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NOTE

From: Presidency
To: Strategic Committee on Immigration, Frontiers and Asylum
Subject: Temporary protection beneficiaries in the EU
- Presidency discussion paper

Responding in a particularly unified and rapid manner to Russia's aggression against Ukraine, the Council adopted Implementing Decision 2022/382 on 4 March 2022, and activated the Directive 2001/55/EC ("Temporary Protection Directive, TPD") for certain categories of persons displaced from Ukraine on or after 24 February 2022. This temporary protection system has enabled the European Union to respond in a coordinated way to the massive migratory influx at its eastern borders and beyond.

The Directive grants beneficiaries of temporary protection not only the right to reside legally in the host country, but also to have immediate access to the labour market, education and health systems, social assistance, accommodation or means to obtain housing. This also entails a number of concomitant obligations for Member States. At the same time, it also enables national authorities to process requests by those who want to avail themselves of those rights on the basis of clear and uniform criteria and to make swift decisions.

As the situation in Ukraine has not changed significantly since the activation of the Temporary Protection Directive, it was, in accordance with Article 4 of the Directive, extended several times, considering that the reasons for temporary protection still persist. Following the political agreement at the Justice and Home Affairs Council on 13 June 2024, the protection has been extended until 4 March 2026, while several Member States stressed the need to maintain a dialogue on the future of temporary protection in order to ensure that an informed decision can be taken when the time comes.

According to Commission data, as of 17 September 2024, there were over **4.3 million (4 371 455)** people with temporary protection in the EU (**4 514 504** million including Norway, Iceland, Liechtenstein and Switzerland).

The main EU countries hosting beneficiaries of temporary protection from Ukraine are Germany (1,110,600 people; 26.9% of the EU total), Poland (976,205; 23.7%) and the Czech Republic (369,610; 9%). In relation to the population size of each Member State, the highest numbers of total temporary protection beneficiaries per thousand inhabitants were recorded in the Czech Republic (33.9 people), ahead of Lithuania (27.4) and Poland (26.7).

Since the activation of the Temporary Protection Directive, Member States have made significant efforts to support displaced people from Ukraine to facilitate their integration into the host society, including into the labour market. In 2023, of all first residence permits, the highest number was issued to citizens of Ukraine (307,313), with employment as the most frequent reason for such permits (71.7%)¹. An EMN-OECD inform on the labour market integration of beneficiaries of temporary protection, issued in May 2024², confirmed positive trends regarding employment rates as well as integration challenges, such as qualification recognition, language barriers and uncertainty regarding the duration of stay. It is important to keep monitoring how the labour market integration of temporary protection beneficiaries evolves.

¹ <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20240912-1>

² https://home-affairs.ec.europa.eu/news/new-emn-oecd-inform-explores-labour-market-integration-beneficiaries-temporary-protection-ukraine-2024-05-21_en

While the Temporary Protection Directive ensures access to suitable accommodation or, if necessary, receiving the means to obtain housing, Member States continue to face difficulties in finding sustainable solutions in the medium and long term. Hybrid solutions combining public reception schemes and private housing offers have emerged across the EU, but maintaining such a diverse system will reduce pressure on the budget only for a certain period of time. Furthermore, the principle of a two-way process on integration, which requires efforts by all parties concerned, should also play a central role.

The Commission also launched the Safe Homes Initiative to support private individuals across the EU who have opened their homes to host displaced people. Supported by the Asylum, Migration and Integration Fund (AMIF), the initiative provided [guidance](#) and support to all stakeholders involved in hosting schemes. The initiative [facilitated learning](#) to inform future policies on the reception and integration of new arrivals, including on opportunities to combine the public reception system with private accommodation offers and other initiatives. Addressing housing challenges is likely to remain on the agenda for most Member States, making it a priority to prepare for the future.

Several Member States also face the need for considerable investment in their education system to welcome displaced children from Ukraine in an adapted manner. Member States found ways to cope with immediate challenges but long-term investment is also necessary. The European Commission has issued specific guidance, based on consultations with Member States and UN organisations to increase the effectiveness of such investment³.

At the informal meeting of Justice and Home Affairs Ministers during the Belgian Presidency, Member States stressed the importance of balancing the interests of individuals, the financial and labour market concerns of Member States and the needs of Ukraine. Possible options could include the use of existing statuses and residence permits issued for work or study, which could allow thorough integration, especially for those who have secured employment or started studies, or a special residence or temporary status that would allow persons displaced from Ukraine to reside in the EU and possibly return to Ukraine frequently to participate in the reconstruction of the country.

³ [Supporting wellbeing at school: new guidelines for policymakers and educators | European Education Area \(europa.eu\)](#)

Indicators such as age, sex, number of beneficiaries integrated into the labour market and education system, own accommodation or public housing, or the number of persons regularly commuting to Ukraine, could be valuable to underpinning future decisions on shaping the transition out of temporary protection. This data may also be used as a basis for identifying which category of persons will more likely stay in the Member States on a permanent basis and who will return to Ukraine when the conditions allow it. The European Migration Network is in the process of finalising a study on the situation in all Member States in 2023 (EMN study – The application of the Temporary Protection Directive: Challenges and good practices in 2023) – the findings of this study will also be a useful source of information.

In light of the current protection and support for displaced persons from Ukraine and following the last extension decision in the summer, the Hungarian Presidency considers that the time is right to start a strategic discussion on the main aspects and indicators that should be taken into account in order to make an informed decision on the future of displaced persons from Ukraine who are beneficiaries of temporary protection. Therefore, at the meeting of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) on 27 September, Member States are invited to consider and share their views on the following questions:

- *Which are/will be the main challenges as regards the provision of various rights (housing, issuance of residence permits, number of beneficiaries of temporary protection, labour market access, education, healthcare, etc.) in line with the Temporary Protection Directive and how are Member States coping with such challenges?*
- *Besides the aspects mentioned above, what other key indicators could be used in the future to make an informed decision as to shaping the transition out of temporary protection? How could we bridge the gap to the fulfilment of requirements for national permits, for example based on employment, for those concerned?*
- *In order to ensure a coordinated approach, what measures could be taken at Member State or EU level to ensure that beneficiaries of temporary protection receive all the information they need in time to make informed decisions on their future?*