

Recognition of Documents Issued in the NGCA

Any documents issued in the Non-Government Controlled Areas (NGCA) are invalid and do not create legal consequences, except for documents confirming the fact of birth, death, or registration (dissolution) of marriage in the NGCA. The list of NGCA or territories where hostilities occur is determined and constantly updated by the Cabinet of Ministers of Ukraine. Although the law envisages an exception for documents confirming the facts of birth, death, and marriage, there is currently no administrative procedure for validating such documents, so individuals need to go to court.

Instructions for obtaining a Ukrainian death/birth/marriage certificate

1. A person must apply to any local general court with an application to establish the fact of death/birth/marriage, attaching evidence.

Evidence includes medical reports (certificates) of death or birth, certificates issued in the NGCA, photographs, and witness statements. The application must also be accompanied by documents confirming family ties, copies of parents' passports when establishing the fact of birth, etc.

Family members, their representatives, or other interested persons (in case of death - only if the fact of death affects the scope of their rights) may submit the application. The person must indicate which fact should be established, the reasons for the impossibility of obtaining or restoring documents certifying this fact, and attach evidence confirming this (medical certificate of death or birth issued in the NGCA, a photo from the burial site, for example, etc.)

In such cases, applicants are exempt from paying court fees. An application can be submitted through the Electronic Court if an electronic digital signature is available. A copy of the court decision is issued immediately after its adoption or sent by the court to the civil registration authority at the place of adoption.

2. After the court decision, the person can apply to any civil registration authority to obtain a death/birth/marriage certificate.

Wills, documents on the transfer of ownership of real estate (e.g., real estate purchase agreements), and marriage agreements issued in the NGCA are void, and the fact of their conclusion cannot be appealed in court.

According to the court practice, other documents issued in the NGCA might be recognized if a person has limited ability to collect other types of evidence in the Government Controlled Areas (GCA), and the recognition of such documents affects the scope of their rights. For example, the Pension Fund should consider certificates for pension recalculation, which indicate the amount of salary issued in the NGCA if the employment was carried out before the occupation. Documents on property rights acquired before the occupation but issued by authorities in the NGCA, such as an extract from the Unified Real Estate Register in the NGCA, may be considered by a court in the GCA when establishing ownership of such property.