction and external geopolitical pressures. The establishment of the SMS as a specialized central executive body was a direct response to intensifying migration flows, Ukraine's international commitments, and the pressing need to modernize migration governance mechanisms.

Despite the enactment of regulatory frameworks defining the competencies and functions of the SMS, its institutional consolidation encountered significant operational hurdles. These included institutional resistance from related state authorities, acute shortages of material, technical, and human resources, and pervasive political instability. A prime example of these challenges was the liquidation of the initial SMS organizational structure in 2010, followed by its re-establishment during administrative restructuring at the end of that same year.

In 2009–2010, the management priorities of the SMS focused mainly on citizenship control, individual registration, and the execution of immigration policy—functions largely inherited from the Ministry of Internal Affairs. However, by late 2010, the agency's strategic vector shifted decisively toward adopting European migration standards and fulfilling international obligations, most notably within the framework of the EU–Ukraine Visa Liberalisation Action Plan.

By 2011, the SMS began operating as a fully-fledged central executive body. This transition was accompanied by active personnel restructuring, expanding international cooperation, and establishing a robust regional network. The creation of 27 territorial units marked the completion of the institutional formation phase, enabling the practical execution of its mandate nationwide and bringing administrative services closer to the public.

During this period, the agency's transformation was guided by efforts to centralize competencies, eliminate functional redundancies across state bodies, and align internal migration policy with European standards. Ultimately, this phase established the foundation for the long-term institutional development of the SMS as a key organ of state administration—playing a pivotal role in national security, social stability, and Ukraine's European integration trajectory, while initiating the alignment of national legislation with the *EU acquis*.

Through this period, the SMS evolved from an underperforming organizational unit into a modernized central executive body focused on international integration, procedural standardization, and broader public access to migration services. The institutional consolidation of the SMS provided the operational foundation for Ukraine's continued compliance with international obligations. Despite implementation bottlenecks, this era laid the ground for Ukraine's transition toward the European model of migration governance—offering crucial historical insights for the ongoing evolution of the state apparatus.

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