

GLOBAL IMMIGRATION UPDATE

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Feature Article

IMMIGRATION OPPORTUNITIES FOR UKRAINIANS: AN OVERVIEW

This article provides an update on immigration opportunities for Ukrainians in several countries.

Italy

Ukrainian nationals, if meeting the requirements, can potentially apply for any [Italian visa](#) available to foreign citizens. Below is a non-exhaustive list of immigration paths to Italy:

- Elective Residence visa—For individuals with substantial passive income who wish to reside in Italy without working
- Investor visa—For applicants making a qualifying investment in Italy
- Digital Nomad/Remote Worker visa—For highly skilled workers performing their activity remotely
- Self-employment visa—For freelance activities, founders, Italian company officers, renowned artists (quota-based)
- Employment visa—Quota based, for workers hired by an Italian employer
- Startup visa—Under the self-employment category, for establishing or joining an innovative startup in Italy

- Intra-Company Transfer visa—For temporary transfers of qualified staff within the same corporate group
- EU Blue Card—For highly qualified workers hired by an Italian employer

Other options:

- [Family visa](#)
- [Study visa](#)

Temporary Protection for Ukrainian Nationals

Ukrainian nationals who fled Ukraine on or after February 24, 2022, due to the Russian invasion may also qualify for [Temporary Protection](#) in Italy, a special form of protection created to give immediate assistance and legal stay.

To qualify, the applicant must:

- Be a Ukrainian citizen who was resident in Ukraine before February 24, 2022, and
- Have fled Ukraine on or after February 24, 2022.

Family members (spouse or stable partner, minor children, adult children, or parents who are dependent and cohabiting) are also eligible if they were residing in Ukraine before February 24, 2022, and can document the family relationship.

Temporary Protection was initially granted for one year and then extended in six-month periods. It has been further extended until March 2027. A Temporary Protection residence permit allows work activities and can be converted into a work residence permit.

Temporary protection does not prevent Ukrainian nationals from applying for international protection (refugee status or subsidiary protection). These forms of protection follow different procedures and requirements and may be appropriate depending on the applicant's personal circumstances.

Spain

Ukrainian nationals holding Temporary Protection (TP) in Spain now benefit from a [broader and more flexible framework](#) to transition into alternative immigration categories before the end of the temporary protection regime. They may apply for standard work and residence permits, whether as employees or self-employed individuals, provided the applicable requirements are met. In addition, TP holders can access other residence routes that may be initiated from within Spain, including permits under Act 14/2013 and residence permits for family members of Spanish citizens, allowing greater long-term immigration planning without the need to leave the country.

The new guidance also creates significant opportunities for long-term settlement. Time spent in Spain under TP will count in full toward the residence periods required for both long-term residence and the different categories of *arraigo* permits. This means that Ukrainian nationals may qualify for social, labor, family, or training-based *arraigo* while their TP status remains valid. Furthermore, simplified procedures are available for dependent children, including reduced documentary requirements in certain cases, facilitating family regularization and continuity of residence in Spain.

Türkiye

The Turkish immigration system does not ban any nationality from entering Türkiye or acquiring status and does not have quotas or limitations on any particular nationality. Therefore, Ukrainian nationals, even those traveling on a Ukrainian passport only, will not encounter any particular limitations or restrictions.

Additionally, Ukrainians benefit from visa-free travel into Türkiye. According to the Ministry of Foreign Affairs website, “ordinary [Ukrainian] passport holders are exempted from visa for their travels up to 90 days” for touristic and business purposes. Ukrainian nationals may use their valid biometric identity cards for their direct travels from Ukraine to Türkiye. This is particularly helpful if there are delays in obtaining Ukrainian passport renewals.

Ukrainians wishing to obtain a work permit or other resident status can apply without any special restrictions or limitations. Ukrainian applicants face mostly the same background check procedures that other nationalities undergo.

Lastly, although Turkish Airlines has long engaged in direct flights to and from Ukraine, during current upheavals, those flights may not always be operational.

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Country Updates

CANADA

What do employers need to know about the major redesign of the Ontario Immigrant Nominee Program? Also, Labour Market Impact Assessment thresholds have been updated, and there are changes in work permit extensions and reciprocal employment.

Ontario’s Major OINP Redesign: What Employers Need to Know

Ontario has introduced the first phase of a significant redesign of the [Ontario Immigrant Nominee Program](#) (OINP), replacing its existing nomination streams with a new **Ontario Workforce Priority Stream**. The changes, which [came into effect on June 25, 2026](#), are intended to simplify employer-driven pathways to permanent residence while strengthening program integrity and addressing Ontario's labor market needs.

A New Employer-Focused Stream

The new Ontario Workforce Priority Stream consolidates the province’s previous eight OINP streams into a single framework with three pathways:

- TEER 0–3 occupations for skilled workers with permanent, full-time job offers
- TEER 4–5 occupations, which are now open to all eligible TEER 4 and 5 occupations rather than being limited to specific occupations or geographic locations
- Self-employed physicians, who may qualify without requiring a job offer if they meet Ontario’s licensing and Ontario Health Insurance Plan eligibility requirements.

Updated Eligibility Requirements

The new Expression of Interest (EOI) system for the Workforce Priority Stream was launched in August 2026. The redesigned program introduces new minimum eligibility standards for applicants, including enhanced language proficiency and education requirements. Work experience requirements have also been revised based on the applicable pathway.

For employers in rural and northern Ontario, the program introduces more flexible gross annual revenue thresholds, improving access to the OINP for businesses operating outside of larger urban centers.

Changes to EOI Scoring

Ontario has also revised the EOI points system. Greater emphasis is now placed on educational attainment, Canadian education credentials, Canadian earnings, hourly wages, and an applicant's work history with the employer extending the job offer. These changes are intended to better identify candidates who have established labor market ties and demonstrate long-term economic potential in Ontario.

Important Changes for Employers

Employers should be aware that:

- The previous Employer Job Offer and Express Entry streams, along with the Master's Graduate and PhD Graduate streams, have been closed. No further invitations will be issued under the former streams.
- Existing Employer Portal registrations will remain valid; however, once the Employer Portal reopens, employers will be required to submit new job offers and new Applications for Approval of an Employment Position to support candidates under the new Workforce Priority Stream.
- Candidates whose applications were submitted under the former streams following an invitation to apply will continue to be assessed under the rules that were in effect at the time of submission.

Enhanced Program Integrity Measures

Ontario has also strengthened its compliance and enforcement framework. Among the changes, the response period for Notices of Intent to Issue an Administrative Monetary Penalty (AMP) or Ban Order has been reduced from 60 days to 30 days. OINP may now serve notices by email, regular mail, or in person, allowing for more efficient enforcement of program requirements.

Preparing for the New System

Employers intending to recruit or retain foreign talent through the OINP should begin reviewing the new program requirements now. Understanding the revised eligibility criteria and employer obligations will help ensure a smooth transition.

Updated LMIA Wage Thresholds

Employers hiring temporary foreign workers should review the [updated provincial and territorial Labour Market Impact Assessment \(LMIA\) wage thresholds](#), effective July 17, 2026, as the wage offered will determine whether an application must be submitted under the high-wage or low-wage stream. Employers that currently have ongoing recruitment for an LMIA should review and adjust the wage, if necessary, to ensure that the recruitment continues to meet high-wage LMIA requirements. Employers

should also ensure that the wage adjustment aligns with the wages being paid to existing Canadians and permanent residents in a similar role with a similar skill set and years of experience within the organization. Increasing the wage solely to qualify for a particular stream could render a negative decision on an LMIA application, as it would negatively affect Canadians and permanent residents.

Work Permit Extensions Without a New LMIA or CAQ Extended to 90 days

Immigration, Refugees and Citizenship Canada (IRCC) has introduced a temporary measure allowing certain foreign workers to apply for a work permit extension before obtaining a new LMIA or Québec Acceptance Certificate (CAQ). This option is only available if the current work permit expires within two weeks of the application. IRCC has officially expanded the submission window from 60 days to 90 days. Applicants now have 90 days from the date IRCC receives their extension request to submit the missing LMIA or CAQ; failure to do so will result in a refusal for incompleteness. Employers are strongly advised to initiate LMIA requests as early as possible to meet this updated deadline.

Changes to Reciprocal Employment (C20) Work Permit Guidelines

IRCC has [updated its program delivery instructions for Reciprocal Employment \(C20\) work permits](#) under the International Mobility Program. The revised guidance clarifies that the exemption applies where employment in Canada creates or maintains reciprocal employment opportunities for Canadians or permanent residents abroad, and that this interpretation applies to all C20 applications regardless of when they were submitted. IRCC has also confirmed that reciprocity may be established across multinational organizations and does not need to be limited to two countries. However, foreign nationals must already have an existing employer-employee relationship with the organization outside of Canada before being considered under this category. For years this has been informally enforced by some officers from time to time; this guidance now makes it a requirement to be able to apply for a work permit under this category.

UNITED KINGDOM

The Home Office has updated right-to-work guidance for employers. Also, earned settlement is on the horizon, and there have been changes to sponsor license requirements.

Home Office Updates Employer Right-to-Work Guidance

As of October 1, 2026, under [updated guidance](#), when an employer directly engages someone under an employment contract, a worker's contract, an independent contract, or an individual through an online matching service, the employer will need to [check their right to work](#) before they start work.

In addition, when an employer directly engages someone, the employer could have an indirect responsibility to check that person's right to work under the new extended liability rules. This is likely to be more relevant for organizations in sectors where subcontracting is more common, such as construction, consulting, information technology, and the gig economy.

The [key updates](#) to the [Home Office draft employer's guide to right-to-work checks](#) applicable as of October 1 include:

- **When the extended liability rules will apply.** The previous version of the draft Home Office guidance said the extended liability rules would apply when an individual commences work on or after October 1, 2026. The updated version changes that position. The guidance now says it is when the relevant contractual arrangements are entered into on or after October 1. The practical effect of this is that any existing commercial contractual arrangements an employer has in place should not need to have been amended before October 1. It is only new contracts

entered into on or after that date that must meet the prescribed requirements.

- **Delegation of responsibility for carrying out right-to-work checks.** Employers are always responsible for right-to-work checks and liable for any civil penalty. However, the guidance now specifies that as of October 1, 2026, the responsibility for carrying out right-to-work checks may be delegated to “individuals or members of staff acting on behalf of the employer, including workers, agency workers, or others working under the employer’s control, direction and who are accountable to the employer.” If the check is not carried out properly, the employer will remain liable for a civil penalty.
- **The use of an intermediary when using a right-to-work digital verification service provider (RtW DVSP).** When an employer wants to use a digital verification service provider, as of October 1, 2026, it must be a registered RtW DVSP. In the updated guidance, a new requirement has been added in relation to procuring a registered RtW DVSP’s services through an uncertified intermediary, such as a referencing or screening agency. The intermediary must clearly identify the certified and registered RtW DVSP actually carrying out the check, and the certification, registration, or trust-marked status of any DVSP must not be misrepresented.

Earned Settlement on the Horizon

Earlier this year, the government consulted on its proposals for earned settlement. These proposals [could be significant](#) for employers and migrants in the United Kingdom (UK). The core proposal is to make it harder for people to qualify for settlement (indefinite leave to remain), and the qualifying period could be doubled to 10 years or even longer in some cases. The changes could have retrospective effect, meaning migrants already in the UK could be affected.

The government said that any new earned settlement rules would be released this autumn. In advance of any earned settlement announcement, in the near future employers can support staff by:

- Encouraging sponsored workers and other visa holders to apply for settlement as soon as possible if they are eligible.
- Encouraging anyone who may qualify for settlement on the basis of 10 years’ lawful residence in the UK—known as a long residence application—to apply as soon as possible. There are indications that the long residence route may be abolished.

Changes to Sponsor License Requirements

There have been several sponsor license changes:

- **Multi-factor authentication (MFA)** is being phased in for sponsor license access for level 1 and 2 users between September 3 and November 2026. Level 1 and 2 users are those who have access to the [Sponsorship Management System \(SMS\)](#)—the online system where certificates of sponsorship (CoS) are assigned and changes are reported.
- **All level 2 user accounts will be deactivated** on March 8, 2027. Also, inactive level 1 user accounts will be deactivated. The Home Office will contact inactive level 1 users and deactivate their accounts if they do not sign into the SMS. If a level 1 user has not accessed the SMS for 12 months, UK Visas and Immigration (UKVI) will contact them as well as the Authorising Officer. If they do not access the SMS within the following three months, the Home Office will deactivate their account.
- **License activity notifications will be sent to the sponsor’s Authorising Officer**, including level 1

user changes and CoS assignments.

Given the above changes, it is suggested that employers:

- **Make sure that level 1 and 2 users' details are up to date.** If any level 1 and 2 users have changed their details—especially their email address—they should log into the SMS and update them.
- **Consider changing the Authorising Officer.** The Authorising Officer will be receiving more notifications from UKVI, and must be open to receiving them and maintaining awareness. The Authorising Officer must be based in the UK and be a paid member of staff or an office holder (such as a director) within the business. They must be the most senior person in the organization responsible for the recruitment of all sponsored workers and ensuring that the business fulfills all sponsor duties.
- **Nominate at least one in-house level 1 user to check the SMS regularly.** Any level 1 or 2 users who do not need access to the SMS should be deactivated – but remember that the business must always have at least one level 1 user who is an employee, partner, or director of the organization. That person must be willing to log into the SMS regularly.

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New Publications and Items of Interest

Alliance of Business Immigration Lawyers:

- ABIL is available on X (formerly Twitter): @ABILImmigration
- Recent ABIL member blogs are at <http://www.abilblog.com/>

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ABIL Member/Firm News

Klasko Immigration Law Partners, LLP, has published several new client alerts: [H-1B \\$100,000 Fee Extended for One Year](#), [Visa Social Media Screening: Expanded Review for TN and I Applicants](#), [Duration of Status Rule Postponed Before It Takes Effect](#), and [DHS Proposes Eliminating 60-Day Grace Period](#).

Klasko Immigration Law Partners, LLP, welcomes [Ian Wilson](#) as a Senior Associate. He joins the firm's EB-1 and corporate immigration teams and is based in the Philadelphia office. He brings experience in advising employers, universities, healthcare organizations, research institutions, and foreign nationals on employment-based immigration matters. Mr. Wilson will support the firm's EB-1, university, and corporate immigration teams, advising universities, hospitals, and multinational companies across several industries to help organizations attract and retain international talent.

Klasko Immigration Law Partners, LLP, continues to expand its bench of nationally recognized talent, with [11 attorneys named](#) to the 2027 edition of *The Best Lawyers in America*® and *Best Lawyers: Ones to Watch*® in America.

Charles Kuck was quoted by *Time* in [How a New Trump Administration Rule Could Restrict Access to Green Cards—and Confront Immigrants With a Tough Choice](#). Mr. Kuck said he expects “massive numbers of denials” of green card applications as a new public charge rule is rolled out. He noted that some clients plan to wait until after President Trump leaves the White House before filing their green card applications. Mr. Kuck says he fears that the new rule could lead to a situation where, for example, a green card applicant’s child who is a U.S. citizen receiving a public benefit, such as a free school lunch program, could lead to their parent’s application being denied.

Mr. Kuck was quoted by *Forbes* in [Judge Strikes Down Latest Version of \\$100,000 H-1B Immigration Fee](#). Mr. Kuck, one of the plaintiff attorneys in *Global Nurse Force v. Trump*, a case discussed in the article, said, “I am grateful that the judge saw the blatant violations of the Administrative Procedure Act and held the government to the law for the thousands of professionals who want to contribute to our great country.”

Mr. Kuck and **Stephen Yale-Loehr**, of **Miller Mayer, LLP**, were quoted by the *Bulwark* in [Trump to Foreign Students: F*ck Off](#). Mr. Kuck said, “They don’t want anyone going to H-1B. It’s 100 percent illegal. They want to make H-1B visas undesirable for U.S. employers,” he said, adding that if we educate a foreign student with, say, a nuclear engineering PhD at Georgia Tech, “and they go back to China or Russia, who do you think they’re helping?” Mr. Kuck also said, “This administration knows exactly what they’re doing, and their main goal is to end legal immigration to the United States. They’re creating a backlog so large the next administration will not be able to overcome it. This is not incompetence: It’s all intentional.” He noted that the “long-running anti-immigration movement knows where the soft spots in the immigration system are.” Mr. Kuck also said, “The system depends on good-faith compliance and adjudications. Once they stop that, it’s like taking the oil out of the engine. That’s what they’ve been doing, draining the oil.” Mr. Yale-Loehr said, “In my forty-plus years practicing and teaching immigration law, this is the most restrictive administration on immigration ever. They want to end all immigration to the United States.”

John Fojut, of **Kuck Baxter**, authored a new blog post: [Expedited Visa Interview Requests: What the Officer Deciding Yours is Actually Thinking](#).

Mr. Fojut authored a new article: [Getting a Tourist/Business Visa With a Pending Immigrant Petition](#).

Cyrus Mehta has authored a new blog post: [When Government Threats Collide With the Ethics of Asylum Representation](#).

Mr. Mehta was quoted extensively by *Forbes* in [Trump Enacts Additional Immigration Policies Against H-1B Visa Holders](#). He noted that the executive order delegates authority under Immigration and Nationality Act § 215(a), but that section is fundamentally an entry-control provision. “That delegation arguably supports restrictions tied to visa issuance and admission rather than [U.S. Citizenship and Immigration Services (USCIS)] adjudications of extension petitions filed by individuals already in the United States,” he said. “That could become a basis for challenge if [the Department of Homeland Security] attempts to apply the order aggressively to extensions.” Mr. Mehta also noted that the executive order “cannot rewrite the statutory framework. Section 212(n) only imposes recruitment and layoff attestations on H-1B dependent employers and willful violators. Congress specifically chose not to subject all H-1B employers to those obligations. Therefore, even though Section 3(a) of the executive order directs agencies to consider layoffs by sponsoring employers and Section 3(b) instructs [the Department of Labor] to review [Labor Condition Applications] and consider further action, it is difficult to see how the government can take enforcement action against a non-dependent employer merely because it laid off U.S. workers unless there is some independent statutory violation.” Mr. Mehta said he believes the executive order may signal heightened scrutiny of layoffs in adjudications and investigations but questions whether it can legally create new substantive requirements that Congress did not enact. “Any effort to deny petitions or impose sanctions solely because a non-dependent employer conducted layoffs would likely be in violation of the statute,” he said, adding that if USCIS “starts treating recent layoffs as evidence that U.S. workers are available, we could see a significant increase in Requests for Evidence and denials despite the lack of an express statutory basis for such

inquiries.”

Mr. Mehta was quoted by *Law360* in [Circuit Split Raises Stakes for Timing of Detention Review](#). Mr. Mehta commented on recent court rulings that may render the immigration court system ineffective for seeking release on bond, which he said means that any detained noncitizen who wants to challenge the constitutionality of their detention could be made to wait "a year or two, or longer" if forced through the petition-for-review process. Mr. Mehta, who is a member of Palestinian green-card holder Mohsen Mahdawi's legal team, said that “[e]very day that you’re detained, if there’s a constitutional violation, is very problematic.”

Mr. Mehta, who is Editor-in-Chief of the [American Immigration Lawyers Association Law Journal](#), and members of the journal’s Editorial Board participated in a [video roundtable discussion](#) on the Supreme Court’s recent decisions in *Trump v. Barbara* and *Blanche v. Lau* and their implications for immigration law and practice.

Mr. Mehta and **Mr. Yale-Loehr** were quoted by *The Times of India* in Cognizant Green-Card Filings Suspended Amid Fraud Probe. Mr. Mehta said, “We really do not know the facts and the basis behind the Department of Labor’s decision to suspend the PERM labor certification program. I would think that this suspension impacts labor certification applications that have already been filed, and not already approved labor certifications, based on which the second-step I-140 petitions (Immigrant Petition for Alien Worker) were filed and approved. However, it could spill over to other petitions and cases such as those filed under the H-1B program.” Mr. Mehta said that uncertainty over the scope and duration of the suspension could also adversely affect employee morale, particularly amid a challenging immigration environment. “The ball is in Cognizant’s court to challenge this, and we will have to see how it plays out,” he said. Mr. Yale-Loehr said, “It is unusual for the Labor Department to publicly announce an investigation and to suspend all green card filings for a company it is investigating. But that is often the way this administration works: to try to shame companies and individuals before all the facts are in.”

Mr. Yale-Loehr was quoted by *USA Today* (via *Tri-City Herald*) in [They Won the Diversity Visa Lottery. Now Their American Dream Is On Hold](#). He said the Trump administration’s actions in delaying diversity visa processing after a court order to resume it “undermine the rule of law. The reason we have courts is that if an agency violates the law, a court is supposed to be able to issue an order and expect that the agency will follow that court order. Here we see foot-dragging by the State Department to try to indirectly circumvent the court order.”

Mr. Yale-Loehr authored [If You Thought Immigration Policy Couldn’t Get Any Crueler](#), an op-ed about the new public charge rule, published by the *New York Times*.

Mr. Yale-Loehr was quoted by *The Hill* in [International Students Fear Midterms Won’t Help Pro-Palestinian Activists Targeted by Trump](#). He said, “The midterms won’t matter because immigration is an executive function, and even if the Democrats control the House and the Senate, the Trump administration can still put international students who speak out into immigration proceedings and try to deport them.” Mr. Yale-Loehr added, “There may be a little more controversy. There could be some oversight hearings as to whether that is appropriate or not. But, technically, the Congress cannot forbid the Trump administration from going after international students.”

Mr. Yale-Loehr was quoted extensively by *Firstpost* in [‘U.S. is Shooting Itself in the Foot’: Expert on Trump’s H-1B Crackdown](#). He said, among other things, that the United States “is shooting itself in the foot by not allowing the best and the brightest to be able to come here to study or to work after they finish their studies.” Mr. Yale-Loehr noted that “Trump’s first administration primarily focused on tougher enforcement and going after people who are illegally in the United States. This administration is doing that, but also trying to restrict all immigration, legal and illegal.”

Mr. Yale-Loehr was quoted by *Epoch Times* in [New D/S Rules for International Students Nearing Effective Date; Lawsuit Still Unresolved](#). He said that he believes the plaintiffs have a “very good chance of winning” the lawsuit discussed in the article, noting that procedurally, the Department of Homeland Security failed to adequately consider the thousands of comments criticizing the proposed rule;

moreover, he said, eliminating D/S (duration of status) could be considered a substantive violation of the law. He believes the judge will make a ruling before September 14, 2026, which is at least one day before the new rule takes effect. [The original article is in Chinese; this quote is translated from Chinese into English.]

Mr. Yale-Loehr was quoted by the *New York Sun* in [A Ghost Court From 1996 Awakens To Try To Deport an Alleged ISIS Matriarch](#). Commenting on the Trump administration's revival of the Alien Terrorist Removal Court, he said, "There are usually easier ways to deport someone, such as for committing a crime or overstaying a visa. The Trump administration is looking at every nook and cranny of the immigration statute to find new ways to deport people."

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About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 370 member lawyers and their more than 800 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes advocating for enlightened immigration reform, providing speakers and media sources, presenting at conferences, publishing books and articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

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