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EMEA | Immigration policy approaches towards Russian nationals across EMEA

Following the invasion of Ukraine on 24 February 2022, many countries around the world responded with sanctions and additional security checks on Russian nationals and businesses. Four months into the conflict, we explore the approach taken by countries across the EU - and the wider Europe, Middle East and Africa (“EMEA”) region - through their respective immigration policies towards Russian nationals.

Note: the position remains changeable and the below reflects the position at the time of writing.

European Union - general guidance from the EU Commission

As a result of the war, the EU Commission had advised member states to implement additional security checks on visa applications made by Russian nationals. This is a recommendation only - and isn't guidance to refuse - but rather to put in place stronger security checks. As a result, we have observed longer processing times of visa applications made by Russian nationals across many European countries. Further, we are seeing increased scrutiny from governments, such as the Netherlands (see below) on the corporate structure of companies looking to sponsor foreign nationals (not just Russian nationals), increasing the overall end-to-end processing time to secure work permits.

In addition, the EU commission also recommended that member states suspend investor routes that lead to citizenship (often known as “Golden Visa” schemes across the bloc) for Russian nationals. Again, member states can choose whether or not to follow this recommendation. EU states that have announced restrictions to their investor routes for Russian nationals include **Portugal, Spain, Greece** (although renewals are still being processed) and **Ireland**.

Beyond the restrictions to the investor route, the following countries have wider restrictions in place: the **Czech Republic** (a number of consulates have been closed in Russia); **Latvia and Lithuania** (suspension of visa services for Russian nationals); **Estonia** (consulate closures in Moscow and Belarus and suspension of e-Residency scheme for Russian nationals); and the **Netherlands** (additional IND checks rolled out on sponsoring companies who may have an entity connection with Russian parent companies). **Poland** has also introduced restrictions on certain visa categories.

Uniformity of EU application?

Given the EU's stance of allowing member states to decide if and how to implement recommendations, there are notable differences in approach towards Russian national visa applicants within the bloc, where once there was greater uniformity.

Hungary, as an example, has historically had a closer - and now more complex relationship with Russia, not least because of its close economic ties. Whilst Hungary has been a member of the EU since 2004 and a member of NATO since 1999, Prime Minister Orbán has simultaneously sought to strengthen the country's relationship with Russia. Notably, Viktor Orbán's re-election victory in April 2022 has attracted much global attention, due in no small part to his populist right-wing policies and relatively neutral position towards the war. In terms of impacting immigration policy, it's not expected that Hungary will adopt further significant restrictions on Russian national visa applicants.

In contrast, the **Baltic** and **Nordic countries** as well as **Poland** support more robust approaches towards Russia, in large part due to their proximity to Russia and Ukraine respectively. Not surprisingly then, immigration routes in these countries available to Russian nationals have been notably impacted, with restrictions on available visa categories for Russian nationals, suspension of visa services in many consulates in Russia and considerably longer processing times resulting from enhanced security checks.

Depending on how long the conflict lasts, it's likely that the cohesion and alignment of approach across the EU towards Russia will be impacted. Whilst the EU Commission provides recommendations to member states on how they should manage their external borders - ultimately implementation of any recommendation is up to each member state. Where differences in approach on policy issues such as immigration arise across the bloc, reducing the EU's unified stance, the more complicated - and varied - the approach towards Russian nationals will be.

United Kingdom

The UK government recently passed the controversial Nationality and Borders Bill. Whilst this new Immigration Act focuses on nationality and asylum matters, it also includes additional guidance on how the government can potentially suspend or refuse applications made by an applicant who is from *“any state that poses a threat to our [UK] national security or the interests of our allies around the world”*.

Given the war in Ukraine - it has been stated that this measure could apply to Russian national applicants, through additional scrutiny of applications. There is also the possibility that the UK government will require additional surcharge payment of £190 in addition to normal application fees.

Whilst we have not yet seen refusals of UK applications made by Russian nationals - increased processing times for UK visa applications since the start of the conflict has become more prevalent (in part this is also due to out of country priority services not being available for non-Ukraine applications).

It's perhaps worthwhile noting that the UK government has always retained the discretion to refuse applications where there is a possible threat to national security. As such, the wording included in the new Immigration Act should not (at least not yet) be read as a blanket ban on all Russian nationals to the UK, as applications are still being accepted. Instead, like with

many countries in the EU, it's likely that there will continue to be ongoing increased processing times for Russian nationals.

What this means for companies wishing to mobilise Russian national employees to the UK should take into account longer visa processing times, potentially impacting UK start date setting.

Middle East & Africa

Perhaps not surprisingly, Russia's list of 'unfriendly' countries does not currently include a Middle East or African country, which is indicative of the neutral position taken by governments across both regions. From an immigration perspective it's also perhaps why we're not yet seeing any real impact or additional announced restrictions on standard immigration or entry rules in either region.

What this means

In the early days of the war, global opinion was fairly aligned in its assumption that Russian victory would be quick. Four months later, and with additional sanctions implemented from the US, EU and UK, the geopolitical challenges and approaches of countries across EMEA have become increasingly nuanced, distinct with an increasing absence of cohesion.

Following the wave of evacuations of Russian personnel from Russia, outbound mobility - given the increasingly restrictive sanctions - continues to be a focus for many international companies. With global mobility teams playing a central role in moving key personnel out of the country, immigration professionals continue to work closely to provide strategic input on alternative countries where ex-Russian based workforces can move, work and reside in. The approach states are taking towards Russian nationals in particular, will continue to be a central consideration in the mid to longer term mobility planning.

For companies who still have Russian-based employees who they are looking to move out of the country, it is advisable that quick action is taken and conversations are made in tandem with the employee. The political and cultural stance of countries may be just as important in determining an outbound country option for your Russian-based employees as understanding the outbound options, visa requirements and timelines will be central to decision making.

Vialto Partners - Ukraine - Russia crisis support

Our team provides immigration support to global organisations, including as a result of the Ukraine - Russia conflict. Should you require further guidance - or would like access to our Crisis dashboard, please reach out to your usual Vialto Partners contact or our Ukraine-Russia crisis team: uk_myatlas@vialto.com

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