

**CHAPTER 8.
FREEDOM OF MOVEMENT AND FREE CHOICE OF PLACE OF
RESIDENCE IN THE HUMAN RIGHTS SYSTEM AND THE CONCEPT
OF THEIR ADMINISTRATIVE AND LEGAL SAFEGUARDING**

Kateryna IZBASH

candidate of law, associate professor, senior researcher, department of organization of scientific work, department of organization of scientific activity,
Odessa State University of Internal Affairs,
(1, Uspenskaya Street, Odesa, Ukraine)
ekaterinaizbash83@gmail.com
<https://orcid.org/0000-0002-1855-1383>

Anatolii ANOSIENKOV

candidate of law, associate professor, Tactical, special and special physical training of the Faculty of Training of Specialists for Units of Preventive Activity of the National Police of Ukraine
Odessa State University of Internal Affairs,
(1, Uspenskaya Street, Odesa, Ukraine)
anosenkov@ukr.net
<https://orcid.org/0000-0001-6755-2916>

Abstract. The relevance of studying freedom of movement and free choice of residence in the system of human rights and the mechanism of their administrative and legal safeguarding is determined by a complex of legal, social and socio-political factors that are of particular importance for the current stage of development of Ukraine as a democratic and law-governed state.

Freedom of movement and free choice of residence are enshrined as fundamental human rights in Article 33 of the Ukrainian constitution and international legal acts, in particular Universal Declaration of Human Rights 1948 (*Universal Declaration of Human Rights, 1948*) and The European Convention on Human Rights (*European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950*). At the same time, their practical implementation in Ukraine has been consistently hindered by outdated administrative and legal approaches, fragmented legal regulation and contradictory of law-enforcement practice, which reduce the level of real guarantees for the individuals.

Mentioned issue becomes particularly relevant considering active migration processes, internally displacement of persons, caused by armed aggression against Ukraine as well as growing number of foreigners and stateless persons which are present in the territory of the state. Under such conditions administrative and legal mechanism of ensuring freedom of movement and choice of place of residence must

meet not only the needs of public administration but also high standards of protection of human rights, principals of proportionality, legal certainty and non-discrimination.

No less important issue is the legal regulation of registration of individuals, which directly affects the ability to exercise a wide range of social, economic and political rights. The uncertainty of the concepts of permanent and temporary place of residence as well as approaches to their interpretation in legislation, creates preconditions for administrative abuse and unjustified restrictions on freedom of movement which contradict constitutional principles and international obligations of Ukraine.

The relevance of this topic is further reinforced by need to improve of legal regulation of administrative liability of foreigners and stateless persons, in particular the application such measures as forced return and administrative expulsion. The practice of their implementation requires constant scholarly reflection in the light of provisions of the European Convention on Human Rights and practice of the European Court of Human Rights, which requires appropriate procedural guarantees and balance between state interests and individual rights.

Thus, the relevance of study of the administrative and legal safeguarding of freedom of movement and free choice of place of residence is determined by the need of complex review of national legislation, improvement of mechanism of public administration and their alignment with European standards of human rights protection which is an important prerequisite for establishing the principle of the rule of law and democratic values in Ukraine.

Key words: protection, human rights, legislation, freedom of movement, place of residence, administrative and legal safeguarding, administrative liability, foreigners, stateless persons, administrative expulsion.

Introduction. Freedom of movement and free choice of place of residence are among the fundamental human and citizen rights which determine the degree of actual freedom of an individual, it's social mobility and ability to fully participate in public life. In modern democratic and rule-governed state these rights act not only as an independent constitutional value but also as necessary prerequisite for realization of other personal, social, economic and political rights and freedoms. That is why proper legal consolidation and effective administrative and legal safeguarding of freedom of movement and free choice of place of residence is one of the key tasks of state policy in the sphere of human rights.

In Ukraine the right of freedom of movement and free choice of place of residence is enshrined at a constitutional level primarily in the Article 33 of Constitution of Ukraine with complies with generally recognized international standards in particular

the provisions of Universal declaration of Human Rights and the European Convention on Human Rights. At the same time practice of exercising these rights reveals a number of problems related to the imperfection of administrative and legal mechanisms, the fragmentation of legal regulation, conflicts between certain provisions as well as persistence of outdated administrative approaches in the sphere of residence registration and legal relations in the sphere of migration. As a result, this negatively affects the level of legal certainty and creates risks of unjustified restriction on individual freedom.

The issue of ensuring freedom of movement and free choice of place of residence becomes particularly relevant in the context of transformation processes taking place in Ukrainian society, the intensification of internal and external migration, increase in number internally displaced persons as well as in the context of European integration of Ukraine. Under such conditions, the state must ensure an effective balance between public interests in particular in the field of national security, public order, migration control and human rights and freedoms, adhering to the principles of the rule of law, proportionality and non-discrimination.

In this regard, particular importance is attached to the scientific analysis of the constitutional principles of freedom of movement and free choice of place of residence, their content and legal nature, as well as the mechanisms of administrative and legal safeguarding of these rights. Administrative and legal safeguarding in this area covers a system of legal norms, organizational measures, procedures and powers of public administration bodies aimed to at creating real conditions for the exercising relevant rights, as well as their protection and defense. At the same time, it is in the sphere of administrative law that situations related to the restriction of freedom of movement most often arise, which necessitates a clear normative definition of the limits and grounds for such interference.

Particular attention within the scope of this study should be paid to the legal status of foreigners and stateless persons, since the exercise of their right to freedom of movement and free choice of place of residence has certain specific features

determined by the migration legislation and by the Ukraine's international obligations. The administrative liability of these categories of persons, in particular the application of such specific measures as forced return or administrative expulsion is directly linked with possible restriction on their rights and freedoms.

Thus, a complex analysis of the constitutional rights and freedoms of the individual and the citizen to move and free choice of place of residence, the concept and content of their administrative and legal safeguarding, as well as the specific features of administrative liability of foreigners and stateless persons is necessary for the formation of comprehensive scientific approach to solving relevant problems in this sphere. The above mentioned determines the scientific and practical significance of the chosen topic and defines the logic of the article's structure which is aimed at deepening theoretical foundations and developing proposals for improving administrative and legal regulation of freedom of movement and free choice of place of residence in Ukraine.

1.1 Constitutional rights and freedoms of the individual and the citizen to move and free choice of place of residence under the legislation of Ukraine.

Rights and freedoms of the individual and the citizen, the degree of their recognition in the state, their protection are determined by the type of socio-economical organization of the state as well as by the degree of its social development and democratization.

The right to freedom of move and free choice of place of residence like all other human rights and freedoms has undergone through a historical process of formation and development of man's concepts – from primitive and imperfect to modern, advanced that have taken hold in the consciousness if not of the entire human community, then at least the greater part of it.

The task of the law-governed state is to serve the interests of individual and the citizen. In this regard, provisions of international law are of primary importance, which should be used in national legislation which should implement requirements of such provisions (*Textbook of Administrative Law, 2023*). In this connection, it is necessary

to improve its legislation, administrative rules and policies in the area of civil, political, economic, cultural and other rights and fundamental freedoms and to put them into practice in order to guarantee the effective exercise of those rights and freedoms (*Izbash, Anosienkov, 2025*).

A state may be defined as a law-governed state only under the condition of proper performance of its inherent functions aimed at ensuring and realizing the social rights of individual. The level of guarantee and protection of citizens' rights and freedoms determined by the features of its socio-economic structure, the level of social development as well as the degree of humanization and democratization of state power.

Rights and freedoms of the individual and the citizen have been regarded as social values since historical times. Legal acts of different years starting from ancient Rome and ending with modern era are logically interconnected.

The Universal Declaration of Human Rights of 1948 was the first to enshrine the human right to freedom of movement. Article 13 of this international legal document proclaimed: «Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country» (*Universal Declaration of Human Rights, 1948*). As can be seen from this document, the Universal Declaration of Human Rights became the basis for the development of European standards of freedom of movement and free choice of place of residence in many states, including Ukraine. In particular under its influence Article 2 of Protocol №4 to the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms was drafted. According to the 1969 Vienna Convention on the Law of Treaties, every treaty in force is binding upon the parties to it and must be performed in good faith (Article 26); a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty (Article 27); and together with the text of treaty, subsequent practice in its application and interpretation may be taken into account where agreed by the parties (Article 31(3)) (*European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950*).

Thus, a rule-governed state is the result of development of the civil society. For Ukraine this path of evolutionary development was disrupted in 1917 and as a result neither the ideas of the rule governed-state nor those of civil society were recognized, instead the largest totalitarian empire in the world was built in which Ukraine had a humiliating for one of the largest European nations statuses of province.

Having embarked upon the path of state revival and integration into the international community, Ukraine is developing its own approaches to the interaction between society and the state. The Constitution of Ukraine clearly defined the priorities of this path by proclaiming the state to be democratic, law-governed and social.

The rights and freedoms of an individual under the conditions of the functioning of the democratic principle of equality enshrined by the state on the one hand limit the individual's actions and on the other hand serve as a basis for the formation of extra-state social relations. Based on the fact that the greater the number of various human rights recognized by the state, the higher the qualitative level of society, which under such conditions may acquire the character of self-organized system (*Textbook of Administrative Law, 2021*).

Human and civil rights and freedoms are classified on various grounds. Depending on the subject they are divided into human rights and citizens' rights; according to the order of their inclusion in Constitution and international legal acts they are categorized into first-, second-, third- generation rights: by their genesis into natural and derivative rights: by the type of subject into individual and collective rights: by the degree of their absolutization into those that are subject to limitation and those that are not subject to legislative limitation; according to the nature of formation, into fundamental and additional (*Textbook of Administrative Law, 2021*).

The most detailed classification of human rights and civil rights and freedoms enshrined in the section II of the Constitution of Ukraine of June 28 1996 is given by Izbash K., Anosienkov A. They divide them into eight groups – physical, political, social, economic, family, cultural, personal rights (*Izbash, Anosienkov, 2025*). As we can see, along with the groups of rights known from other legal literature, this

classification highlights physical rights, which are considered as the possibilities of people, characterizing their physical and biological existence, satisfaction of material, spiritual and certain other needs, economic rights which are considered by the authors as the possibility of the individual and the citizen to have safe economic environment, and family rights and the possibilities of an individual and a citizen to freely dispose of themselves in family legal relations .

The analysis of above classifications makes it possible to classify the right to freedom of movement and free choice of residence in the case of dividing them into three, four or five groups to personal rights and freedoms. After all freedom of movement is of primary importance for personal development as it is connected with such elements of individual development as education, medical treatment, employment and other related activities.

Scientists classify such rights as physical rights, considering that they characterize their physical development, biological existence but at the same time relying on the need to meet social needs, where freedom of movement and free choice of residence play the most important role, these are also personal rights. Thus, there appears to be a certain need to clarify this classification.

Based on classification of rights and freedoms by various criteria, it can be said that, depending on the subject of classification, freedom of movement, free choice of residence, the right to freely leave the territory of Ukraine are indivisible for both an individual and a citizen. Both subjects of legal relations enjoy this right. Article 33 of the Constitution of Ukraine guarantees these rights and freedoms to everyone, that is, to a citizen of Ukraine, a foreigner and a stateless person and this also follows from Article 12 of the international Covenant on Civil and Political Rights, adopted and opened for signature, ratification and accession by resolution 2200 A (XXI) of the General Assembly of December 12, 1996, ratified by Ukraine on October 19, 1973, which states: 1. Everyone lawfully within the territory of any State shall have, within that territory, the right to freedom of movement and freedom to choose his place of residence. 2. Every person has the right to leave any country, including his own. On

order of inclusion in the Constitution and international legal acts, the rights and freedoms under study are of primary importance. By origin (genesis), they are natural and inalienable, by the type of subject they are individual. However, in terms of their degree of absoluteness these rights can be divided into equal groups. Firstly, they are granted only to those individuals who legally reside in Ukraine. In addition, Article 33 of the Constitution of Ukraine stipulates that the above mentioned rights and freedoms are guaranteed to everyone, with the exception of the restrictions established by law, that is, there cannot be any restrictions other than those established by the law in the state and the subject of legal relations, if they exist, has the right not to observe them (*The Constitution of Ukraine, 1996*).

As correctly noted in the legal literature, having defined a whole series of higher social values in the legislation (we are talking about the rights and freedoms of an individual and a citizen), the legislator has omitted the issue of differentiating them from each other. Among the entire series of existing equal non-property values, human life occupies the fundamental component that stands at the top of all social priorities (*Textbook of Migration law, 2016*). We are talking about the right to life as the most important of the rights of a person and a citizen in relation to other rights and freedoms enshrined in Constitution of Ukraine and other legislative acts. The right to life and the right to freedom of movement and free choice of place of residence are correlated as a general basic priority and ensuring, system-forming, component of a more voluminous concept. After all, the right to life its unhindered implementation, that which together with other rights, gives its social development, as a rational being in space.

The rights under consideration also serve as guarantors in relation to right to housing, the right to free development of the human personality, the right of citizen to participate in the management of state affairs particularly take part in local referendums and be elected to local government bodies, the rights to work and entrepreneurial activity, social protection, health care and medical assistance, a safe environment for life and health and education and culture.

The view that freedom of movement and free choice of place of residence and the right to freely leave the territory of Ukraine are personal, civil rights and freedoms is also evidenced by their consideration as freedom to make decision independently of the state they are universal in nature, indivisible, interrelated and interdependent and they belong to every individual. These rights «belong to the individual by virtue of being human. They correspond to a broad continuum of values that are universal in character and in certain respects equally inherent in all human beings» (*Textbook of Migration law, 2023*).

The correlation between the concepts of «freedom» and «right» lies in the fact that the concept of «freedom» in its subjective meaning is identical to the concept of «subjective right» and its use is explained by historical factors. At the same time legal literature emphasizes that the concept of «freedom» is more closely associated with the characterization of such powers of the individual that determine the sphere of personal autonomy and protection from interference in one's inner world. In turn the concept of «right» presupposes the performance of certain actions necessary for the realization of the individual's social opportunities that constitute its content.

The right to freedom of movement and free choice of place of residence is expected to create legal and factual conditions for an individual's life.

These conditions are ensured by:

1) Democratic manifestation: this right enables the individual to participate in the governance of the territorial community and to be registered in a certain electoral district during the elections of the President of Ukraine and the elections to the Ukrainian Parliament.

2) Integration manifestation: conditions are created for the integration of citizens and mutual understanding among its members and is also one of the factors in creating an effective system of self-government.

3) Axiological dimension: the right to freedom of movement and free choice of place of residence serves as a legal proclamation of the system of values important for

an individual in relation to his existence in an environment determined by the unity of the community.

4) Social dimension: through these right citizens should receive material and spiritual benefits determined by the citizen's belonging to a certain village, town or city, to his community.

5) Protective dimension: a citizen has the right to seek protection of his right as a rule at his place of residence.

Regarding the depth of human and citizen freedom in society its relationship with certain rights and their role in limiting or expanding freedom one can have different points of view. It is worth considering that civil society is primarily a society of free individuals. In this case we are not talking about ensuring the full realization of the freedom of will of individual people because living in society their wills are limited by law (*Izbash, Anosienkov, 2025*).

Thus, by guaranteeing freedom to its citizens and safeguarding it the state creates the foundation for full realization of its advantages within the framework of civil society. It is upon such principles that the Constitution of Ukraine is based.

Along with the proclamation and provision of individuals' freedom the realization of equality of citizens is important. Equality of citizens, based on the constitutional (legal) understanding, is primarily equality, equality of rights, equality before the law, regardless of race, skin color, political, religious and other views, gender, ethnic and social origin, property status, place of residence, language.

Equality in law is primarily equality of the degree of freedom equivalent in relations between free individuals as objects of law. This is the equality of free and independent subjects of law, according to a single measure determined by the state and the level of social development. Legal equality is the equality of those who are free and equal in their freedom.

Under such conditions, the state strategy should be quite flexible, and the success of its realization will largely depend on the development of civil society institutions. It

is it, being the sphere of realization of private interests and acting as a self-regulating system, that allows balancing the delicate relationship between freedom and equality.

The concept of justice is closely related to the concept of freedom and equality. Justice is one of the main features of law as a regulator of social relations. Just law, formed by civil society and legitimized by the state, is the main condition for its effective development.

Developing the theory of justice, which is currently very relevant for Ukraine, the American researcher J. Rawls points to its two fundamental principles: 1) each individual should have equal rights in relation to the most extensive scheme of equal basic freedoms, compatible with similar schemes of freedoms for others; 2) social and economic inequality should be arranged in such a way that: a) they could reasonably be expected to bring benefits to everyone and b) access to positions and offices would be open to everyone.

Considering that justice is the basis of the stability of civil society, because, as I. Kant pointed out, «nothing disturbs us more than injustice; all other types of evil that we have to endure are nothing in comparison with it», the state, including for the purpose of public danger, must form a mechanism that would ensure and guarantee the implementation of this principle in full. Through the activities of its bodies, it must guarantee the protection of citizens from the arbitrariness of officials, compliance with state discipline, law and order, fair actions and decisions of public authorities.

It may be stated that considerable progress has been made in this direction. Under conditions of independence the Ukrainian state has developed mechanisms aimed at ensuring fair decision-making. However, it has not yet succeeded in forming a mechanism of social justice adequate to the modern development of society. Paying attention to the need to adhere to the principle of equality, it should be taken into account that it also has formally defined frameworks that should not put society on the verge of physical survival. Today, when the majority of the population in Ukraine is below the poverty threshold, the state must implement a specific, fair mechanism for social protection of the population. In this regard, it would be worthwhile at the initial

stage of the transition from a centrally-planned to a market economy to apply the principle of compensation, developed in detail in Western political and legal science. Its essence is that in order to communicate with all people as equals and provide real opportunities, society should pay more attention to those who have fewer natural advantages and were born or, due to various circumstances, found themselves in a less favorable position. In other words, it is about the state, using the measures available to it, primarily legal measures, to correct accidental but quite significant differences between people that lead to their inequality, putting individuals on the verge of survival.

This principle is closely related to others (substitution and creation of equal conditions; improvement of the average standard of living and general public welfare). Thus, not the absolutization of equality, but reasonable regulation by the state is the basis of social stability of society, and hence its gradual progressive development.

The freedom of an individual and a citizen is dependent on ensuring the opportunities for free choice of place of residence and free movement, freely leaving the territory of Ukraine, which were limited in previous periods of development of our state. In the content of freedom of movement and free choice of place of residence there are such terms that are subject to a certain interpretation of the provisions of the Article 33 of the Constitution of Ukraine (*Constitution of Ukraine, 1996*). In addition, the realization of this right requires the introduction of certain administrative and legal institutions, the replacement of some legal institutions that hindered the development of citizens' rights and freedoms in the field of protection of free movement and choice of residence.

This is explained primarily by the fact that the legislator associates the type of political, social and domestic relations with the place of permanent residence. At the place of residence in electoral districts, citizens of Ukraine exercise their active electoral right, participate in elections of the President of Ukraine, People's Deputies of Ukraine, etc.

At the place of permanent residence, a citizen receives a pension, state educational services and state or municipal medical care, etc.

The legislator associates the determination of jurisdiction in civil and administrative cases with the place of permanent residence of citizens.

This concept also includes subsidies for rent, water and heating, etc.

On this basis, it seems to us that the use of the term «place of permanent residence» as a country of residence is more natural for organizational relations of departure abroad and entry into Ukraine and for foreigners and stateless persons permanently staying in Ukraine. It should be noted that their place of permanent residence is the place where a person permanently or mainly lives and has housing as an owner, under a lease (sublease) agreement or other grounds provided for by the legislation of Ukraine (residential building, apartment, service residential premises, dormitory, specialized buildings: a hotel-shelter, a temporary housing funds building, residential facility for elderly, residential care home for disabled, veterans, etc.). The place of residence for deported persons may be defined as a settlement, a land plot.

How to determine that a person permanently resides in a given locality and at a given address? The permanence or temporary nature of residence is determined depending on the person's intentions. In our opinion, if a person intends to reside in a given place for six or more months, it should be considered that this person has arrived for permanent residence and is subject to registration in accordance with the Law of Ukraine «On Registration of Individuals», which will be adopted by the Parliament of Ukraine in the near future.

Why is the six months period chosen? It appears that the justification for determining this term may be the stability of political, social and economic ties with the territorial community of a village, town or city. After all, in accordance with Part 1 of Article 3 of the Law of Ukraine of 21 May 1997 «On local Self-Government in Ukraine», citizens of Ukraine exercise their right to participate in local self-government by belonging to the relevant territorial communities. Residents of villages, towns and cities, within the framework of local self-government, independently or under the responsibility of local self-government bodies and officials have the right to resolve issues of local significance within the limits of the Constitution and laws of Ukraine.

The interest of a citizen – a resident of the relevant settlement in resolving issues of local importance will be manifested, in our opinion, only if he intends to live in a given city (town or village) for a long time (at least six months). In this case a citizen is interested in the development of the social infrastructure of the settlement, he himself has the right to participate in carrying out measures to improve the socio-cultural sphere. As a rule, within the territory of the community, a citizen exercises his right to work, rest, education and healthcare, as well as the use of cultural heritage, etc.

If a person arrives in a city (village or town) for a period of less than six months, it can be considered that he arrives for temporary residence. A place of temporary residence is a place where a person lives for less than six months - a hotel, sanatorium, boarding house, camping site, tourist facility or other similar establishment as well as residential premises that do not constitute the person's permanent place of residence.

It should be also noted cases when persons temporarily live in some places for more than six months, depending on their temporary legal status. These are conscripts who temporarily live in places where a military unit is located, sentenced to imprisonment (excluding life imprisonment), who are serving their sentence in the correctional labor institutions, seriously ill individuals who are in hospitals, military medical facilities, dispensaries.

In our opinion, the concepts of permanent place of residence and temporary place of residence are of significant importance for resolving issues of administrative and legal regulation of the registration of individuals.

1.2 The concept of administrative and legal safeguarding of rights and freedoms of citizens to move and free choice of place of residence.

The rights and freedoms of citizens of Ukraine are mainly determined by the Constitution of Ukraine and current constitutional laws, that is, such laws that specify the legal status of a person and a citizen and develop it. As already emphasized above, the Constitution of Ukraine pays special attention to the issue of consolidating the rights and freedoms of a person and a citizen. At the same time, they became a generally recognized value in society and the state. The main feature of a legal and democratic

state is the recognition and practical implementation of the rights and freedoms of a person and a citizen, guaranteeing their protection. Constitutional rights and freedoms of a person and a citizen are detailed in current legislation, which not only specifies the rights and obligations in constitutional and legal relations, but also establishes new, only less significant rights without expanding the obligations of citizens to the state.

The organization of the implementation of human and civil rights and freedoms is determined in administrative and legal norms that ensure the application, use and implementation of the norms of constitutional law, establish rights and obligations in the organizational sphere of their implementation and provide an opportunity to ensure the right to free choice of place of residence and freedom of movement. The term «safeguarding» is used quite often in legal literature, but we do not yet have a definition of it in legal and literary legal sources. Thus, the Legal Encyclopedia, for example, does not provide a definition of safeguarding of citizens' rights and freedoms, in it we find only explanation of such terms as «safeguarding of obligations», «safeguarding of evidence and safeguarding of the claim» (*Legal encyclopedia, 1998*).

However, the need to implement legal norms to achieve the goal set by the legislator is now urgent. This is indicated by a number of authors, who study the problems of various branches of law (*Izbash, Derevyankin, 2024*). After all, the core of safeguarding, its goal is precisely the lawful realization of legal relations. Therefore, it is necessary first of all to find out what the term «safeguarding» in general and «administrative and legal safeguarding» means in particular.

The term «safeguarding» in Ukrainian means the provision (supply) of something by someone in sufficient quantities, the creation of all necessary conditions for the implementation of something, the guarantee of something.

To understand the concept of administrative and legal safeguarding, it is important to clarify both the quantity and quality of elements necessary for the mechanism of administrative and legal regulation of social relations. Moreover, in this mechanism an important place will be occupied by both the means of regulation and the means of realization of social relations, when it comes to ensuring the right to free choice of

place of residence and freedom of movement. Administrative and legal safeguarding involves providing the mechanism of administrative and legal regulation of organizational relations with completeness, sufficiency for the implementation of norms and obtaining relations that would allow free movement and free choice of residence. The design of administrative and legal safeguarding of free movement and free choice of residence is determined by the mechanism of administrative and legal influence on social relations, legal culture and legal consciousness. In this context, it is necessary to fully provide all elements of administrative and legal influence.

Legal regulation is a specific normative part of legal influence, its special order, which is determined by the increased clarity of normative regulation. Action and influence on relations, their regulation by the law are related to each other as a whole, special and separate. Administrative and legal influence is a special type of legal influence. Its specificity is determined by the object of influence, namely the relations regulated by administrative law, as well as by the features of its norms.

Administrative law influences social relations through a special system of elements, which are called in the literature the mechanism of action, influence, regulation.

A certain stage of development of legal science, the mechanism of legal influence meant a set of means included in the system of the mechanism of regulation. Later, after the emergence of such a concept of law, the concept of the mechanism of legal regulation was substantiated as a set of means by which influence on social relations is ensured.

Soon the named concept became widespread. However, with its emergence, the study of the mechanism of law continued intensively. It was proposed that the mechanism of legal regulation means the methods of influence, the realization of rights, as well as intermediate links - legal personality, legal facts and legal relations, which translate the normativity of law into the orderliness of social relations. Administrative and legal influence is carried out on a state basis, on the norms enshrined in the law or subordinate administrative and legal acts. The implementation of legal prescriptions

can be carried out in various directions, which are called functions of administrative and legal influence. Functions as elements of influence not only indicate the directions of influence, but also each of them carries a substantive load, has its own mechanism of the implementation of the functions of administrative law reveal the mechanism of its influence.

Thus, the function of administrative and legal regulation is an integral part of influence. Its mechanism includes only the administrative and legal norms and legal relations enshrined in laws and other acts issued by the state, acts of their implementation (*Izbash, Anosienkov, 2025*).

The mechanism and functions of law consist of certain forms, external manifestations of the influence of law. Analyzing such a construction of the mechanism of legal regulation, consisting of such means as norms of law, legal relations, acts of implementation it is not difficult to make sure that these elements are an external expression of influence. It was noted that the concept of the mechanism of regulation comes from the concept of legal regulation and has an independent meaning in the categorical framework of the general theory of law, designed to reflect the anatomy of legal reality from its dynamic side and, therefore, to outline the very substance of law, that is the elements of the legal system through which legal regulation is carried out. Thus, the norm is the formalization of the rule of behavior, the forms are acts of implementation (resolutions, decisions, etc. in a specific case). Finally, legal relations are also a special, specific form of relations. Many scientists consider them to be appropriate means of translating rules of conduct into relations. In our opinion, this is the correct approach, since regulation is carried out with the help of the named legal forms.

The mechanism of administrative and legal influence includes an object of influence in its system.

Legal relations, as expected actual relations, as its project, expressed in legal regulations, are a means of influence. They are only a form, a way of achieving a legal

effect, but this is not the effect itself, but only a «concretizer» of the general requirements of legal norms in relation to these subjects.

The value of the administrative and legal mechanism and its content lie in the emergence under its influence of the necessary real relations, the coincidence of the project with those that are actually manifested in the behavior of people, their actions. Since administrative and legal relations can be considered both as a norm and as a phenomenon that is realized through the behavior of people, they can be considered both a means of influence (establishment of rights and obligations) and an object of influence (acts of behavior).

To achieve this, it is insufficient merely to enshrine administrative and legal norms in legislative and subordinate acts regulating movement or residence. The creation of the law-governed state requires the formation of the legal system from norms through intermediate elements to their implementation, taking into account the goal set by the legislator when issuing a particular norm of administrative law.

One of them is the mechanism of administrative and legal regulation.

Taking as a basis the definition of the mechanism of legal regulation proposed by scientists, and taking into account that the content of the administrative and legal mechanism includes not all, but only administrative and legal principles, the following definition was formulated: «The mechanism of administrative and legal regulation is a set of administrative and legal means by which influence is exerted on relations arising in the process of executive and administrative activity of the state». However, the conclusion that the means that make up this mechanism include legal culture and legal consciousness is controversial.

The norms and principles of administrative law are of fundamental importance for administrative and legal influence. They play a dual role in the system of this field. On the one hand, they have a determining and formulating value for law, on the other hand, they reveal political ideas through legal consciousness and legal culture of subjects of legal relations (*Textbook of Administrative Law, 2023*).

For the mechanism of the law's action, legal principles in general are of decisive importance. For the mechanism of administrative and legal influence, they are of significance only in terms of the implementation of law when, reflected in the mind of the law enforcement officer, they form positions of discretion in a specific situation. For the mechanism of influence, the principles formulated by the legislator and enshrined in the norms of administrative law will be decisive. They will not belong to the latter if they do not form part of its special legal formation.

In administrative law science, much space was devoted to the study of the principles of public administration. The principles of administrative law, as an independent branch, are not sufficiently studied. According to some scientists, this section of science is considered to be not developed at all. Certain attempts in this direction have, of course, been made.

Of course, some of the principles listed above are outdated and cannot be applied in our time to regulate public relations, especially when it comes to freedom of movement and the right to freely choose a place of residence. It cannot be a principle of administrative law in modern conditions to take into account in its norms the priority of party acts and acts of public organizations. Instead, another principle comes «taking into account the priority of the rights and freedoms of an individual and a citizen».

The principles of administrative law must be taken into account both when designing organizational norms that regulate various relations of the exercise of the right to free choice of a place of residence and freedom of movement, and when embodied in norms that regulate the procedure for the implementation of norms.

The primary «cell» of legal matter is the legal norm. In the mechanism of administrative and legal influence, it plays the role of the initial means by which management relations are regulated.

Norms of administrative law are an important institution of the state and especially of government bodies, which, by issuing regulatory acts, organize a system of branches and spheres of management, establish their duties and rights (actually rules

of conduct), organize the fight against Offences, a system of information, communication between subjects of management relations.

The mechanism of administrative and legal influence, the sources of administrative law occupy a prominent place. This is due to certain objective prerequisites. If a legal norm contains a rule of conduct for the individual, then the source of law indicates the procedure for the operation of that norm in terms of territory or the circle of persons to whom it applies. An order of the Ministry of Internal Affairs of Ukraine or another central executive body, as a rule, is valid within the system of this department and is mandatory not for all citizens and officials, but only for employees of these bodies.

A characteristic feature of the sources of administrative law, which set out the norms of this branch of law that regulate the movement of citizens, is their multiplicity. This is explained by the multisystem nature of the organization of movement in Ukraine and abroad.

The constituent elements of the mechanism of administrative and legal regulation include acts of official interpretation of the norms of administrative law. Of particular importance is the interpretation of the norms of laws by the Constitutional Court of Ukraine, which in accordance with Article 147 of the Constitution of Ukraine, provides official interpretation of the constitution of Ukraine and laws of Ukraine (*Constitution of Ukraine, 1996*).

Decisions of the Constitutional Court of Ukraine are not a source of law even in cases of interpreting provisions of legislative acts with regard to their constitutionality, when such provisions are declared unconstitutional by this body and cease to have effect, since the decision of the Constitutional Court is binding. However, even without such a decision, legislative provisions that contradict the Constitution of Ukraine are not valid, since, in accordance with Article 8 of the Constitution of Ukraine, they must comply with it.

Summarizing the above regarding the mechanism of administrative and legal influence, it should be emphasized that neglecting even one element of influence in

ensuring the right to freedom of movement and free choice of place of residence may fail to produce the expected results. For example, the absence of legal consciousness or legal culture among employees of the passport service, their lack of knowledge of the norms of administrative law and the procedure for their application, will delay the registration of a citizen at the place of residence or the issuance of a passport for travel abroad, and thereby limit in time their rights and freedoms to freedom of movement and free choice. Of place of residence.

The elements of the mechanism of influence of administrative law on public relations must possess self-sufficiency and be incorporated into its structure in compliance with the requirements of optimality.

Thus, administrative and legal safeguarding of human and citizens' rights to freedom of movement and free choice of place of residence represents the creation of a mechanism of administrative and legal influence on public relations with sufficiently effective elements to achieve the purpose set by the legislator in Article 33 of the Constitution of Ukraine.

1.3 Administrative liability of foreigners and stateless persons.

The current Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons in Ukraine» states that a foreigner is a person who is not in the citizenship of Ukraine and is a citizen or subject of another state or states; a stateless person is a person who is not considered as a citizen by any state by virtue of the operation of its law. The current national legislation determines equal legal personality for foreigners, stateless persons, as well as citizens of Ukraine (*Constitution of Ukraine, 1996*).

In international law, the term apatride is encountered, which originates from Greek word «Patrice» meaning homeland and indicates that such persons do not have citizenship of any state (*Modern dictionary of foreign words, 2006*). However, in the legislation of Ukraine, the most commonly used expression is «stateless person» (*On Citizenship of Ukraine, 2001*). The international community adopted in 1951 the Convention Relating to the Status of Refugees (*Convention on the Status of Refugees, 1951*), in 1954 the Convention on the Reduction of Statelessness (*Convention on the*

Reduction of Statelessness, 1954), which provides the possibility for stateless persons to enjoy fundamental rights and freedoms.

The Constitution of Ukraine guarantees that foreigners and stateless persons enjoy equality before the law regardless of their origin, property or social status, racial or national affiliation, sex, language, religion, profession, or other circumstances (*Constitution of Ukraine, 1996*).

The regulatory and legal framework that determines the procedure for bringing foreigners and stateless persons to administrative liability includes: The Code of Ukraine on Administrative Offences (hereinafter – the CUAO) (*Code of Ukraine on Administrative Offenses, 1984*), the Laws of Ukraine: «On The Legal Status Of Foreigners And Stateless Persons» (*On the legal status of foreigners and stateless persons, 2011*), «On Immigration» (*On immigration, 2001*), «On Citizenship Of Ukraine» (*On Citizenship of Ukraine, 2001*), «On Refugees And Persons In Need Of Additional Temporary Protection» (*On refugees and persons in need of additional or temporary protection, 2011*), «On Freedom Of Movement And Free Choice Of Place Of Residence In Ukraine» (*On freedom of movement and free choice of place of residence, 2003*), as well as the Instruction on Forced return and Forced Expulsion of Foreigners and Stateless Persons from Ukraine, approved by a joint order of the Ministry of Internal Affairs of Ukraine, the Administration of the State Border Guard Service, and the Security Service of Ukraine.

Administrative liability in the sphere of migration legal relations consists in the interaction regulated by the legal norms between the state, represented by authorized bodies and officials, and a person who has committed an administrative offence in the specified sphere. This interaction is realized through the imposition of an administrative penalty, which entails negative consequences of a personal, property, or other nature for the offender, and also provides for the official condemnation of his actions. The purpose of such influence is the prevention and cessation of administrative offences, while liability is realized through the actual execution of the imposed penalty.

Chapter 15 of the Code of Ukraine on Administrative Offences, entitled «Administrative Offences Encroaching upon the Established Order of Administration», contains a number of articles establishing administrative liability for offences in the sphere of migration, namely: residence without a passport of a citizen of Ukraine or without registration of place of residence (Article 197); violation of the border regime, the regime at checkpoints across the state border of Ukraine, or regime rules at entry-exit control points (Article 202); violations by foreigners and stateless persons of the legislation on the legal status of foreigners and stateless persons (Article 203); failure to comply with a decision on prohibition of entry into Ukraine (Article 203-1); unlawful assistance to foreigners or stateless persons in evading departure from Ukraine (Article 204); illegal crossing or attempted illegal crossing of the border of Ukraine (Article 204-1); violation of the procedure for entry into and exit from the temporarily occupied territory of Ukraine (Article 204-2); unlawful transportation of foreigners and stateless persons across the territory of Ukraine (Article 206-1) (*Code of Ukraine on Administrative Offenses, 1984*).

In accordance with the current Code of Ukraine on Administrative Offences, foreigners and stateless persons bear responsibility for violating the norms of administrative law and are subject to administrative liability on general grounds. Administrative liability arises in cases where the committed offences, by their nature, do not entail criminal liability in accordance with the law.

Administrative liability of foreigners is an important instrument for ensuring national security, public order, and control over migration processes. In view of this, the issue of bringing foreigners to justice has found its reflection in the works of leading researchers in administrative law.

Thus, O. Kuzmenko notes that administrative liability in the field of migration has a specific character, determined by the combination of legal and inter-state aspects. It should be considered not only as a means of punishment, but as an instrument for ensuring national security in the context of increasing migration activity (*Kuzmenko, 2001*).

A leading scholar in the field of administrative law, Y. Bitiak, emphasized that foreigners are subject to administrative liability on an equal basis with citizens of Ukraine, however, in the event of committing an offence related to the illegal crossing of the border, liability acquires not only a legal but also a political character (*Textbook of Administrative Law, 2023*).

Thus, scholars emphasize, first, the necessity of strengthening control and ensuring an effective response to committed offences, and, second, the observance of human rights and guarantees of legality when bringing foreigners and stateless persons to administrative liability.

Administrative liability has its characteristic features and specific peculiarities that distinguish it from other types of legal liability.

The general features of administrative liability include the following: first, it is provided for by the norms of administrative legislation, in particular the Code of Ukraine on Administrative Offences (*Code of Ukraine on Administrative Offences, 1984*), and is implemented within the framework of an established legal procedure; second, the ground for its application is the commission of an administrative offence; third, liability is expressed in the form of administrative sanctions and provides for the imposition of administrative penalties; fourth, one of the parties is always the state, represented by the authorized bodies and officials, while the other party is the person who has committed an administrative offence in the specified sphere; fifth, administrative liability does not entail a criminal record, unlike criminal liability, and is less severe in content and consequences; sixth, due to the possibility of applying a simplified procedure, administrative liability ensures a prompt response to offences; seventh, it has a preventive orientation, which provides for the prevention of offences both by specific offender and by other persons; eighth, the consideration of the case is carried out by a body or official within their competence who are authorized to consider cases of administrative offences.

The features of administrative liability of foreigners and stateless persons are as follows: first, foreigners and stateless persons have a special legal status while staying

on the territory of Ukraine on the basis of a permit or a regime of temporary or permanent residence. This determines the special nature of their legal personality, including in the sphere of liability; second, foreigners do not possess certain civil and political rights (for example the rights to vote, to participate in elections, to hold certain positions and to have access to state secrets), which influences the specifics of ensuring their procedural guarantees when bringing them to liability, in particular with regard to legal assistance, translation, and appeal; third, the presence of a migration-control component, which provides that administrative offences committed by foreigners, especially in the sphere of violation of rules of entry, stay or border crossing, often entail additional consequences: reduction of the period of stay in Ukraine, deportation (expulsion), prohibition of entry into the territory of Ukraine; fourth, cases concerning administrative offences of foreigners are considered by special bodies (for example, cases of administrative offences are considered by executive committees of village, town and city councils, bodies of the State Border Guard Service of Ukraine, authorized officials of the bodies of the State Border Guard Service of Ukraine, and judges of district, district-in-city, city district courts); fifth, in certain cases, the application of administrative liability to foreigners is regulated by international treaties of Ukraine, which provide for mutual assistance, notification of consular institutions, prohibition of discrimination on grounds of nationality or citizenship, etc.; sixth, additional guarantees of legal protection, namely that the legislation (in particular, the Law of Ukraine «On the Legal Status of Foreigners and stateless Persons» (*On the legal status of foreigners and stateless persons, 2011*), the Code of Ukraine on Administrative Offences) (*Code of Ukraine on Administrative Offenses, 1984*) provides for the mandatory participation of an interpreter, as well as notification of the consular institution of the country of citizenship of the foreigner in the event of detention or application of sanctions; seventh, foreigners are subject to administrative detention for a period up to 72 hours (and in certain cases - up to 6 months by court decision) in special temporary holding facilities for persons subject to expulsion.

As for the system of administrative penalties for the commission of migration-related offences, it should be noted that they are not much different from ordinary ones. Thus, mainly as a punishment for committing migration offences, a fine is applied, the amount of which depends on the degree of guilt and the social danger of the act. In addition, for certain offences, the imposition of the following administrative penalties on the guilty person is provided: corrective labor for a period of up to two months and administrative arrest (Article 204 of the Code of Administrative Offences) as well as confiscation (article 206-1 of the Code of Ukraine on Administrative Offences) (*Code of Ukraine on Administrative Offenses, 1984*).

Modern scholars O. Hulak, S. Pozniakov and O. Popova (*Hulak, Pozniakov, Popova, 2023*), having carried out a comparative analysis of the provisions of the Code of Ukraine on Administrative Offences and the Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons», concluded that a mandatory condition for the application of expulsion beyond the borders of Ukraine is the existence of a special norm providing for administrative offence that grossly violates public order (*On the legal status of foreigners and stateless persons, 2011*).

Thus, administrative liability performs preventive, educational and regulatory functions. Its features and specific characteristics make it possible to ensure an effective response to offences within the framework of a democratic law-governed state.

Administrative expulsion is one of the forms of state response to violations of the regime of stay of foreign and stateless persons in Ukraine. It is administrative and coercive measure aimed at ensuring legality in the sphere of migration as well as at protection of national security and public order.

Administrative expulsion of foreigners and stateless persons from Ukraine is regarded as one of the key instruments of state influence on violators of the migration regime. At the same time, such measures are not exclusively a technical and legal mechanism of response, but has a complex legal nature that gives rise to a number of theoretical and practical discussions (*Izbash, Anosienkov, 2025*). On the one hand, the

state exercise its sovereign right to control the entry, stay and exit of foreigners for the purpose of protecting public order, national security and ensuring legality. On the other hand, mentioned measure may affect fundamental human rights, in particular the right to freedom of movement, respect for private and family life and the principle of non-discrimination.

The legislation of Ukraine provides for three main forms of expulsion of such persons: voluntary return, forced return and forced expulsion.

The mildest form of expulsion is voluntary return, which is carried out at the initiative of the person himself or after receiving a notification from a competent authority of the need to leave the territory of Ukraine. This type of administrative penalty is applied when a foreigner independently acknowledges the fact of a violation (for example, exceeding the period of stay) and expresses readiness to leave the territory of the state within the established period. Such a person is not subject to forced escort or detention; however, in the event of failure to comply with the requirement of voluntary departure, stricter measures may be applied to him.

In accordance with current legislation, forced return may be applied to foreigners. This form provides for an official decision of an authority on the necessity to leave Ukraine, while the person is granted a certain period to leave the country independently, but without the right to extend it, this type of administrative penalty is applied to foreigners who have violated the conditions of stay but do not yet pose a direct threat to the security of the state. In this case, the person in respect of whom a decision on forced return has been made is obliged to leave within the specified period. In the event of evasion, administrative detention and expulsion are applied to such person. In this case, the decision on its application is made by bodies of the State Migration Service or the Border Guard Service.

The most severe form of administrative expulsion applied to foreigners is used in cases of evasion of voluntary or forced return, the existence of a threat to public order, security or public health, or the absence of lawful grounds for further stay in Ukraine. The specified type of administrative penalty is carried out with forced escort of the

person to the state border of Ukraine or to the respective country and requires a mandatory court decision (in accordance with Part 3 of Article 30 of the Law of Ukraine «On the Legal Status of Foreigners and Stateless Persons») (*On the legal status of foreigners and stateless persons, 2011*). In certain cases, it provides for administrative detention for up to six months in specialized institutions of the State Migration Service.

The system of administrative expulsion of foreigners and stateless persons in Ukraine provides for a gradation of measures of influence - from voluntary return to forced expulsion. Each form depends on the degree of the offence, the conduct of the person, as well as the level of threat he or she poses to society. At the same time, it is important to ensure compliance with procedural guarantees and consideration of international human rights standards.

So, the legal regulation of administrative liability of foreigners and stateless persons in Ukraine has a comprehensive character, as it combines norms of administrative, migration and international law. A specific feature is that, in addition to traditional administrative penalties (for example, a fine), specific measures - forced return or expulsion may be applied to this category of individuals, which have significant legal consequences. The legislation in Ukraine provides for the necessity of observing guarantees for foreigners, in particular the participation of an interpreter, the right to defense and the right to appeal decisions. At the same time, the issue of strengthening control over the observance of human rights in the implementation of such measures remains relevant as well as the necessity of improving legal norms in accordance with European standards.

The issue of ensuring personal and public interests in the administrative and legal safeguarding of freedom of movement remains relevant and the debate surrounding administrative expulsion continues to deepen in the context of compliance with Ukraine's international obligations, primarily in the field of human rights protection as provided for by the European Convention on Human Rights (*European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950*). The question

arises as to the necessity of a careful balance between state interests and the rights of the individual as well as the existence of clear procedural guarantees that would prevent abuse of this mechanism. Thus, administrative expulsion should be considered not only as a coercive measure, but also as a subject of critical legal analysis requiring constant reconsideration in the light of democratic standards and humanistic values.

Conclusions. The comprehensive analysis carried out the problems of freedom of movement and the free choice of place of residence within the system of fundamental human rights, as well as the specific features of their administrative and legal safeguarding, makes it possible to formulate an expanded generalized conclusion reflecting the internal logic and interrelationship of the examined provisions.

Freedom of movement and free choice of place of residence are fundamental prerequisites for the implementation of other human and citizen rights and freedoms, since they directly affect access to work, education, health care, participation in public and political life, in this context, the state plays a key role in creating not only formal and legal but also real conditions for the realization of these rights. Of particular importance is the theoretically grounded principle of compensation in legal science, according to which the state is obliged to eliminate or minimize objective inequalities between people, which are due to social origin, health status, property status, or other circumstances. It is precisely through the prism of ensuring equal opportunities that freedom of movement and the choice of place of residence acquire their real, rather declarative character.

The effective realization of these rights is impossible without further development and modernization of the system of administrative and legal institutions. The preservation of outdated legal constructions and approaches in the sphere of migration and registration legal relations negatively affects the level of guaranteeing freedom of movement and requires systematic revision.

An important element in improving the administrative and legal safeguarding of freedom of movement is the formation of a unified approach to defining the concepts of permanent and temporary place of residence. The existence of different and at times

contradictory definitions in the legislation of Ukraine creates legal uncertainty, complicates law-enforcement practice and may lead to unjustified restrictions of individual rights. The unification of these concepts, taking into account the specific legal status of certain categories of persons, in particular deported persons, will contribute to increasing the level of legal certainty and the effectiveness of administrative regulation.

Administrative and legal safeguarding of the rights of the individual and the citizen to freedom of movement and free choice of place of residence should be considered as an integral and multi-element mechanism of administrative and legal influence on public relations aimed at achieving the objective enshrined in Article 33 of the Constitution of Ukraine. Its effectiveness is determined not only by the equality of normative regulation, but also by the practice of law enforcement, the level of legal culture of subjects of public administration and the existence of effective procedures for the protection of individual rights.

Special attention is required by the legal regulation of administrative liability of foreigners and stateless persons, which is complex in nature and combines the norms of administrative, migration and international law. The application of such specific measures to this category of persons as forced return or administrative expulsion necessitates particularly careful observance of procedural guarantees, in particular the right to defense, use of the services of an interpreter, and the effective appeal of decisions of public authorities. At the same time, the issue of further approximation of national legislation and law-enforcement practice to European standards in the sphere of human rights protection remains relevant.

In conclusion, it should be noted that ensuring a balance between the public interests of the state and the rights and freedoms of the individual is a key task of administrative and legal regulation of freedom of movement. The discussion surrounding the institutions of administrative expulsion naturally deepens in the context of Ukraine's fulfillment of its international obligations, primarily under the European Convention on Human Rights and the case-law of the European Court of

Human Rights. Under such conditions, administrative expulsion should be considered not only as an instrument of migration policy and ensuring public order but also as an object of continuous scholarly and legal analysis aimed at affirming the principles of the rule of law, proportionality, and humanism in a democratic law-governed state.

The study substantiates the relevance of examining freedom of movement and free choice of residence within the system of human rights and the mechanism of their administrative and legal safeguarding in Ukraine. The paper emphasizes that ongoing migration processes and large-scale internal displacement caused by armed aggression against Ukraine significantly increase the practical importance of this issue. Particular attention is paid to the administrative and legal framework governing registration of individuals, which directly affects access to social, economic, and political rights. The ambiguity of the concepts of permanent and temporary residence in national legislation creates risks of administrative discretion and unjustified restrictions. The research also addresses the application of administrative measures to foreigners and stateless persons, including forced return and expulsion. In this context, the safeguards developed in the case law of the European Court of Human Rights are of particular importance. The necessity of ensuring proportionality, legal certainty, and non-discrimination in administrative decision-making is substantiated. The article concludes that comprehensive legislative reform and alignment with European human rights standards are essential for strengthening the rule of law and democratic governance in Ukraine.

References:

- Izbash K., Anosienkov A. Current status of administrative and legal counteraction to illegal migration in Ukraine introduction. *International security studies: managerial, technical, legal, environmental, informative, economic and psychological aspects*. : international collective monograph. Lublin, Polska 2025. 152-171 p. DOI 10.5281/zenodo.15408858. <https://zenodo.org/records/15355223>
- Administrative law of Ukraine : studi guide / Bytiak Y.P. and others; ed. by V. M. Harashchuk and R.V. Shapoval. Kharkiv : Pravo, 2023. 255 p. URL: <https://surl.li/grpynm>
- Administrative law of Ukraine. Complete course: textbook / V. Halunko, P. Dikhtivskyi, O. Kuzmenko and others; ed. by V. Halunko, O. Pravotorova. 4th ed. Kherson: OLDI-PLUS, 2021. 656 p. <https://surl.lt/lrsril>

- Izbash K.S., Anosienkov A.A. Legal regulation of administrative liability of foreigners and stateless persons. *Ukrainian political and legal discourse*. 2025. No. 12. P. 1-16. DOI: <https://doi.org/10.5281/zenodo.15808196>. <https://zenodo.org/records/15808196>
- Hulak O.V., Pozniakov S.P., Popova O.V. Peculiarities of administrative liability of foreigners and stateless persons. *Scientific Notes. Series: Law*. 2023. Issue 15. P. 68-72. DOI: <https://doi.org/10.36550/2522-9230-2023-15-68-72>. <https://surl.li/qybein>
- European Convention on Human Rights and Fundamental Freedoms: ratified by the Law of Ukraine of 17 July 1997 № 475/97-VR. URL: <https://surl.li/btckhf> (contact date: 16.02.2026).
- Universal Declaration of Human Rights: adopted and proclaimed by UN General Assembly Resolution of 10 Dec. 1948 № 217 A (III). URL: https://zakon.rada.gov.ua/laws/show/995_015#Text (contact date: 16.02.2026).
- Izbash K.S., Dereviankin S.L. Current state of regulatory and legal support of migration policy of Ukraine under martial law. *South Ukrainian Law Journal*. 2024. No. 2. P. 153-158. DOI <https://doi.org/10.32850/sulj.2024.2.26>. <https://sulj.oduvs.od.ua/archive/2024/2/28.pdf>.
- Code of Ukraine on Administrative Offenses: Law of Ukraine of 07 Dec. 1984. № № 8073-X. URL: <https://zakon.rada.gov.ua/go/80731-10> (contact date: 16.02.2026).
- The Constitution of Ukraine: Law of Ukraine of June 28, 1996 № 254к/96 BP. URL: <https://surl.li/jdydsp> (date of application: 16.02.2026).
- Migration law of Ukraine : textbook / ed. by Kovalskaya. Kherson : FOP Grin D.S., 2016. 476 c. URL: <http://dspace.univd.edu.ua/xmlui/handle/123456789/7636>.
- Migration law of Ukraine: study guide / R.L. Sopilnyk and others. Lviv: SPOLOM, 2023. 260 p. URL: <https://dspace.lvduvs.edu.ua/handle/1234567890/5787>.
- About refugees and persons in need of additional or temporary protection: Law of Ukraine of 08 July 2011 roky 3022-IX. URL: <https://zakon.rada.gov.ua/laws/show/3671-17#Text> (contact date 16.02.2026).
- On Citizenship of Ukraine: Law of Ukraine of 18 January 2001. 3897-IX. URL: <https://zakon.rada.gov.ua/laws/show/2235-14#Text> (contact date 16.02.2026).
- On immigration: Law of Ukraine of 07 June 2001 p. № 4191-IX. URL: <https://zakon.rada.gov.ua/laws/show/2491-14#Text> (contact date 16.02.2026).
- On the legal status of foreigners and stateless persons: Law of Ukraine 21 September 2011 p. № 3717-VI. URL : <https://zakon.rada.gov.ua/laws/show/3773-17#Text> (contact date: 16.02.2026).
- On freedom of movement and free choice of place of residence: Law of Ukraine 11.12.2003 No. 1382 IV. URL: <https://zakon.rada.gov.ua/laws/show/1382-15> (contact date 16.02.2026).
- On the Reduction of Statelessness: convention, intern. documt. 30 August 1961 p. URL: https://zakon.rada.gov.ua/laws/show/995_240 (contact date: 16.02.2026).
- On the Status of Refugees: convention, intern. documt. 28 July 1951 p. URL: <https://ips.ligazakon.net/document/MU51K02U> (contact date: 16.02.2026).
- Modern legal encyclopedia / ed. by O.V. Zaichuk. 3rd ed., revised and enlarged. Kyiv: Yurinkom Inter, 2015. 408 p. http://www.library.univ.kiev.ua/ukr/elcat/new/detail.php3?doc_id=1307095.
- Modern dictionary of foreign words / comp. by O.I. Skopnenko, T.V. Tsymbaliuk. Kyiv: Dovira, 2006. 789 p. <https://surl.li/xjxatc>
- Legal encyclopedia: in 6 vols. / ed. by Yu.S. Shemshuchenko. Kyiv: Ukrainska entsyklopediia, 1998. Vol. 2. 744 p. <https://surl.li/qsqcnb>