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Box 2. Temporary protection for displaced persons from Ukraine

Box 2. Temporary protection for displaced persons from Ukraine

ukraine flag

As the military aggression against Ukraine persisted into its second year, millions of people seeking refuge continued to arrive in the EU throughout 2023. By 31 October 2023, over 4.3 million non-EU citizens who left Ukraine had received temporary protection in EU+ countries, with the main hosting countries being Germany, Poland and Czechia.171

Temporary protection was initially activated until 4 March 2023. It was subsequently extended on two occasions, covering the period until 4 March 2025.172Throughout 2023, all EU+ countries begun to prolong the validity of residence permits issued to beneficiaries of temporary protection or an equivalent status.iIn addition, some countries – namely Croatia, Czechia, Estonia, France, Germany, Italy and Portugal – allow temporary protection status to be converted into residence permits for employment or family reunification.173

UNHCR continued to support several EU+ countries in coordinating responses to inflows from Ukraine.iiThe Blue Dot Hubs, managed in cooperation with the United Nations Children's Emergency Fund (UNICEF), remained active in 2023 and engaged in providing information and assistance to persons fleeing Ukraine across Bulgaria, Hungary, Poland, Romania, Slovakia and Slovenia, as well as outside of the EU in Belarus and Moldova.174

Changes in policies and procedures governing temporary protection were introduced in 2023 in several EU+ countries. The scope of the temporary protection status was extended in 2022 in many countries to Ukrainian nationals who were already outside Ukraine when the military aggression began.175In 2023, the Constitutional Court in Austria confirmed that temporary protection applies to Ukrainian nationals who left the country shortly before 24 February 2022 but in principle were residing there.176

In contrast, measures to delimit eligibility for temporary protection were implemented in some countries in 2023, including at the appeal stage. In Finland, for example, third-country nationals who resided in Ukraine on the basis of a temporary residence permit are no longer granted temporary protection.177This was already the case in the Netherlands in 2022, but the Dutch Council of State ruled in 2024 that the State Secretary cannot end temporary protection for third-country nationals who had resided in Ukraine on a date different than specified in the EU

directive. Thus, temporary protection for this group in the Netherlands ended on 4 March 2024, instead of 4 September 2023. However, after the Dutch Council of State referred questions to the CJEU for a preliminary ruling, the legal consequences of ending temporary protection on this date were frozen. This does not mean that this group continues to fall under temporary protection, but they may continue to use facilities as if they were.178

In *Applicant v State Secretariat for Migration*, the Swiss Federal Administrative Court ruled that temporary protection was not to be granted to Ukrainians who have EU/EFTA+ citizenship. Similarly in Norway, Ukrainians who have citizenship in a safe country no longer receive temporary collective protection,179while those who return to Ukraine may risk having their protection status revoked.180

Box 2 Immigration office

The Administrative Court of Munich in Germany decided in *Applicant v Immigration Office* (M 4 S 23.2442) that unmarried partners of Ukrainians were not eligible to receive temporary protection. The court came to the same conclusion in the case M 4 K 23.2440. This latter decision was reversed by the Bavarian Higher Administrative Court on 31 October 2023, with the decision in case 10 C 23.1793.

Data on decisions granting temporary protection

The number of decisions granting temporary protection in EU+ countries is used as a proxy for data on the number of persons registering for temporary protection.

In 2023, EU+ countries issued over 1 million decisions that granted temporary protection.iiiSince the high levels at the outset of the war, decisions granting temporary protection have been declining and remained relatively stable at a lower level as of the summer of 2023 (*see Figure 1*).iv

Icon for figure

Number of decisions granting temporary protection declined and have remained relatively stable

Figure 1. Number of decisions granting temporary protection in EU+ countries, March 2022–December 2023

Figure 1. Number of decisions granting temporary protection in EU+ countries, March 2022–Decer
Source: Eurostat [migr_asytpfm] as of 5 February 2024.

Germany (264,000) and Poland (234,000) issued the most decisions granting temporary protection in 2023, jointly accounting for almost one-half of all decisions issued in EU+ countries (see Figure 2). Many registrations were also carried out in Czechia (99,000), Romania (49,000), Spain (34,000), Norway, the Netherlands and Ireland (33,000 each) and Slovakia (30,000).

The most decisions per capita were granted by Czechia and Cyprus (9 and 7 decisions for every 1,000 inhabitants, respectively). They were followed by Estonia, Ireland, Latvia, Norway, Poland and Slovakia (with 6 decisions for every 1,000 inhabitants each).

Icon for figure

Germany and Poland accounted for almost one-half of all decisions granting temporary protection

Figure 2. Decisions granting temporary protection by EU+ countries with most decisions in absolute values (rectangles) and most decisions per capita (legend), 2023

Figure 2. Decisions granting temporary protection by EU+ countries with most decisions in absolu
Source: Eurostat [migr_asytpfm] as of 5 February 2024.

As in 2022, Ukrainians received 99% of all decisions granting temporary protection. In total, over 1 million Ukrainians were granted temporary protection, compared to just 15,000 applications for international protection over the same period.

In much smaller numbers, temporary protection was also granted to Russians (2,100, mainly in Spain and Germany), Nigerians (820, mainly in Portugal, Germany and Finland), Moldovans (680, mainly in Germany, Romania and Spain) and Moroccans (540, mainly in Portugal, Germany and Spain).v

While women and girls were a minority among applicants for international protection in EU+ countries, they received about three-fifths of all decisions granting temporary protection in 2023. Over one-quarter of all decisions granted temporary protection to minors (26%), practically all of whom were Ukrainian nationals.

Housing

Article 13 of the Temporary Protection Directive establishes that Member States must ensure that beneficiaries have access to suitable accommodation, social welfare, medical care, employment and education. The rapid implementation of the directive or comparable schemes across EU+ countries in early 2022 facilitated the regularisation of Ukrainian nationals' residence under simplified procedures and their access to rights associated with the temporary protection status.181As the military aggression continued in 2023, new challenges emerged in terms of ensuring longer-term solutions for the protection and integration of displaced persons from Ukraine.

Housing continued to be a pressing topic, and accommodation programmes and allowances were extended in Bulgaria,182 Romania183 and Slovakia,184 while new structures and solutions to facilitate access to accommodation were introduced in Czechia,185 Cyprus186 and Germany. 187 In Lithuania, the IOM allocated funding to partially cover the rent of beneficiaries of temporary protection.188 High occupancy rates and mounting pressure on the reception system in Norway189 led to increased requirements to access housing.190 Norway also announced

enforcing additional measures in the existing integration programme (valid for all persons who receive some form for international protection) in order to support Ukrainians in finding employment rapidly to allow them to support themselves during their stay in the country.[191] The Irish government amended the accommodation offering for new arrivals in December 2023.[192]

Employment

The labour market integration of Ukrainian nationals gained increased attention throughout 2023. National labour authorities in Finland,[193] Italy,[194] Romania[195] and Slovakia[196] published studies and statistics focused on the rate of employment and fields of work of displaced persons from Ukraine.

Beneficiaries of temporary protection are generally allowed to work without the need to obtain a separate work permit, facilitating the procedural aspects of their integration in the labour market. However, the demographic composition of displaced persons from Ukraine has posed additional challenges. Almost one-half of temporary protection beneficiaries in the EU are adult women, while children account for almost one-third.[197] The burden associated with care responsibilities and the unavailability of appropriate childcare were indicated as potential restrictions to Ukrainian women's prospects to take up employment in host countries.[198]

There are also indications that Ukrainians often take on lower-skilled positions.[199] Lengthy procedures for the recognition of diplomas or qualifications, particularly in the fields of health and education, were cited as one of the reasons why temporary protection beneficiaries often resorted to lower-level jobs.[200] In 2022, the European Commission issued a recommendation advising Member States to streamline recognition procedures for academic and professional qualifications of displaced persons from Ukraine.[201] Some countries began to implement measures to update the recognition system, including by accepting qualifications on a declarative basis for non-regulated professions.[202]

Education

Other measures to support the social and economic integration of Ukrainian nationals were put in place throughout 2023, including in the field of education. Spain implemented scholarships to support language training of temporary protection beneficiaries in the reception system.[203] In Lithuania, following announcements that displaced persons from Ukraine will be required to pass a language examination as of March 2024,[204] the IOM committed to provide free language lessons.[205]Facilitating access to education of both children and adults became a priority in Romania[206]and Slovakia.[207]

Healthcare

Language barriers may also pose obstacles in terms of access to healthcare, which combined with pressure on health systems could restrict beneficiaries' possibilities to effectively use medical services in the host countries. New information provision initiatives, including information on access to medical care, were launched by national authorities and the IOM in Bulgaria, Lithuania and Norway.[208]

With the aim of improving healthcare for beneficiaries of temporary protection in Bulgaria, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia, the European Commission launched a dedicated project within the EU4Health programme. Together with the IOM and the World Health Organization (WHO), the European Commission aims to reinforce the capacity of national health systems to cope with increasing inflows, improve access to public health services and extend coverage.209

While the extension of the temporary protection status until 2025 was a welcomed development, UNHCR reiterated its appeal to increase efforts to integrate people with vulnerabilities. The agency warned that obstacles to access accommodation, healthcare and employment, as well as administrative barriers to obtain documentation, may prompt vulnerable people to return to Ukraine.210Their second Position on Voluntary Return to Ukraine211urged host countries to ensure that effective mechanisms for vulnerability identification and referral are in place. In this regard, initiatives to provide information on services available to people with disabilities were launched by civil society organisations in Poland212and Slovakia.213

Efforts towards a better understanding of the needs of displaced persons from Ukraine persisted in 2023. The EUAA, together with the OECD, continued to implement the Surveys of Arriving Migrants from Ukraine (SAM-UKR) and published two fact sheets in June214and October215 2023. The surveys show moderate satisfaction with support services and map urgent needs perceived by displaced persons in terms of language learning, financial support and employment. Similar surveys were launched by various stakeholders in Germany,216Lithuania, 217 Poland218and Sweden.219

Information provision

National authorities, international organisations and civil society organisations continued to tailor information and web pages specifically for displaced persons, for example on registering for temporary protection, accessing the labour market and attending school.

The Directorate for Immigration (UDI) in Norway launched a “New in Norway” website targeted at newly-arrived displaced persons from Ukraine. The website is available in several languages, including English, Norwegian, Ukrainian and Russian. In addition, the Norwegian Organisation for Asylum Seekers (NOAS) launched a new website for displaced persons from Ukraine (available in Norwegian and Ukrainian). The information relates to their initial arrival, how to access services and about travel to other countries.

Likewise, the National Institute of Public Health (NIJZ), UNHCR, the World Health Organization (WHO) and the IOM published practical tips on living in Slovenia in Ukrainian.220The Legal Centre for the Protection of Human Rights and the Environment in Slovenia has been providing private consultations to Ukrainians on their rights and duties and the procedure for temporary protection.

The Federal Agency for Reception and Support Services (BBU) in Austria provides information in counselling centres about assisted humanitarian returns to a country of origin for third-country nationals who fled Ukraine. The BBU and the IOM are supporting and preparing these individuals for their onward journeys.221

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