

Between shifting borders and boundaries: Russian invasion of Ukraine, families and migration law

Russian invasion of Ukraine has led to the largest displacement of people in Europe since the Second World War. For the first time in its history, the EU activated the Temporary Protection Directive. Apart from that, the invasion was swiftly followed by other significant changes in migration laws and border regimes of the EU, as well as the two conflicting parties, Ukraine and Russia. Ukraine introduced a visa regime with Russia and prohibited most of its male citizens of conscription age from leaving the country. The EU suspended the EU-Russia Visa Facilitation Agreement and made the visa application process for Russian citizens much more difficult, whereby some Member States unilaterally imposed a nearly absolute entry ban on Russian citizens. Russia, on the other hand, actively encourages Ukrainian citizens to acquire Russian nationality or pressures them into doing so, making them *de facto* dual nationals. More recently, Russia imposed entry restrictions for Ukrainian citizens arriving from third countries, allowing them to enter Russia only through Moscow's Sheremetyevo airport.

One group particularly affected by these changes is (mixed-status) families involving Ukrainian citizens or residents whose right to reunite has now been made dependent on the family members' nationality, gender, (current) country of residence and migration status. While nearly four million people fleeing Ukraine have received temporary protection in the EU, an estimated one million Ukrainians have moved (or were transferred) to Russia, whereby millions of people in Russia have relatives in Ukraine.

So far, however, in academic and public debate the topic of family reunification of Ukrainian citizens has only been addressed within the context of the Temporary Protection Directive and received rather marginal attention. The present research aims to contribute to closing this gap. By adopting a socio-legal approach, it will, first, provide an analysis of the changes in migration laws in the EU, Ukraine and Russia, enacted in the aftermath of the invasion, in so far as they concern the family reunification rights of the individuals affected by the conflict. Second, it will explore the practical implications of such measures (or their interplay) for the families involved, based on interviews with the persons affected. The focus of this study are individuals, irrespective of their nationality, who were ordinarily resident in Ukraine before 24 February 2022 and whose family situation has been affected by changes in EU, Ukrainian or Russian migration laws or migration control practices, introduced after this date.

Preliminary findings suggest that the relevant changes in migration regimes and the interplay between them have had important implications for the families involved and, in many cases, have led to their prolonged separation. The most disadvantaged groups in this respect include unmarried couples, members of extended families, low-income families, and male or elderly Ukrainian residents with Russian citizen relatives living in Russia.