

# Fact Sheet for European Union

On 4 March, the EU agreed to activate the Temporary Protection Directive to offer quick and effective assistance to people fleeing the war in Ukraine. Everyone fleeing the conflict must be granted access to the EU. Under this Directive, those eligible will be granted temporary protection in the EU, meaning that they will be able to stay in the EU for at least one year and will be given a residence permit, and access to education and to the labour market.

Temporary protection means:

- residency rights
- access to the labour market subject to Member States' labour market policies
- access to housing
- social welfare assistance
- medical or other assistance
- unaccompanied children and teenagers are entitled to legal guardianship and access to education

## Preparing to leave

If possible, please take valid travel documents with you when leaving. However, the lack of travel documents or medical

documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU.

All EU countries bordering Ukraine are allowing entry to all people fleeing war in Ukraine on humanitarian grounds regardless of whether or not you have a biometric passport. This applies also to children. If you have Ukrainian nationality and a biometric passport, you can enter the EU by presenting your passport at the border. For all the other cases, Member States will admit you on humanitarian grounds.

If you have another nationality and are subject to the visa requirement for entering the EU, you should present your short-stay visa if you have one. If you do not have a short-stay visa, Member States should still allow you to enter, with a view to facilitate your repatriation to the country of origin.

In view of the current situation in Ukraine, Member States may carry out border checks at the borders but also at a different, safe location away from the border. The checks can be carried out during or after your transport to that safe location. You may be required to remain available to the authorities in that safe location during the conduct of these checks.

Irrespective of your nationality, you are entitled to immediate assistance and immediate information about your rights. This includes temporary shelter and the fulfilment of your basic needs such as food and medicine. Further rights may differ, depending on the status you will receive in the EU.

Police and other administrative checks are possible at any moment including within the territories of the Member States for security and migration purposes. It is important to cooperate and provide the required documents and information to police, border guards or other competent authorities. In certain circumstances, you may be required to remain available to the authorities during these checks in designated facilities.

## **Your rights in the EU**

Once you have crossed into the EU you have a number of options depending on your personal circumstances. The authorities will inform you accordingly about your rights.

### **1. You can be granted temporary protection**

If you were permanently residing in Ukraine, and you left the country to escape war from 24 February 2022 on, you may be entitled to temporary protection in any EU country. Temporary protection will last for at least one year, this may be extended depending on the situation in Ukraine. Rights under the Temporary Protection Directive include a residence permit, access to the labour market and housing, medical assistance, and access to education for children. Anyone residing legally in the EU also has a right to open a basic bank account. You can find out [more about your rights to open a bank account by watching this video](#).

### **Who is eligible for temporary protection?**

Ukrainian nationals, as well as their family members displaced by the conflict. Stateless persons and nationals of other third countries who benefited from international protection or equivalent protection in Ukraine, as well as their family members.

Non-Ukrainian nationals of third countries and stateless persons who can prove that they were legally residing in Ukraine on the basis of a valid permanent residence permit and who cannot return in safe and durable conditions to their country of origin are eligible for either EU temporary protection or adequate national protection, depending on the EU country they are in.

### **What if I fall out of these groups?**

You will still be granted access to the EU. Depending on your circumstances, you can apply for international protection or a legal

migration status. The authorities may also decide to give you temporary protection. In principle, if you are safe in your country of origin and able to return, you can receive assistance to be repatriated to your country of origin. Please contact national authorities of the country where you are staying directly. You can also consult the [EU Immigration Portal](#) for more practical information and links to websites of relevant national authorities.

### **Is temporary protection automatic or I need to request it?**

The national authorities of the Member State where you are present should inform you of your right to receive temporary protection. You should then inform them that you request to be granted a residence permit for temporary protection and follow their guidance through the national process. You can consult the map below for information on national authorities responsible. This process will include the registration of your data and confirmation that temporary protection applies and that none of the exclusion clauses are applicable in your situation.

### **How long will temporary protection last?**

Until 4 March 2023. If the reasons for granting temporary protection persist, your temporary protection will be automatically extended for 6 months' period twice, i.e. until 4 March 2024. If the reasons for temporary protection persist, the Commission may propose to the Council to extend the temporary protection by up to another year (i.e. 4 March 2025).

### **Which rights am I entitled to under temporary protection?**

1. residency rights
2. access to housing

3. social welfare assistance
4. medical care
5. legal guardianship and safe placement for unaccompanied children and teenagers
6. access to education for children and teenagers
7. access to the labour market (subject to EU countries' labour market policies)
8. right to a payment account with basic features

### **Is temporary protection only valid in EU country?**

Ukrainian nationals, as visa-free travelers, have the right to move freely within the Union after being admitted into the territory for a 90-day period. On this basis, you are able to choose the Member State in which you want to enjoy the rights attached to temporary protection and to join your family and friends in the Member State where they are present. Once you are given temporary protection by a Member State, whilst you still have the right to travel within the Union for 90 days within a 180-day period, you should be able to avail of the rights derived from temporary protection only in the Member State that granted you the residence permit. However, another Member State may also decide, on a discretionary basis, to issue you another residence permit. The Temporary Protection Directive applies in all EU Member States except Denmark. It doesn't apply in Schengen associated countries (Switzerland, Norway, Liechtenstein, Iceland).

## **Does temporary protection prevent me from applying for asylum?**

No. The right to temporary protection is in addition to the right to apply for international protection.

## **Do I need to request a residence permit for temporary protection before I can apply for international protection? Is there a specific order I need to follow in case I want to apply for asylum?**

People eligible for temporary protection are, as a principle, able to lodge an application for asylum at any time. However, you should be aware that the purpose of being granted temporary protection is to reduce the need for you to apply immediately for international protection, as you will receive a residence permit as well as the associated rights. Moreover, the administrative formalities for temporary protection are reduced to minimum due to the urgency of the situation. In comparison, you should expect the procedure for examination of an application for international protection to be more complex due to current circumstances, to contain more procedural steps and therefore to take much more time to be completed. Where, after the examination of an application for international protection, asylum is not granted to a person also eligible for temporary protection, the person continues to benefit from temporary protection until the Council Decision granting it expires.

## **If I benefit from temporary protection, is it certain I will also receive refugee or subsidiary status later?**

No, the international protection status determination is independent of the benefit of temporary protection. It follows a different, specific procedure in front of the competent national authorities in the

Member States and the outcome is determined on the basis of your individual, personal situation.

See also: [Practical guide: Qualification for international protection](#)

## **I was legally staying and residing in the EU before 24 February 2022 and cannot go back to Ukraine: Will I be given temporary protection?**

Member States may decide to extend temporary protection to those persons who left Ukraine before 24 February 2022 as tensions increased or who found themselves in the territory of the Union (e.g. on holidays or for work reasons) before that date and who, as a result of the armed conflict, cannot go back to Ukraine. For more information please contact the local authorities of the country where you are currently staying. Equally, if the Member State in question is not applying this discretion to grant you temporary protection status, you may always decide to apply for international protection.

## **You can apply for international protection in the country of first entry**

According to EU law, you must apply for international protection (asylum) in the first safe country. Applicants for international protection have similar rights to temporary protection but there are some differences. In the case of a pending asylum application, a person can have access to the labour market after 9 months in case his/her case has not yet received a final decision, in the case of temporary protection such access can be granted much earlier. You might also apply for family reunification, if you have a family member who is already legally residing in the EU.

## **How do I apply for international protection?**

Inform national authorities in the Member State where you are present that you need international protection and follow their

guidance. Information from interior ministries is available in the map on this page. See also: [Practical guide on registration](#)

## **What is the difference between temporary protection and asylum status?**

Temporary Protection is designed to provide immediate protection to displaced persons, including those who have fled areas of armed conflict. While temporary protection is without prejudice to the right to apply for international protection, it may reduce the need to apply immediately for international protection as you will receive a residence permit as well as associated rights. The duration of temporary protection is defined by EU law.

Asylum is an individual right, granted following a specific administrative and legal process that will determine whether you have a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. Once granted, asylum can be withdrawn whenever new elements or findings arise indicating that there are reasons to reconsider its validity.

You should enquire with the national authorities of the Member States where you are present for more details regarding the specific rights, such as access to medical care, housing and the labour market, education for children and detention, under each regime. For general information about fundamental rights during the asylum procedure, please see [here](#).

## **Apart from temporary protection or international protection, are there any other legal options that I can apply for?**

You might be entitled to a residence permit as a family member of an EU citizen or someone already legally residing in the EU, or as a student, researcher, trainee or worker. For more information about your options you should contact the competent authorities in the

country where you are currently staying. You can also consult the [EU Immigration Portal](#) for more practical information and links to websites of relevant national authorities.

### **You can request repatriation assistance**

Irrespective of your nationality, if you were living in Ukraine and have fled the war, you should be allowed to cross into the EU. If it is safe to repatriate to your home country, you should contact relevant authorities or organizations to help you go back to your country of origin.

For repatriation assistance, you should contact the embassy/consulate of your country of origin in the Member State where you are currently staying. The national authorities in this country can also help you to contact your embassy/consulate in case you encounter problems and may offer assistance for your repatriation.

### **Onward travel in the EU**

In most cases, if you have fled the war in Ukraine you will be able to travel to other EU countries. For Ukrainians this right comes from visa free regime in place between the EU and Ukraine. If you come from a third country, you need to check whether your country of origin is on the list of third countries whose nationals are exempt from the requirement to have a visa.

### **After crossing the EU border for the first time, can I continue to travel to other EU/Schengen countries, or do I need to stay?**

Yes, Ukrainians or nationals from other visa free countries can continue and travel to other EU/Schengen countries. However, if you crossed the EU border for the first time through a country that is not part of the EU area without internal border control (Romania, Bulgaria, Croatia, Cyprus and Ireland) your documents will, as a

general rule, be checked again at the border crossing point of the next Schengen country.

### **Free onward transit with numerous transport companies**

Since the beginning of the war, a number of European transport companies have been offering free transport for people fleeing Ukraine. This includes rail, bus, ferry and air travel. A list of the numerous carriers involved is available in the table below. More information to follow soon.

### **I entered the EU through Romania or Bulgaria. What happens if I want to continue my journey to a country that is a part of the area without internal border control?**

You can do so, but your documents will be checked again at the border of the first EU country that forms part of the Schengen area. This will be the case, for example, if you are crossing the border between Hungary and Romania.

### **Can I move between countries that are part of the Schengen area without internal border control?**

Yes. Once you enter a country that is part of this area, you can move, in principle without border checks, to other countries that are part of the Schengen area. However, you can only do so for 90 days within a 180 days period.

Note that Iceland, Norway, Switzerland and Liechtenstein are not EU countries, but they are Schengen countries. You can travel to those countries once you have entered the Schengen area, but your rights related to international or temporary protection may differ from those you have in EU countries.

While Denmark is an EU and a Schengen country, it does not take part in the temporary protection scheme and does not apply the EU rules on Asylum. Therefore, your rights related to international or

temporary protection in Denmark may differ from those you have in other EU countries.

**Can border guards, police or other relevant authorities still ask for my identification documents, even though I am in a Schengen country?**

Yes. Police and other administrative checks are always possible including within the territory and at internal borders for security and migration purposes. It is important to cooperate and provide the required documents and information to police or border guards. In certain circumstances you may be required to remain available to the authorities during these checks in designated facilities.

**Are there any travel restrictions related to the COVID-19 pandemic?**

Please consult [Re-open EU](#) for information on travel and health measures in EU and Schengen Associated countries (Iceland, Liechtenstein, Norway, Switzerland) during the COVID-19 pandemic.

**Your safety and security**

When travelling to and around the EU, please be aware of the risk of trafficking and exploitation. Only accept transport and accommodation from authorities and civil society organisations. Do not give your identification documents, personal information and belongings to anyone other than government or border officials and always inform your relatives or friends about your whereabouts. In case you are offered employment, research the company and in case of doubt you can ask national police authorities or civil society organisations for more information.

For more information about national authorities that deal with human trafficking and organisations that can help depending on your location, please see [here](#).

Important links: [https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/eu-solidarity-ukraine/eu-assistance-ukraine/information-people-fleeing-war-ukraine\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/eu-solidarity-ukraine/eu-assistance-ukraine/information-people-fleeing-war-ukraine_en)

All these information is available in Ukrainian and Russian (to see click the link)