



Funded by  
the European Union



# Application of the Temporary Protection Directive: challenges and good practices in 2023

European Migration  
Network Study

November 2024

## Disclaimer

This study has been produced by the European Migration Network (EMN), which comprises the [EMN National Contact Points \(EMN NCPs\)](#) in the EMN Member (EU Member States except Denmark) and Observer Countries (NO, GE, MD, UA, ME, AM, RS, MK), the European Commission and the EMN Service Provider. The study does not necessarily reflect the opinions and views of the European Commission, the EMN Service Provider or the EMN NCPs, nor are they bound by its conclusions. Similarly, the European Commission, the EMN Service Provider and the EMN NCPs are in no way responsible for any use made of the information provided.

## Explanatory note

This study was prepared on the basis of national contributions from 25 EMN NCPs (AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, SE, SI, SK) collected via a Common Template developed by the EMN NCPs to ensure, to the extent possible, comparability. The information contained in this study refers to the situation in the abovementioned EMN Member Countries up to 1 July 2023.

National contributions were largely based on desk analysis of existing legislation and policy documents, reports, academic literature, internet resources, reports and information from national authorities. Statistics were sourced from Eurostat.

## Published

November 2024

## For more information

EMN website: [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn_en)

EMN LinkedIn page: <https://www.linkedin.com/company/european-migration-network>

EMN X account: <https://x.com/emnmigration>

EMN YouTube page: <https://www.youtube.com/@EMNMigration>

Image: © 2024 Getty Images (cover)

Icons made by Freepik from [www.flaticon.com](http://www.flaticon.com) and [vecteezy.com](http://vecteezy.com)

# CONTENTS

|  |           |
|--|-----------|
| LIST OF DEFINITIONS  | 4         |
| <b>1. BACKGROUND</b>   | <b>5</b>  |
| 1.1 EU legal, policy and operational context   | 6         |
| 1.2 Study aims and scope   | 6         |
| <b>2. STATE OF PLAY</b>  | <b>8</b>  |
| <b>3. LEGAL STATUS AND REGISTRATION</b>  | <b>10</b> |
| 3.1 Registration and extension of validity of documentation for temporary protection   | 10        |
| 3.2 Transition from temporary protection to residence permits or other types of protection   | 12        |
| 3.3 Challenges for EMN Member Countries with respect to persons claiming to flee the war in Ukraine who may not fall under the scope of temporary protection | 13        |
| <b>4. MOBILITY OF BENEFICIARIES OF TEMPORARY PROTECTION</b>  | <b>14</b> |
| 4.1 Travelling to other Member States and outside the EU   | 14        |
| 4.2 Temporary Protection Registration Platform (TPP)   | 16        |
| 4.3 Assistance to people wishing to go (back) to Ukraine   | 17        |
| <b>5. ACCESS TO RIGHTS PROVIDED BY THE TEMPORARY PROTECTION DIRECTIVE</b>  | <b>18</b> |
| 5.1 Accommodation  | 18        |
| 5.2 Labour market  | 20        |
| 5.3 Healthcare   | 24        |
| 5.4 Education  | 26        |
| 5.5 Social assistance/welfare  | 28        |
| <b>6. VULNERABLE GROUPS</b>  | <b>30</b> |
| 6.1 Challenges in identifying and providing assistance to vulnerable groups  | 30        |
| 6.2 Challenges in providing assistance to unaccompanied minors, separated children, and children accompanied by a guardian appointed in Ukraine              | 31        |
| 6.3 Prevention of trafficking in human beings  | 33        |
| <b>7. CONCLUSIONS</b>  | <b>36</b> |

## LIST OF DEFINITIONS

The study uses the following definitions, which – unless otherwise stated – are based on the European Migration Network (EMN) Asylum and Migration Glossary.<sup>1</sup>

| Term                        | Definition  |
|-----------------------------|---|
| <b>Access to employment</b> | In the general migration context, conditions and requirements governing admittance to the labour market for migrants and refugees legally residing in a host country.   |
| <b>Guardian</b>             | An independent person appointed to act on behalf of a child, in the absence of (both) parents or the adult responsible for the child by law or by practice, who safeguards the best interests of the child and their general well-being, and to this effect complements the limited legal capacity of the child, when necessary, in the same way that parents do.   |
| <b>Intra-EU mobility</b>    | Action of persons (EU nationals or legally resident third-country nationals) undertaking their right to free movement by moving from one EU Member State to another.  |
| <b>Legal pathway</b>        | In the EU context, every legal mechanism and policies that enable lawful migration from a third country to an EU Member State, for both international and humanitarian protection needs and labour market needs, as well as through labour migration, student migration or family reunification.  |
| <b>Temporary protection</b> | A procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return <sup>2</sup> to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons and other persons requesting protection. |
| <b>Vulnerable person</b>    | Minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation (FGM).   |
| <b>Unaccompanied minors</b> | A <b>minor</b> who arrives on the territory of an EU Member unaccompanied by the adult responsible for them by law or by the practice of the EU Member State concerned, and for as long as they are not effectively taken into the care of such a person or who is left unaccompanied after they have entered the territory of the EU Member State.   |

<sup>1</sup> EMN Glossary, [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary_en), last accessed on 23 November 2023.

<sup>2</sup> Return here is distinct from situations covered by Directive 2008/115/EC which governs the return of third-country nationals who do not or no longer fulfil conditions of entry, stay or residence in an EU Member State and who have an obligation to return after being issued a return decision. In the text the term 'go back' is used rather than 'return', where possible and where it does not refer directly to the wording in the Temporary Protection Directive, to make that distinction clearer. In the same way, 'voluntary return' in the Temporary Protection Directive, is different from voluntary return in the sense of the voluntary compliance of third-country nationals with a return decision under Directive 2008/115/EU. Some EU Member States, however, provide support to beneficiaries of temporary protection wishing to go back to Ukraine through broader voluntary return and reintegration programmes. This is included in the study where relevant. For more information on the regulation of return in situations of irregular/ illegal stay, see Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, [Directive - 2008/115 - EN - EUR-Lex \(europa.eu\)](#), last accessed on 15 October 2024.

# 1. BACKGROUND

This report presents the main findings of the European Migration Network (EMN) study on the application of the Temporary Protection Directive (2001/55/EC) in 2023. The study explores some developments, challenges, and good practices relevant to the application of the Temporary Protection Directive (TPD) in EMN Member Countries in the first half of 2023.<sup>3</sup> Since 24 February 2022, Russia's war of aggression against Ukraine has created a situation of mass arrivals of displaced people from Ukraine to the European Union (EU) and other countries surrounding Ukraine. The war caused large flows of people to leave Ukraine in search of safety, with crossings at EU external borders peaking at 800 000 weekly entries from Ukraine and Moldova during the early months of the war.<sup>4</sup> The EU Member States bordering Ukraine and Moldova were the first to respond to the crisis. Following the call of Ministers for Home Affairs,<sup>5</sup> on 2 March 2022, the European Commission proposed to activate the TPD.<sup>6</sup> On 4 March 2022, the Council adopted an Implementing Decision<sup>7</sup> establishing temporary protection for displaced persons from Ukraine, activating the TPD for the first time since its adoption in 2001. This was a key component of the EU's unified response.

As per Article 2(2) of the Council Decision, temporary protection covers not only displaced Ukrainian nationals residing in Ukraine on or before 24 February 2022 and their family members, but also stateless persons and nationals of third countries other than Ukraine who benefitted from international protection or equivalent national protection in Ukraine before 24 February 2022 and their family members. As per Article 2(2) of the Council Decision, EU

Member States should provide either temporary protection or adequate protection under national law to stateless persons and nationals of third countries other than Ukraine legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who were unable to return in safe and durable conditions to their country or region of origin. Article 2(3) gives Member States the option to provide temporary protection to other persons, including stateless persons and nationals of third countries other than Ukraine who were residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin.

Several EU Member States<sup>8</sup> also extended the scope by providing temporary protection to Ukrainian nationals already legally present in that EU Member State and to those who moved shortly before 24 February 2022.

In accordance with Article 4(1) of the TPD, the duration of temporary protection is of a period of one year. Unless terminated under the terms of the Directive, the duration may be – and indeed has been – automatically extended by six-month periods for a maximum of one year, i.e. to March 2024. The European Commission's Operational Guidelines<sup>9</sup> recommended that EU Member States issue residence permits for the full possible duration of two years, i.e. until March 2024. After the first automatic extension until March 2024, the Council of the European Union announced on 28 September 2023 that temporary protection would be extended until 4 March 2025<sup>10</sup> and on the 25 September 2024 another extension was granted until 4 March 2026.<sup>11</sup>

3 Where no developments occurred in 2023, or where it would be essential to understand the situation in EMN Member Countries, developments prior or since this period are also included.

4 European Commission, 'Temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on', 2023, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%E2%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.

5 Justice and Home Affairs Council, 3-4 March 2022, <https://www.consilium.europa.eu/en/meetings/jha/2022/03/03-04/>, last accessed on 24 April 2023.

6 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, pp. 12-23. In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not bound by the TPD and instead provided a parallel national framework/form of temporary protection similar to that under the TPD.

7 Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, [https://eur-lex.europa.eu/eli/dec\\_impl/2022/382/oj](https://eur-lex.europa.eu/eli/dec_impl/2022/382/oj), last accessed on 4 March 2022, OJ L 71, pp. 1-6.

8 AT, BE, BG, CY, CZ, DE, ES, FI, FR, HR, IE, LT, LU, LV, NL, SE, SK.

9 Commission Communication on Operational Guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection, OJ C 1261, pp. 1-16.

10 Council of the European Union, 'Ukrainian refugees: EU Member States agree to extend temporary protection', Press release, 28 September 2023, <https://www.consilium.europa.eu/en/press/press-releases/2023/09/28/ukrainian-refugees-eu-member-states-agree-to-extend-temporary-protection/>, last accessed on 20 December 2023.

11 Council of the European Union, 'Ukrainian refugees: Council extends temporary protection until March 2026' <https://www.consilium.europa.eu/en/press/press-releases/2024/06/25/ukrainian-refugees-council-extends-temporary-protection-until-march-2026/>, last accessed on 17 October 2024.



## 1.1 EU LEGAL, POLICY AND OPERATIONAL CONTEXT

After the activation of the TPD by the Council Implementing Decision, the European Commission published Operational Guidelines on the implementation of Council Decision 2022/382 and of the Directive on 21 March 2022.<sup>12</sup> The Guidelines aimed to assist the Member States in applying the Council Decision, the TPD and other applicable EU law. The Commission also published Frequently Asked Questions (FAQs)<sup>13</sup> on interpreting specific issues related to temporary protection.

In addition to legal developments at EU level, some operational developments supported the implementation of the TPD. Notably, the Temporary Protection Registration Platform (TPP) which entered into operation in May 2022 allows for Member States to exchange information on beneficiaries of temporary protection (from now on BoTP) and adequate protection under national law, while limiting misuse.

Another important EU-level development was the launch of the Solidarity Platform Ukraine<sup>14</sup> to ensure coordination and cooperation among Member States, Schengen Associated Countries, EU agencies and European institutions, as well as the Ukrainian and Moldovan authorities, EU agencies and international organisations, to facilitate the mobilisation of relevant EU instruments and coordinate the matching of offers of solidarity with the needs identified, as well as to discuss operational questions and needs regarding the implementation of the TPD. The Platform regularly engages with local and regional authorities and, on certain occasions, with civil society organisations. It provides a framework for regular exchanges between Member States and other stakeholders on the implementation of the TPD. It can also facilitate dedicated sub-groups, for instance on the transfers of displaced persons from Moldova and on the TPP, strengthening cooperation and meeting new challenges rapidly and efficiently.

The Solidarity Platform is also used to coordinate Ukraine-related contingency planning at EU level by

identifying gaps and needs together with the platform's participants to continuously improve preparedness and resilience. It also offers a place to focus on security aspects and the prevention of trafficking in human beings.

Child protection is central to the EU's support to persons fleeing the war in Ukraine and the Solidarity Platform supports the coordination of the transfer of unaccompanied children to family and community-based care, as needed.<sup>15</sup> Numerous children have arrived in the EU accompanied by a guardian appointed in Ukraine, including children evacuated from Ukrainian institutions.<sup>16</sup> In the Operational Guidance on the application of the Temporary Protection Directive, the Commission has advised Member States how to register each category of children during transit and in the country where they take up temporary protection.

To ensure situational awareness, the EU Migration Preparedness and Crisis Blueprint Network<sup>17</sup> acts as a hub for exchanging information and collecting data on a regular basis to produce comprehensive reports for decision-making and better preparedness. Via the Blueprint Network, the Commission closely monitors the situation in Ukraine, enabling better early warning and operational response. Since the onset of Russia's war of aggression against Ukraine, the Blueprint Network has held over 150 meetings and issued as many reports, including forecasting and future scenarios, supporting swift political and operational decision-making.

To facilitate labour market access and the integration of BoTP, the Commission set up an EMN Working Group on the EU Talent Pool Pilot in March 2022. The pilot was launched in October 2022<sup>18</sup> as a job-searching online tool on the European Employment Services (EURES) portal, intended for BoTP looking for a job in the EU. The tool allows jobseekers to upload their CVs and connect with employers across the EU. Eight EMN Member Countries<sup>19</sup> have joined the pilot.

12 Commission Communication on Operational Guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and having the effect of introducing temporary protection, OJ C 1261, pp. 1-16.

13 European Commission, 'Frequently Asked Questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382', 2022, [https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20asked%20questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20asked%20questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382_en.pdf), last accessed on 08 April 2024.

14 European Commission, 'EU launches Ukraine Solidarity Platform', 23 March 2022, [https://ec.europa.eu/migrant-integration/news/eu-launches-ukraine-solidarity-platform\\_en](https://ec.europa.eu/migrant-integration/news/eu-launches-ukraine-solidarity-platform_en), last accessed on 20 June 2023.

15 Communication from the Commission to the European Parliament and the Council, 'Temporary protection for those fleeing Russia's war of aggression against Ukraine: one year on', COM(2023) 140 final, <https://home-affairs.ec.europa.eu/system/files/2023-03/Temporary%20protection%20for%20those%20fleeing%20Russia%E2%80%99s%20war%20of%20aggression%20against%20Ukraine%20one%20year%20on.pdf>, last accessed on 13 March 2023.

16 Ibid.

17 Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises related to migration, EUR-Lex - 32020H1366 - EN - EUR-Lex (europa.eu), last accessed 5 July 2024.

18 EU Talent Pool Pilot, n.d., [https://eures.ec.europa.eu/eu-talent-pool-pilot\\_en](https://eures.ec.europa.eu/eu-talent-pool-pilot_en), last accessed on 17 March 2023; European Commission, 'European Commission launches EU Talent Pool pilot initiative', 10 October 2022, [https://ec.europa.eu/migrant-integration/news/european-commission-launches-eu-talent-pool-pilot-initiative\\_en](https://ec.europa.eu/migrant-integration/news/european-commission-launches-eu-talent-pool-pilot-initiative_en), last accessed on 24 April 2023.

19 CY, CZ, ES, FI, HR, LT, PL, SK.



## 1.2 STUDY AIMS AND SCOPE

To provide up-to-date information and avoid duplication with earlier publications from the EMN<sup>20</sup> and other sources, this study provides an overview of developments, challenges and good practices, focusing on specific under-researched topics of interest for national and European policymakers. The study's geographical scope includes 25 EMN Member Countries.<sup>21</sup>

Building on the wealth of information published by EMN and other key stakeholders in 2022, the study's temporal scope is the first six months of 2023.<sup>22</sup> Where no developments occurred in 2023, or where it would be essential to understand the situation in EMN Member Countries, developments that occurred before or after this period are also included.

Given that scope, the study focuses on changes to the ways in which the TPD was implemented, as well as identifying challenges and good practices.

In view of the extension of temporary protection until 4 March 2025 (then 4 March 2026),<sup>23</sup> the study explores the options and scenarios beyond (or in addition to) temporary protection that are available to beneficiaries, including aspects of residence and legal status, as well as mobility. For example, beneficiaries could continue to reside in their host Member State and transition from temporary protection to other types and forms of residence or protection, move outside the EU or go back to Ukraine. These are presented in Sections 3 and 4.

In 2022 the primary focus was on emergency measures, such as the reception of arrivals, providing emergency

shelter and care and setting up registration systems. By contrast, in 2023 the focus was on more mid-term challenges, such as continuing to ensure that beneficiaries of temporary protection were provided access to rights granted by the TPD in the longer term. These challenges are outlined in Section 5.

Section 6 discusses the identification and provision of support to vulnerable groups, particularly unaccompanied minors and those travelling without a legal guardian.

The main objectives of the study are:

- To present the state of play as of 1 July 2023 and key trends in terms of the numbers of BoTP in EMN Member Countries up to 1 July 2023 (Section 2);
- To provide insights into the legal status and registration of BoTP in EMN Member Countries, including when transitioning to different types and forms of residence or protection (Section 3);
- To explore a number of key issues related to mobility and movement of beneficiaries, including when travelling to other Member States, outside the EU or going back to Ukraine (Section 4);
- To provide examples of challenges and good practices from EMN Member Countries in providing access to the rights granted under the TPD (Section 5);
- To provide an overview of policies and measures in place in EMN Member Countries to ensure support for unaccompanied minors, children arriving accompanied by a guardian, and other vulnerable groups (Section 6).

<sup>20</sup> EMN, 'Access to services for beneficiaries of temporary protection', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_services.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf), last accessed on 8 April 2024; EMN, 'Arrangements for accommodation and housing for beneficiaries of temporary protection', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_housing.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_housing.pdf), last accessed on 8 April 2024; EMN, 'Application of the Temporary Protection Directive (Scope and Registration)', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-07/EMN\\_TPD\\_Inform.pdf](https://home-affairs.ec.europa.eu/system/files/2022-07/EMN_TPD_Inform.pdf), last accessed on 8 April 2024 and the EMN Annual Report on Migration and Asylum (ARM) 2023, [https://home-affairs.ec.europa.eu/document/download/84da11ab-a2b4-48f8-9279-05249b742335\\_en?filename=EMN\\_ARM2023\\_final\\_110724\\_0.pdf](https://home-affairs.ec.europa.eu/document/download/84da11ab-a2b4-48f8-9279-05249b742335_en?filename=EMN_ARM2023_final_110724_0.pdf), last accessed 8 November 2024.

<sup>21</sup> AT, BE, BG, CY, CZ, DE, EE, EL, ES, FI, FR, HR, HU, IE, IT, LT, LU, LV, MT, NL, PL, PT, SE, SI, SK.

<sup>22</sup> The data collection period of the study is 1 January 2023 to 1 July 2023. Where no developments occurred in 2023, or where it would be essential to understand the situation in EMN Member Countries prior to January 2023, earlier developments are also included.

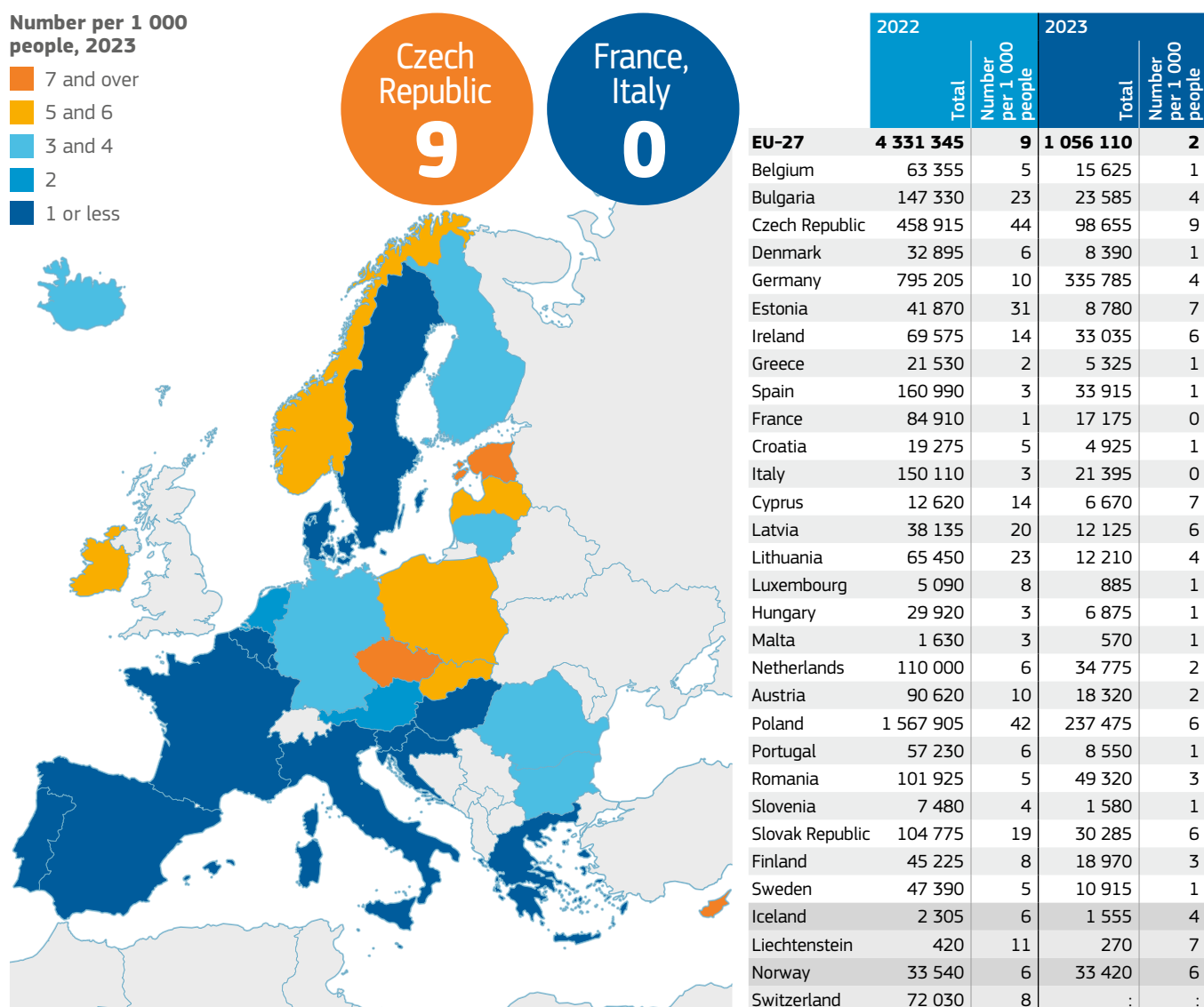
<sup>23</sup> A new extension was adopted with a decision of the Council of the EU in June 2024, until 4 March 2026, <https://www.consilium.europa.eu/en/press/press-releases/2024/06/25/ukrainian-refugees-council-extends-temporary-protection-until-march-2026/>, last accessed 14 October 2024.

## 2. STATE OF PLAY

The number of decisions providing temporary protection declined in 2023. A total of 1 056 110 decisions were issued in the 27 EU Member States (EU-27), a 76% decrease from 2022, when over four million decisions were taken providing temporary protection. Figure 1 presents an overview of decisions providing temporary protection in 2023 and 2022, highlighting the numbers per 1 000 people and the totals in the EU-27. Figure 2 shows the number of decisions provided in each month in 2023. The Member States with the highest number of decisions per

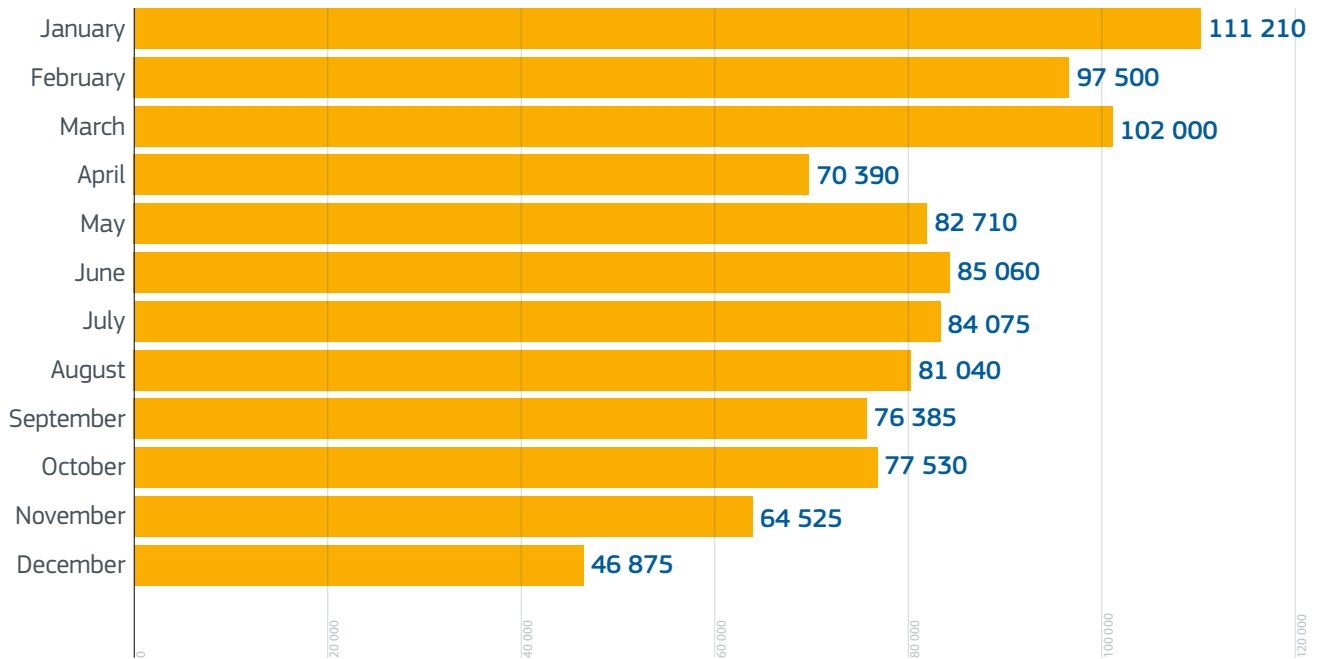
1 000 people in 2023 were the Czech Republic (9), Cyprus (7), Estonia (7), Ireland (6), Latvia (6), Poland (6) and the Slovak Republic (6).. The highest number of decisions on providing temporary protection taken by EU Member States in any one month of 2023, was in January 2023 (111 210, see Figure 2). At the end of December 2022, 3 823 540 persons displaced from Ukraine were benefitting from temporary protection. One year after in December 2023, the number of BoTP had reached 4 275 865.

**Figure 1: Decisions providing temporary protection, 2022 and 2023**



Source: Eurostat, Decisions providing temporary protection by citizenship, age and sex - annual aggregated data [migr\_asytpfm], extracted on 4 March 2024.

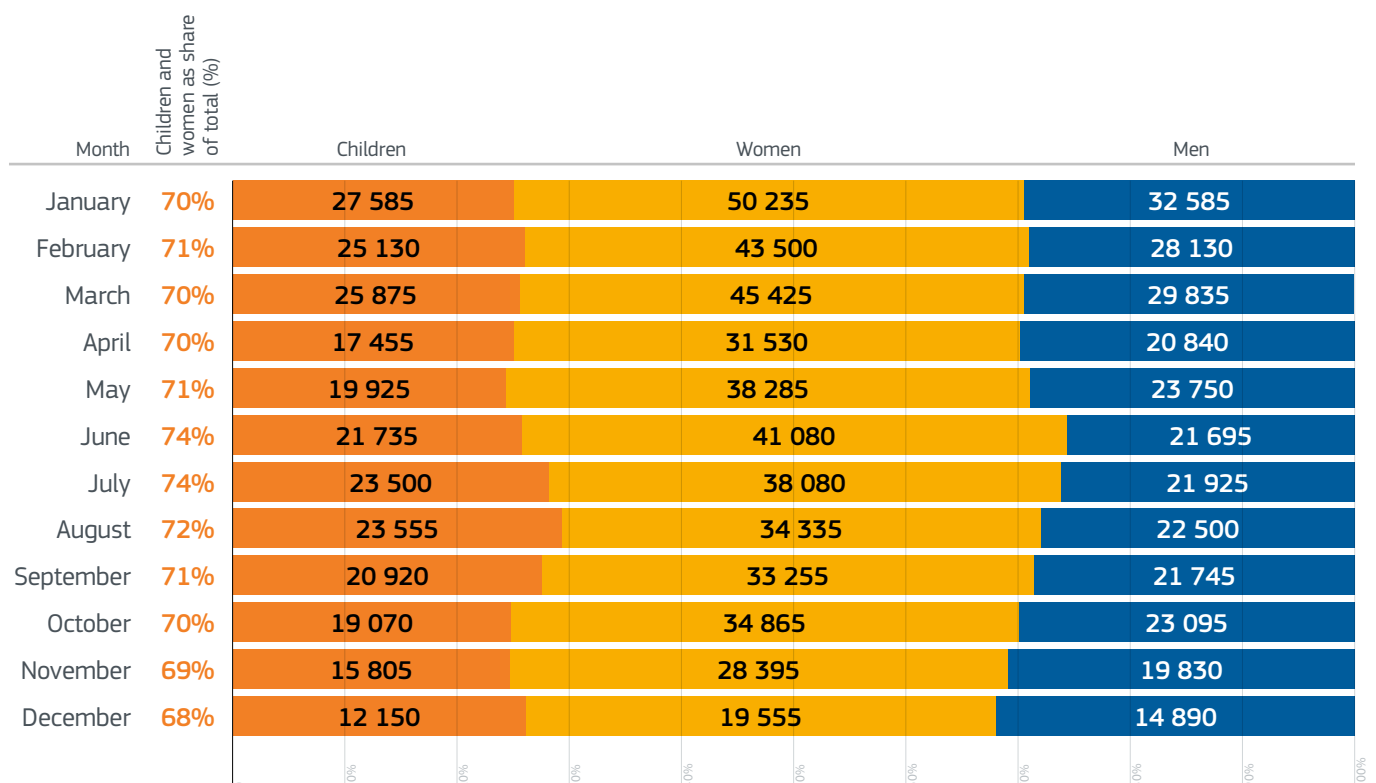


**Figure 2: Decisions providing temporary protection, 2023, by month**


Source: Eurostat, [migr\_asytprm], extracted on 4 March 2024.

Figure 3 presents an overview of the number of decisions providing temporary protection to third-country nationals displaced from Ukraine between January and December 2023. It presents the decisions providing temporary

protection, by age and sex, indicating that 68% or more per month of those provided temporary protection were women and children.

**Figure 3: Decisions providing temporary protection by citizenship, by age and sex, 2023**


Source: Eurostat, Decisions providing temporary protection by citizenship, age and sex - monthly data [migr\_asytprm], extracted on 4 March 2024.

# 3. LEGAL STATUS AND REGISTRATION

One of the key objectives of the TPD is to provide a legal residence status for persons fleeing Ukraine in the EU. This section discusses some key aspects of registration and legal residence of beneficiaries of temporary protection:

- Section 3.1 explores the changes in registration processes and procedures implemented by EMN Member Countries in the first half of 2023. It also examines procedures adopted to extend the validity of temporary protection after the first year;
- Section 3.2 describes possibilities for beneficiaries of temporary protection to obtain residence permits or alternative protection in addition, or as an alternative, to temporary protection;
- Section 3.3 examines how EMN Member Countries have dealt with challenges in respect of people falling outside the scope of temporary protection.

## 3.1 REGISTRATION AND EXTENSION OF VALIDITY OF DOCUMENTATION FOR TEMPORARY PROTECTION

The TPD provides for a set of harmonised rights for beneficiaries of temporary protection, including a residence permit for the entire duration of the protection, in accordance with Article 8. With the initial extension until March 2024 (and further extensions until March 2025 and then March 2026), EMN Member Countries not only continued to register new beneficiaries of temporary protection but also applied different processes to extend temporary protection to those already provided temporary protection.

### Legal and policy changes on registration of beneficiaries of temporary protection

The EMN inform on the application of the TPD (July 2022)<sup>24</sup> provided an overview of the registration processes put in place by EMN Member Countries, including the issuance of residence permits. In 2022, residence permits were issued mainly via asylum/migration authorities, police/border control authorities or local municipal authorities. Since 2022, most EMN Member Countries reported introducing no major legal or policy changes.<sup>25</sup>

In 2023, while a general decrease in new arrivals from Ukraine was noted, registration systems in some cases became more established as countries had time to adjust and streamline their operations. For example, Austria introduced a flexible approach to registration (see Box 1), while

Belgium and Luxembourg scaled down the opening hours of registration points to reflect the diminishing inflow.

#### Box 1: Flexible approach to registration depending on needs in Austria

In Austria, registration centres for new arrivals may be centralised, closed, or reopened, depending on the needs and specific numbers of persons applying to be registered. In Vienna, for example, since 1 June 2023, applicants have only been able to register with a prior electronic appointment.

In addition, as a more flexible approach due to a decrease in arrivals, France introduced an online system to ease registration and pre-registration.

### Procedures to extend the validity of documents based on temporary protection after the first year

Some EMN Member Countries reported the introduction of **new legislation** or **legislative amendments**<sup>26</sup> to extend the validity of documents based on temporary protection after the first year.<sup>27</sup> In June 2023, Poland amended legislation to extend temporary protection to certain categories of children or adults attending education

<sup>24</sup> EMN, 'Application of the Temporary Protection Directive (Scope and Registration)', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-07/EMN\\_TPD\\_Inform.pdf](https://home-affairs.ec.europa.eu/system/files/2022-07/EMN_TPD_Inform.pdf), last accessed on 8 February 2024.

<sup>25</sup> BG, CY, DE, EE, FI, HU, IE, IT, LT, LU, LV, MT, NL, PT, SE, SI.

<sup>26</sup> These include legal amendments to existing legislation, ministerial decisions, resolutions or communications.

<sup>27</sup> AT, BG, CY, CZ, EL, FI, LV, PL, PT, SK.

in the country beyond the date of the second extension of temporary protection (until 30 August and 30 September 2024).<sup>28</sup>

The **procedures** employed by EMN Member Countries to extend the validity of temporary protection to 4 March

2024, can be grouped into three categories: (i) those opting for automatic extension; (ii) those requiring re-registration online or in person, or through both steps sequentially, and (iii) those introducing different requirements depending on the status of the beneficiary (see Table 1).

**Table 1: Procedures for extending the validity of documentation for temporary protection after the first year**

| Procedures   | EMN Member Countries   |
|--|--|
| Automatic extension of validity of temporary protection without requiring beneficiaries to take any action   | AT, CY, DE, EL, FI, HU, IE, IT, LV, NL, PL, PT, SI, SK       |
| Requirement to re-register through an online/automated system  | LT   |
| Requirement to re-register in person   | BE, <sup>29</sup> BG, FR, HR, MT                             |
| Two step approach: requirement to re-register online/or schedule an appointment online; or written request to present in person at an administrative office for registration | BE, <sup>30</sup> CZ, EE, <sup>31</sup> LU, <sup>32</sup> SE |

In about half of the EMN Member Countries,<sup>33</sup> no action was needed, with documents automatically remaining valid or being renewed. Additional documents proving the extended validity were issued in some cases. In Latvia, for example, if a beneficiary of temporary protection wished to travel to another country, they had to apply for a new document indicating the extended validity. In Finland, beneficiaries had the option to ask for a document indicating the extended validity of their temporary protection at the Immigration Service.

Five EMN Member Countries<sup>34</sup> required beneficiaries of temporary protection to re-register with the relevant authorities. Some launched information campaigns<sup>35</sup> or informed beneficiaries of this requirement in writing, including the relevant deadlines by which beneficiaries had to present themselves.<sup>36</sup> Lithuania used an automated digital system (the Lithuanian Migration Information System, MIGRIS) to simplify registration for an extension document.

Five EMN Member Countries applied a mixed approach<sup>37</sup> requiring applicants to first register or book an appointment online or notifying them by letter<sup>38</sup> to appear in person. Reasons given for registering online included to obtain more information about the applicant (proof of address, family ties, children and their guardians), to interview them, obtain biometrics, verify that the identity document

was still valid and to manage large volumes of requests and information on integration needs.<sup>39</sup>

In the Netherlands, registered Ukrainian nationals (with a temporary protection certificate/sticker in their passport) received an automatic extension letter, while stateless persons and third-country nationals<sup>40</sup> received a new certificate to extend temporary protection.

Several EMN Member Countries also set specific deadlines for obtaining an extension.<sup>41</sup> Failure to comply could require re-registering for temporary protection.<sup>42</sup>

### Challenges in registering beneficiaries for temporary protection

The main challenges reported by EMN Member Countries related to: (i) difficulties in determining whether persons were eligible for temporary protection in order to register them; (ii) problems for people with poor computer literacy to access newly introduced automated registration systems; and (iii) a lack of trained staff.

Hungary and the Netherlands continued to face difficulties with people who had no documentation and therefore could not be registered for temporary protection on the spot.<sup>43</sup> France and the Netherlands noted applicants' attempts to register in multiple municipalities after being denied temporary protection. In the Netherlands, the Council

28 Act on assistance to citizens of Ukraine in connection with an armed conflict on the territory of this state, Article 2, 2022, pp. 10-11, <https://www.gov.pl/web/udsc-en/the-law-on-assistance-to-ukrainian-citizens-in-connection-with-the-armed-conflict-on-the-territory-of-the-country-has-entered-into-force>, last accessed on 8 March 2024.

29 Some municipalities in BE took this approach (two-step approach used in other municipalities).

30 Some municipalities in BE took this approach, while the 'requirement to re-register in person' approach was taken in other municipalities.

31 In EE, only people suspected of no longer residing in the country had to present themselves. Those whose temporary protection residence permit was already invalid had to re-register in person.

32 In LU, individual letters on the renewal procedure were sent to beneficiaries of temporary protection in December 2022. The procedure laid out in these letters was very simple: holders of a temporary protection certificate had to make an appointment online (not re-register online) with the one-stop-shop in order to renew their certificate. On the date of the appointment, they were to present themselves at the one-stop-shop with the old certificate and a valid passport and pass a short interview, after which the certificate was renewed.

33 AT, CY, DE, EL, FI, HU, IE, IT, LV, NL, PL, PT, SI, SK.

34 BE, BG, FR, HR, MT (Please note that in BE the situation is mixed given the municipal autonomy in the country and the different approaches taken).

35 BE, FR.

36 BE.

37 BE, CZ, EE, LU, SE. The mixed approach in Estonia is only used in certain cases when there are suspicions that the person does not reside in Estonia anymore.

38 BE (some municipalities), LU.

39 CZ.

40 Or stateless persons who had international protection or permanent residence in Ukraine on 23 February 2022.

41 BE, CZ, EE, FR, SE. EE set a deadline (not later than one month before the expiration of the residence permit) to obtain an extension online through the self-service portal, not for the extension per se. If a person missed the deadline for online re-registration or if the residence permit became invalid, they could re-register in person.

42 BE (some municipalities), CZ, EE, IT, SE. In CZ, if beneficiaries of temporary protection failed to show up for the extension, temporary protection was revoked, but they could apply again. However, in this case, they would no longer be eligible for housing, humanitarian assistance, etc.

43 NL reported that beneficiaries could have various types of identification documents, such as biometric or national passports, an ID card, or passports in combination with other Ukrainian residence permits and the Ukrainian spelling might have changed. Some beneficiaries had no ID documents.

for Refugees (*VluchtelingenWerk*, VWN) encountered cases where individuals who were denied temporary protection from the registration centres did not always receive a written confirmation of that denial, making it difficult for them to appeal.

Lithuania's online system was only available in Lithuanian and English, complicating matters for non-speakers and for authorities trying to 'transliterate' Ukrainian names into the system. A lack of staff during sudden spikes in temporary protection requests<sup>44</sup> and training challenges for staff<sup>45</sup> were also reported.



## 3.2 TRANSITION FROM TEMPORARY PROTECTION TO RESIDENCE PERMITS OR OTHER TYPES OF PROTECTION

### Possibilities for beneficiaries of temporary protection to apply for residence permits

In most EMN Member Countries<sup>46</sup> beneficiaries of temporary protection residing in the country can apply for residence permits, visas, or other forms of authorisation of their stay for other purposes than temporary protection (such as work, family, study, etc). However, in four EMN Member Countries,<sup>47</sup> it is not possible for beneficiaries to apply for other types of residence permits. In Slovenia, the Foreigners Act does not apply to BoTP, thereby they are required to terminate or renounce temporary protection if they wish to obtain a residence permit under the Foreigners Act. In addition, they must first leave the country, as a third-country national must acquire a permit before entering Slovenia.

To be granted a residence permit for family or work purposes, BoTP need to fulfil the conditions in the same way as other non-EU nationals. Several EMN Member Countries<sup>48</sup> have special procedures and lower requirements to make it easier for BoTP to access other residence statuses. In the Netherlands, BoTP do not need to apply for the provisional residence permit (MVV) entry visa when applying for a regular residence permit. While Estonia does not have lower requirements for obtaining residence permits, it allows displaced persons from Ukraine to stay and work without registering for temporary protection, international protection, or a residence permit. The right to a temporary stay in Estonia may be formalised via a long-term visa and is valid as long as temporary protection is in force.

In some EMN Member Countries,<sup>49</sup> the residence permit on other grounds (e.g. study, work, family, etc) is seen as an alternative to temporary protection and beneficiaries will have to renounce/lose their temporary protection status to receive it. In Finland, Germany and the Netherlands, temporary protection remains in effect and the new permit will be valid in parallel with their temporary protection, while in Belgium, it is replaced by the new residence permit and can be re-activated if the new permit comes to an end before the expiration of temporary protection.

The EU Legal Migration Directives do not apply to BoTP, this means that BoTP cannot apply directly for statuses falling under the EU legal migration acquis.

### Possibilities and procedures for beneficiaries of temporary protection to submit an application for international protection

All EMN Member Countries reported that persons to whom temporary protection applies can also seek international protection, irrespective of whether or not they have already registered for, or been provided with, temporary protection.<sup>50</sup>

Broadly speaking, EMN Member Countries apply **three different practices** in respect of their procedure for registered and unregistered persons to whom temporary protection applies and who apply for international protection: (i) suspending the international protection claim until temporary protection ceases; (ii) processing both claims simultaneously; and (iii) revoking the temporary protection when an application for international protection is lodged.

In the first case, a person who is eligible for temporary protection or is already registered as a beneficiary may apply for international protection, **but the application will only be examined when temporary protection ceases**.<sup>51</sup> The seven EMN Member Countries<sup>52</sup> using this approach reported that persons not yet registered for temporary protection but who apply for international protection are informed and encouraged to register for temporary protection, including an explanation of its benefits. In the Netherlands, temporary protection is transposed as part of the asylum procedure and beneficiaries of temporary protection must formally submit an asylum application. If an applicant for international protection is eligible for temporary protection, this will be provided, regardless of where they are in the asylum procedure. In such cases, examination of the application for international protection will be suspended until temporary protection has ended.

In the second case, if a person registered for, or eligible for temporary protection, applies for international protection,

44 BE, FI.

45 BE, FI, FR.

46 BE, CY, CZ, DE, EE, EL, FI, FR, HR, HU, IE, IT, LT, LU, LV, NL, PL, PT, SK.

47 AT, BG, SE, SI. In AT, Article 1(2)1 of the Settlement and Residence Act does not apply if the person concerned is 'entitled to residence (...) under the Asylum Act 2005'. The Regulation on Displaced Persons was adopted on the basis of Article 62 of the Asylum Act 2005, and, in the view of the Federal Office for Immigration and Asylum, the resulting right of residence constitutes a residence permit for exceptional circumstances, i.e. a permit regulated by the Asylum Act 2005. Accordingly, it is not possible to transfer to the Settlement and Residence Act under the current legal situation.

48 BE, LT, LV, NL, PL.

49 CY, CZ, DE, EE, EL, HR, HU, IE, IT, LT, LU, LV, PL, PT, SK.

50 In NL, there is a distinction: temporary protection is transposed as part of the asylum procedure, thus in order to receive temporary protection, beneficiaries must formally submit an asylum application. After meeting the requirements of the TPD and submitting the asylum application, beneficiaries are provided temporary protection. All beneficiaries of temporary protection arriving in NL must follow the application process of temporary protection and cannot opt for the regular asylum procedure instead.

51 AT, BE, BG, CZ, DE, EE, EL, FI, IT, SE, SI.

52 AT, BE, CZ, DE, FI, IT, SE.

that claim will be examined alongside their temporary protection.<sup>53</sup> France and Cyprus reported that when international protection is granted, temporary protection and the attached benefits are revoked. However, if an asylum claim fails, temporary protection is not affected.<sup>54</sup>

The last case implies that if a registered or unregistered person to whom temporary protection applies lodges an application for international protection, they lose their temporary protection status.<sup>55</sup> In Malta and the Slovak Republic, applicants for international protection can re-register for temporary protection if their asylum application is not successful.



### 3.3 CHALLENGES FOR EMN MEMBER COUNTRIES WITH RESPECT TO PERSONS CLAIMING TO FLEE THE WAR IN UKRAINE WHO MAY NOT FALL UNDER THE SCOPE OF TEMPORARY PROTECTION

The challenges most frequently mentioned by EMN Member Countries in relation to people claiming to be fleeing the war in Ukraine who may not fall under the scope of the temporary protection were related to difficulties in establishing whether these persons would be eligible, including due to lacking documentation, as well as detecting potential cases of misuse of the status by people outside its scope.

#### Difficulties in establishing whether a person falls under the scope of temporary protection

Establishing whether or not a person falls under the scope of temporary protection was the challenge most frequently highlighted by EMN Member Countries.<sup>56</sup> This mainly concerns difficulties in determining whether a person claiming to be fleeing the war had indeed been residing in Ukraine prior to 24 February 2022 and had fled the country after that date.

#### Potential refusal of people falling under the scope of the temporary protection system

Finland reported problems in dealing with people who had resided in the occupied territories of Luhansk or Donetsk, as some never had any documents or struggled to obtain their documents from the Ukrainian authorities. Estonia reported challenges with people arriving via the border with Russia, given that many have dual nationality (Ukrainian and Russian), making it difficult to verify whether the person had lived in Ukraine and was eligible for temporary protection. Belgium reported difficulties in proving the existence of family unity between third-country nationals who claimed to be non-married partners, as registered civil partnerships do not exist in Ukraine. Luxembourg experienced challenges in verifying whether third-country nationals who could prove that they legally resided in Ukraine before 24 February 2022 on the basis of a valid residence permit were eligible for temporary protection, i.e.

whether they could or could not go back to their country of origin and live there under durable conditions.

In general, where persons were unable to fulfil the criteria for temporary protection, some EMN Member Countries<sup>57</sup> advised them to apply for international protection instead. However, in Cyprus and Estonia, this created an additional burden on their asylum system. Others offered the possibility of applying for a residency permit under the national legislation instead.<sup>58</sup> In response to the increase in international protection claims, Italy authorised the hiring of more staff to facilitate the efficient coordination of tasks within the National System for the Recognition of International Protection. Some EMN Member Countries introduced the possibility of a legal remedy through a judicial<sup>59</sup> or administrative appeal process,<sup>60</sup> or the possibility of a reassessment of the claim.<sup>61</sup>

#### Potential misuse of the temporary protection system by people falling outside of its scope

The Czech Republic, Estonia, Germany, and the Netherlands reported concerns about the possible misuse of the temporary protection system by ineligible applicants wishing to benefit from the associated financial and social benefits. Such cases included people with dual citizenship (one from an EU Member State), family members of EU citizens, long-term residents of a country other than Ukraine or with a residence permit in another country, people with long-term residence who purposely terminated that residence believing they could benefit from temporary protection, and Ukrainian nationals who were present in the host country before February 2022.<sup>62</sup>

53 CY, FR, HR.

54 CY, FR.

55 IE, LU, MT, PL, SK. In LU, temporary protection ceases the moment international protection is granted.

56 CY, EE, FI, HU, IE, IT, LU, LV, NL.

57 CY, EE, FI, IE, IT.

58 BE, CZ (can apply for a 'tolerated stay', which is a special form of temporary stay), IT, LT, SK.

59 AT, CY.

60 E.g. BE, FI, NL.

61 E.g. IE.

62 CZ reported all of these cases except for the issue of short-term migrants, while NL only reported Ukrainian nationals with another EU nationality wishing to benefit from temporary protection and Ukraine short-term migrants making repeated claims. Estonia reported Ukrainian nationals present in Estonia before February 2022 and who, therefore, did not qualify for temporary protection.

# 4. MOBILITY OF BENEFICIARIES OF TEMPORARY PROTECTION

This section focuses on key aspects of the mobility and movements of beneficiaries of temporary protection:

- Section 4.1 explores the policies, practices, and challenges in EMN Member Countries when beneficiaries are travelling to other Member States and outside the EU, including travelling to Ukraine;
- Section 4.2 explores how EMN Member Countries have made use of the TPP;
- Section 4.3 examines whether and to what extent EMN Member Countries have provided assistance to people wishing to go back to Ukraine.



## 4.1 TRAVELLING TO OTHER MEMBER STATES AND OUTSIDE THE EU

According to Regulation (EU) 2018/1806, as reiterated in Council Implementing Decision 2022/382, Ukraine nationals are exempt from the requirement to be in possession of a visa when crossing the external borders of EU Member States for stays not exceeding 90 days in any 180-day period.<sup>63</sup> As per recital 15 of the Council Implementing Decision, EU Member States agreed not to apply Article 11 of Directive 2001/55/EC, which requires an EU Member State to take back a person enjoying temporary protection if they remain in or attempt to enter another Member State without authorisation. As per recital 16, Ukrainian nationals, as visa-free travellers, have the right to move freely within the Union after being admitted into the territory for a 90-day period. On this basis, they are able to choose the Member State in which they wish to enjoy the rights attached to temporary protection or to join their family and friends within the significant diaspora networks across the Union.

With respect to **traveling and mobility to Ukraine and third countries**, the European Commission's FAQs<sup>64</sup> provide guidance on the possibility for beneficiaries to go back to Ukraine without affecting their temporary protection. For short-term visits, the Commission takes the view that persons enjoying temporary protection might need to go back to Ukraine for family visits, collecting papers, or even to rescue family members. Hence, any short return to Ukraine should not be considered by Member States as a decision to return voluntarily, i.e. the moving of the BoTP's residence back to Ukraine permanently.<sup>65</sup> Ukrainians (and other third-country nationals) who hold residence permits

issued by Member States under Article 8 of the TPD may also exit the EU and travel to third countries.

### Tracking mobility of beneficiaries of temporary protection travelling to other Member States and outside the EU

While the systematic tracking of short-term and long-term movements of beneficiaries of temporary protection to other Member States and outside the EU is not common practice,<sup>66</sup> some tracking is employed through border control, self-reporting and notifications related to other services.

The tracking of movement outside of the EU is mostly carried out through normal border control procedures. This includes entry/exit stamps for airport departures and arrivals from countries outside of the EU.<sup>67</sup> Finland reported recording departures and arrivals to a national database as a part of its normal border control procedure when third-country nationals are crossing the external Schengen border (air, land and sea borders). Estonia reported that movement is only tracked on the Estonian-Russian border.

Some EMN Member Countries<sup>68</sup> use obligatory or voluntary self-reporting by beneficiaries to track their movements. Sweden requires beneficiaries to report when they move to another country, while Austria, Germany and the Netherlands require all persons to de-register from the population register when moving to another country. Luxembourg

63 Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX-3A32018R1806>, last accessed on 9 November 2023.

64 Frequently Asked Questions on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382, [https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20Asked%20Questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20Asked%20Questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382_en.pdf), last accessed on 9 February 2024.

65 Within the meaning of Article 21 of Directive 2001/55/EC, justifying revoking residence permits and ceasing to ensure the rights attached to temporary protection.

66 Tracking of movement is not a common practice in BE, BG, CY, CZ, HU, IE, IT, LT, LU, LV, MT, PT, SI, SK.

67 BE, BG, CY, CZ, ES, HR.

68 AT, BE, CY, CZ, DE, EE, FI, LU, SE.

requires BoTP moving to another Member State to report the change to the General Department of Immigration, to renounce to their temporary protection status in the country. Failing to do so would lead to a withdrawal of temporary protection in Luxembourg. The Czech Republic employs a voluntary declaration of departure to the Ministry of the Interior, which similarly helps to track short- and long-term departures. In both the Czech Republic and Germany, compliance with de-registration requirements is low. TPP recordings of registrations of temporary protection in other Member States are also used to track double registrations within the EU.<sup>69</sup>

Finally, checks on accommodation or reception centres, or by State-sponsored service providers can obtain information on the movement of beneficiaries.<sup>70</sup> In the Czech Republic and Ireland, the obligation to notify state authorities of departure from the state if living in state-provided accommodation or in relation to social assistance payments may provide indications of movement.

### Trends in outflows of beneficiaries

To monitor outflows, some EMN Member Countries rely on statistics on beneficiaries of temporary protection who de-register or otherwise notify the authorities of their departure.<sup>71</sup> Challenges in identifying reliable trends include the difficulty of tracking people going back to Ukraine or moving to another Member State, or travelling back and forth for long-term or short-term periods within Europe, because there is no tracking system in place and no internal border checks in the EU.<sup>72</sup> A number of EU Member States reported that many beneficiaries of temporary protection do not de-register and/or do not inform the authorities about their departure.<sup>73</sup>

The majority of EMN Member Countries observed no significant outflows of beneficiaries of temporary protection during the reporting period.<sup>74</sup> Administrative data in Ireland estimated that a large proportion of those registered continued to reside in Ireland.<sup>75</sup> However, some countries noted a decrease in temporary protection renewals, which could indicate that beneficiaries have left the country temporarily or they have moved to another Member State or back to Ukraine.<sup>76</sup> Poland reported an increase in outflows of beneficiaries of temporary protection since the beginning of 2023, which is attributed to the introduction of the obligation to cover part of the costs of stay for people

with a multi-month stay in the country. It also noted that many beneficiaries moved to Germany during the reporting period due to ties with family and friends and employment opportunities. Finally, Cyprus noted an increase in outflows, which it attributed to the government's decision to only provide accommodation to single-parent families and vulnerable individuals.

### Effect on temporary protection and related benefits when beneficiaries of temporary protection travel from one member state to another and outside of the EU (including Ukraine)

Most EMN Member Countries<sup>77</sup> do not restrict the movements of beneficiaries of temporary protection, who can therefore travel within the EU for short periods of (up to 90 days within a 180-day period), provided they have the necessary documentation, without impacting their temporary protection or related benefits. In Bulgaria, Croatia, Hungary and the Slovak Republic, temporary protection remains valid even if they travel for extended periods.<sup>78</sup> If travel exceeds the permitted 90 days, some EMN Member Countries can withdraw either temporary protection or a residence permit issued based on temporary protection.<sup>79</sup> In Poland, Ukrainian citizens can only travel for a 30-day period to Ukraine.

In other EMN Member Countries, temporary protection can only be withdrawn if it is established that a beneficiary had been provided temporary protection in another country or has permanently left the country.<sup>80</sup> However, others allow that status to be regained if the beneficiary decides to return, even if temporary protection has been withdrawn due to travel exceeding 90 days or a more permanent departure.<sup>81</sup> In Malta and the Netherlands, temporary protection may be terminated. For example, in Malta, temporary protection will be terminated if a beneficiary travelled to Ukraine, while in the Netherlands, BoTP can travel inside the EU and to Ukraine but can lose their temporary protection. However, it can be provided again under certain circumstances.<sup>82</sup>

For BoTP, travelling could impact their social benefits, sometimes even for periods shorter than 90 days<sup>83</sup> in cases where they, for example, fail to report their travels to the relevant authorities (see Box 2).

69 AT, BE, CZ, DE, FI, IT, LT, LU, LV, SK.

70 AT, CZ, FI, IE, NL, SE.

71 BE, EE, FI, IE, LU, SK.

72 BE, CZ, DE, FI, LT, LU, SK.

73 BE, CZ, DE, EE, FI, IE, LU, SE, SK.

74 AT, BG, CZ, ES, FI, FR, HU, LT, LU, NL, SI, SK.

75 Central Statistics Office (June 2023) Arrivals from Ukraine in Ireland – Series 10, [www.cso.ie](http://www.cso.ie), last accessed 15 October 2024.

76 BE, CZ, SE.

77 AT, BE, BG, CY, CZ, DE, EL, EE, FI, FR, HU, IE, IT, LT, LU, LV, MT, NL, PT, SE, SI, SK.

78 BG, HR, HU, SK.

79 AT, BE, CY, DE, FI.

80 BE, CZ, DE, EE, FR, HR, LT, LU, LV, SK.

81 BE, CY, DE, EL, FI, FR.

82 For example, in NL, a beneficiary of temporary protection may leave a reception centre for a maximum of 28 days. If they leave for a longer period without reporting it, they are assumed to have left the reception permanently and to no longer want temporary protection. In such cases, reception is terminated, the person is de-registered from the personal records database, then the temporary protection is terminated. If the person reports before this process is completed, temporary protection will not be terminated.

83 AT, BE, CZ, DE, EE, FI, IE (beneficiaries of temporary protection are treated the same as other social welfare recipients travelling outside the state), NL, SI.

### Box 2: Social benefits and accommodation may be affected when BoTP travel

- In **Austria**, basic care and benefits, such as family and childcare allowance, can be affected;
- In the **Czech Republic**, if a BoTP who lives in humanitarian accommodation travels for more than 10 days without reporting their reason for departure, their accommodation will be suspended;
- In **Estonia**, BoTP residing in state-provided accommodation must inform their accommodation coordinator if they are away for more than 24 hours. BoTP who have relinquished their previous place of residence and who then return to Estonia may encounter difficulties in securing new accommodation or receiving rental assistance for housing;
- In **Finland**, if a BoTP travels for more than seven days, their reception allowance will be reduced. They will lose their accommodation after two weeks, but can reapply when they return, albeit without any guarantee they will receive the same accommodation;
- In **Ireland**, approved absences from state-provided accommodation are only possible for medical or compassionate reasons. However, BoTP have the option to relinquish their accommodation to facilitate travel. In these cases, they are entitled to make a new application for accommodation on their return to Ireland;
- In **the Netherlands**, BoTP who are Ukrainian nationals may have their housing in reception facilities offered to other people if they do not report their intention to travel and leave for more than 14 days. Third-country nationals may travel at the risk of losing their temporary protection status altogether.

### Challenges encountered by beneficiaries of temporary protection in re-entering the EU from Ukraine or returning from another Member State

Although not many challenges were reported in relation to beneficiaries of temporary protection re-entering the EU or returning from another EU Member State, this group occasionally faced difficulties when presenting their temporary protection residence permits at certain border crossings:

- Lithuania reported that beneficiaries encountered difficulties crossing borders with digital permits issued in 2023, which were not recognised by other countries. This was resolved bilaterally;
- Luxembourg recorded several reports from Ukrainian citizens encountering problems re-entering the EU through Poland because their Luxembourg-issued temporary protection certificate is issued on tamper-proof paper, without biometric data. This issue was also resolved bilaterally;
- The Netherlands and the Slovak Republic reported similar difficulties for beneficiaries presenting residence documents issued by the two countries. The Netherlands issued a residency sticker and a renewal letter, which posed difficulties for Polish and German authorities, while the Slovak Republic issued a temporary protection document not listed in Annex 22 of the Schengen Handbook (Practical Guide for Border Guards)<sup>84</sup> as a residence permit confirming the legality of stay in the Schengen area. The Netherlands reported that this issue was addressed by including both the residence sticker and the renewal letter in various guidebooks for border guards (e.g. Schengen handbook/Faro/Prado Handbooks) and by bilaterally sharing information with other EU Member States to ensure that the residence sticker and renewal letter are recognised.

Another issue concerned expired or incomplete documentation presented at borders. For example, beneficiaries of temporary protection travelling between Finland and Russia without the necessary documentation (e.g. a valid biometric passport) created problems for border guards to verify their identity and allow entry.



## 4.2 TEMPORARY PROTECTION REGISTRATION PLATFORM (TPP)

On 31 May 2022, the European Commission launched the Temporary Protection Platform (TPP) for the exchange of information on beneficiaries of temporary protection from Ukraine. The platform allows EU Member States to exchange information on registered persons in real time so that individuals fleeing Ukraine can effectively benefit from their rights in all Member States, while addressing instances of double or multiple registrations and limiting possible abuse.<sup>85</sup>

Almost all EMN Member Countries reported that their immigration authorities, asylum service or Ministry of Internal Affairs staff used the platform systematically, either daily or weekly. However, Malta used the platform only rarely<sup>86</sup> and Slovenia not at all.<sup>87</sup> The platform was used to register BoTP, and beneficiaries of adequate protection under national law and record their data, identify registrations of temporary protection in other Member States and identify departures in their own countries, deactivate temporary

<sup>84</sup> C(2022) 7591 final.

<sup>85</sup> European Commission, 'Solidarity with Ukraine: Commission launches an EU platform for registration of people enjoying temporary protection or adequate protection under national law', News article, 31 May 2022, [https://neighbourhood-enlargement.ec.europa.eu/news/solidarity-ukraine-commission-launches-eu-platform-registration-people-enjoying-temporary-protection-2022-05-31\\_en](https://neighbourhood-enlargement.ec.europa.eu/news/solidarity-ukraine-commission-launches-eu-platform-registration-people-enjoying-temporary-protection-2022-05-31_en), last accessed on 8 March 2024.

<sup>86</sup> Malta seldomly uses the platform.

<sup>87</sup> SI reported that it does not use the platform due to the lack of a legal basis.



protection in the first Member State in cases of duplicate registrations in the EU, or temporarily suspend benefits.<sup>88</sup> The Netherlands and the Czech Republic reported that the TPP was also useful in spotting trends on the Member States from which beneficiaries of temporary protection and of adequate protection under national law were arriving. Most EMN Member Countries do not upload the identity of the adult accompanying 'separated' children arriving from Ukraine or guardians appointed in Ukraine before departure, while six others do record this information.<sup>89</sup> In Bulgaria, the identity data of adults accompanying 'separated' children are uploaded to the platform if they are registered as persons with temporary protection in the country or under adequate protection under national law. If the guardians identified in Ukraine prior to departure do not accompany the children to the country, their information is not recorded in the systems of the State Agency for Refugees nor on the TPP.

### Challenges faced by EMN Member Countries when using the TPP

Challenges that emerged include **disparities in data entry** by EU Member States, **inconsistency of use,**

### and administrative and information technology (IT) issues.

The lack of regular updates of data on the TPP by some Member States make it difficult to identify multiple registrations for temporary protection.<sup>90</sup> Delayed replies by other Member States challenge the system's efficiency,<sup>91</sup> while different spellings of a name make it difficult to find a person in the system. The lack of biometrics in the system complicates the establishment of the identity of a person and the identification of double entries of beneficiaries.<sup>92</sup> The registration of minors arriving with adult family members is usually not pursued in most EMN Member Countries, making it difficult to verify whether they have received benefits elsewhere. France reported challenges in applying the General Data Protection Regulation (GDPR) when transferring personal data into European databases. Germany had to amend its national legislation to be able to exchange data with other EU Member States. Problems with the IT system were also noted<sup>93</sup> during the reporting period, although these have largely been resolved.



## 4.3 ASSISTANCE TO PEOPLE WISHING TO GO (BACK) TO UKRAINE

According to Article 21 of Directive 2001/55/EC, Member States shall take the measures necessary to make possible the voluntary return of persons enjoying temporary protection, or whose temporary protection has ended. In the case of voluntary return to Ukraine before the end of temporary protection, the host EU Member State can revoke a residence permit and cease to ensure the rights attached to temporary protection. "Member States shall, on the basis of the circumstances prevailing in the country of origin, give favourable consideration to requests for return to the host Member State for people who have enjoyed temporary protection and exercised their right to voluntary return. This provision cannot be read as implying that persons who return voluntarily to their country of origin could then be prevented from returning to the Union as a whole or that such people are no longer be eligible for temporary protection on subsequent return to the Union."<sup>94</sup>

The majority of EMN Member Countries reported that they do not assist people wishing to go back to Ukraine.<sup>95</sup> Belgium, France, Italy and the Netherlands, however, indicated that voluntary return assistance is possible<sup>96</sup> or they assist

with voluntary return to Ukraine.<sup>97</sup> For example, since May 2022, Belgium has provided assistance<sup>98</sup> to Ukrainians and third-country nationals with legal residence in Ukraine who decide to go back to Ukraine. The Netherlands Repatriation and Departure Service (DT&V) assists BoTP who do not have the financial means to buy a ticket, who do not have the correct travel documents, or who are disabled or travelling with pets. France grants free train tickets to countries bordering France to facilitate the travel of BoTP wishing to go back home. From the introduction of this measure until the end of February 2023, it issued 42 000 tickets.<sup>99</sup>

Two EMN Member Countries<sup>100</sup> have started discussions on the provision of assistance to go back, but programmes have yet to be launched. In the Czech Republic, following discussions to support people who wish to go back, the Czech Ministry of the Interior proposed legal and practical measures similar to those for assisted voluntary return, which were approved by the parliament during the reporting period.<sup>101</sup>

88 CZ, EE, FI, NL (the data need to be verified by other EU Member States before any action is taken), SE.

89 No: CY, CZ, EE, FI, FR, HR, HU, LT, LU, LV, SE. Yes: AT, BE, BG, NL, MT, PL.

90 BE, CZ, EE, FI, PL.

91 BE, CZ, FI, SK.

92 AT, BE, FI, NL, SK.

93 BE, CZ, EE, FI, HR, IE, PL.

94 Frequently asked questions on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382, [https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20asked%20questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-07/Frequently%20asked%20questions%20received%20on%20the%20interpretation%20of%20the%20Temporary%20Protection%20Directive%20and%20Council%20Implementing%20Decision%202022-382_en.pdf), last accessed 18 November 2024.

95 AT (with the exception of organisational support in individual cases), BG, CY, CZ, DE, EE, ES, FI, HR, HU, IE, LV, LU, PL, PT, SI, SE.

96 IT reported that Ukrainian citizens may have access to assisted voluntary returns programmes, financed by the Asylum, Migration and Integration Fund (AMIF), but no departures were recorded during the assessment period.

97 BE, FR, NL.

98 Assistance may include bus tickets, escorts to reach the border, financial support, and limited reintegration support for those wishing to go back through local partners.

99 EMN, *Annual Report 2022, 2023*, section 13, p. 52, <https://www.immigration.interieur.gouv.fr/fr/content/download/134803/1068404/file/Rapport-annuel-du-REM-2022-sur-la-migration-et-lasile-en-France.pdf>, last accessed on 08 March 2024.

100 CZ, SI.

101 In effect from 1 January 2024. However, the voluntary return programme has not been activated and can only be launched through a government decision.

# 5. ACCESS TO RIGHTS PROVIDED BY THE TEMPORARY PROTECTION DIRECTIVE

The Temporary Protection Directive<sup>102</sup> lists the rights of beneficiaries of temporary protection, including access to **suitable accommodation**, access to **employment** (subject to rules applicable to the profession and to national labour market policies and general conditions of employment), access to **medical care**, access to **education** for persons under 18 years, and assistance in the form of

**social welfare** and means of subsistence if necessary. This section explores the main changes and challenges encountered by EMN Member Countries in providing these rights to BoTP in the first half of 2023: accommodation (Section 5.1); labour market (Section 5.2); healthcare (Section 5.3); education (Section 5.4), and social assistance and welfare (Section 5.5).



## 5.1 ACCOMMODATION

Article 13(1) of the TPD<sup>103</sup> requires that EU Member States ensure access of BoTP to suitable accommodation or housing. In 2022, EMN Member Countries responded to the mass influx of persons arriving from Ukraine by offering several housing or accommodation options in parallel. This included reception centres, emergency, or temporary accommodation, and accommodation offered by private individuals and legal entities. Private accommodation proved particularly crucial to help EMN Member Countries to deal with the mass influx of displaced persons. In 2022, accommodation was also supplemented with a number of financial support schemes, aimed at supporting (financially) private individuals housing persons fleeing Ukraine or municipalities/entities offering housing (e.g. hotels).<sup>104</sup>

In the first half of 2023, the main reported changes included adjustments to the different financial schemes for private property owners hosting beneficiaries or for beneficiaries themselves. While the aim was to support the transition of BoTP into more sustainable housing, a number of EMN Member Countries are experiencing persistent challenges in providing such forms of housing.

### Main changes introduced in 2023

Not all EMN Member Countries reported major changes in their provision of housing to BoTP in 2023, with some<sup>105</sup> focusing on extending the duration of existing measures introduced in 2022 (e.g. provision of financial support). Those that introduced new measures often

reported adjusting the financial compensations provided for accommodation, as well as working to secure new types of accommodation to address growing demand.

Those EMN Member Countries<sup>106</sup> that **adapted their financial accommodation support schemes** often reduced the level of state support or focused on targeting only vulnerable groups. The Czech Republic discontinued the Solidarity Household Allowance as of 1 July 2023, which was previously provided to private households housing beneficiaries to offset additional expenses incurred. The allowance is no longer considered sustainable for the state, due to the high costs involved. Housing costs are now assessed as part of the Humanitarian Benefit, which BoTP can receive if they meet the statutory conditions. State humanitarian accommodation is provided free of charge for the first 150 days after temporary protection is provided. As of October 2023, Belgium reduced the living allowances offered to beneficiaries of temporary protection<sup>107</sup> and France reduced the flat rate for rental intermediation measures for households no longer requiring enhanced social support.

Poland amended its Act on assistance to Ukrainian citizens in January 2023 and set out specific conditions for the provision of accommodation and food assistance to Ukrainian citizens 120 days after their first entry into Poland, aimed at getting them to become more independent. The new conditions foresee that 120 days after entry beneficiaries of temporary protection will cover 50% of

102 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, <https://eur-lex.europa.eu/legal-content/EN/TX/?uri=celex%3A32001L0055>, last accessed on 25 October 2023.

103 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, <https://eur-lex.europa.eu/legal-content/EN/TX/?uri=celex%3A32001L0055>, last accessed on 25 October 2023.

104 See EMN, "Arrangements for accommodation and housing for beneficiaries of temporary protection" Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_housing.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_housing.pdf)

105 HR, IT, LT, LV, NL, SK.

106 BE, CZ, DE, FR, HU, PL.

107 In autumn 2023, the Flemish Region will prepare and implement a strategy change from addressing reception in public reception centres to a through-flow to the regular housing market (with integration and inclusion in the labour market as levers) in which multiple sectoral embedding will be interwoven (labour, housing and integration).

the costs of assistance in advance<sup>108</sup> and after more than 180 days they will begin to cover 75% of the assistance costs.<sup>109</sup> There are a number of exceptions to these rules: Ireland introduced a contribution policy in 2023. BoTP who are provided with full board accommodation are expected to contribute to the cost of the meals at a rate of € 10 per day per adult and € 5 per day per child.

Three EMN Member Countries<sup>110</sup> introduced new accommodation schemes or new measures to deal with high demand in 2023. In April, the Czech Republic introduced a system of short-term accommodation for newly arriving persons, where they can stay until the assistance centre opens in the morning. In June, Cyprus introduced a Rent Subsidy Scheme to provide financial assistance<sup>111</sup> to BoTP staying in accommodation designated by the state or who arrived from 1 June 2023 onwards. In addition, persons whose accommodation in hotels was financed by the government of Cyprus ended on 31 May 2023 (following a six-month accommodation period) were provided with a one-off sum of € 1 000 per person assistance to cover initial emergency needs (including rent). This process was preceded by a profiling procedure carried out by the Social Welfare Services to identify vulnerable persons/families, whose accommodation in the hotels could be extended until March 2024.

Ireland focused on a number of measures to deal with the high demand for accommodation, including: introducing a new streamlined process for all offers of commercial accommodation (from January 2023); the possibility of using former nursing homes as accommodation for international protection applicants and BoTP;<sup>112</sup> and implementation of the rapid build housing programme. In May 2023, Ireland was implementing 700 'rapid build homes' for BoTP, an increase of 200 units on the 500 units originally approved by the government in 2022. These homes have the potential to accommodate up to 2 800 persons (based on four-person family units).<sup>113</sup>

## Reported challenges

The most common challenge in providing accommodation was the **overall lack of available housing in 12 EMN Member Countries**,<sup>114</sup> especially in urban areas. This was already an issue pre-2022, compounded by a lack of sufficient affordable social housing, or a shortage of housing generally.<sup>115</sup> The saturated rental market poses a challenge, sometimes resulting in BoTP living in areas with limited access to services or employment opportunities, which at times reportedly also resulted in beneficiaries refusing housing offered for free.<sup>116</sup> Lithuania noted that the arrivals of BoTP create additional pressures on the rental and job markets in certain areas and increase the workload of local services (health, education).

### Box 3: France's Medium-Sized Towns Plan

To ensure better regional distribution of BoTP, France launched a communication campaign, 'Toute la France vous accueille' (all of France welcomes you) promoting various opportunities, including accommodation and housing. For example, the Medium-sized Towns Plan set targeted and progressive objectives for the regions to mobilise accommodation in areas with fewer shortages. Today, around 80% of the 9 000 accommodation places available to BoTP are located in medium-sized towns.

An overarching challenge noted by six EMN Member Countries<sup>117</sup> was finding sustainable solutions for BoTP to support their transition to greater independence. Finland has been encouraging BoTP to apply for a 'municipality of residence' once they have resided in Finland for a year or longer. Municipality of residence would give them access to additional services covered by the municipality itself. However, the change also means that, after a reasonable amount of time has passed, beneficiaries are expected to find their own accommodation rather than remaining clients of the reception system (and its housing). As of summer 2023, around 30% of eligible BoTP in Finland had chosen to register for a municipality of residence. One possible reason for the low take-up that was cited, is beneficiaries' continued perceptions that their situation is temporary, making them potentially less willing to consider long-term solutions.

The challenges are not the same across all countries. For example, while four EMN Member Countries<sup>118</sup> struggled to find adequate space in existing facilities for the increasing number of admissions to the country, three others<sup>119</sup> reported an overall decrease in the number of Ukrainian civilians accommodated in 2023, creating some vacant spaces in municipalities by the summer of 2023. Latvia reported a decrease in its number in 2023 compared to 2022, with almost 500 vacant beds in municipalities as of July 2023. Lithuania reported increasing the number of available accommodation places in preparation for a further influx, which did not materialise.

Another challenge is **unexpected/unreported absences of BoTP from provided accommodation**.<sup>120</sup> To deal with overall shortages in available state-provided accommodation, Ireland introduced an absence protocol on 31 March 2023. The policy originally permitted a maximum absence of seven non-cumulative days from state-funded accommodation in any six-month period. The policy was revised in October 2023, making absences possible only for medical or compassionate reasons. If BoTP need to leave for other reasons, they will have the option to give up their accommodation and reapply on their return. Similarly, in the Czech Republic, if a BoTP is using state humanitarian accommodation and leaves for more than 10 days without

108 Not more than PLN 40 per day in the period of 121-180 days from their entry into Poland.

109 Not more than PLN 60 per day.

110 CY, CZ, IE.

111 Equivalent to that provided for in the Guaranteed Minimum Income and Social Benefits law.

112 18 months following de-registration from the Health Information and Quality Agency (HIQA) Chief Inspector's register.

113 By August 2023 five sites had been completed at locations across the country, with some 204 rapid build units available and 816 people moving in.

114 BE, CY, CZ, DE, ES, FR, IE, IT, LT, LU, NL, SK.

115 DE, IE, SK.

116 CZ, LV.

117 BE, FI, FR, LV, PL, SK.

118 DE, IE, IT, LU.

119 EE, LT, LV.

120 CZ, IE.

reporting their reason for leaving and giving the date of return to the accommodation provider, their right to this benefit ceases.

The **rising energy prices (winter 2022/2023)** had a negative impact on private individuals offering accommodation to BoTP. To counter this, Austria reimbursed provinces for the costs they incurred for granting a cost-of-living adjustment to private accommodation providers. Lithuania provided the opportunity for hosts and beneficiaries to agree on payment of housing costs. Beneficiaries who agreed were offered the possibility to receive financial aid for housing-related utilities (heating, water).

As many private citizens continue to provide housing to BoTP in their own accommodation, four EMN Member Countries<sup>121</sup> pointed to an associated fatigue. Luxembourg reported an overall decline in private housing offers, partly due to the overall financial burden associated with hosting (and lack of State financial support to hosting families). The perceptions of homeowners are partially exemplified in two surveys by Lithuania and Germany (one from 2022 and one from 2023),<sup>122</sup>(see Box 4).

#### Box 4: Survey of homeowners in Lithuania and Germany who accommodated BoTP

In Germany, a survey of 3 251 homeowners in summer 2022 found that around 82% of homeowners rated their experiences with the private accommodation of Ukrainian refugees positively.

A June 2023 survey of homeowners carried out by the International Organization for Migration (IOM) in Lithuania found that 20% of all respondents (N=245) would not host Ukrainians again; 40% would, and 40% were undecided. Of the 20% who had chosen to terminate hosting agreements, the main reasons included: 31% reported disagreements with the

Ukrainians they hosted; 29% got tired of participating in the programme; 18% cited property damage; 15% could not afford to rent for free anymore; 13% reported increased utility costs; and 13% claimed they needed their property for themselves.

An analysis of a comprehensive and representative longitudinal survey of displaced persons from Ukraine in Germany concluded that the proportion of Ukrainians in private apartments or houses increased from 74% in late summer 2022 to 79% in spring 2023. At the same time, the proportion of displaced persons from Ukraine living in shared or other accommodation decreased. This could indicate that a considerable number of displaced persons from Ukraine managed to improve their housing situation by the beginning of 2023.<sup>123</sup>

The Slovak Republic stressed the difficulties of ensuring quality control of the accommodation provided by natural/legal persons, including apartment furnishings, sanitary facilities, humidity, and other potential health hazards. Similarly, there is a lack of control over the profile of landlords providing accommodation to temporary protection holders, leading to potential risks of abuse and exploitation of particularly vulnerable groups.

Five EMN Member Countries<sup>124</sup> reported that challenges linked to the provision of accommodation had not changed significantly since the arrival of BoTP in 2022 and remained the same/similar in 2023. Ireland, the Netherlands, and Sweden specified that the challenges are cumulative due to supply and demand pressures. Finding suitable and high-quality accommodation has thus become more demanding with time, due to rising numbers of BoTP. In Greece, challenges linked to access to suitable accommodation preceded the triggering of the TPD and are linked to high rents and low availability of rental properties overall.



## 5.2 LABOUR MARKET

BoTP are guaranteed access to the labour market in accordance with Article 12 of the TPD.<sup>125</sup> The Directive requires EU Member States to authorise persons enjoying temporary protection to engage in employment or self-employment activities, subject to rules applicable to the profession, as well as in activities such as educational

opportunities for adults, vocational training, and practical workplace experience.

Several EMN Member Countries provided statistics on the employment of BoTP across the reporting period (see Table 2). Ten EMN Member Countries<sup>126</sup> reported that, overall, BoTP continue to be largely employed in low-skilled occupations that do not always reflect their level of education.

**Table 2: Employment of BoTP**

### EMN Member Country

### Data

|                |  |
|----------------|--|
| <b>Austria</b> | In January 2023, of the overall number of working age Ukrainians in Austria (not just beneficiaries of temporary protection), 25% were in employment, yet only 1% were registered with the Public Employment Office as jobseekers. |
|----------------|--|

121 AT, FR, LT, LU.

122 Germany survey, <https://www.dezim-institut.de/en/publications/publication-detail/new-platforms-for-engagement/>, last accessed on 08 March 2024.

123 BAMF, Project: Ukrainian Refugees in Germany, <https://www.bamf.de/SharedDocs/ProjekteReportagen/EN/Forschung/Integration/projekt-ukr.html?nn=282772>, last accessed on 8 March 2024.

124 BE, FR, LT, NL, SI.

125 See also the EMN – OECD inform on Labour market integration of beneficiaries of temporary protection from Ukraine, [https://home-affairs.ec.europa.eu/news/new-emn-oecd-inform-explores-labour-market-integration-beneficiaries-temporary-protection-ukraine-2024-05-21\\_en](https://home-affairs.ec.europa.eu/news/new-emn-oecd-inform-explores-labour-market-integration-beneficiaries-temporary-protection-ukraine-2024-05-21_en), last accessed on 25 October 2024.

126 BE, CZ, DE, EE, FI, IE, IT, LT, NL, SK.

## EMN Member Country

## Data

|                        |  |
|------------------------|--|
| <b>Belgium</b>         | <p>In June 2023, 20 933 BoTP were registered as being of working age and residing in Flanders. 33.6% - over 7000 BoTP had already worked in Flanders. In September 2023, 22 144 BoTP were registered as being of working age and residing in Flanders, 37% of whom had work experience in Flanders. The Flemish Employment Service had registered 13 463 Ukrainian nationals.</p> <p>In the Brussels-Capital region, as of September 2023, 3 904 files were registered at the Brussels Public Employment Service (PES), and 21.5% or 838 people had worked.</p> <p>In Wallonia, as of June 2023, 2 890 BoTP were registered with the PES (Le Forem) and 529 had worked. As of end-September 2023, 3 373 Ukrainians were registered and 691 had worked.</p> |
| <b>Bulgaria</b>        | <p>Between March 2022 and August 2023, 5 832 Ukrainian citizens (including 5 233 BoTP) were registered with the Labour Offices. As of August 2023, 95 BoTP were registered in the Labour Offices, while 5 282 Ukrainian citizens had started working through the Labour Office.</p>  |
| <b>Croatia</b>         | <p>By 31 December 2023 a total of 476 persons, who were provided the status of foreigners under temporary protection, were registered in the unemployment register of the Croatian Employment Service (CES).</p> <p>According to official CES data, by 31 December 2023, a total of 556 persons from Ukraine with temporary protection status were employed through mediation by the CES.</p>  |
| <b>Czech Republic</b>  | <p>In 2022-2023, between 100 000 and 120 000 BoTP were employed. The number decreased at the turn of 2022 and rose to slightly exceed 120 000 at the time of the extension of temporary protection.</p>  |
| <b>Estonia</b>         | <p>As of May 2023, 44% of BoTP aged 20-64 were employed (a growing proportion).</p>  |
| <b>Finland</b>         | <p>By August 2023, 9 378 Ukrainian BoTP had registered for employment services in Finland.</p> <p>At the beginning of August 2023, 11 081 BoTP were registered as wage-earners (15-64 year-olds earning more than € 62.88/month).<sup>127</sup></p>  |
| <b>France</b>          | <p>As of May 2023, 15 909 people born in Ukraine and recently arrived in France were employed. As of 7 June 2023, 16 112 BoTP were registered with the Job Centre.</p>   |
| <b>Germany</b>         | <p>As of June 2023, 19% (152 380 BoTP) was the employment rate of employees subject to social insurance contributions with Ukrainian citizenship. This was an increase of almost 5 percentage points (pp) compared to June 2022.</p>   |
| <b>Italy</b>           | <p>In 2022 a total of 170 000 Ukrainian citizens entered Italy following Russia's war of aggression against Ukraine. Of those, slightly more than 22 000 initiated work relations with temporary protection permits.</p> <p>In 2022 Italy recorded recruitment of 113 169 Ukrainian citizens overall (not just those with temporary protection status). Due to the use of short-term fixed contracts, it also recorded 103 591 terminations of employment of Ukrainian workers in 2022 (14.6% of whom were BoTP).</p>  |
| <b>Ireland</b>         | <p>According to data from the Central Statistics Office, as of 6 June 2023, a total of 84 613 Personal Public Service Numbers (PPSN) were allocated to persons with temporary protection status (the PPSN is necessary to take up employment).</p> <p>At the end of June 2023, 15 231 arrivals from Ukraine had earnings from employment in Ireland.</p>   |
| <b>Latvia</b>          | <p>According to the Ministry of the Interior and State Revenue Service, as of 29 August 2023, employment relationships were declared with 8 384 Ukrainian civilians.</p>   |
| <b>Luxembourg</b>      | <p>As of 30 June 2023, 35% or 1 020 BoTP aged between 15-64 years were in employment, out of a total of 2 870 in that age bracket residing in the country, which equals an employment rate of 35%.</p>   |
| <b>The Netherlands</b> | <p>According to the Ministry of Social Affairs and Employment, as of 1 November 2023, 55% of BoTP aged 15-65 were employed (approximately 45 750 people).</p> <p>On 1 May 2023, 51% of BoTP were in employment.</p>  |
| <b>Slovak Republic</b> | <p>According to the Central Office of Labour, Social Affairs and Family, as of August 2023 almost 2 200 BoTP with university education were employed in low skilled professions (International Standard Classification of Occupations (ISCO)-08/09). Most were employed in categories where wages were lower than the average.<sup>128</sup></p>   |
| <b>Slovenia</b>        | <p>According to the Employment Service of Slovenia, as of 30 September 2023, 1 856 BoTP were employed. There were 5 515 registered BoTP of working age (15-64 years old) at the time.</p>  |
| <b>Sweden</b>          | <p>According to an IOM study,<sup>129</sup> in spring 2023, 86% of women and 91% of men benefiting from temporary protection in Sweden were participating in the labour market.<sup>130</sup> Of those, 56% were employed and 44% were looking for work. Almost half of those working stated that they were overqualified for their current occupation.</p>  |

127 VATT Datahuone, *Tilapäistä suojelua saavat ukrainalaiset ja työllistyminen*, <https://datahuone.shinyapps.io/dataholvi/#tyomarkkinat/ukrainalaiset>, last accessed on 08 March 2024.

128 Klúčik, M. and Kubala, J., 'Pomáhať utečencom sa opláti. Dôsledky utečeneckej vlny na ekonomiku a verejné financie', IFP, 2023, [https://www.mfsr.sk/files/archiv/58/Komen-tar\\_makroutecenci\\_20230213\\_web.pdf](https://www.mfsr.sk/files/archiv/58/Komen-tar_makroutecenci_20230213_web.pdf), last accessed on 8 March 2024.

129 See [https://dtm.iom.int/sites/g/files/tmzbd1461/files/reports/DTM2023\\_Sweden\\_Ukrainians%20and%20TCNs%20under%20TP%20in%20Sweden\\_June\\_0.pdf](https://dtm.iom.int/sites/g/files/tmzbd1461/files/reports/DTM2023_Sweden_Ukrainians%20and%20TCNs%20under%20TP%20in%20Sweden_June_0.pdf), last accessed on 8 March 2024.

130 Either employed or looking for work.

## Main changes introduced in 2023

Five EMN Member Countries<sup>131</sup> introduced changes to facilitate access to the labour market for BoTP in 2023. Two of those were flagged as substantive – Austria and Belgium.

Austria reported legal amendments to the Act Governing the Employment of Foreign Nationals in April 2023, removing a previous requirement for BoTP to hold a work permit, i.e. they are now able to take up any employment without a permit. This resulted in a significant increase in Ukrainian nationals registered as seeking work (from 531 persons in March 2023 to 1 793 in April 2023). The overall number of all Ukrainian nationals employed<sup>132</sup> in the Austrian labour market also increased, from 17 472 in April 2023 to 20 547 in June 2023.

In the Flanders region in Belgium, a decree entered into force in May 2023 obliging any person of working age who enjoys temporary protection and is registered in a municipality in the Flemish Region to register with the Flemish PES (unless the person demonstrates they are working legally). The objective is to guide BoTP to (vocational) training and integrate them into the labour market. The decree sets no deadlines for registration nor any legal consequences, but support (e.g. financial, integration income) may be refused or withdrawn if the beneficiary does not meet this obligation.

Finland and Ireland introduced legal/administrative changes to simplify access to local employment schemes for BoTP. In Finland, they are no longer required to have a municipality of residence to benefit from local government pilots on employment. In Ireland, beneficiaries of temporary protection were made eligible for Community Employment Schemes after nine months of being on the Live Register (reduced from 12 months). From 19 June 2023, BoTP were integrated into the standard labour market activation process applicable to all jobseekers, which provides various supports dependent on length of time in receipt of jobseekers' payment. Engagement with this process is compulsory, rather than the previous more voluntary nature of employment service outreach in place for BoTP. In 2023 Ireland also introduced faster procedures for allocating a PPSN to better facilitate access to the labour market for BoTP.

In Germany, the Federal Ministry of Labour and Social Affairs, together with the Federal Employment Agency, presented the 'Turbo for Labour Market Integration' programme in October 2023, aiming to accelerate the integration into the labour market. The programme focuses on beneficiaries of international protection as well as the high number of BoTP from Ukraine (100 000) who have already completed the integration courses and are therefore generally available for the labour market, providing for them to be regularly invited and advised by the job centres. So-called 'matching campaigns' are also intended to bring BoTP and employers together more effectively. Companies

are encouraged to employ more BoTP, even those without good German language skills (below language level B2), and to provide them with further qualifications alongside their work.

## Reported challenges

The main three challenges hindering beneficiaries taking up employment include difficulties with recognition of qualifications,<sup>133</sup> language barriers,<sup>134</sup> and a lack of access to childcare,<sup>135</sup> as many arrivals are single women with children. This was confirmed in a survey conducted by the European Union Agency for Asylum (EUAA) in 2023,<sup>136</sup> which showed these to be the main barriers to entering the labour market in the host country.<sup>137</sup>

EMN Member Countries noted particular issues with the recognition of professional qualifications in regulated professions. Lack of proper recognition contributes to BoTP remaining in low-skilled labour. To facilitate recognition of qualifications, Bulgaria accepts qualifications based on a declaration by BoTP (with the exception of regulated professions). In Germany, the new Skilled Immigration Act (FEG) was adopted on 7 July 2023 and gradually came into force from November 2023. It aims to speed up the recognition procedures for foreign degrees and qualifications in order to increase participation in the labour market. Lithuania established special procedures to shorten the professional qualification recognition process for BoTP coming from medical professions, as well as architects and construction engineers.

Another factor impacting access to employment for BoTP is access to childcare. Seven countries cited national shortages of childcare facilities and categorised this as a challenge.<sup>138</sup>

Four EMN Member Countries<sup>139</sup> referred to the initial 12-month validity of temporary protection as a potential hindrance to beneficiaries finding long-term employment. Particularly in 2022, the uncertainty around their stay contributed to them being employed on short-term contracts with less stability. Italy reported that most contracts given to Ukrainian citizens (including BoTP) continue to be fixed-term contracts and tend to be shorter than those for Ukrainian nationals with other permits (two- or three-month contracts, on average, for BoTP).

Three EMN Member Countries<sup>140</sup> cited earning limits for people receiving benefits as a potential factor hampering entry into the labour market. In Austria, BoTP are eligible for basic care benefits, which can be reduced or stopped once the earning limit is exceeded. In Belgium, many BoTP are women with children, who are often limited to part-time employment. Salaries are then likely to be the same or lower than the integration income they receive when unemployed, especially as they are often employed in low-skilled sectors. In addition, once employed, they may lose (parts of) the social benefits for which they are otherwise eligible. In Finland, this earning limit is € 150, with wages

131 AT, BE, DE, FI, IE.

132 Not only beneficiaries of temporary protection but all Ukrainian nationals employed in the country.

133 AT, BE, CZ, DE, EE, FI, FR, LT, LU, NL, PL, SK.

134 CZ, BE, DE, EE, EL, FI, FR, IE, IT, LT, LU, LV, NL, PL, SE, SK.

135 BE, BG, CZ, DE, FR, IE, IT, LU, NL, SK.

136 Survey conducted between 9 February 2023 and 19 September 2023 (n=4 265).

137 EUAA, 'Surveys with Arriving Migrants from Ukraine, Employment – Education', 2023, [https://euaa.europa.eu/sites/default/files/publications/2023-10/2023\\_10\\_09\\_EUAA\\_SAM\\_UKR\\_Thematic\\_Fact\\_Sheet\\_Issue\\_2\\_EN\\_0.pdf](https://euaa.europa.eu/sites/default/files/publications/2023-10/2023_10_09_EUAA_SAM_UKR_Thematic_Fact_Sheet_Issue_2_EN_0.pdf), last accessed on 6 November 2023.

138 BE, CZ, DE, FI, LU, NL, SK.

139 BE, CZ, DE, IT.

140 AT, BE, FI.

above that amount reducing the reception allowance. The possibility of losing social benefit supports may thus deter beneficiaries of temporary protection from finding long-term employment.

Finland reported a challenge with uneven use of its employment services by BoTP. This was attributed to the absence of an incentive to register with the employment services, as beneficiaries are generally not eligible for unemployment benefits, as well as to the potential stigma associated with being registered as a jobseeker in Ukraine. However, there was a spike of interest in the course of 2023 (in May 2023, only 445 Ukrainians were registered for employment services, compared to 9 378 in August 2023). Notwithstanding this welcome increase in willingness, the rapid growth overburdened the local employment services, leading to increased waiting times.

In the Slovak Republic, national legislation<sup>141</sup> means that BoTP are not among the eligible categories of people who can be entered into the Register of Job Seekers, and they are thus unable to fully benefit from the services provided by labour offices. Beyond information and counselling services, wider employment services such as active labour market measures are not available to them. Another challenge is that BoTP are not allowed to start a business, which requires a temporary residence permit, the application for which would terminate the temporary protection status and associated benefits.

### Examples of good practice

A number of good practices were cited by EMN Member Countries<sup>142</sup> as part of their efforts to facilitate access to the labour market for BoTP.

Bulgaria implemented an integration policy through the ‘Solidarity’ project financed through the ESF funded Operational Programme ‘Human Resources Development’ 2014-2020.<sup>143</sup> As of September 2023, 3 231 persons have started work under the project, which provides support for rapid labour market integration of BoTP, with guaranteed access to the labour market. Labour offices are also providing advice to beneficiaries.

France highlighted the presence of employment services (*Pôle Emploi*) in reception centres, the provision of free childcare in nurseries and schools, access to social benefits and a wide range of training opportunities (including language training and job counselling) and support for business start-ups, including with a view to going back to Ukraine at a later date. It also worked on an EU project (under the Commission’s Technical Support Instrument (TSI)) to strengthen the social and economic integration of displaced persons from Ukraine by setting up mechanisms for the recognition of academic qualifications with the Organisation for Economic Co-operation and Development (OECD) to produce a comparative and forward-looking analysis of the state of recognition systems and their

accessibility in France and Europe. In the final report, OECD noted that improving the system for assessing and recognising foreign qualifications could enable a significant number of individuals to find jobs that match their skills. This is especially true for BoTP from Ukraine, given their high level of educational attainment, the current low proportion of individuals initiating recognition procedures, the high success rate of those who do so and the fact that the Ukrainian National Qualifications Framework is aligned with the European Qualifications Framework. A major challenge concerns vocational education and training, where the Ukrainian framework is not yet fully aligned with the European framework.<sup>144</sup>

Similarly, Ireland identified the ‘U-Start’ programme as a good practice.<sup>145</sup> This start-your-own-business programme began in January 2023 and aims to provide basic information to BoTP interested in starting their business, who would not otherwise be familiar with the enterprise support infrastructure in Ireland. Many had previously owned their own business in Ukraine and some wanted to commence trading in Ireland.

Finland and Lithuania reported the employment of Ukrainian nationals in local employment services as a good practice. The Ukrainian consultants help local employees to understand and assess the information provided by beneficiaries of temporary protection on their education or work experience, as well as supporting and communicating with the beneficiaries.

#### Box 5: The Netherlands – access to the labour market for regulated professions

The Netherlands’ Empatia project guides Ukrainian psychologists to find a suitable workplace. This project not only helps BoTP to practice their profession, it also ensures adequate mental and psychological support to beneficiaries of temporary protection in need.

Different pilots were started to provide beneficiaries with the possibility to partially practice in a regulated profession without meeting the usual additional conditions. For example, one initiative by the Dutch Ministry of Social Affairs and Employment (SZW) enables beneficiaries to work in childcare facilities and forms part of a larger project to tackle labour shortages in the childcare sector.

To counter the frequently cited barriers, including the lack of knowledge of the local language among BoTP, EMN Member Countries use communication in Ukrainian to raise awareness about the local labour market online<sup>146</sup> or by employing Ukrainian-speaking staff/beneficiaries of temporary protection in their employment services<sup>147</sup> and offering additional language classes.<sup>148</sup> Some of these measures are in place since 2022.

141 Act No 5/2004 on Employment Services, as amended.

142 BE, CY, CZ, DE, EE, EL, IE, IT, FI, FR, LT, LU, LV, NL.

143 The grant for the project is BGN 46 594 860.

144 The project was completed in the summer 2024. OECD, Improving the assessment, recognition and validation of skills and qualifications of beneficiaries of Ukrainian temporary protection in France, <https://www.oecd.org/en/about/programmes/dg-reform/improving-the-assessment-recognition-and-validation-of-skills-and-qualifications-for-btp-from-ukraine-in-france.html>, last accessed on 25 October 2024.

145 Minister for Enterprise, Trade and Employment, Written response to Parliamentary Question 8864/ 23, 21 February 2023, [https://www.oireachtas.ie/en/debates/question/2023-02-21/146/#pq\\_146](https://www.oireachtas.ie/en/debates/question/2023-02-21/146/#pq_146), last accessed on 8 March 2024.

146 BE, BG, CZ, DE, EE, FI, FR, LT, SK.

147 BE, FI, IE, LT, SK.

148 BE, CZ, EE, FI, FR, LU, LV, NL.

EMN Member Countries<sup>149</sup> highlighted good practice support programmes for labour market integration such as (language) training, job counselling, seminars, and other

outreach activities, etc. Belgium (Flemish region), the Slovak Republic and Sweden referred to using ESF+ funding to implement relevant projects.<sup>150</sup>

## 5.3 HEALTHCARE

Article 13(2) of the TPD requires EU Member States to make provisions for persons enjoying temporary protection to receive medical care, which shall include at least emergency care and essential treatment of illness. Article 13(4) of the TPD stipulates that necessary medical or other assistance should be provided to persons enjoying temporary protection with special needs, such as unaccompanied minors and people who have undergone torture, rape, or other serious forms of psychological, physical, or sexual violence.

Very few EMN Member Countries reported introducing major changes to access to healthcare in 2023, instead maintaining the measures already introduced in 2022.<sup>151</sup>

Some of the most frequently reported challenges in the provision of healthcare to BoTP include language barriers, lack of familiarity with the local healthcare system, or low capacities of healthcare professionals in some countries. This is in line with the research made in the report “Access to health care one year on: Implementation of Temporary Protection Directive (2001/55/EC) in EU Member States” by the European Observatory on Health Systems and Policies.

### Main changes introduced in 2023

Only five EMN Member Countries reported introducing legal or policy changes in the provision of healthcare to BoTP, including new healthcare entitlements, changes to the way healthcare services are accessed, or additional measures to facilitate access to mental health.<sup>152</sup> More than half of the EMN Member Countries<sup>153</sup> reported no major legal, policy or practical changes in access to healthcare in 2023.

The most comprehensive legal change was introduced by the Slovak Republic, which extended the scope of healthcare to children and adolescents benefiting from temporary protection in January 2023, and to adult BoTP in September 2023, to offer the same coverage as public health insurance holders. Previously, only urgent and basic/emergency healthcare was provided.

The Flanders region in Belgium changed the system via which beneficiaries can access preventive healthcare services. While in 2022 this was done via the existing network of general practitioners, in 2023 two main channels were added – a central healthcare point at the central registration centre in Brussels, where newly arrived persons register, and mobile teams that provide vaccinations and tuberculosis screening to those already settled in Flanders.

France introduced a new healthcare entitlement effective from summer 2023, in line with EU guidelines promoting appropriate care for beneficiaries of temporary protection in vulnerable situations. It provides full access to healthcare through the national health insurance (available for all working and legally residing persons in France – *Protection Universelle Maladie*, PUMa) and the Supplementary Solidarity Health Benefit (*Complémentaire santé solidaire*). The Health Insurance will also pay for emergency treatment, including any drugs prescribed in this context, up to the limit of the social security rates. As such, the person benefits from full exemption from advance payment for emergency treatment.<sup>154</sup>

Lithuania passed legislative amendments in March 2023,<sup>155</sup> which allowed for reimbursement of prescriptive medicines not only in emergency situations but in all cases for BoTP.

In Ireland, BoTP have automatic eligibility for a medical card<sup>156</sup> for the first year after arrival, after which renewal of the card is means-tested in line with standard application procedures. The requirement for an assessment of means after the first year was confirmed in March 2023. A three-month ‘grace period’ was granted to ensure that BoTP (whose medical card was due to expire) would continue to maintain their existing eligibility for a medical card pending transition to, and completion of, a standard means assessment process.

Thanks to financial support from the Commission, the International Federation of the Red Cross Societies provided [direct trauma support on the ground in all EU Member States](#) and also in Ukraine. Support includes psychological first aid, assessment as well as longer-term mental health and psychological support to beneficiaries in their own languages. Four EMN Member Countries<sup>157</sup> paid increased attention to mental health. In the context of facilitating access to mental health, Belgium temporarily increased the capacity of the Centres for Mental Health to provide specialised mental health services to BoTP with severe mental health symptoms. In May 2023, Luxembourg’s Refugee Health Service of the Directorate of Health set up a psychological unit comprising nurses specialising in psychiatry, psychotherapists, a social worker, and a psychiatrist to provide structured care for psychologically distressed patients from third countries, particularly from war zones. This unit also coordinates the identification and referral of patients with psychological vulnerabilities, in collaboration with stakeholders and actors in the field.

149 BE, CY, CZ, DE, EE, EL, FI, IE, IT, LU, LV.

150 For example, SE allocated SEK 329 million in May 2023 to various labour market integration initiatives, including job matching, skills and competence assessments, and training.

151 EMN, ‘Access to services for beneficiaries of temporary protection’, Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_services.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf), last accessed on 8 March 2024.

152 BE, FR, LT, NL, SK.

153 AT, BG, CZ, DE, EE, EL, ES, HU, IT, LV, MT, PL, SE, SI.

154 On 30 June 2023, 118 436 beneficiaries of temporary protection had their health insurance entitlement granted, with full and free access to all healthcare covered by the PUMa/PCS.

155 Amended Government Resolution No. 224.

156 A medical card provides access free of charge to primary care services (in particular General Practitioner (GP) services), prescriptions (with a small charge) and public hospital services.

157 BE, IE, LU, NL.



The treating professionals employ a screening tool for emotional distress and mental health among refugees, the Refugee Health Screener 15 (RHS-15). The Netherlands cited two new programmes to facilitate access to psychological care for BoTP: (i) the Empatia project (see Box 5),<sup>158</sup> and (ii) Counter for Displaced Persons in Ukraine Psychological Assistance (*Loket Ontheemden Oekraïne Psychosociale Hulpverlening* - LOOP), which seeks to facilitate access to psychological care for beneficiaries of temporary protection<sup>159</sup> and functions as a cross-regional information, referral and advisory centre for health professionals and municipalities working with beneficiaries of temporary protection. Municipalities or healthcare providers can approach LOOP for information enquiries and to find appropriate psychological support services for specific needs. Ireland provided further funding in 2023 for the MyMind counselling project, which provides online counselling for adult BoTP since 2022. The service is offered online to adults by Ukrainian mental health professionals who were recruited after moving to Ireland following the outbreak of Russia's war of aggression against Ukraine in 2022.<sup>160</sup>

## Reported challenges

Six EMN Member Countries<sup>161</sup> reported broader challenges within their healthcare systems, including limited medical capacities, which impact the provision of healthcare services for BoTP. This sometimes makes it difficult for beneficiaries to register with a GP or access specialist medical care.<sup>162</sup> Three countries highlighted a lack of specialised accommodation facilities for persons in need of special care, including those with severe physical or mental health problems, such as trauma.<sup>163</sup>

Member States' respective healthcare systems can be quite different from the Ukrainian system in terms of insurance schemes, referrals, etc.<sup>164</sup> Issues with a lack of understanding can be compounded by linguistic barriers causing difficulties in the communication between beneficiaries and healthcare or insurance providers,<sup>165</sup> even in countries that launched websites in the Ukrainian language and offered other ways of communication to inform BoTP about their rights on arrival (see EMN inform 2022).<sup>166</sup>

Three EMN Member Countries<sup>167</sup> have put measures in place to avoid outbreaks of infectious diseases (especially vaccine-preventable ones). Bulgaria took action to cover children arriving from Ukraine with age-appropriate mandatory immunisation. Ireland also put in place a catch-up immunisation programme to deliver age-appropriate vaccines for children and young adults up to the age of 23 years, in line with the Irish Primary Childhood Immunisation Schedule. This programme was approved at

the end of February 2023. In addition, a catch-up Human papillomavirus (HPV) vaccine was available to women aged up to 25 years and men up to 23 years until the end of 2023. In July 2023, it was recommended that screening be offered for tuberculosis and certain blood borne viruses. All of these interventions target both BoTP and applicants for international protection.

Belgium launched preventive services for persons arriving from Ukraine, including vaccinations and screenings for tuberculosis. Three EMN Member Countries<sup>168</sup> noted that medical professionals are not always fully informed of the healthcare that could be made available to BoTP, due to the specific legal regime. For example, in Austria, not all healthcare workers were aware that persons arriving from Ukraine have a right to receive health insurance benefits even before receiving an insurance card or an e-card replacement document, simply by providing evidence of Ukrainian citizenship. In Lithuania, when legal amendments were introduced to regulate the provision of health services to BoTP, a new concept was introduced, 'other essential health services', without full clarity on the services covered, causing confusion for healthcare institutions. There were instances where healthcare institutions refused to register BoTP for a doctor's visit, or they were asked to pay for healthcare services. The confusion reportedly decreased in 2023, following additional communication to healthcare institutions during regional cooperation platform meetings.

## Examples of good practice

France reported the establishment of facilities for immediate care, with onsite medical consultations provided by a Red Cross doctor and nurse, including the possibility to request an interpreter if necessary. This system also enabled immediate assessment of health needs and referral to the appropriate healthcare services (e.g. to a Red Cross temporary accommodation site in Paris).

The Empatia project in the Netherlands (see Box 5) created a map showing where psychologists for displaced persons from Ukraine are available to provide treatment in the same mother tongue and with a similar cultural background. The map can be used by GPs, municipalities, or host families. To further close the cultural gap, the Netherlands is collaborating with relevant organisations in the Ukrainian community and specialised healthcare organisations and research centres to enhance communication between healthcare providers and displaced persons from Ukraine.

The Slovak Republic allows for health professionals from non-EU countries, whose diplomas have been recognised but not their professional qualifications, to be employed in

158 Dutch Government (*Rijksoverheid*), 'Vluchtelingen uit Oekraïne kunnen straks terecht bij psycholoog uit eigen land', <https://www.rijksoverheid.nl/actueel/nieuws/2023/05/12/vluchtelingen-uit-oekraïne-kunnen-straks-terecht-bij-psycholoog-uit-eigen-land>, last accessed on 28 June 2023; Dutch Council for Refugees (VWN), 'Vluchtelingen uit Oekraïne kunnen straks terecht bij psycholoog uit eigen land', <https://www.vluchtelingenwerk.nl/nl/artikelen/nieuws/vluchtelingen-uit-oekraïne-kunnen-straks-terecht-bij-psycholoog-uit-eigen-land>, last accessed on 28 June 2023.

159 LOOP is a collaboration between the National Psychotrauma Centre (ARQ), the Regional Public Health Services (GGDs), the Association of Regional Public Health Services and Medical Assistance in Safety Regions (GGD GHOR Netherlands), Mental Healthcare Netherlands (GGZ), the National Network of Psychotrauma Centres (NIPV), Netherlands Institute for Health Services Research (Nivel), OPORA Foundation, PsyGlobal, the National Institute for Public Health and the Environment (RIVM), the Dutch Red Cross, and the VWN. It also shares practical information, webinars and e-learning to develop health professionals' knowledge and skills to work with this specific target group (including vulnerable/culturally sensitive patients).

160 MyMind Centre for Mental Wellbeing, 'New Ukrainian Project Launched', 18 May 2023, <https://mymind.org/new-ukrainian-project-launched>, last accessed on 7 February 2024.

161 AT, CZ, EE, IE, NL, SK.

162 CZ, EE, IE.

163 BE, NL, SK.

164 BE, EE, FI, NL, SK.

165 BE, EE, EL, HR, MT, SI, SK.

166 EMN, 'Access to services for beneficiaries of temporary protection', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_services.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf), last accessed on 8 March 2024.

167 BE, BG, IE.

168 AT, LT, SK.

a health facility in a temporary traineeship scheme, under supervision of a qualified health professional. In 2023, the process of recognising the qualifications of Ukrainian paediatricians was simplified, allowing them to complete the qualification examination in Ukrainian or Russian, helping to address the overall shortage of paediatricians in the country. On completion, they will be recognised as GPs but will need to complete additional studies before being able to practice paediatrics. In the long-term, this approach may

be extended to other medical specialisations. The Slovak Republic has also created a specialised outpatient clinic in Bratislava, providing mainly GP services and employing Ukrainian health professionals, which helps to eliminate the language barrier. Other specialised medical centres for beneficiaries of temporary protection from Ukraine were created at hospitals in Bratislava, Košice, Prešov and Banská Bystrica.

## 5.4 EDUCATION

Article 14(1) of the TPD requires EU Member States to grant access to the education system to all persons under 18 years of age enjoying temporary protection, under the same conditions as their own nationals. To support integration, many EMN Member Countries offer supplementary language classes to children from Ukraine. In 2022 some introduced coaches, counsellors, and language assistants in schools to help with integration.<sup>169</sup> In 2023, EMN Member Countries focused their efforts on further integration of children benefiting from temporary protection into mainstream education.

### Main changes introduced in 2023

Half of the responding EMN Member Countries did not report major changes<sup>170</sup> in facilitating access to education for children benefiting from temporary protection.

Only Luxembourg mentioned wider legislative changes, namely the Law of 14 July 2023<sup>171</sup> on the reception, guidance, integration and educational support of newly arrived

pupils and the creation of the School Integration and Support Service (SIA).<sup>172</sup> Article 21 of the law facilitates the provision of public infrastructure (e.g. classrooms outside school hours) to representatives of third-countries of origin (including Ukraine) or non-governmental organisations (NGOs) for education in native languages and on culture(s) of origin.

In 2022 some EMN Member Countries allowed Ukrainian children to follow online classes in the Ukrainian educational system, in 2023 efforts were made to further integrate them into mainstream education. While some national legal frameworks mandate the inclusion of children benefiting from temporary protection in compulsory education, other countries allow for the parents to choose between the national educational system and continuing education online in the Ukrainian system. In some cases, parents opt to keep their children in both systems simultaneously (see Table 6).

**Table 3: Enrolment of children benefiting from temporary protection in schools**

| Procedure  | EMN Member Countries  |
|--|---|
| <b>Mandatory enrolment of all beneficiary children in compulsory education in the host country</b>               | AT, BE (French- and German-speaking communities), CY, CZ, DE (possible differences between federal states), <sup>173</sup> EE, ES, FI, <sup>174</sup> HR, IT, IE, <sup>175</sup> LT, LU, <sup>176</sup> MT, NL, <sup>177</sup> SI |
| <b>Choice between compulsory education in host country and online education in the Ukrainian national system</b> | BE (Flanders), <sup>178</sup> BG, EL, FI, <sup>179</sup> FR, HU, LV, PL (2023/2024), PT, <sup>180</sup> SK, SE  |

In Germany, all children are subject to compulsory schooling. Accordingly, some federal states have introduced a transitional period until compulsory schooling begins for beneficiaries of temporary protection. In Brandenburg, for

example, compulsory schooling for Ukrainian beneficiaries of temporary protection is suspended for three months after admission if they are accommodated in an initial reception centre. In Bavaria and Thuringia, compulsory

169 EMN, 'Access to services for beneficiaries of temporary protection', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_services.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf), last accessed on 8 March 2024.

170 CY, CZ, EE, ES, FI, HU, IE, IT, LT, SE, SI, SK.

171 The law addresses all migrant pupils regardless of their nationality or status. It provides better orientation for incoming pupils and enables individual monitoring of their educational trajectories for up to two years; Law of 14 July 2023 relating to the reception, orientation, integration, educational support of newly arrived pupils and the creation of the *Service de l'enseignement et de l'accueil scolaire* and modifying: 1° the amended Law of 25 June 2004 on the organisation of high schools; and 2° the amended Law of 6 February 2009 on the organization of basic education, published in Memorial A424 of 20 July 2023, <https://legilux.public.lu/eli/etat/leg/loi/2023/07/14/a424/jo>, last accessed on 8 March 2024.

172 *Ibid.*

173 May differ across federal states. Generally speaking, exemption from compulsory schooling is the exception.

174 Once a beneficiary of temporary protection obtains a municipality of residence, they are obliged to attend compulsory education in FI. A beneficiary subject to compulsory education can participate in online classes organised by Ukraine in their free time.

175 While participation in the Irish school system is mandatory, it is possible to participate in the Ukrainian curriculum, if the school facilitates this. Guidelines have been published for schools on accessing the Ukrainian curriculum (see section on Challenges below).

176 Education in the Ukrainian system is not allowed during school hours in LU, but is possible outside of school hours (albeit discouraged), <https://portal.education.lu/Portals/23/Letter%20-%20UA%20EN%20.pdf?ver=grk6ZClhSxaMiog-k7PGIq%3d%3d>, last accessed on 08 March 2024.

177 In general, children are obligated to enrol in a Dutch school, which follows the Dutch curriculum. However, Dutch schools allow the possibility for Ukrainian children to also follow a limited amount of education in the Ukrainian national system. This is currently being phased out as part of the formal education curriculum, resulting in the possibility for Ukrainian children to only follow Ukrainian classes in their free time.

178 For the Flemish Community, children are enrolled in compulsory education - albeit from home - where they follow online classes in the Ukrainian national system.

179 Once a beneficiary of temporary protection obtains a municipality of residence, they are obliged to attend compulsory education in FI. A beneficiary subject to compulsory education can participate in online classes organised by Ukraine in their free time.

180 It is still mandatory for children benefiting from temporary protection to learn Portuguese for foreigners.

schooling begins three months after arrival, regardless of accommodation, while in Baden-Württemberg compulsory schooling begins six months after arrival. Generally, in some federal states (e.g. Bavaria, Brandenburg), the integration of Ukrainian online materials is planned to supplement regular lessons. In principle, Ukrainian online learning does not replace compulsory German schooling. However, in the 2023/2024 school year in Baden-Württemberg, for example, it will be possible for pupils to take a leave of absence from attending German school to prepare for their final exams in Ukraine. The prerequisite for a leave of absence is a written application from a parent or guardian in the case of underage pupils. Part of the application is the assurance that a Ukrainian online course will be attended regularly during the leave of absence.

## Reported challenges

The most frequently reported challenge<sup>181</sup> is the overall lack of physical space and capacity in schools to accommodate the high number of students.<sup>182</sup> This is a particular issue in areas with a high share of beneficiaries (e.g. main urban areas). Some EMN Member Countries are addressing these issues by increasing capacities in schools (including simplifying administrative procedures for hiring teachers/assistants,<sup>183</sup> putting in place a system to allocate additional special education/special needs supports in mainstream schools with large enrolments of beneficiaries, providing additional national language support,<sup>184</sup> and providing financial support to local municipalities and/or private educational facilities (schools and kindergartens)).<sup>185</sup>

Some Ukrainian children continue their Ukrainian education remotely and online, while simultaneously enrolled in the local educational system. This has been highlighted as a challenge by nine EMN Member Countries, as it can create a high burden for these students.<sup>186</sup> Looking at overall enrolment data, a United Nations High Commissioner for Refugees (UNHCR) study from September 2023 found that only about half of the children who fled Ukraine were enrolled in schools in host countries for the 2022/2023 period. The study also showed lower enrolment for secondary school-age children than primary school-age children.<sup>187</sup> An IOM study in Sweden in spring 2023 also found that while 73% of Ukrainian BoTP of school or pre-school age were enrolled in local schools, 7% were following online classes in Ukrainian schools only, while 13% were reportedly doing both.

Three EMN Member Countries have issued guidance on how to handle such situations.<sup>188</sup> In Luxembourg, the Department of Schooling for Foreign Pupils (*Service Scolarisation des Enfants Étrangers - SECAM*) at the Ministry of Education, Children and Youth sent a letter to parents asking them for a balanced approach to distance learning

to maintain a healthy lifestyle.<sup>189</sup> Ireland has issued specific guidance to schools on how to facilitate access to the Ukrainian curriculum during school days (e.g. during an optional band on the school timetable, if the school has the capacity to do so). Latvia launched a campaign to encourage parents to choose in-person education in Latvia over online education. While the importance of these children maintaining their links to their home country is recognised, allowing them to immerse themselves in the local curriculum is also widely seen as beneficial for their integration.

Linguistic barriers are a frequently cited challenge impacting the integration of children into mainstream education,<sup>190</sup> referring to the lack of host country language skills among beneficiaries of temporary protection and, in some cases, a lack of bilingual teaching materials (e.g. the Slovak Republic). This can be compounded by local municipalities and schools' lack of experience in dealing with foreign students.<sup>191</sup> To tackle these issues, EMN Member Countries continue to offer different language support classes<sup>192</sup> and, in some cases, to employ (Ukrainian) pedagogical assistants.<sup>193</sup> In Luxembourg, educational instruction is already available in several languages (English, French, German, Luxembourgish) and the need for language support classes was less pressing. The Slovak Republic developed a specialised curriculum on teaching Slovak as a foreign language, with teachers relying on non-accredited textbooks and materials until September 2023. Hungary reported opening two public schools specifically for Ukrainian children (in Budapest and Nyíregyháza).

Austria reported that children without sufficient German language knowledge are classified as 'extraordinary students' and normally do not receive a grade at the end of the year, as they need to improve their language skills before being classified as 'ordinary students' and progressing to the next year of schooling or next stage of school education. Since June 2023, their progression has been made easier and 'extraordinary students' can, under certain conditions, progress to the next year or stage of school education, although this may not be a long-term solution.

To further promote integration and local language knowledge, in May 2023 Latvia allocated<sup>194</sup> support to organise youth camps from May to December 2023, as well as other non-formal educational activities. These activities targeted children and young people, providing psycho-emotional support, advance learning of the Latvian language and promoting the integration of children from Ukraine.<sup>195</sup> Other EMN Member Countries<sup>196</sup> reported similar activities organised by international organisations and the non-profit sector.

181 BE, CZ, EE, FR, IE, LU, NL, PL, SK.

182 BE, CZ, SK.

183 BE, CZ, DE, PL.

184 BE, IE.

185 BE (local municipalities), EE (March and May 2023).

186 CZ, EE, FI, IE, LU, LV, NL, PL, SI.

187 UNHCR, 'Education on hold: Education Policy Brief', 2023, <https://data.unhcr.org/en/documents/details/103089>, last accessed on 8 March 2024.

188 IE, LU, LV.

189 Letter to parents (in English), <https://portal.education.lu/Portals/23/Letter%20-%20UA%20EN%20.pdf?ver=grk62ClhSxaMiog-k7PGlg%3d%3d>, last accessed on 8 March 2024.

190 BE, CZ, EE, FR, HR, HU, IE, LT, NL, SI, SK.

191 FI (especially smaller municipalities with less experience with foreign students), SK.

192 BE, CY, CZ, DE, EE, FR, HR, HU, IE, PL, SK.

193 BE, CZ, DE, EE, FR, IE, LT, LV, LU, NL, PL.

194 € 1 800 000 for summer camps; € 1 050 000 for other non-formal education activities.

195 Order on the redistribution of the appropriation from the budget department to the budget of the Ministry of Education and Science, *Latvijas Vēstnesis* No. 296, 23.05.2023.

196 BE, EE, PL, SK.

Lithuania and Poland mentioned the lack of available support to help children from Ukraine to deal with the trauma they may have experienced before arriving in the EU. Both countries, as well as Ireland (2022), reported preparing recommendations on how to talk to children and adolescents about Russia's war of aggression against Ukraine, how to help them to overcome anxiety, how to integrate into an existing school community, etc. These recommendations were made available online on various websites, including the websites of the Ministries of Education.<sup>197</sup>

Ireland reported that access to school transport was an ongoing challenge, particularly in certain locations. The Department of Education continued to liaise with relevant stakeholders to identify solutions.

### Examples of good practice

Maintaining relations with the Ukrainian authorities to jointly consider how education for Ukrainian children benefiting from temporary protection can best be provided was identified as good practice by two EMN Member Countries.<sup>198</sup> In France, to ensure that pupils do not become too disoriented, the Ukrainian Ministry of Education, in agreement with the French Ministry of Education, organised a digital platform to maintain a link with Ukrainian schooling.

Estonia reported a project to support the adaptation, mental well-being, and continuation of the learning journey of Ukrainian students through creative workshops. Art therapy workshops were conducted in Estonian schools for Ukrainian children, providing them with psychosocial support and fostering a sense of belonging and group cohesion. Additionally, a teacher training programme was organised, focusing on empowering, supporting, and enhancing the competencies of educators who are beneficiaries of temporary protection, in global education, digital skills, and interactive teaching methods.

In Germany, some federal states such as Saxony-Anhalt, introduced a supplementary Ukrainian language programme for beneficiary children in the school year 2023/2024, taught by Ukrainian teachers. It includes strengthening and development of the Ukrainian language, as well as lessons in Ukrainian literature and history. The programme typically comprises three hours per learning group per week. Participation is not compulsory, and the work is not graded. Ukrainian teachers offer the programme in regular lessons in learning groups or as a location-independent digital lesson. The Ukrainian teachers

are also deployed across schools, under the supervision of the State Education Authority, and are supported by the State Institute for School Quality and Teacher Training.

In Ireland, schools could make use of Regional Education and Language Teams (REALTs), which were first established in 2022 to assist families with securing school places, which was reported as helpful. Schools mainly engage with REALTs in relation to enrolment, which typically involves discussions and advice on individual school capacity to enrol children and young people, and on class placement. Most schools also seek help from REALT coordinators in relation to organising school transport. Some schools indicate that REALT coordinators also assist with translation services. Other areas where schools receive support from REALT coordinators include communication with families, transition to post-primary school, seeking accommodation and sourcing a qualified English as an Additional Language (EAL) tutor.

In Lithuania, the Vilnius *Lietuvių Namai Gymnasium* (a specialised school educating children who do not speak Lithuanian) prepared a 20-hour training programme for teachers, 'The First Ten Steps in Teaching Foreigners the Lithuanian Language'. Experts from the gymnasium organised four training courses, attended by approximately 100 teachers, sharing practical examples and personal experience on how to work with children arriving from war zones. The gymnasium plans to resume and continue online consultations with teachers from October to December, covering topics such as teaching and assessment methods, learning aids, children's integration etc.

The Slovak Republic established new positions of 'regional coordinators' (with the help of the National Institute of Education and Youth (NIVAM) and the United Nations Children's Fund (UNICEF)) to work at regional school administrations and in regional capitals. The coordinators assist with the enrolment of children in schools, provide methodological guidance to schools, and support the organisation of language classes.

Poland and Slovenia allow for supplementary classes in Ukrainian language and culture for Ukrainian children. In Slovenia, these are taught by Ukrainian teachers and volunteers, where assistance is also provided with distance learning in Ukrainian schools. These classes also allow children to connect with their Ukrainian peers.



## 5.5 SOCIAL ASSISTANCE/WELFARE

Article 13(2) of the TPD requires EU Member States to make provision for persons enjoying temporary protection to receive necessary social welfare and means of subsistence if they do not have sufficient resources. In 2022, EMN Member Countries reported providing financial allowances to beneficiaries of temporary protection in different forms and subject to varying conditions (sometimes as part of social welfare available in their country, or similar to allowances for asylum seekers). The overarching

aim of social assistance is to support beneficiaries who cannot access the labour market immediately.<sup>199</sup>

### Main changes introduced in 2023

Several EMN Member Countries introduced changes to the types of social assistance available to BoTP, mainly introducing changes to how benefits are calculated or clarifying certain eligibility criteria and the

<sup>197</sup> Polish recommendations, <https://www.gov.pl/web/edukacja-i-nauka/jak-rozmawiac-z-dziecmi-i-uczniemi-na-temat-sytuacji-w-ukrainie--rekomendacje-dla-nauczycieli-i-pedagogow-szkolnych>, last accessed on 8 March 2024.

<sup>198</sup> FI, FR.

<sup>199</sup> EMN, 'Access to services for beneficiaries of temporary protection', Inform, 2022, [https://home-affairs.ec.europa.eu/system/files/2022-11/EMN\\_INFORM\\_services.pdf](https://home-affairs.ec.europa.eu/system/files/2022-11/EMN_INFORM_services.pdf), last accessed on 08 March 2024.

types of benefits provided.<sup>200</sup> Around half of the reporting EMN Member Countries reported no major changes being introduced during the reporting period.<sup>201</sup>

The Czech Republic put a new system in place as of 1 July 2023 to calculate social benefits by introducing an income test to assess the amount for which the beneficiary is eligible. In February 2023, the Netherlands amended the Regulation for social assistance for BoTP, making the amount of the monthly financial allowance for food dependent on the size of the family.<sup>202</sup> In May 2023, Ireland further amended the Regulation for the Payment of One Parent Family Payment (a payment for parents who are not cohabiting and whose youngest child is under seven years of age) to ensure that beneficiaries are not disadvantaged by the geographical separation criteria.<sup>203</sup>

Luxembourg introduced a new law, which entered into force on 1 September 2023, according to which BoTP now benefit from the same redefined material conditions as applicants for international protection.<sup>204</sup>

In Finland a number of BoTP became eligible to apply for a 'municipality of residence' (applicable to those who have resided in Finland for a year or longer, with the first beneficiaries of temporary protection becoming eligible in March 2023). Following such registration, they are considered to reside in Finland permanently, which means that their rights to social services are significantly expanded. In addition to essential social services, they can access residential care and other social welfare services based on individual needs that are not categorised as essential.

## Reported challenges

Challenges with the provision of social services include linguistic barriers and cultural differences.<sup>205</sup> In Belgium this is addressed through the deployment of staff with knowledge of Ukrainian and/or Russian languages and knowledge of the cultural context in Ukraine.

Three EMN Member Countries<sup>206</sup> also reported challenges due to the administrative burden linked to the processing of social assistance/benefits for BoTP. In the Czech Republic, that burden was specifically linked to the high number of BoTP and limited capacity of staff.

Beneficiaries' lack of awareness of the services available, and their unfamiliarity with the local system, was

also cited as a challenge.<sup>207</sup> For example, according to a survey conducted by IOM Lithuania in June 2023,<sup>208</sup> 9% of respondents did not know where to find assistance and wanted more information on health services, medicines, financial support, etc.

A recent study in Sweden raised concerns that the economic support currently available to BoTP was so limited that it could leave them at high risk of food insecurity. Almost half of the Ukrainians taking part in the IOM study reported that they did not have enough means and income to cover their expenses. This is despite the fact that a high percentage (43%) are taking part in the labour market. BoTP are currently eligible for the same benefits as asylum seekers.<sup>209</sup>

Three countries mentioned their social services' inability to carry out official checks on the data provided by BoTP applying for social assistance to confirm their eligibility for specific benefits, meaning they are only able to rely on data provided by the beneficiaries.<sup>210</sup> The Netherlands is considering legal changes to allow municipalities to use a central database with employment records to determine whether someone is receiving an income through labour. Where a beneficiary receives income through labour, they no longer have the right to social assistance. Latvia asks BoTP to confirm, in their application, the absence of bank accounts in foreign countries and informs recipients of social assistance that the social services can recover paid social assistance benefits if they find that the benefit was unduly paid as a result of false information.<sup>211</sup>

## Examples of good practice

The Lithuanian Ministry of Social Security and Labour encourages the greater involvement of municipal authorities in providing access to social assistance for BoTP, highlighting this as a good practice.

Finland highlighted the close cooperation between all relevant authorities and exchange of information as an example of good practice (including reception centres, relevant ministries, municipalities, etc.).

Ireland provided the example of automating the process of issuing PPSNs to BoTP to reduce the resources required, thereby improving efficiency.

200 CZ, DE, FI, IE, LU, NL.

201 EE, ES, FR, IE, IT, LT, LV, PL, PT, SE, SI, SK.

202 *Regeling opvang ontheemden Oekraïne* (RooO); if a family unit is larger, then the financial allowance per person will be lower.

203 Beneficiaries can fulfil the criteria for a separated spouse, if they are separated due to the fact they are benefitting from temporary protection in IE, for as long as temporary protection remains in force.

204 Law of 7 August 2023, <https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a556/jo>, last accessed on 8 March 2024. This new measure is part of the government's objective to empower people and give them greater responsibility for their lives.

205 BE, EL, HR, PT.

206 AT (measures stipulating a retrospective reduction or discontinuation of basic care benefits), CZ, PT.

207 BE, FI, LT.

208 N=567.

209 SEK 2 130 (€ 195) per adult per month without food and SEK 720 (€ 66) per adult per month with food at the place of accommodation. This equates to about 5.4% of monthly median income in Sweden in 2022.

210 BG, LV, NL.

211 In accordance with Section 39 of the Law on Social Services and Social Assistance, Latvijas Vēstnesis No. 168, 19.11.2002.

# 6. VULNERABLE GROUPS

This section examines the policies and measures in place in EMN Member Countries to ensure support for vulnerable people who are BoTP. Section 6.1 focuses on vulnerable groups in broader terms, Section 6.2 focuses particularly on unaccompanied minors, separated children, and children

accompanied by guardians, and Section 6.3 explores the policies and practices for prevention, identification and providing support to beneficiaries who are victims of trafficking in human beings.



## 6.1 CHALLENGES IN IDENTIFYING AND PROVIDING ASSISTANCE TO VULNERABLE GROUPS

The majority of people fleeing Ukraine hosted in the EU are women and children,<sup>212</sup> which poses a particular challenge, as they are more vulnerable to exploitation, discrimination and trafficking in human beings. Although the TPD does not provide a definition of vulnerable persons, the EMN Glossary defines vulnerable people on the basis of the definition of Article 21 of the Recast Reception Conditions Directive (Directive 2013/33/EU) as including for example ‘minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation’ (it is not a closed legal definition).

Some countries<sup>213</sup> have adopted definitions of vulnerable BoTP. In the Czech Republic, the Lex Ukraine V law package, which came into force on 1 July 2023, defines vulnerable persons as children under 18 years of age, students aged 18-26, persons taking care of children under six years of age, pregnant women, seniors aged 65+, persons with disabilities, and persons taking care of persons with disabilities. These people are provided with publicly paid housing for longer, as well as a higher Humanitarian Benefit.

### Challenges with identifying vulnerable persons

Several EMN Member Countries<sup>214</sup> reported challenges in identifying vulnerable BoTP, primarily as contact with the authorities on registration is typically limited, reducing the opportunities for national authorities to identify vulnerabilities. Unlike persons seeking international

protection, who undergo an interview with authorities and medical check-ups<sup>215</sup> - which provide an opportunity to identify vulnerable persons - there is no such interview and identification procedure for temporary protection. BoTP often stay in private accommodation and not in state-provided facilities, which again limits their contact with authorities. In many cases, the registration process is handled online or in a written procedure, further reducing opportunities for identification.

Austria reported that, despite the provision of initial arrival centres for persons fleeing Ukraine, it was difficult to organise routine medical check-ups, as most BoTP were living in private accommodations and had moved on from the initial arrival centres too soon to undergo medical check-ups or start social counselling.

In Ireland, the Department of Children, Equality, Disability, Integration and Youth observed that even with the various steps and interactions during the registration process (e.g. staff trained in identifying vulnerabilities, voluntary medical triage), beneficiaries did not reveal underlying vulnerabilities or specific medical needs until after arriving at their allocated accommodation, particularly in mental health cases.

### Challenges with providing necessary assistance and support

Some EMN Member Countries<sup>216</sup> reported specific challenges in providing vulnerable BoTP with the necessary assistance and support, typically relating to a lack of suitable accommodation and insufficient financial support.

The limited availability of suitable accommodation for vulnerable groups is a challenge in Greece, Ireland, and

212 Eurostat data on temporary protection decisions by gender, [https://ec.europa.eu/eurostat/databrowser/view/migr\\_asytpsm\\_\\_custom\\_9006449/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/migr_asytpsm__custom_9006449/default/table?lang=en), last accessed on 20 December 2023.

213 BG (also refers to applicants for international protection), CY, CZ, LV.

214 BE, CY, FI, FR, IE, LV, SE, SI.

215 In FI, a voluntary medical check-up is available for all Ukrainian beneficiaries of temporary protection.

216 AT, EE, EL, FI, HR, IE, IT, LT, LU, SK.

Luxembourg. In Ireland, limited availability of wheelchair-accessible rooms, single/double rooms within proximity to hospitals and/or other required services is challenging. Similarly, Luxembourg experiences difficulties finding adequate support and housing facilities for people with mobility problems and special needs (e.g. linked to dementia or advanced age). Due to the temporary nature of their status (currently limited to March 2026) and the associated lack of financial security, external services specialising in housing for persons with special needs are reluctant to accommodate beneficiaries.

Lithuania noted that while the services provided to BoTP with disabilities are the same as those provided to citizens, the financial supports available to these people and their families are insufficient. Mothers with children with disabilities or special needs find it particularly difficult to gain and maintain employment, which makes them vulnerable and reliant on the support of NGOs. In Austria, a major challenge is that beneficiaries were not eligible for long-term care allowance during the research period and the provinces only provided support to people with disabilities on a goodwill basis.



## 6.2 CHALLENGES IN PROVIDING ASSISTANCE TO UNACCOMPANIED MINORS, SEPARATED CHILDREN, AND CHILDREN ACCOMPANIED BY A GUARDIAN APPOINTED IN UKRAINE

Several EMN Member Countries<sup>217</sup> reported a range of challenges in providing assistance to unaccompanied minors, separated children, and children accompanied by a guardian appointed in Ukraine. The main challenges include recognition of guardianship in the absence of official documents, the guardian leaving the country without notifying relevant authorities, lack of adequate accommodation capacity for the unaccompanied and separated minors, and for the children arriving in large groups from Ukrainian institutions, and challenges related to children's welfare and safety.

In some countries,<sup>218</sup> a key challenge for children accompanied by an adult is the recognition of guardianship in the absence of official documents. In Estonia, for example, courts are seeing cases of minors who arrived without their parents but accompanied by an adult without a power of attorney from the parents (for the accompanying adult to care for their child). The courts must decide whether to accept the authorisation without notarisation or initiate a guardianship appointment process in Estonia.

Similarly, in Finland, minors arriving from Ukraine travelling with a close relative who is not their guardian present a challenge for the authorities because a close relative travelling with a minor cannot be automatically considered their guardian. If there is uncertainty as to whether the person is indeed their guardian, the situation is investigated. If considerable doubt remains that the adult is not the child's guardian, the child is registered as an unaccompanied minor and referred to a special reception centre. The same challenge was encountered in Germany, where unaccompanied minors are taken in by municipal youth offices.

Austria, Finland, Germany, and Sweden all reported an increased number of cases where the guardian leaves the country (either permanently or temporarily), sometimes without notifying relevant authorities and leaving the child behind, either on their own or with another adult who is not their guardian. In Austria, the children involved subsequently need to be accommodated in child and youth welfare facilities. Sweden reported that in these cases, interventions for the child also risk being delayed or absent.

In three countries,<sup>219</sup> a lack of adequate accommodation capacity for unaccompanied minors was reported as a challenge. In Ireland, unaccompanied minors and separated children are housed in accommodation centres specifically for BoTP. To respond to the large numbers of arrivals, these centres have higher occupancy rates than those in general children's care homes. The first of these centres opened in April 2022, with eight more opened in 2023 to meet increased demand.

Belgium reported a shortage of guardians for unaccompanied minors (Belgium has set in place a system whereby a Belgian guardian is appointed to "support" the Ukrainian guardians), making it impossible to immediately assign a guardian to each unaccompanied minor arriving in Belgium.

### Box 6: Red Cross survey on vulnerability in Lithuania

According to a 2023 Red Cross survey (n=3 862), about 20% of BoTP in Lithuania needed mental health services. More than half of respondents (56.65%) claimed that their needs were not met or were only partially met, pointing to a lack of continuity of services, the language barrier, and the quality of services as the main reasons for their dissatisfaction.

Lithuania reported a growing lack of qualified psychologists to work with families and children experiencing social risk.

Children's welfare challenges were reported by Finland and Lithuania. In Lithuania, there were reports of possible cases of violence against children in Ukrainian families. In such instances, the child's situation was assessed, and a case manager was appointed to develop a support plan and coordinate services for the family. There were instances where families arriving from Ukraine refused to cooperate, declined the services, and either went back to Ukraine or moved to another EU country.

In Finland, cases of substance abuse emerged as a problem for both unaccompanied minors and parents of

217 BE, CZ, DE, EE, FI, FR, HR, IE, LV, LT, SE.

218 DE, EE, FI, HR, LT, LV.

219 FR, IE, LU.

children. Consequently, the number of decisions on taking minors into custody increased in 2023.

### Hosting groups of evacuated children from Ukrainian institutions

Several EMN Member Countries<sup>220</sup> hosted groups of children evacuated from Ukrainian care institutions and orphanages in 2022 and the first half of 2023:

- In Croatia, a group of 10 children arrived, accompanied by their legal representative appointed under Ukrainian law;
- In the Czech Republic, several groups from social care facilities sought safety in 2022 but then went back to Ukraine at their own request.
- Germany registered 3 136 minors and their guardians from Ukrainian institutions. The evacuations took place as private initiatives. Distribution in Germany is handled by a coordination point in the Federal Administrative Office, which allocates groups to individual federal states. The children were accommodated in suitable accommodation facilities (non-institutionalised), but cohesion of the groups is maintained throughout the procedure, in the best interests of the children in the group. The coordination point issues a letter of invitation to Ukrainian authorities prior to the evacuation, specifying the exact conditions for receiving the evacuees;
- Greece hosted nine children evacuated from a Ukrainian institution, who were accommodated in Greece with the guardians appointed by the Ukrainian authorities in April 2022. The children and guardians were accommodated in a shelter for unaccompanied minors, supported by a social worker, psychologist, lawyer, and educator. They were given access to medical care, education, and recreational activities;
- In Italy, in 2022, 115 children from the orphanage in Berdiansk found accommodation in various municipalities in the province of Bergamo, with different forms of support provided. Some children were accommodated in hotels funded by municipal resources, others in public facilities, some in foster homes run by religious organisations, and others were welcomed by private families on a voluntary basis. All of them were registered to attend primary and secondary schools. Older students attended distance learning activities from rooms provided by the administration and local authorities;
- Since 24 February 2022, 10 groups of children from Ukrainian foster care institutions and family-type foster homes have arrived in Lithuania. In the cooperation agreement between Lithuania and Ukraine, it was agreed that groups from the same foster care institution should not be split, except when necessary to ensure the best interests of the child. As a result, the children were placed in group-family homes. The placement process considered the children's gender, age, and individual needs. The accommodation facilities were adapted to provide suitable living conditions and privacy for the children. A variety of services, including psychological support, employment opportunities, leisure activities, and educational programs, were initiated and offered. Whenever possible, children were housed with accompanying persons who cared for them, supported by a guardian/caretaker appointed in Lithuania;
- In the Netherlands, 143 children evacuated from Ukrainian institutions were hosted at separate municipal reception centres or in family-based environments, such as a foster home. The municipality is responsible for the care of these children, including the provision of education and healthcare;
- In addition to 102 minors who crossed the border without a guardian in the research period, Poland received 111 minors who were already in foster care in Ukraine prior to their arrival in Poland. Minors are guaranteed the support of a temporary guardian, who represents and takes care of them. Accommodation and meals are provided for temporary guardians and minors, as well as co-financing from the district for the costs necessary to ensure appropriate care and upbringing;
- Slovenia hosted 20 children and the accompanying staff from the Ukrainian Luhansk orphanage. The Ukrainian Embassy in Slovenia organised a bus to bring them to the village of Slavina, where they were accommodated at the local adult education centre. The accompanying staff who had already taken care of these children in Ukraine continued to educate and care for them, while Slovenia provided additional educators.

**Table 4: Numbers of children from Ukrainian institutions hosted in EMN Member Countries**

| EMN Member Country | Number of children hosted   |
|--------------------|---|
| Croatia            | 10 children   |
| Greece             | 9 children  |
| Italy              | 115 children  |
| The Netherlands    | 143 children  |
| Poland             | 111 minors placed in foster care in Ukraine before arriving in Poland<br>102 minors who crossed the border without a guardian<br>*In 2022, there were 2 587 minors arriving in groups from UA institutions that were registered in Poland |
| Slovenia           | 20 children   |

220 AT, CZ, EL, HR, IT, LT, NL, PL, SE, SI.





## 6.3 PREVENTION OF TRAFFICKING IN HUMAN BEINGS

In addition to general measures in place to protect, identify and support all victims of trafficking in human beings, the majority of EMN Member Countries reported specific measures to protect people fleeing Ukraine from trafficking in human beings.

The majority of these measures were already established by 2022. However, during the reporting period in 2023, additional steps were taken to protect individuals fleeing Ukraine from trafficking in human beings. These included: awareness-raising and information campaigns;<sup>221</sup> advice, counselling and/or assistance for potential victims;<sup>222</sup> capacity-building and interinstitutional cooperation;<sup>223</sup> and identification measures<sup>224</sup> (e.g. police checks).

### Awareness-raising and information campaigns

Several EMN Member Countries<sup>225</sup> undertook information campaigns and awareness-raising for BoTP, with most activities starting in 2022 and continuing in 2023. Some<sup>226</sup> prepared and disseminated printed information in English, Ukrainian and Russian for BoTP, such as leaflets and brochures on the risks of labour and sexual exploitation and supports available for victims of human trafficking.

In Austria, operators of sex service establishments sought information about the conditions under which Ukrainian women are allowed to work as prostitutes and dating agencies showed persistent interest in young Ukrainian women. In light of these developments, awareness-raising and information campaigns were expanded. In Belgium, several brochures were developed and disseminated, including a brochure on the risks of economic exploitation (in print and on the [ukraine.be](http://ukraine.be)-website). In Bulgaria, the National Commission for Combating Trafficking in Human Beings (NCCTHB), together with the UNHCR, prepared information materials in Russian, Ukrainian and English for BoTP.

Emergency hotlines<sup>227</sup> have been set up in some countries. In Cyprus, the management unit of the airport, in collaboration with the police, informs Ukrainian nationals about the emergency 24/7 phone line which citizens can call to report any incidents of trafficking in human beings. The information is distributed in print and digital formats throughout the arrival halls of the airports. The same information material was distributed to NGOs, police, social welfare services, district units, and the municipalities.

In 2023, BoTP continued to represent one of the priority target groups for several awareness-raising and information campaigns on trafficking in human beings in the Czech Republic. In March 2023, a workshop was organised in

Prague by the Organization for Security and Co-operation in Europe (OSCE), in cooperation with the Czech Ministry of the Interior. It focused on the situation of displaced persons from Ukraine and the possibility of helping the states directly affected. As part of the Programme for the Support and Protection of Victims of Human Trafficking, the Czech NGO, La Strada worked with the Czech Ministry of the Interior to prepare preventive videos and online seminars on labour exploitation for BoTP. These are continuously presented at relevant educational events. As part of this collaboration, two 60-minute videos were produced in 2023 for BoTP residing in the Czech Republic who live in isolation (e.g. in private apartments). One video spot is aimed at adults, while the other focuses on the needs of adolescents and minors.

Germany launched a general information campaign, 'Germany4Ukraine', as a one-stop-shop for any questions Ukrainian nationals might have on arriving. It includes information on the dangers of trafficking in human beings, as well as other forms of exploitation. Information is also spread via flyers. Further efforts have been made to raise volunteers' awareness of the dangers of trafficking and exploitation.

In Luxembourg, the Monitoring Committee for the Fight against Trafficking in Human Beings held discussions with the administrators of several relevant Facebook pages to raise awareness and warn of the risk of malicious announcements and publications. Victims of exploitation and human trafficking can contact the Fugitive Search and Victim Protection Unit of the Judicial Police.<sup>228</sup> In Croatia, police officers regularly visit beneficiaries in reception centres to inform them of the potential risk of trafficking in human beings, as well as their rights and obligations.

Estonia's Labour Inspectorate recruited more inspectors and lawyers to carry out independent workplace assessments for BoTP employees. It also offers free legal assistance for work-related issues, such as unpaid wages, with a dedicated phone line and website for worker rights, aiming to prevent labour trafficking. In parallel, a media campaign sought to raise awareness of labour trafficking, particularly among vulnerable BoTP, while information explaining trafficking risks and support services were disseminated.

In 2023, Finland continued to distribute information on Finnish working life and the rights of employees in order to prevent labour exploitation, for example at recruitment fairs and other events in which beneficiaries of temporary protection participated. The information leaflet 'As a foreign employee in Finland'<sup>229</sup> was previously translated into Ukrainian, while the leaflets 'Terms of employment for

221 AT, BE, BG, CZ, DE, ES, FI, FR, HR, IT, LU, LV, SI, SK.

222 AT, BE, BG, CZ, DE, EE, EL, HU, LV, PL, SI, SK.

223 BE, CZ, DE, EE, EL, ES, FI, FR, HU, IE, IT, LT, LU, LV, MT, PL, SK.

224 BE, CY, CZ, EE, FI, LV, PL, SE.

225 AT, BE, BG, DE, EE, ES, FI, FR, HR, IT, LU, LV, NL, SI, SK.

226 AT, BE, BG, CY, DE, EE, ES, FI, FR, HR, IT, LU, LV, SI, SK.

227 CY, ES, IT, SK.

228 Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign and European Affairs, Ministry of Justice, 'Raising awareness of the risks faced by people fleeing the war in Ukraine to become victims of exploitation and human trafficking', Press release, 25 March 2022, [https://gouvernement.lu/en/actualites/toutes\\_actualites/communiqués/2022/03-mars/25-sensibilisation-risquesukraine.html](https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/25-sensibilisation-risquesukraine.html), last accessed on 08 March 2024.

229 Occupational Safety and Health Administration in Finland, 'As a foreign employee in Finland', n.d., <https://tyosuojelu.fi/en/about-us/publications/as-a-foreign-employee-in-finland>, last accessed on 7 November 2024.

seasonal workers in agriculture',<sup>230</sup> and 'Are you self-employed or an employee?'<sup>231</sup> were translated into Ukrainian in 2023.

### Advice, counselling and assistance

Some EMN Member Countries<sup>232</sup> reported providing tailored advice and assistance to BoTP. In Austria, the Criminal Intelligence Service relies on the support of a mediator, who offers advice and assistance in the event of potential trafficking cases. In Latvia and Slovenia, NGOs offer assistance and counselling activities for BoTP.

Several countries<sup>233</sup> reported special measures for unaccompanied minors. In Poland, the Act on assistance to Ukrainian citizens provides for an obligation to assist minor citizens of Ukraine who arrive in Poland without a care person, including placement in foster care. In Estonia, unaccompanied minors who reach adulthood are assigned support persons to help them to find employment and avoid becoming victims of labour exploitation, for example. Similarly, in Greece, assistance and other services for unaccompanied minors (legal status, medical care, education) are in part a preventive mechanism against trafficking in human beings.

The Czech Republic implemented a wide range of preventive and educational activities, providing information on the possibilities of support and protection of victims of trafficking in human beings, current trends in trafficking, and methods of identifying potential victims by relevant professional groups that may come into contact with such cases.

### Capacity building and interinstitutional cooperation

A range of actions were reported by EMN Member Countries to facilitate interinstitutional cooperation and capacity-building among national and EU level actors to protect displaced persons from Ukraine from trafficking in human beings. These included setting up working groups, tasks forces and interinstitutional cooperation mechanisms;<sup>234</sup> organising training for relevant institutions and professionals;<sup>235</sup> and participating in activities at EU level.<sup>236</sup>

### Working groups, task forces and interinstitutional cooperation

Eight EMN Member Countries<sup>237</sup> set up working groups, task forces and interinstitutional cooperation to prevent possible trafficking in human beings for displaced persons from fleeing Ukraine. In Belgium, the Minister for Justice set up a working group to deal with the potential risks of exploitation/trafficking in human beings. In Finland, in February 2022, the Government Anti-Trafficking Coordinator at the Ministry of Justice brought together all relevant stakeholders working in anti-trafficking, and the

group continued to meet in 2023 to share information and discuss risks and necessary actions. In Lithuania, the police formed a task force to combat trafficking in human beings and appointed coordinators in registration centres. In Germany, actors at all federal levels cooperate in various ways.

In France and Hungary, interinstitutional cooperation focused on unaccompanied minors. In France, a Committee for the Protection of Unaccompanied Ukrainian Minors and for the Prevention of Human Trafficking was set up after the start of the conflict, bringing together several ministries (Justice, Interior, the State Secretariat for Children, Territorial Cohesion and Relations with Local Authorities, in association with the Assembly of French Departments (ADF)) to organise the care of displaced minors from Ukraine. In Hungary, the Border Traffic and Documentation Department of the Border Police, the Criminal Department of the National Police HQ General Directorate of Crime and UNICEF all attended a consultation meeting on 29 March 2023. The meeting focused on potential cooperation on child protection and the protection of vulnerable groups of children fleeing Ukraine, as well as the identification of victims of trafficking in human beings.

### Training for institutions and professionals

Several countries<sup>238</sup> organised training for institutions and professionals on preventing or detecting potential victims of trafficking in human beings. In Luxembourg, training and audio-visual support was provided to new employees in charge of welcoming people fleeing the war in Ukraine. Bulgaria organised a series of training sessions for volunteers providing support to Ukrainian citizens. In the Czech Republic, police officers trained approximately 50 new staff members of the NGO, 'People in Need'. The German NGO, Network against Trafficking in Human Beings, a platform for all counselling offices, was granted additional funding for multiple projects to combat trafficking and counselling in the context of protecting refugees from Ukraine. In Ireland, An Garda Síochána (national police force) delivered specific training to the frontline Ukraine response teams at the Ukraine Transit Centre in Dublin in May 2023.

### Cooperation and participation in activities at EU level

A number of countries<sup>239</sup> participated in activities organised at EU level. The Czech Republic stated that police officers regularly participate in online meetings of representatives of EU Member States under the Platform on trafficking in human beings (AP Phoenix) at EUROPOL. A key meeting topic was 'Trafficking in human beings - risks for refugees from Ukraine', where national information was exchanged, together with specific prevention activities. The Czech Republic, Hungary and the Netherlands participated

230 Occupational Safety and Health Administration in Finland, 'Terms of employment for seasonal workers in agriculture', n.d., <https://www.tyosuojelu.fi/web/en/employment-relationship/collective-agreement/seasonal-agricultural-work-and-berry-picking>, last accessed on 6 October 2023.

231 Occupational Safety and Health Administration in Finland, 'Are you self-employed or an employee?', n.d., <https://tyosuojelu.fi/en/about-us/publications/are-you-self-employed-or-an-employee> last accessed on 7 November 2024.

232 AT, BE, BG, EE, EL, HU, LV, PL, SI, SK.

233 BE, EE, EL, NL, PL.

234 BE, CZ, EE, EL, FI, FR, HU, LT, SK.

235 BG, EL, ES, IE, IT, LU, SK.

236 CZ, EL, FI, HU, NL.

237 BE, CZ, DE, EE, FI, FR, HU, LT, SK.

238 BG, CZ, EL, ES, FR, IE, IT, LU, SK.

239 CZ, DE, EL, FI, FR, HU, NL.

in the EMPACT programme ‘Southeastern partnership related to trafficking in human beings-activities’. The programme aims to identify and fight organised crime groups (OCGs) involved in trafficking in human beings, where the suspects and/or victims are from Southeastern Partnership countries (Ukraine and Moldova, and, where relevant, Armenia, Azerbaijan, and Georgia). There is particular focus on the exploitation of BoTP from Ukraine.

### Identification measures

Specific identification measures for potential victims from Ukraine were reported by several countries.<sup>240</sup> In Cyprus, police personnel working at the international airports were given instructions on how to monitor the arrivals halls and discreetly check for any suspicious approaches to women and children by people offering help such as transport.

In the Czech Republic, police officers regularly visit facilities where unaccompanied minors are placed together with interpreters and cooperate closely with local staff. Police officers are in contact with the directors of these facilities, while the directors are informed of suspicions or signs of trafficking in human beings. The police continuously spot check web portals with sexual themes and investigate suspicious advertisements or individual complaints from the public. They also check nightclubs to investigate possible sexual exploitation of Ukrainian women. Similarly, in Cyprus, the police carry out discreet checks of high-risk venues such as clubs and pubs.

In Croatia, the police, in cooperation with the State Inspectorate, monitor the course of employment of displaced persons from Ukraine in order to prevent potential labour exploitation. In Lithuania, the State Labour Inspectorate has improved the regulation of temporary employment agencies and increased efforts to prevent human trafficking for forced labour.

### Overview of detected cases

Some countries<sup>241</sup> stated that they have yet to identify any victims of trafficking in human beings from Ukraine. In Austria, although 46 suspected cases were investigated prior to October 2023, no trafficking victims were formally identified.

In 2023, the Czech Republic identified one potential victim of trafficking in human beings from Ukraine. As the case is still in the process of investigation, no trafficking victim has been formally identified. The person entered the Programme for the Support and Protection of Victims of Human Trafficking where they can remain on a voluntary basis until the investigation is concluded.

Germany registered a low double-digit number of cases of trafficking in human beings. Federal authorities pointed to

the effectiveness of the safe and clearly defined legal status, widespread and multi-pronged information campaign, and increased awareness among volunteers.

In Ireland, one victim of human trafficking from Ukraine was identified in 2022.<sup>242</sup> The Irish Human Rights and Equality Commission (IHREC) has suggested that a possible reason for the lack of cases to date is that the provision of temporary protection, including accommodation and financial support, may have reduced the likelihood of exploitation or trafficking.<sup>243</sup>

France reported that Ukraine was already identified as a source country for trafficking in human beings for the purposes of sexual exploitation and is well known to the police. However, since the beginning of 2023, no new networks involving Ukrainian victims have been identified or dismantled. In Finland, labour exploitation of Ukrainian nationals was identified prior to the conflict and there has been no significant increase.

### Challenges

The majority of the displaced persons from Ukraine are women and children, posing a particular challenge in heightened vulnerability to the risks of trafficking and exploitation.

Several EMN Member Countries<sup>244</sup> reported that the identification of victims is challenging, as BoTP often have less contact with authorities (than applicants for international protection, for example), making it more difficult to identify potential exploitative situations. As beneficiaries are often housed in private accommodation, there is a risk that their emergency situation will be exploited by accommodation providers. Austria noted that private offers of help, such as the promise of free transport or accommodation, particularly to displaced women and minors in areas around railway stations or arrival and reception centres, often involve an element of risk and are difficult to identify. Another challenge identified by Austria and Poland is that criminals are increasingly using the internet and social media to contact and recruit displaced persons, using increasingly sophisticated technical skills and expertise.

Some countries<sup>245</sup> reported specific challenges in labour exploitation. In Estonia and Finland, labour exploitation of Ukrainian nationals was a pre-existing phenomenon, especially in seasonal work and construction.

Austria reported that access to the labour market was sometimes complicated by practical obstacles, such as a lack of childcare or non-recognition of skills, potentially placing displaced people in financially precarious situations. A study by IOM Austria concluded that a precarious financial situation may particularly expose the vulnerable group of women single-person households with children, who often find themselves in financially precarious situations.<sup>246</sup>

<sup>240</sup> BE, CY, CZ, EE, HR, FI, LT, LV, PL, SE.

<sup>241</sup> AT, CY, CZ, EL, FR, LV.

<sup>242</sup> Department of Justice, ‘Trafficking in Human Beings in Ireland: Annual Report 2022’, 2023, Table 2, pp. 8-9, <https://www.blueblindfold.ie/wp-content/uploads/2023/08/Human-Trafficking-Annual-Report-2022.pdf>, last accessed on 1 February 2024.

<sup>243</sup> IHREC, ‘Trafficking in Human Beings in Ireland Second Evaluation of the Implementation of the EU Anti-Trafficking Directive’, 2023, p. 303, [https://www.ihrec.ie/app/uploads/2023/09/Trafficking-in-Human-Beings-in-Ireland-2023\\_FA\\_web-Final.pdf](https://www.ihrec.ie/app/uploads/2023/09/Trafficking-in-Human-Beings-in-Ireland-2023_FA_web-Final.pdf), last accessed on 16 November 2023, last accessed on 08 March 2024.

<sup>244</sup> AT, BE, BG, EE, FI, FR, IT, NL, PL, SE, SI, SK.

<sup>245</sup> AT, BE, EE, FI, NL.

<sup>246</sup> Heilemann, S., ‘Displaced Persons from Ukraine in Austria: Risk Factors in the Area of Housing’, International Organization for Migration (IOM), Vienna, 2023, [https://dtm.iom.int/dtm\\_download\\_track/41876?file=1&type=node&id=29321](https://dtm.iom.int/dtm_download_track/41876?file=1&type=node&id=29321), last accessed on 16 November 2023.

# 7. CONCLUSIONS

The study presented an overview of challenges and good practices in the application of the TPD in 25 EMN Member Countries from January to July 2023. It included the possible pathways available for BoTP to transition to other types and forms of legal residence or protection statuses, tracking beneficiaries travelling to other Member States and outside the EU, and registration and extension of stay after the first year. It also examined challenges and good practices in accessing rights provided by the TPD in relation to accommodation, the labour market, healthcare, education, and social assistance/welfare. Finally, it outlined the supports available for vulnerable groups, specifically unaccompanied minors and victims of trafficking in human beings.

Several conclusions can be drawn from the study.

## **Registration of new arrivals continued in a phased manner, while extensions of validity of temporary protection ran smoothly, using a variety of approaches**

EMN Member Countries continue to register BoTP but use a flexible approach, opening and closing registration locations, depending on the numbers of applications received. The extension of the validity of temporary protection was tackled in different ways by EMN Member Countries, including automatic renewals, online renewals, in-person renewals, or a combination of systems. Problems arose in reaching out to beneficiaries, including language and communication problems.

## **Determining the eligibility of individuals to temporary protection remained a key challenge**

Problems persisted in determining whether a person claiming to be fleeing Ukraine had indeed been residing in Ukraine prior to 24 February 2022, as prescribed in the TPD. Cases were also identified of ineligible people seeking to take advantage of the temporary protection system.

## **BoTP were not restricted from travelling, but their social benefits were likely to be affected by short-term or long-term travel**

Generally, EMN Member Countries track the travel of BoTP very loosely, notably at specific border-crossing points, through voluntary declarations of the traveller, the TPP, or checks on state social benefit providers. Travel, however, may affect some social benefits of beneficiaries in most countries. Benefits can be lost or suspended, depending

on the number of days the person travels outside of their resident country.

## **The Temporary Protection Platform (TPP) was used systematically, but problems were encountered with consistency of use and data entry**

Almost all EMN Member Countries use the platform systematically, but note challenges including disparities in data entry, inconsistency of use, and administrative and IT issues, including lack of staff to process the high number of registrations on the system. The quality of data entered, including spellings of names and lack of biometrics in the system, make it difficult to verify the identity of a person.

## **Most EMN Member Countries did not implement any major changes in the provision of services to BoTP**

The most prevalent changes include adjustments to the financial assistance provided to beneficiaries (housing or social benefits) or extension of existing services.

## **Linguistic differences were the most common barriers to the provision of services**

Language differences at times hinder the ability of beneficiaries to access healthcare, social services and the education system, including the integration of children in schools. EMN Member Countries have tried to address these challenges through the provision of language classes or the employment of translators/Ukrainian staff to help beneficiaries to orient themselves (in healthcare, social/employment services and schools). However, the available (human) resources are not sufficient to fully mitigate these challenges.

## **Addressing language barriers, qualification mismatches and a lack of access to childcare are central elements in facilitating effective labour market integration.**

A high percentage of BoTP are still employed in low skilled labour because of issues with the recognition of professional qualification, especially in regulated professions.<sup>247</sup> A lack of access to childcare hinders the possibility for single women with children to enter the labour market.

## **Additional challenges were posed by the pre-existing limited capacities in housing, education and healthcare**

A number of EMN Member Countries faced pressures in their rental markets and social housing prior to 2022.

<sup>247</sup> EMN-OECD joint inform, Labour market integration of beneficiaries of temporary protection from Ukraine, EMN Inform: Labour market integration of beneficiaries of temporary protection from Ukraine, last accessed on 28 October 2024.

Similarly, educational facilities or healthcare services suffered from lack of physical space and/or lack of sufficient staff. The arrival of BoTP adds extra pressures that countries struggle to resolve. EMN Member Countries are seeking alternative sources of housing, supporting a more balanced regional distribution of BoTP to alleviate the high burden on urban centres, and allocating finances towards enhancing educational resources and space (where possible).

**EMN Member Countries reported difficulties in finding longer-term accommodation, employment and education solutions for BoTP**

Long-term accommodation solutions remain scarce and difficult to find as long as BoTP are not fully integrated into the labour market. Ukrainian children often continue to be split between two education systems – that of their host country and their previous system in Ukraine (with continued learning online), creating an additional burden for them.

**The majority of displaced persons from Ukraine are women and children, with heightened vulnerability to exploitation, discrimination and human trafficking.**

Identifying vulnerable BoTP is challenging due to their limited contact with authorities on registration (e.g. online application process, written procedure). BoTP often stay in private accommodation and not in state-provided facilities,

further limiting their contact with authorities. Obstacles to providing vulnerable beneficiaries with assistance and support largely relate to a lack of suitable accommodation and insufficient financial support.

**EMN Member Countries provided tailored support and protection for unaccompanied minors, separated children, and children accompanied by guardians fleeing Ukraine**

Recognition of guardianship of adults travelling with a minor in the absence of official documents is a key challenge for EMN Member Countries. Other challenges include guardians leaving the country without notifying the relevant authorities, lack of housing capacity for unaccompanied minors, and challenges related to child welfare and safety.

**EMN Member Countries adopted a range of tailored measures to protect, identify and support potential victims of trafficking in human beings fleeing Ukraine**

Awareness-raising measures include the distribution of printed information (in English, Ukrainian, Russian) to BoTP, such as leaflets and brochures on the risks of labour and sexual exploitation and supports available for victims of trafficking in human beings. Other common measures include advice, counselling and/or assistance for potential victims, capacity-building and interinstitutional cooperation, and identification measures (e.g. police checks).



## For more information

EMN website: [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn_en)

EMN LinkedIn page: <https://www.linkedin.com/company/european-migration-network>

EMN X account: <https://x.com/emnmigration>

EMN YouTube channel: <https://www.youtube.com/@EMNMigration>

## EMN National Contact Points

Austria [www.emn.at/en/](http://www.emn.at/en/)

Belgium [www.emnbelgium.be/](http://www.emnbelgium.be/)

Bulgaria [www.emn-bg.com/](http://www.emn-bg.com/)

Croatia [emn.gov.hr/](http://emn.gov.hr/)

Cyprus [www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument](http://www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument)

Czech Republic [www.emncz.eu/](http://www.emncz.eu/)

Estonia [www.emn.ee/](http://www.emn.ee/)

Finland [emn.fi/en/](http://emn.fi/en/)

France [www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2](http://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2)

Germany [www.bamf.de/EN/Themen/EMN/emn-node.html](http://www.bamf.de/EN/Themen/EMN/emn-node.html)

Greece <https://migration.gov.gr/emn/>

Hungary [www.emnhungary.hu/en](http://www.emnhungary.hu/en)

Ireland [www.emn.ie/](http://www.emn.ie/)

Italy [www.emnitalyncp.it/](http://www.emnitalyncp.it/)

Latvia [www.emn.lv](http://www.emn.lv)

Lithuania [www.emn.lt/](http://www.emn.lt/)

Luxembourg [emnluxembourg.uni.lu/](http://emnluxembourg.uni.lu/)

Malta [emn.gov.mt/](http://emn.gov.mt/)

The Netherlands [www.emnnetherlands.nl/](http://www.emnnetherlands.nl/)

Poland [www.gov.pl/web/european-migration-network](http://www.gov.pl/web/european-migration-network)

Portugal [rem.sef.pt/en/](http://rem.sef.pt/en/)

Romania [www.mai.gov.ro/](http://www.mai.gov.ro/)

Spain [www.emnspain.gob.es/en/home](http://www.emnspain.gob.es/en/home)

Slovak Republic [www.emn.sk/en](http://www.emn.sk/en)

Slovenia [emnslovenia.si](http://emnslovenia.si)

Sweden [www.emnsweden.se/](http://www.emnsweden.se/)

Norway [www.udi.no/en/statistics-and-analysis/european-migration-network---norway#](http://www.udi.no/en/statistics-and-analysis/european-migration-network---norway#)

Georgia [migration.commission.ge/](http://migration.commission.ge/)

Republic of Moldova [bma.gov.md/en](http://bma.gov.md/en)

Ukraine [dmsu.gov.ua/en-home.html](http://dmsu.gov.ua/en-home.html)

Montenegro [www.gov.me/mup](http://www.gov.me/mup)

Armenia [migration.am/?lang=en](http://migration.am/?lang=en)

Serbia [kirs.gov.rs/eng](http://kirs.gov.rs/eng)