

PRESS RELEASE

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Ukraine: Council unanimously introduces temporary protection for persons fleeing the war

The Council today adopted unanimously an implementing decision introducing temporary protection due to the mass influx of persons fleeing Ukraine as a consequence of the war.

Temporary protection is an emergency mechanism which can be applied in cases of mass influx of persons and which aims to provide an immediate and collective (i.e. without the need for the examination of individual applications) protection to displaced persons who are not in a position to return to their country of origin. The objective is to alleviate pressure on national asylum systems and to allow displaced persons to enjoy harmonised rights across the EU. These rights include residence, access to the labour market and housing, medical assistance, and access to education for children.

Once adopted, the decision will activate temporary protection for an initial period of one year. That period may be extended automatically by six monthly periods for a maximum of one year. The Commission may propose to the Council to extend the temporary protection up to one more year. It may also propose to end the temporary protection if the situation in Ukraine is such as to permit safe and durable return.

Ukrainian nationals, as well as third country nationals or stateless persons benefiting from international protection in Ukraine and their family members will benefit from temporary protection if they resided in Ukraine before or on 24 February 2022. For third country nationals residing in Ukraine before or on 24 February with a permanent residence permit and who cannot safely return to their country member states shall apply either temporary protection or adequate protection under their national law.

Member states may also apply this decision to other persons, including any third country nationals residing legally in Ukraine and who are unable to safely return to their country of origin, as well as Ukrainians who fled not long before 24 February or who found themselves in EU territory just before that date, for example for holiday or work purposes.

As part of this decision, the Commission will coordinate cooperation and exchange of information among member states, in particular in relation to monitoring reception capacities and identifying any need for additional support. EU agencies, including Frontex, the EU asylum agency and Europol can provide further operational support at the request of member states.

Background

On 24 February 2022, Russian armed forces launched a large-scale invasion of Ukraine. As a result, substantial areas of Ukrainian territory now constitute areas of armed conflict from which thousands of persons are fleeing. On that same day, the European Council condemned Russia's unprovoked and unjustified military aggression against Ukraine in the strongest possible terms and demanded Russia's full respect for Ukraine's territorial integrity, sovereignty and independence.

The EU has shown, and will continue to show, its resolute support for Ukraine and its citizens. At their extraordinary meeting on 27 February, home affairs ministers discussed the possibility of establishing an appropriate temporary protection mechanism for the reception of persons seeking refuge in the EU. On 2 March, the Commission proposed activating the mechanism provided for by the 2001 directive on temporary protection.

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