

Integration support for temporary protection holders

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The Temporary Protection Directive does not contribute to an effective integration process. Measures to facilitate refugee integration need to be put in place even if return is the preferred durable solution.

The EU Temporary Protection Directive (TPD), which regulates the status of Ukrainian refugees in Europe, does not require host countries to provide – or work towards providing – the option of local integration.¹ Local integration is one of the three durable solutions² but in the TPD the only durable solution envisaged is return (whether voluntary or enforced).

Of the more than six million Ukrainians forcibly displaced since the start of the Russian invasion on 24 February 2022, almost half have benefited from temporary protection status in EU Member States. However, given that the maximum length of temporary protection provided under the TPD is three years, and given the protracted nature of the conflict in Ukraine, questions arise as to the need for long-term integration support for these temporary protection holders.

Even though the majority of Ukrainian refugees say they intend to return to their home country once the situation improves, there is absolutely no clarity as to when return will be possible. Moreover, a significant number state that they do not envisage returning at all.³ While the situation in the home country is a major consideration for the viability of return (push factors), the services and livelihoods opportunities available in the host country also play a role in the decision whether to return or not (pull factors).

The TPD obliges Member States to issue residence permits; to authorise access to employment, vocational training and social security systems; and to ensure access to suitable accommodation, social welfare, medical care (emergency care and essential treatment as a minimum and especially for vulnerable individuals), education for children, and family reunification. These provisions mean that despite the temporary character of protection under the TPD, some integration provisions are in place. However,

compared with the rights of refugees and subsidiary protection holders as contained in the EU's Qualification Directive (QD),⁴ temporary protection holders may be subject to lower protection standards (especially in the areas of employment and health care) and to limited access to integration programmes as, unlike the QD, the TPD does not contain such provisions.

Article 34 of the QD imposes an obligation on EU Member States to “ensure access to integration programmes” for refugees and subsidiary protection holders, clarifying in its preamble that this access may include “language training and the provision of information concerning individual rights and obligations relating to their protection status in the Member State concerned”.

It may be justified to provide temporary protection holders with a lower level of integration support compared with refugees, given the anticipated transience of their situation, but the question remains as to what minimum level of support is acceptable.

Temporary protection on the ground: Poland, the Czech Republic and Bulgaria

The TPD introduces minimum protection standards, but Member States can offer more favourable conditions for temporary protection holders. To gauge the level of actual protection provided, it is necessary to observe how the reception of Ukrainian refugees is regulated in some host countries. Three national cases have been selected to illustrate the availability of integration support for temporary protection holders: Poland, the Czech Republic and Bulgaria (the countries in Central and Eastern Europe which have received the highest number of Ukrainian refugees).

In all these countries special legislation has been adopted which deals with the reception of Ukrainian refugees and their



Ukrainian Refugees waiting at the Ukrainian-Romanian border checkpoint Porubne-Siret, March 2022. Credit: Nikolay Stoykov

rights.⁵ Therefore, temporary protection holders cannot automatically benefit from the rights of refugees and subsidiary protection holders and may not be able to access tailored integration programmes, where these exist. Despite the fact that in general Ukrainian refugees get better treatment compared with non-Ukrainian refugees,⁶ a closer look at the integration-related provisions in each of these three countries reveals the complexity of the issues at stake.⁷

All three countries offer immediate access to the labour market for Ukrainian refugees. In fact, as Ukrainians have had a history of economic migration to many of the Central and Eastern European countries, especially Poland, it was expected that they would meet many of the domestic labour market needs.

Given the demographic profile of TPD holders, with – according to Eurostat data – 42.3% adult female, 34.7% children and 5.8% over 65 years old, it is worth noting that all countries have provided access to their national education systems and some access to health and social care.⁸ Access to State medical assistance ranges from being equal to that enjoyed by nationals in the case of Poland, to

health insurance for the first 150 days only coverage in the Czech Republic and the first 90 days in Bulgaria (with exceptions for vulnerable individuals). Targeted social assistance benefits (financial support) are available to varying degrees, with Poland offering a wide range, whereas in the Czech Republic the available benefits are reduced over time and in Bulgaria they amount to one-off payments.

As regards accommodation, in Bulgaria, until mid-November 2022, the State provided accommodation and meals for a small proportion of Ukrainian refugees in hotels and State-owned resort buildings; however, this was implemented on a diminishing sliding scale, and after a certain period only the most needy Ukrainian refugees could benefit from accommodation provision. The discontinuation of meals was successfully challenged before the Supreme Administrative Court but accommodation support remained minimal. In the Czech Republic, Ukrainian refugees may be offered accommodation by a regional assistance centre or by private entities or businesses. Those who are offered accommodation by the State are not eligible for humanitarian assistance (which has anyway been further

reduced in 2023). In Poland, although temporary support with accommodation can be provided by reception centres, refugees are increasingly expected to find their own housing. Moreover, both Poland and the Czech Republic now require payment for longer stays in reception facilities (starting from 120 days in Poland and 150 days in the Czech Republic).

A trend towards diminishing State support for Ukrainian refugees is noticeable in all three countries studied. It is not known if Ukrainian temporary protection holders will eventually be expected to have sufficiently integrated and therefore no longer require any support.

The future of integration and the TPD

Despite the initial warm welcome for Ukrainian refugees, when it comes to integration there is an over-reliance on civil society efforts and diminishing State support. There also seems to be an assumption that Ukrainians will be able to secure employment, combined with a disregard for the need for regulated, coordinated and affordable access to housing. In addition, in Poland and in Bulgaria, there is limited or no targeted state integration support mechanism – offering free language classes and social orientation, for example – that Ukrainian refugees could benefit from. One main reason for such an omission is the lack of integration provisions in the TPD and the expectation that Ukrainians will return to their country. Another reason is the legacy of poor integration systems (especially in Poland and Bulgaria) for non-Ukrainian refugees.

The above findings suggest that ensuring access to the main socio-economic rights of refugees is not sufficient for their integration. If the EU would like to avoid a future scenario where Ukrainian refugees are blamed for their failure to integrate, it should introduce

a provision in the TPD guaranteeing their access to integration programmes. This would also serve to build a coordinated, long-term approach towards ensuring a responsible reception of people fleeing future conflicts.

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3. EUAA, IOM and OECD (2022) *Forced displacement from and within Ukraine: Profiles, experiences, and aspirations of affected populations* bit.ly/forced-displacement-ukraine
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5. Poland: The law on assistance to Ukrainian citizens in connection with an armed conflict in the territory of that state, Adopted in pos. No. 50 on March 12, 2022 bit.ly/law-assistance-ukrainian-citizens; Czech Republic: Regulation No. 65/2022 Coll., source: COLLECTION OF LAWS, year 2022, amount 36, dated 21 March 2022 www.sagit.cz/info/sb22065; Bulgaria: Council of Ministers Decision No 144 of 14 March 2022 on Granting Temporary Protection to Displaced Persons from Ukraine and on Amending the National Action Plan for Temporary Protection in the Republic of Bulgaria bit.ly/bulgaria-council-ministers-decision
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