

TRANSITIONING TO WHAT?

LEGAL STATUSES AVAILABLE AFTER TEMPORARY PROTECTION FOR PEOPLE DISPLACED FROM
UKRAINE PAPER 1: GERMANY, AUSTRIA, CZECHIA, ESTONIA, LATVIA, LITHUANIA, REPUBLIC OF
MOLDOVA

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Introduction to Working Paper Series: Transitioning out of the TPD

This Working Paper is one of a series of working papers published by ECRE in cooperation with Brussels School of Governance (BSoG) at the Vrije Universiteit Brussel (VUB) investigating what is likely to happen after the end of the Temporary Protection Directive (TPD) protection regime and national equivalents.

The Working Papers analyse the options available in law and whether they are actually accessible in practice for those currently benefiting from temporary protection (TP) status, considering a total of 12 countries as case studies.

The starting point for the research was previous studies on the options available after the end of the TPD, currently extended until March 2027, including ECRE's paper [*Transitioning Out of the Temporary Protection Directive*](#), and the pressing need to ensure that the millions of people displaced from Ukraine will have access to status and rights if return to Ukraine – most people's favoured option – is not possible.

The three papers were prepared by students at BSoG under the Capstone in International and European Law course. They cover the following case studies:

- TPD Working Paper 1: Germany, Austria, Czechia, Estonia, Latvia, Lithuania and Republic of Moldova.
- TPD Working Paper 2: Belgium, Spain and France.
- TPD Working Paper 3: Italy and Poland.

After describing the legal statuses available, the papers provide recommendations for each country in turn. Analysing all three papers, the following conclusions can be drawn:

- *The risk of large-scale irregularity is high – along with related political crises*

Given the complex national landscapes, the often stringent requirements and/or opacity when it comes to other statuses, the absence of planning and the limited introduction of bridging statuses, the Working Papers collectively show that the risk of irregularity – or at least precarity of status – is high. It should be noted that there are probably already considerable numbers of people from Ukraine in irregular situations (although again reliable numbers are not available).

- *Political crises cannot be excluded*

The response to displacement from Ukraine has been exceptional in many senses; one of these is the absence of a political crisis linked to the arrival of refugees. The political panic, paralysis and tension between states that usually occur in situations of mass arrivals has not arisen for a [*variety of reasons*](#). The Working Papers underline that complacency should be avoided, however. The lack of preparedness, combined with the high numbers of displaced people, could lead to factors that provoke social tension and then related political conflict. For instance, irregularity is accompanied by exploitation, destitution and criminality. Or the difficulty in accessing secure, long-term status may increase onward movement. Anti-EU forces will be ready to take advantage of social tensions to generate and ride political crises and conflicts between and among Member States.

- *National protection statuses are very useful tools – but rules are highly opaque*

In all the country studies, a safety net is provided by the existence in law of national protection statuses, primarily used for people who require protection, but do not qualify for refugee or subsidiary protection statuses under EU law. Nonetheless, the Working Papers confirm the findings of previous research, such as ECRE's paper, [*Pathways to Protection*](#), that these statuses appear to be used rarely (although only partial information is available), are highly discretionary, and the rules on their use are not transparent.

➤ *Bridging statuses should be introduced where not yet in place*

The value of bridging statuses that allow TP holders to transition to other statuses without a period of limbo appear to be highly valuable. Given the risks described above, ensuring that people currently benefit from TP can move to a bridging status while applying for, waiting for, organising or seeking to meet the eligibility criteria for other statuses is a useful management approach. All Member States should reflect on introducing this option.

The TPD as a residual status may be essential for the protection of vulnerable groups

All the Working Papers identify particular risks for vulnerable groups, and particularly those who are unable to access the labour market, for instance due to age, education level, language reasons or disability. The most obvious status to transition to is a work-based permit – host states are all struggling with labour shortages and have an interest in retaining refugees able to work. Nonetheless, first, requirements are often stringent, and, second, there is a significant divergence in labour market absorption rates for Ukrainian refugees. Given the even greater challenges of access to other statuses, the continued existence of the TPD appears wise, meaning further renewals after 2027. It is a safer safety net than national protection statuses.

➤ *A collective approach facilitated by the EU remains essential*

The generally excellent response to displacement from Ukraine has been undermined by the lack of long-term collective planning by the EU. One of the keys to the success of the response at the start was the assertive and protection-focussed leadership of the European Commission, which has since dissipated, with the post-TPD approach likely to be in the hands of the states, with a variety of national approaches leading to fragmentation. There are political factors that hinder EU leadership on long-term post-TPD planning, including the disinclination of Member States to work through the EU on migration issues beyond the CEAS, the presence of Russia-friendly governments in the Council, and the pressure from the government of Ukraine, for which return is the only acceptable outcome. Nonetheless, through guidance, funding and convening power, such as the EMN, the EU must support consistency across the EU for post-TPD scenarios. The Working Papers demonstrate the risk of fragmentation but also the potential for states adopting good practices from each other.

➤ *Societal support for a smooth transition remains key*

Given the complexity of the national legal environments and the challenges of proving eligibility for other statuses, support from independent and expert advisors and assistance bodies will be important. One of the reasons for the success of the TPD regime was the broader societal engagement. While the flood of international responders has already significantly reduced, the role for local civil society remains essential. Ensuring that local authorities, civil society, community organisations, and the Ukrainian Diaspora have the resources to support people through the transition to other statuses (or to voluntary return) is important.

ECRE Working Papers present research and analysis on asylum and migration. Their purpose is to stimulate debate by showcasing emerging ideas. Working Papers are commissioned by ECRE; the views they contain are those of their authors and do not necessarily represent ECRE's positions.

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LIST OF ABBREVIATIONS

AIDA	Asylum Information Database
AMS	Public Employment Service/ Arbeitsmarktservice
AsylG	Asylgesetz
AsylG 2005	Asylgesetz 2005
AufenthG	Aufenthaltsgesetz
AuslBG	Ausländerbeschäftigungsgesetz
BA	Federal Employment Agency/ Bundesagentur für Arbeit
BFA	Federal Office for Immigration and Asylum/ Bundesamt für Fremdenwesen und Asyl
BMI	Federal Ministry of the Interior and Community/Bundesministerium des Innern und für Heimat
CJEU	Court of Justice of the European Union
DAAD	German Academic Exchange Service/ Deutscher Akademischer Austauschdienst
EDAL	European Database of Asylum Law
EMN	European Migration Network
EU	European Union
IAB	Institute for Employment Research
ICMPD	International Centre for Migration Policy Development
IGM	General Inspectorate for Migration
IOM	International Organization for Migration
KMK	Standing Conference of the Ministers of Education and Cultural Affairs/ Kultusministerkonferenz
LTRD	The EU Long-Term Residence Directive (2003/109/EC)
MIGRIS	Migration Information System
NAG	Niederlassungs- und Aufenthaltsgesetz
OCMA	Office of Citizenship and Migration Affairs
ÖIF	Austrian Integration Fund/ Österreichischer Integrationsfonds
PBGB	Police and Border Guard Board
PMLP	Office of Citizenship and Migration Affairs
RAD	The Refugee Affairs Department
TP	Temporary Protection
TPD	Temporary Protection Directive
UNHCR	United Nations High Commissioner for Refugees
VfGH	Constitutional Court of Austria/ Verfassungsgerichtshof

GLOSSARY

<i>Term</i>	<i>Definition</i>
Temporary Protection (TP)	A form of group-based protection granted to people fleeing mass influx situations, giving them immediate residence and access to rights such as work, education, housing and healthcare, without an individual asylum status determination.
Temporary Protection Directive (TPD)	EU Directive 2001/55/EC, activated in March 2022 in response to Russia's full-scale invasion of Ukraine, which provides the legal framework for granting temporary protection and coordinating Member States' responses.
Beneficiaries of Temporary Protection	People who have been granted residence and related rights under the TPD or equivalent national temporary protection schemes, instead of going through the ordinary asylum procedure.
Asylum	An individual procedure for recognising international protection needs, which can result in either refugee status or subsidiary protection, based on an individual assessment of persecution or serious harm.
Refugee Status	A form of international protection granted to persons with a well-founded fear of persecution on grounds such as race, religion, nationality, political opinion or membership of a particular social group, in line with the 1951 Refugee Convention.
Subsidiary Protection	A complementary form of protection for persons who do not qualify as refugees but would face a real risk of serious harm (such as indiscriminate violence in armed conflict, death penalty or torture) if returned to their country of origin.
Group-Based Protection	A protection model where a clearly defined group (such as people fleeing the war in Ukraine) is granted status collectively, without individual asylum interviews, to speed up access to residence and rights.
Individual Status Determination	The ordinary asylum procedure, in which authorities assess an individual's case and evidence to decide whether to grant refugee status or subsidiary protection.
Dublin III Regulation	EU rules that allocate responsibility for examining an asylum application to one Member State, usually based on criteria such as family links, visas, or first entry, and that regulate transfers between States.
Safe Third Country Concept	A legal notion under which an asylum seeker may be returned to a country considered "safe" where they could have requested or obtained protection, rather than having their claim examined in the current State.

National Protection Schemes	Domestic legal frameworks that implement or complement the TPD or analogous international instruments. They typically provide temporary residence status and associated rights ex lege to eligible displaced persons, based on criteria and procedures established in national legislation.
Humanitarian Residence / Humanitarian Titles	Discretionary residence permits granted on humanitarian grounds, for example to protect family life, health, or private life where return would cause disproportionate hardship, and which often act as safety nets for people who do not meet strict protection or economic criteria.
Employment-Based Permits	Residence titles granted on the basis of authorised employment. These permits typically require a valid job offer, recognised or relevant qualifications, sufficient and secure income, and additional conditions determined by national law of the state.
EU Blue Card	An EU-wide work and residence permit for highly qualified third-country nationals who have a higher education degree (or equivalent experience), a valid job offer and a salary above a defined national threshold, facilitating long-term stay and some intra-EU mobility.
Study-Based Permits	Residence permits issued for study, preparatory courses, or research, as regulated by national immigration laws in Germany, Austria, Czechia, Estonia, Latvia, Lithuania and Moldova. These permits typically require proof of admission, sufficient means of subsistence, health insurance, and accommodation.
EU Long-Term Residence Directive (LTRD)	Directive 2003/109/EC, which allows third-country nationals to obtain EU long-term resident status after five years of continuous lawful residence on qualifying grounds, subject to income, accommodation and integration requirements; time under temporary protection generally does not count.
Long-Term Residence / Permanent Residence	National or EU statuses granted after several years of lawful residence (usually at least five), providing a more secure legal position, stronger protection against expulsion and often better access to labour markets and social rights.
Naturalisation	Naturalisation is the process by which a non-citizen acquires the citizenship of the host country, in accordance with the requirements set out in that state's national law. These requirements typically include a qualifying period of lawful residence, language proficiency, evidence of social and civic integration, and the absence of a serious criminal record.
Lex Ukrajina VII	A Czech special law providing a transitional long-term residence permit for TP beneficiaries once the TPD regime ends, allowing them to remain lawfully while they move towards work, study, family or other qualifying residence titles.

Protection Gaps	Situations where people lose or cannot access any lawful form of residence or protection status, for example when temporary protection expires and there are no realistic pathways into asylum, work, study, humanitarian or long-term residence.
Transition Pathways (Post-TP Transitions)	The legal routes through which beneficiaries of TP can move into more durable statuses, including asylum, employment-based permits, study-based permits, humanitarian residence, long-term residence and, eventually, naturalisation.

SUMMARY

This working paper examines how seven countries – Germany, Austria, Czechia, Estonia, Latvia, Lithuania, and Republic of Moldova – manage the legal options available for people displaced from Ukraine when temporary protection status (TP) under the Temporary Protection Directive (TPD) or national equivalents comes to an end in March 2027. For the seven, the paper describes asylum, national protection schemes, employment- and study-based residence permits, and other long-term options. It evaluates whether these frameworks allow beneficiaries to move from a temporary to a durable status *in practice*. The paper shows that while the TPD has ensured rapid access to safety and basic rights, structural links to long-term residence, permanent status, or citizenship remain limited and uneven, creating potential protection gaps for Ukrainian nationals after March 2027.

Austria and Germany

The first two case studies analyse Germany and Austria, two countries with among the largest caseloads under the TPD. It shows how group-based protection under § 24 AufenthG and § 62 AsylG 2005 respectively have largely replaced individual asylum procedures for Ukrainians and how implementation of the TPD has provided broad access to work, social benefits and education. It then outlines possible post-TPD transitions through employment-based permits, study-based residence, humanitarian statuses, and long-term residence or naturalisation in the two countries. The case studies highlight that the period spent under the TPD does not count towards EU long-term residence, so durable solutions depend on subsequent movement into qualifying statuses.

Czechia

The third case study examines Czechia, the EU Member State with the highest per capita TPD caseload. It shows that temporary protection dominates the protection landscape, with asylum and Dublin procedures playing a residual role, while humanitarian residence, work-based permits, study permits and the special Lex Ukrajina VII provide key bridging tools to other statuses after TPD ends. Humanitarian and discretionary routes could act as a safety net for those who cannot meet strict economic or documentation thresholds.

Estonia, Latvia, Lithuania

The following case studies turn to the Baltic States – Estonia, Latvia and Lithuania – which all apply the Qualification Directive, the TPD and the EU Blue Card but differ in their practices. For each, the case studies first describe asylum procedures, noting that Ukrainians are often steered towards the TPD rather than asylum and that restrictive interpretations, particularly in Lithuania, can limit access to international protection. They then examine national humanitarian schemes, employment-based options and study-based permits, before outlining long-term residence and naturalisation pathways under the Long-Term Residents Directive (LTRD) and national citizenship laws. The case studies highlight the difficulties Ukrainian nationals might face, for example language requirements, tight deadlines, complex documentation demands and narrow subsidiary protection practice, all factors which significantly shape whether TP beneficiaries can realistically transition to durable status.

Republic of Moldova

The final case study examines the Republic of Moldova, a non-EU Member State with candidate status, hosting a large number of people from Ukraine due to its location. The case study explains that national temporary protection coexists with an asylum system under Law No. 270-XVI/2008 and a general residence framework under Law No. 200/2010, which offers family, work, study and humanitarian residence. Again, humanitarian and discretionary routes are an essential safety net for those who cannot meet strict economic or documentation thresholds.

1. INTRODUCTION

This working paper analyses the legal options available to beneficiaries of the TPD once it expires in March 2027. It is guided by two central research questions: (i) What are the current options for TPD beneficiaries to transition into other legal statuses in European countries? and (ii) How effective are these options in practice – do they genuinely provide access, or do barriers prevent beneficiaries from making use of them?

The TPD was first activated in March 2022 in response to Russia's full-scale invasion of Ukraine. It provided swift and collective protection to millions of people displaced by the conflict, granting immediate residence and access to essential rights such as work, education, healthcare, and housing. Its extension until 2027 ensures short-term stability but leaves unresolved the crucial question of sustainable residence and rights for those who cannot yet return. As the end of the current extension approaches, EU Member States and associated countries must design credible transition pathways that uphold legal certainty and integration while avoiding protection gaps.

The report adopts a comparative approach, examining post-TPD options in Germany, Austria, Czechia, Estonia, Latvia, Lithuania, and the Republic of Moldova. These cases were considered important because of the large number of people being used under TP regimes (Germany, Austria, Czechia, Republic of Moldova) or because of the particular challenges arising for historical and security reasons (the three Baltic states). The inclusion of Republic of Moldova allows comparison with a non-EU Member State. Drawing on AIDA and EDAL country information, ECRE and UNHCR reports, ICMPD studies, Eurostat data, European Commission documents, and national legislation, it assesses how far existing frameworks allow people displaced from Ukraine to move from TP into more durable forms of stay.

The findings aim to identify both best practices and persisting obstacles in transitioning from temporary to durable protection. By comparing national approaches, the report seeks to highlight legislative and procedural gaps that may undermine continuity of protection after 2027. Ultimately, it supports ECRE's advocacy for a coordinated, rights-based European approach that combines humanitarian protection with practical integration measures. Lastly, the concluding section of the report will present recommendations to inform national and EU policymaking, ensuring that displaced persons from Ukraine are not left in legal uncertainty but can continue to live, work, and study in safety and dignity across Europe.

2. GERMANY

2.1. Asylum

The introduction of group-based TP in early 2022 significantly changed access to asylum in Germany. Instead of entering the ordinary asylum procedure, most people fleeing Ukraine obtained residence under § 24 of the AufenthG, which provides temporary residence for persons granted protection under the EU's TPD.¹ As a result, the formal asylum route has remained legally available but practically unused. Under the AsylG, Ukrainian nationals may in principle still request asylum or subsidiary protection, yet in practice almost none have done so.² According to the AIDA Germany 2024 Update, Ukrainians were not among the main nationalities applying for asylum in 2024, indicating that the TP framework has effectively replaced individual status determination.³ Although the Dublin III Regulation and safe third country concept under § 26a AsylG remain formally applicable, they have little practical relevance for Ukrainians benefiting from collective protection.⁴

Empirical evidence supports this observation. Herbert Brücker shows that nearly all Ukrainians in Germany – around 76 per cent – hold residence under § 24 AufenthG rather than asylum status.⁵ This reflects what Florian Trauner and Gabriele Valodskaitė describe as a shift toward group-based protection designed to reduce formalities and ease pressure on national asylum systems, while ensuring immediate access to residence, work, education, and social support for those granted TP.⁶ The legal framework remains grounded in Article 18 of the Charter of Fundamental Rights of the EU and the 1951 Refugee Convention, but the shift to collective protection has narrowed procedural safeguards. Elspeth Guild and Kees Groenendijk note that such schemes create uncertainty about long-term residence once TP ends.⁷ Nonetheless, Germany's approach pragmatically upholds the right to asylum through simplified administrative procedures.

¹ Aufenthaltsgesetz [Residence Act] (Germany, BGBl I 2008, 162, as amended) § 24.

² Asylgesetz [Asylum Act] (Germany, BGBl I 2008, 1798, as amended) §§ 13–26a.

³ Lena Riemer, Lea Rau and Ronith Schalast, *AIDA Country Report: Germany – 2024 Update* (AIDA, ECRE June 2025) 14.

⁴ Asylgesetz (n 2) § 26a.

⁵ Herbert Brücker and others, 'Ukrainian Refugees in Germany: Evidence from a Large Representative Survey' [2023] *Comparative Population Studies* 395, 405–406.

⁶ Florian Trauner and Gabriele Valodskaitė, 'The EU's Temporary Protection Regime for Ukrainians: Understanding the Legal and Political Background and Its Implications' [2022] *CESifo Forum* 17, 18–19.

⁷ Elspeth Guild and Kees Groenendijk, 'Temporary Protection and the Future of Ukrainians in the EU' in Sandra Mantu, Karin Zwaan and Tineke Strik (eds), *The Temporary Protection Directive: Central Themes, Problem Issues and Implementation in Selected Member States* (Centrum voor Migratierecht, Radboud University Nijmegen 2023) 109.

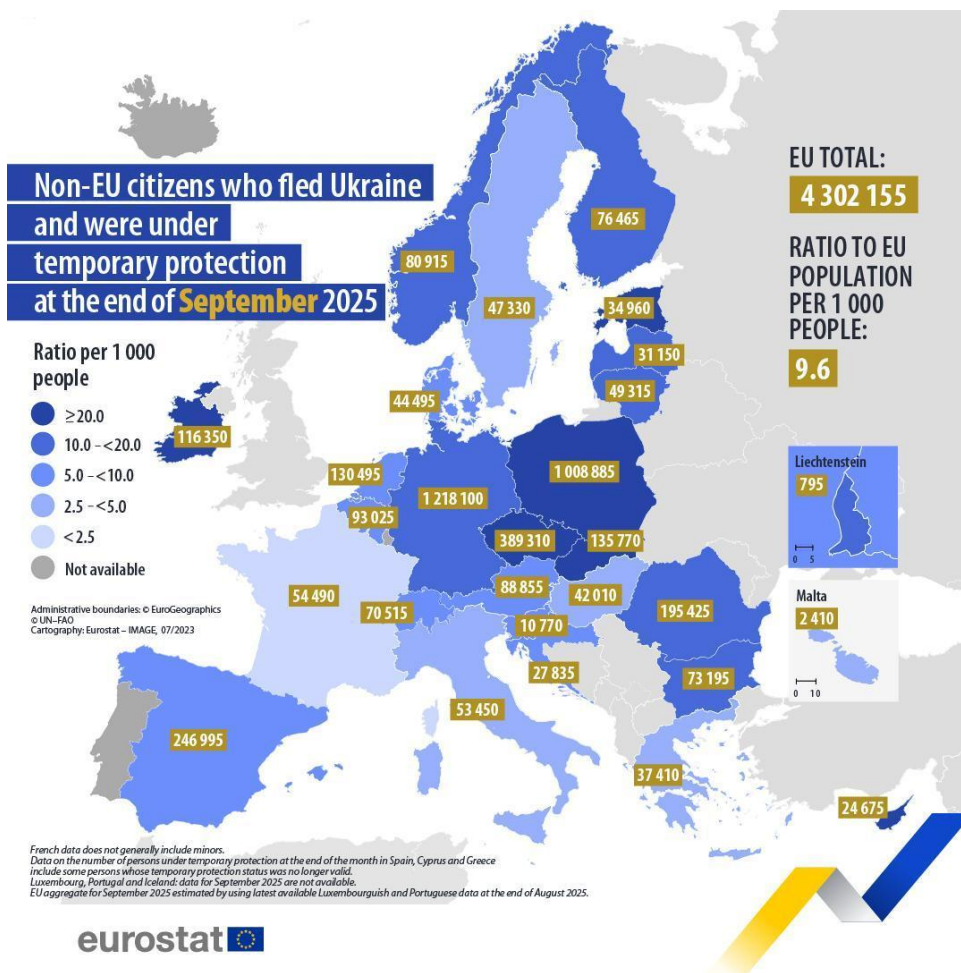


Figure 1. TP beneficiaries from Ukraine in Europe (Eurostat, September 2025)

2.2. National Protection Schemes

Germany's principal national protection framework for persons displaced from Ukraine is grounded in § 24 of the AufenthaltG, which transposes Council Directive 2001/55/EC.⁸ As of the latest Eurostat monthly data, Germany hosts approximately 1.2 million beneficiaries of TP – by far the largest caseload in the European Union.⁹ The *Ukraine-Aufenthalts-Übergangsverordnung* of 7 March 2022, amended several times during 2024, initially granted legal stay without a residence permit and was followed by automatic extensions under the *Aufenthaltserlaubnis-Fortgeltungsverordnung* until 4 March 2026.¹⁰ According to the AIDA Germany TP 2024 report, residence permits under § 24 AufenthaltG were automatically extended without renewal, while non-Ukrainian nationals without prior residence or protection in Ukraine remain under general asylum rules.¹¹

⁸ AufenthaltG (n 1) § 24; 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 [2001] OJ L212/12.

⁹ Eurostat, 'Temporary protection for persons fleeing Ukraine – monthly statistics' (Eurostat Statistics Explained, 2025) <https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Temporary_protection_for_persons_fleeing_Ukraine_-_monthly_statistics> accessed 12 November 2025.

¹⁰ AIDA, *Temporary Protection Germany: 2024 Update* (ECRE 2024) 3, 22.

¹¹ Ibid.

Beneficiaries enjoy broad access to work, housing, education, and health care. Since 1 June 2022, they receive social benefits under German Social Code, Books II and XII (SGB II/SGB XII), granting equality with German nationals in unemployment, parental, and housing allowances.¹² According to the EMN Germany report, refugees from Ukraine have unrestricted access to the German labour market under § 24 AufenthG and may engage in all forms of employment, including self-employment and vocational training.¹³ Consistency is reduced by Länder (the regions) discretion and by the BMI May 2024 circular, which narrowed eligibility by excluding Ukrainians who had previously obtained residence or protection in a non-EU country – a measure whose binding effect remains contested.¹⁴

Survey evidence shows strong social integration outcomes: 74 per cent live in private housing, 17 per cent are employed, and over 50 per cent attend language courses.¹⁵ Brücker notes that Germany's activation of the TPD and inclusion of Ukrainian refugees under SGB II created immediate legal stability and favourable conditions for integration, while long-term residence options remain undecided.¹⁶

2.3. Employment-based Permits

Under § 24 AufenthG, beneficiaries of the TP in Germany have had unrestricted access to the labour market since 1 June 2022.¹⁷ The BA supports this access through a multilingual online platform offering information and guidance on employment and available training programmes.¹⁸ According to the 2024 AIDA Update, beneficiaries are treated equally to German nationals with regard to both employment and self-employment.¹⁹ Nonetheless, empirical data show that many Ukrainians initially entered lower-skilled jobs despite high levels of education.²⁰ While a transition to skilled work residence permits under §§ 18a–18g AufenthG is legally possible, qualification recognition requirements and salary thresholds continue to pose practical barriers.

According to Iuliia Lashchuk, around 30 per cent of Ukrainian beneficiaries of the TP in Germany were active in the labour market by August 2024, many in part-time or “mini-jobs” with monthly earnings limited to around 538 euros.²¹ Evelina Kamyshnykova notes that in Germany, only about one-fifth of refugees from Ukraine have found work, even though around 73 per cent hold tertiary education, highlighting a clear mismatch between skills and employment opportunities.²² The Länder play a key role in financing these training schemes, supporting the federal government's strategy of transforming the TP into durable participation.

¹² Ibid 4.

¹³ Philipp Heiermann and Kaan Atanisev, *The Application of the TPD to Refugees from Ukraine in Germany: Best Practices and Challenges* (EMN Germany 2024) 30.

¹⁴ AIDA (n 15) 8.

¹⁵ Brücker and others (n 5) 395, 406, 411.

¹⁶ Herbert Brücker and others, *Ukrainian Refugees in Germany: Escape, Arrival and Everyday Life* (IAB 2023) IAB-Forschungsbericht No 24/2022en, 22.

¹⁷ AIDA (n 15) 33.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Brücker and others (n 5) 411.

²¹ Iuliia Lashchuk, *From Displacement to Employment: Comparing the Labour Market Integration of Ukrainian Women in Poland, Italy, and Germany* (MIDEM Policy Paper 2025–1, Technische Universität Dresden 2025) 9.

²² Evelina Kamyshnykova, ‘Ukrainian Forced Migrants’ Integration in European Labour Market: German vs Polish Case’ [2024] *Three Seas Economic Journal* 74, 75.

At the conceptual level, Valeria Lazarenko and Maryna Rabinovych argue that Germany exemplifies a new “migration regime” under the TPD—one that merges humanitarian protection with economic integration and anticipates future reintegration in Ukraine.²³ This dual-intent orientation illustrates how TP has evolved from an emergency measure into a structured pathway fostering both inclusion in host societies and post-war reconstruction prospects.

2.4 Study-based Permits

Germany permits beneficiaries of the TP to enrol in higher education under § 24 AufenthG and to transition into study-based or research residence once they meet the conditions of § 16b.²⁴ According to the AIDA 2024 report, the Standing Conference of the Ministers of Education (KMK) decided that young adults over sixteen should have access to regular schooling and higher education even without final diplomas.²⁵ Together with the Federal Foreign Office, the DAAD launched scholarship and preparatory programmes enabling displaced Ukrainians to pursue language training and academic degrees in Germany.²⁶

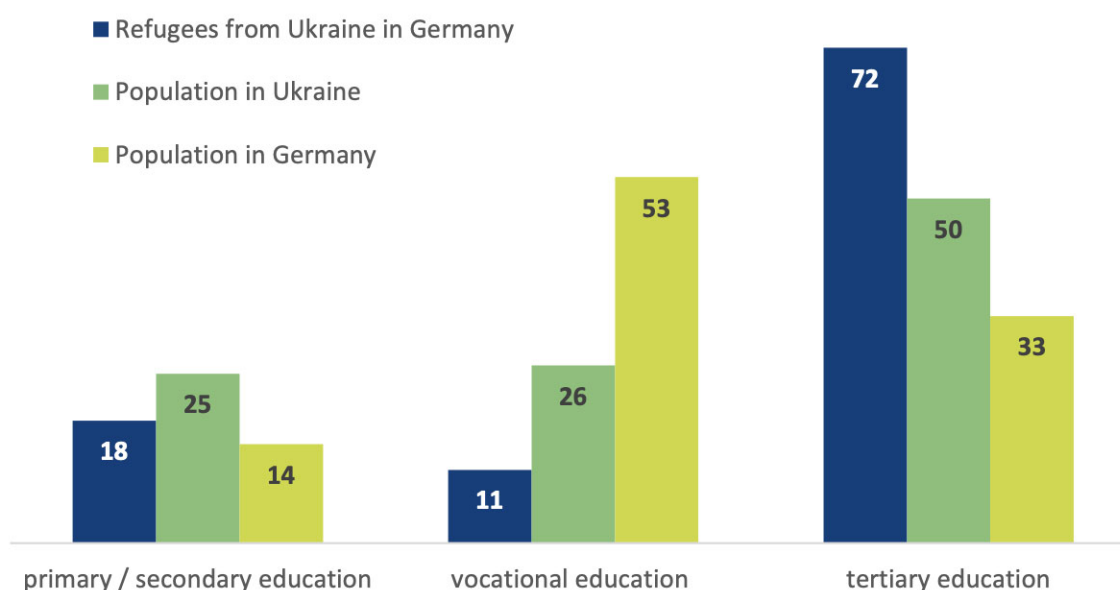


Figure 2: *Educational and professional qualifications of refugees from Ukraine in Germany compared to the population of Ukraine and Germany (Brücker and others, 2023)*

As Brücker observes Ukrainian refugees in Germany stand out for their exceptionally high education levels: 72 percent possess tertiary, mostly academic, qualifications—compared to 50 percent in Ukraine and an even smaller share in Germany—while only 11 percent have completed vocational training, reflecting both strong educational selectivity and structural differences between the two

²³ Valeria Lazarenko and Maryna Rabinovych, ‘Collective Protection for Ukrainians in the EU: Laws, Practices, and Implications for EU and Ukrainian Policies’ in Maryna Rabinovych and Anne Pintsch (eds), *Ukraine’s Thorny Path to the EU: From “Integration without Membership” to “Integration through War”* (Palgrave Macmillan 2025) 102.

²⁴ AufenthG (n 1) §§ 24, 16b.

²⁵ AIDA (n 15) 36–37.

²⁶ Ibid.

countries' education systems.²⁷ Various programmes exist across Germany to support the integration of foreign and refugee children into the school system.²⁸ In several Federal States, so-called "Welcome Classes" or "Preparation Classes" are offered, where timetables are adapted to the needs of pupils whose first language is not German.²⁹ In others, children are integrated directly into regular classes while simultaneously attending separate German-language courses.³⁰

2.5 Other Options

Beyond TP and international protection, several long-term residence pathways exist under German law. The principal option is the EU long-term residence permit governed by Directive 2003/109/EC and implemented through § 9a AufenthG. This status may be granted after five years of lawful residence, stable income, adequate accommodation, and sufficient knowledge of German and the legal order.³¹ However, time spent under § 24 AufenthG (the TP) does not count toward the qualifying period, as it is a temporary humanitarian status excluded under Article 3(2)(e) of the Directive.³²

If return to Ukraine remains unsafe once the TP expires, residence may continue on humanitarian grounds under § 25(4) AufenthG (temporary residence where departure is impossible) or § 25(5) AufenthG (removal is not feasible for legal or factual reasons).³³ These provisions allow foreign nationals to remain lawfully if return would violate fundamental rights or be practically impossible.

Finally, beneficiaries who later obtain a long-term residence permit may pursue naturalisation under § 10 Staatsangehörigkeitsgesetz after five years of residence, or three years in cases of exceptional integration.³⁴ In practice, therefore, post-TP options in Germany depend on the individual's degree of integration and continuity of lawful residence under the AufenthG.

3. AUSTRIA

3.1. Asylum

Similarly, in Austria, the introduction of the TP in 2022 profoundly reduced the use of the ordinary asylum procedure for persons fleeing Ukraine. While the AsylG 2005 continues to guarantee access to refugee and subsidiary protection, Ukrainian nationals have overwhelmingly relied on residence rights granted under the TP rather than applying for asylum.³⁵

The AIDA Austria 2024 Update reports a steep fall in total asylum registrations – from 59,000 in 2023 to 25,360 in 2024 across all nationalities, with no mention of Ukrainian applicants among the main

²⁷ Brücker and others (n 21) 11.

²⁸ AIDA (n 15) 35.

²⁹ Ibid.

³⁰ Ibid.

³¹ AufenthG (n 1) § 9.

³² Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L16/44, art 3(2)(b).

³³ AufenthG (n 1) §§ 25(4), 25(5).

³⁴ Staatsangehörigkeitsgesetz [Nationality Act] (Germany, BGBl I 1913, 583, as amended) § 10.

³⁵ Asylgesetz 2005 [Asylum Act 2005] (Austria, BGBl I Nr. 100/2005, as amended) §§ 3, 8.

countries of origin, indicating that Ukrainian asylum claims remained statistically marginal.³⁶ Access to the asylum procedure under AsylG 2005 is formally allowed, yet the Federal Office for BFA rarely examines Ukrainian cases on the merits, treating them instead under the Regulation of the Federal Government on Temporary Right of Residence for Displaced Persons from Ukraine (*Vertriebenenverordnung*).³⁷ Like Germany, Austria rarely applies instruments such as Dublin III, since the TP already guarantees lawful residence.

Empirical findings indicate that Ukrainians in Austria are a self-selected, highly educated group, which may suggest that many perceive TP as a more dignified and efficient pathway than asylum.³⁸ This corresponds to Judith Kohlenberger's evidence of high human-capital selectivity and to Bernhard Riederer's finding of strong pro-EU and democratic attitudes among Ukrainian arrivals.³⁹ As in Germany, Austria's approach remains grounded in EU and international refugee law but now functions mainly as a legal safety net for exceptional cases. Consequently, Austria's asylum system under AsylG 2005 remains legally accessible but of limited practical relevance.

3.2. National Protection Schemes

Austria implemented Council Directive 2001/55/EC through the *Vertriebenenverordnung*, pursuant to § 62 AsylG 2005. According to the latest Eurostat monthly data, Austria hosts approximately 90,000 beneficiaries of TP, one of the highest per capita caseloads in the EU.⁴⁰ The regulation entered into force on 12 March 2022 and confers a right of residence ex lege on the categories defined in Article 1 – primarily Ukrainian nationals resident in Ukraine before 24 February 2022, beneficiaries of international or subsidiary protection in Ukraine, and their family members.⁴¹ This displaced person status requires no individual decision by the BFA and is proven by an ID card issued after police registration.⁴² The residence arises and expires ex lege and was automatically prolonged until 4 March 2026 following the EU's renewal of the TPD.⁴³

According to AIDA TP Austria 2024, 124,895 people have been registered since March 2022, of whom over 85,000 retain valid status.⁴⁴ Beneficiaries enjoy access to work, healthcare, education, and basic care system (*Grundversorgung*) under largely similar conditions as asylum seekers, although NGOs criticise uneven provincial implementation and gaps for persons with disabilities.⁴⁵ Third-country nationals previously resident in Ukraine remain excluded unless they held protection status there, a limitation described by Diakonie as inconsistent with Article 2(2) of the Directive and currently subject to litigation before the VfGH.⁴⁶

The EMN Austria report confirms that the right of residence under the *Vertriebenenverordnung* is considered a “permit for exceptional circumstances” under § 62 AsylG 2005, not convertible into a

³⁶ Lukas Gahleitner-Gertz, *AIDA Country Report: Austria – 2024 Update* (AIDA, ECRE July 2025) 8–10, 17.

³⁷ Asylgesetz 2005 §§ 17–20.

³⁸ Judith Kohlenberger and others, ‘High Self-Selection of Ukrainian Refugees into Europe: Evidence from Kraków and Vienna’ [2023] PLOS ONE 1, 4.

³⁹ Ibid; Bernhard Riederer and others, ‘Attitudes of Ukrainian Refugees in Austria: Gender Roles, Democracy, and Confidence in International Institutions’ [2025] *Genus* 2, 16.

⁴⁰ Eurostat (n 14).

⁴¹ AIDA, *Temporary Protection Austria: 2024 Update* (ECRE 2024) 7.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid 4.

⁴⁵ Ibid 7.

⁴⁶ Ibid 8–9.

regular residence title under the NAG while the TP remains in force.⁴⁷ UNHCR and Diakonie have therefore urged Austria to establish longer-term residence pathways once TP ends.⁴⁸

3.3. Employment-based Permits

Since April 2023, beneficiaries of the TP have enjoyed immediate access to the Austrian labour market under the AuslBG, following the abolition of the requirement that the employer applies for a work permit.⁴⁹ They may work both as employees and as self-employed, and enjoy equal treatment with EU workers regarding remuneration and working conditions.⁵⁰ Although no authorisation is needed, registration with the AMS is strongly recommended.⁵¹ As of January 2023, only 13,682 of 54,087 Ukrainian nationals in Austria were employed—about 25 per cent—while just 1 per cent were registered as jobseekers with the AMS.⁵²

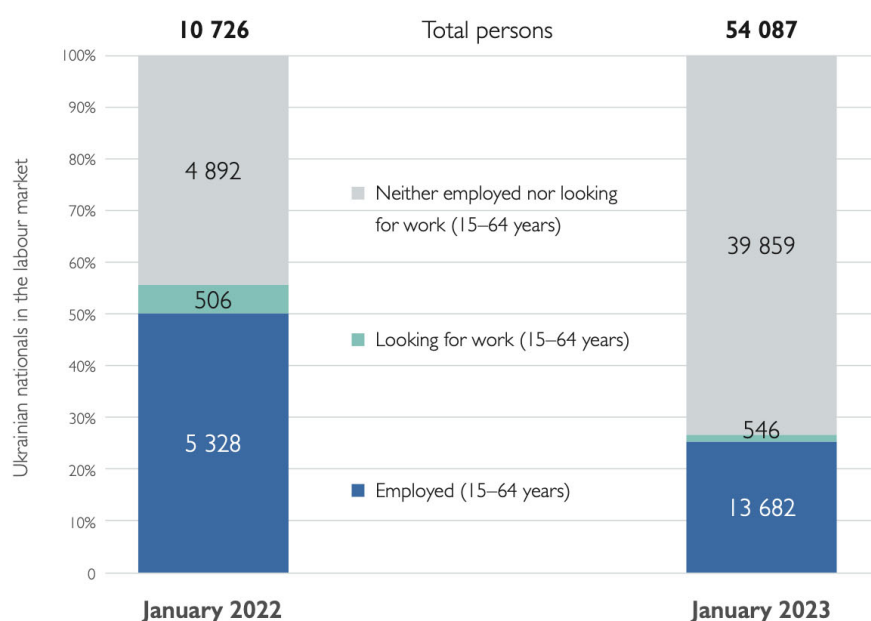


Figure 3: *Employed and job seeking Ukrainian nationals in the Austrian labour market (EMN Austria, from January 2022 to January 2023)*

According to Ali and Nedelkoska's study, fewer than 30 per cent of working-age Ukrainians are formally employed despite over 70 per cent having tertiary education.⁵³ About one-third of displaced Ukrainian women in Austria work, mainly in cleaning, hospitality, education, retail, and healthcare,

⁴⁷ EMN Austria, *Displaced Persons from Ukraine – Summarizing Overview of Austrian Measures in the Period February 2022 to June 2023* (IOM 2024) 6.

⁴⁸ Ibid.

⁴⁹ AIDA (n 23) 20.

⁵⁰ Ibid 21.

⁵¹ Ibid 20.

⁵² EMN Austria (n 29) 14.

⁵³ Ola Ali and Ljubica Nedelkoska, *The Demographics, Skills and Barriers to Labor Market Entry of the Displaced Ukrainians in Austria* (Complexity Science Hub 2025) 1.

with many overqualified, highlighting the need to better match skills with suitable jobs.⁵⁴ Around 70 per cent of women report jobs below their qualifications, suggesting structural underemployment.⁵⁵

To improve labour-market integration, Austrian authorities have expanded AMS training and language programmes offering career guidance and B1-level language courses.⁵⁶ Separately, under §§ 41 NAG, the Red-White-Red Card provides a potential post-TP pathway for skilled employment.⁵⁷ Austria thus maintains broad formal access but limited substantive integration, illustrating the gap between legal entitlements and real employability for displaced Ukrainians.

3.4. Study-based Permits

Under Austrian law, beneficiaries of the TP may enrol in higher education and, upon meeting the conditions of § 64 of the NAG, may transition to a student residence permit (*Aufenthaltsbewilligung – Studierender*) once their TP has ended. According to the 2024 AIDA report, displaced Ukrainians in Austria have full access to public education under the same conditions as nationals, from compulsory schooling to university studies, where tuition fees remain waived through 2024/25.⁵⁸ The EMN Austria report confirms that, while the *Vertriebenenverordnung* grants ex lege residence and work rights, transition to student permits under the NAG is only available once the TP ceases, reflecting the legal division between asylum-based and settlement regimes.⁵⁹

Empirical data confirm the exceptionally high educational attainment of displaced Ukrainians in Austria. According to the 2023 survey by the ÖIF, around 73 percent of Ukrainian women held a university degree, while another 10 percent had incomplete university education.⁶⁰ Despite this, linguistic barriers remain significant – only about 10 percent reported good German proficiency, and another 10 percent had none.⁶¹ Although knowledge of English is more widespread (58 percent), limited German competence continues to hinder participation in Austrian academic and training opportunities, particularly among older age groups.⁶²

3.5. Other Options

Following the expiry of the TP, displaced Ukrainians in Austria may access a limited range of residence options under the NAG and the AsylG 2005. Like Germany, Austria implements Directive 2003/109/EC through § 45 NAG, which allows third-country nationals to obtain long-term EU residence after five years of continuous legal residence.⁶³ Eligibility further requires secure income, health insurance, suitable accommodation, and proof of integration under the *Integrationsvereinbarung*. However, time spent under the TP pursuant to § 62 AsylG 2005 does not count toward this period, since such residence is granted ex lege and is temporary by nature.

⁵⁴ Ibid 9.

⁵⁵ Ibid 1.

⁵⁶ AIDA (n 23) 21.

⁵⁷ Niederlassungs- und Aufenthaltsgesetz [Settlement and Residence Act] (Austria, BGBl I Nr. 100/2005, as amended) § 41.

⁵⁸ AIDA (n 23) 24.

⁵⁹ EMN Austria (n 29) 6.

⁶⁰ Ali and Nedelkoska (n 42) 8.

⁶¹ Ibid.

⁶² Ibid.

⁶³ NAG (n 46) § 45.

If return to Ukraine remains unsafe, humanitarian residence may be granted under §§ 55–57 AsylG 2005, covering cases of private or family life under Article 8 of the European Convention on Human Rights (ECHR), serious illness, or strong integration ties.⁶⁴ These titles provide lawful stay on discretionary grounds but confer limited rights compared to asylum or long-term residence.

Austrian nationality law requires ten years of continuous residence for naturalisation, reducible to six years for refugees and well-integrated applicants under § 10 *Staatsbürgerschaftsgesetz*.⁶⁵ In practice, Austria's framework remains restrictive: the TP does not contribute toward permanent residence or citizenship, leaving displaced Ukrainians reliant on humanitarian extensions or new residence applications once protection ends.

4. CZECHIA

4.1. Asylum

Czechia has one of the EU's highest per capita numbers of recipients of TP.⁶⁶ Thus, it is reasonable to assume that the asylum procedure plays a more supporting role, since TP management continues to receive the institutional focus. The Ministry of the Interior determines whether to grant asylum or subsidiary protection, the two types of international protection recognised by Czech law.⁶⁷ Holders of TP who want to switch can apply for asylum directly from the Ministry or through the Police (at borders, receiving centres, or the Foreign Police).⁶⁸ During the process, applicants are registered and assigned to an asylum institution, which serves as their official address.⁶⁹

⁶⁴ Asylgesetz 2005 (n 8) §§ 55–57; Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR) art 8.

⁶⁵ Staatsbürgerschaftsgesetz 1985 [Citizenship Act] (Austria, BGBl Nr. 311/1985, as amended) § 10.

⁶⁶ Eurostat (n 14).

⁶⁷ Act No 325/1999 Coll., *Asylum Act*, s 28(1).

⁶⁸ *Ibid* s 3a(1).

⁶⁹ *Ibid* s 77(1).

Non-EU citizens under temporary protection at the end of September 2025

(Number of persons, ratio per 1 000 people, share in % of the EU total)

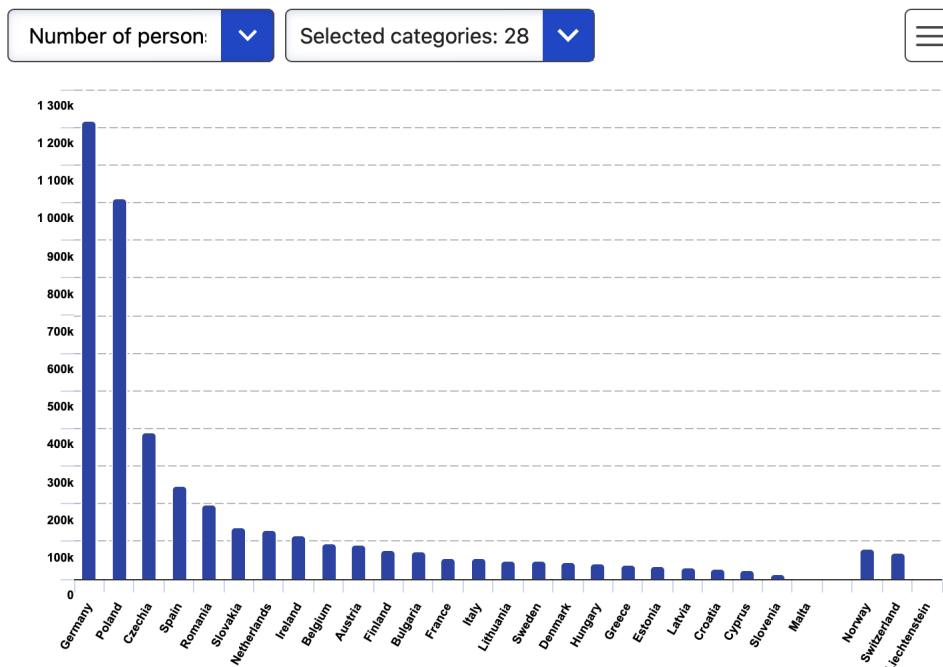


Figure 4. TP for persons fleeing Ukraine - Monthly Statistics (Eurostat, September 2025)

At the end of August 2023, Czechia hosted around 35.7 TP beneficiaries per 1000 inhabitants, the highest ratio in the EU, which highlights the centrality of TP compared to relatively small asylum caseload.⁷⁰ As an illustration of the limited quantitative role of international protection statuses in comparison to TP, only a few thousand people currently hold asylum or subsidiary protection.⁷¹

Key protections include an interview, state-funded legal help, free interpretation for all acts before the Ministry, and flexible identification guidelines in the event that documents are absent.⁷² Within fifteen days, a negative ruling may be appealed to the regional court. Appeals can be requested under the Code of Administrative Justice, however they typically have suspensive impact.⁷³

On the merits, subsidiary protection covers real dangers of serious harm, such as indiscriminate violence in armed conflict, whereas asylum is given for persecution based on the Convention or for exercising political rights and freedoms.⁷⁴

Given the policy emphasis on labor-market integration under TP and the Czech experience of ad hoc, but increasingly professionalised, coordination that directed people towards administrative, not refugee, routes, it is likely that most beneficiaries will prioritise status via work or other ordinary

⁷⁰ Eurostat (n 14).

⁷¹ Czech Statistical Office, 'International protection' (Czech Statistical Office, 21 October 2025) https://csu.gov.cz/international-protection?utm_source=chatgpt.com&pocet=10&start=0&podskupiny=292&razeni=-datumVydani accessed 12 November 2025.

⁷² *Asylum Act* (n 67) ss 21(1), 22(2), 23(1), 10(3).

⁷³ *Ibid* s 32(1)–(3).

⁷⁴ *Ibid* ss 12, 14a(1)–(2).

residence rather than (re-)entering the asylum system when TP comes to an end.⁷⁵ This is in line with national labour market policy documents, which highlight how TP beneficiaries had full and instant access to the labour market and associated integration measures, enabling TP to serve as a practical bridge to work-based residence.⁷⁶

Dublin Responsibility

Responsibility under Dublin III is allocated based on factors like family ties, visas or residency permits, and first admission or application in cases where applicants have travelled through other Member States.⁷⁷ Failure to transfer within deadlines can result in accountability being transferred to Czech authorities.⁷⁸ Ukrainians make up a very small portion of the Dublin procedures in the EU+, which is consistent with the larger trend that they are directed into TP rather than the Dublin system.⁷⁹ This pattern is also seen in the Czech context.

Any transfer decision must be communicated to applicants in writing, and they must have access to a feasible remedy, such as legal counsel. Whether an appeal immediately suspends the transfer or if suspensive effect needs to be obtained depends on national law.⁸⁰

Only in cases when there is a substantial risk of absconding based on objective statutory criteria, after an individual evaluation, and only where less coercive measures would not be adequate is detention for transfer purposes considered extraordinary.⁸¹ The CJEU ruled in the Czech Republic's *Al Chodor* case that such standards need to be outlined in law. Depending on administrative procedure or unrestricted discretion violates Dublin III's Articles 28 and 2(n).⁸²

4.2. National Protection Schemes

Under the Aliens Act, Czech law offers a number of humanitarian pathways in addition to asylum. When extraordinary personal circumstances warrant it, those who do not fit the criteria for refugee or subsidiary protection may be given humanitarian residence.⁸³ Individual decisions may eventually result in permanent residency.⁸⁴ Long-term residence for protection purposes provides a flexible option for those who are not currently eligible, allowing a later move to family-based housing, work, or study after the situation has stabilised.⁸⁵

⁷⁵ Lucie Macková, Agnieszka Zogata-Kusz, Ondřej Filipec and Nikola Medová, 'Temporary Protection for Ukrainian Refugees in the Czech Republic and Poland' (2024) *Nationalities Papers* 1, 1; Kateřina Ženková Rudincová and Lukáš Vomlela, 'Czech immigration and integration policy before and after the war in Ukraine' (2024) 15 (SI) *Eastern Journal of European Studies* 89, 105–07.

⁷⁶ European Migration Network, *EMN Country Factsheet 2022: Czech Republic – Main developments in migration and international protection, including latest statistics* (European Commission, August 2023) 2-3.

⁷⁷ Regulation (EU) No 604/2013 (Dublin III) [2013] OJ L180/31, arts 7, 12–15.

⁷⁸ *Ibid* arts 22(1), (7), 23(2)–(3), 29(1)–(2).

⁷⁹ European Union Agency for Asylum, *Asylum Report 2023: Annual Report on the Situation of Asylum in the European Union* (EUAA July 2023) 102-103.

⁸⁰ *Dublin III* (n 77) arts 26-27.

⁸¹ *Ibid* arts 28(1)–(3), 2(n).

⁸² Case C-528/15 *Policie ČR v Al Chodor and Others* (CJEU, 15 March 2017) paras 40–48.

⁸³ Act No 326/1999 Coll., *Aliens Act* (CZ), s 66(1)(a).

⁸⁴ *Ibid* ss 75–77.

⁸⁵ *Ibid* ss 42–46.

Under the Code of Administrative Justice, applicants have recourse to judicial review, including court-granted suspensive effect when needed, and administrative decisions must be justified. These residence actions are also governed by Section 68 of the Administrative Procedure Code.

The CJEU's reasoning in *Jawo*, which highlighted that return must be suspended where it would put a person in actual danger of inhuman or degrading treatment, is reflected in this discretionary protection.⁸⁶ Thus, humanitarian residence acts as a proportionate safeguard. If humanitarian or permanent residency is denied, people may reapply for asylum if their protection needs continue, or they may pursue other legal options under the same Act, such as study or employment residence.⁸⁷

Feasibility

For those who do not fit the technical definition of refugees but would suffer hardship or disproportionate repercussions if returned, humanitarian and discretionary routes serve as safety valves in both systems. Their primary advantages are preservation of family life, access to employment, and customised proportionality. However, inconsistent practice, paperwork difficulties (such as apostilles or consular documents), and income or fee restrictions are common issues with both systems.

These humanitarian/discretionary tracks will likely serve as the primary safety nets for those who are vulnerable or unable to meet economic thresholds once TP lapses. Czech data also indicates that in the absence of a more cohesive national strategy, coordination gaps could reappear during any mass transition.⁸⁸

4.3. Employment-based Permits

For TP holders seeking long-term stay in Czechia, the key work-based migration routes are the Employee Card and the EU Blue Card.

Residence and work authorisation for a particular employment position are combined in the Employee Card. A contract of at least one year, proof of qualifications, housing, health insurance, biometrics, and payment of the statutory fee are all required of applicants, as is an open position in the official register.⁸⁹ Although most candidates are still assessed per national and EU labour supply regulations, government programmes can expedite applications and bypass certain labour market assessments.

Highly skilled workers with a tertiary degree or comparable professional experience, a minimum twelve-month contract, and a wage above the national average are the goal of the EU Blue Card.⁹⁰ Compared to the Employee Card, it also facilitates simpler intra-EU mobility and an easier

⁸⁶ Case C-163/17 *Jawo v Bundesrepublik Deutschland* (CJEU, 19 March 2019) para 85.

⁸⁷ *Aliens Act* (CZ) (n 91) s 42d and s 42; *Asylum Act* (n 65) s 3a(1)–(2).

⁸⁸ Macková and others (n 73) 1-2; Ženková Rudincová and Vomlela (n 73) 95, 105–07.

⁸⁹ Ministry of the Interior (CZ), 'Employee Card' (Information Portal for Foreigners) <<https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/employee-card/>> accessed 20 September 2025.

⁹⁰ Ministry of the Interior (CZ), 'Blue Card' (Information Portal for Foreigners) <<https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/blue-card/>> accessed 20 September 2025.

adjustment to permanent residency. Obtaining approval for regulated professions and demonstrating higher education credentials are frequent challenges.⁹¹

The employment market is already open to TP holders without charge. To prevent losing their legal status, people who want to stay after TP expires should apply for a new residence title as soon as possible.⁹² Common challenges include receiving apostilles, renewing passports, getting diplomas accepted, and meeting income limits (for Blue Cards).

Suspensive measures before administrative courts may be included in appeals against negative verdicts. Nonetheless, procedural delays may still risk the stay's continuance. This gap can be filled with a transitional long-term permit under the special Lex Ukrajina VII, see below, until a normal residency title, like work or study, is acquired.

4.4. Study-based Permits

The Aliens Act governs long-term presence for study purposes in Czechia, and it applies to both university programs and approved language or preparation courses.⁹³ Proof of admission, housing, health insurance, and adequate funds for the course of study are all required of applicants.

According to the Information Portal for Foreigners, guarantor declarations, scholarship letters, and bank records are examples of acceptable proof.⁹⁴ Once issued, a student permit allows employment without a separate authorisation; it is restricted for some non-degree programs and limitless for students enrolled in higher education. Continued enrollment, as well as evidence of finances and insurance, are prerequisites for renewal. Any study completion or interruption must be reported, and any status changes or renewals must follow.⁹⁵

The student path provides TP beneficiaries with a legal means of obtaining a longer-term residence permit. Before TP expires, a TP holder who has been accepted to a Czech university may apply for a student residence permit, allowing them to remain in the country legally while their application is being processed.⁹⁶ Complete documents, valid passports, and timely submission are essential. In order to meet the proof-of-funds criterion, universities frequently provide letters attesting to both admission and financial support.

⁹¹ Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment [2021] OJ L382/1, arts 2(1)–(2), 5(1)–(2); Ministry of the Interior (CZ), ‘EU Blue Card’ (n 99).

⁹² Ministry of the Interior (CZ), ‘Employee Card’ (n 30); UNHCR Czech Republic, ‘Special Long-term Residence for People from Ukraine’ (Help.UNHCR.org, 11 February 2025) <<https://help.unhcr.org/czech/information-for-people-from-ukraine/special-long-term-residence/>> accessed 20 September 2025.

⁹³ *Aliens Act* (CZ) (n 85) s 42d.

⁹⁴ Ministry of the Interior (CZ), ‘Long-term residence’ (Information Portal for Foreigners) <<https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/>> accessed 20 September 2025.

⁹⁵ *Aliens Act* (CZ) (n 85) s 47(2).

⁹⁶ *Ibid* s 47(1)–(2).

4.5. Other Options

Temporary stays, including TP, are not included towards the five-year residence requirement under the EU's LTRD.⁹⁷ As the CJEU confirmed in *Singh*, only legitimate and continuous periods of residence on qualifying reasons contribute towards long-term resident status.⁹⁸ In order to get permanent residence or, eventually, naturalisation, TP beneficiaries who are looking for long-term solutions must first move to a qualifying residence, such as work, study, family, or humanitarian stay, and then fulfil national requirements.

Lex Ukrajina VII facilitates this transition in Czechia by granting TP holders a special long-term permit to stay and work lawfully once the TP regime ends.⁹⁹ A minimum of two years of lawful residence under TP and evidence of economic self-sufficiency, such as a steady income and current health insurance, are prerequisites for eligibility.¹⁰⁰ This title acts as a bridge until the holder moves to a qualifying residence and starts the five-year clock, even though it does not count towards the LTRD. Applicants may be granted national permanent residency under the Aliens Act and, subsequently, long-term status under the LTRD after five consecutive years on such grounds.

⁹⁷ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L16/44, art 4(2); Aliens Act (CZ) (n 85) s 83(1).

⁹⁸ Case C-502/10 *Singh v Minister voor Immigratie en Asiel* (CJEU, 21 December 2011) paras 45–47.

⁹⁹ Act No 24/2025 Coll. (*Lex Ukrajina VII*) (CZ); UNHCR Czech Republic (n 103).

¹⁰⁰ UNHCR, *Special Long-Term Residence Permit (2025)* <<https://help.unhcr.org/czech/information-for-people-from-ukraine/special-long-term-residence/>> accessed 20 October 2025.

5. ESTONIA

5.1. Asylum

Each of the Baltic States has a legal basis in its national legislation that governs asylum procedures and establishes the framework for granting refugee status and subsidiary protection, which transposes the EU Qualification Directive 2011/95/EU.¹⁰¹

In Estonia, the legal framework for asylum applications is set out in the Act on Granting International Protection to Aliens.¹⁰² The asylum process begins with submitting an application for international protection by the alien, in this case, a Ukrainian national, in order to be recognised as a refugee or beneficiary of subsidiary protection.¹⁰³ Applications are submitted to the PBGB, which is responsible for registering cases, processing data, examining admissibility, and making the final decision in regards for the dismissal or revocation of international protection.¹⁰⁴

Following the registration, the PBGB determines if Estonia is responsible for processing the received application.¹⁰⁵ If Estonia is responsible for examining the application, the PBGB initiates substantive proceedings, which may last up to six months.¹⁰⁶ However, it might be extended. Therefore, not extending nine months, only if complex issues of fact or law are involved, a large number of applications are received, or the alien's failure to comply with the duties set in §11 of this legislation.¹⁰⁷ The PBGB assesses each asylum application individually and impartially, taking into consideration the applicants, safety in Ukraine, evidence, and other circumstances.¹⁰⁸ According to UNHCR, Estonia received 979 asylum applications in 2024. This demonstrates the overall caseload handled by the PBGB when conducting admissibility checks and substantive examination.¹⁰⁹

The applicant has the right to an appeal if the application is rejected or revocation on various legal bases set out in Estonian national legislation or Regulation (EU) No 604/2013, and the appeal is heard by the administrative court within ten days. During this period, the Ukrainian national is allowed to stay in the country until the application is fully examined.¹¹⁰

Ukrainian nationals fearing to return to Ukraine because of violence, persecution, or war, or facing danger, suffering serious harm in Ukraine, aliens are legally allowed to file an asylum application at

¹⁰¹ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted [2011] OJ L337/9 arts 17-19.

¹⁰² Act on Granting International Protection to Aliens (RT I 2006, 2, 3).

¹⁰³ Ibid § 3(1) and 3(3).

¹⁰⁴ Ibid § 3(4), 3(1)(1) and 13(1).

¹⁰⁵ Regulation (EU) 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person [2013] OJ L180/31, Law on the Legal Status of Aliens § 18(1).

¹⁰⁶ Law on the Legal Status of Aliens § 18(1)(1).

¹⁰⁷ Ibid § 18(1)(2).

¹⁰⁸ Ibid § 18(2).

¹⁰⁹ UN High Commissioner for Refugees, *Bi-Annual Factsheet 2024-09: Estonia* (UNHCR, 2024) <<https://www.unhcr.org/europe/sites/europe/files/2024-10/bi-annual-fact-sheet-2024-09-estonia.pdf>> accessed 9 November 2025.

¹¹⁰ Ibid § 25(1).

PBGB. The PBGB is located in various locations in Estonia, and there is no need to make an appointment, thus making it accessible for Ukrainian nationals to file an asylum application.¹¹¹

5.2. National Protection Schemes

All three Baltic States implement TPD for Ukrainians until 4 March 2027 under the EU TPD (2001/55/EC). Requirements for TP vary across the Baltic States. Additionally, humanitarian residence permits are available and are set in the national legislation.

In Estonia, the legal basis for issuing temporary residence permits on grounds of humanitarian reasons is set out in the Aliens Act. There is no humanitarian residence permit codified in the national legislation, as such permits are issued on a case by case basis by the PBGB when the return back to Ukraine would expose the national to serious harm, humanitarian crisis, or personal security risks.¹¹² These permits are eligible alongside the TPD, ensuring protection for Ukrainian nationals unable to return safely. According to the EMN Estonia Factsheet, Estonia primarily relies on the TPD for Ukrainian nationals while using humanitarian grounds only in exceptional cases, ensuring lawful stay for those unable to return safely.¹¹³

5.3. Employment-based Permits

All Baltic States implement the EU Blue Card, which allows non-EU nationals to be provided with residence and work permits. Requirements to be eligible to gain access to the Blue Card, include higher education degree, proof of health insurance, having an employment contract, and others.¹¹⁴

In Estonia, Ukrainian nationals may access employment-based residence permits through the EU Blue Card, if certain requirements are fulfilled: a valid contract or binding job offer for at least one year, meeting the minimum salary threshold 30,336 EUR per year, proof of qualifications, health insurance, and a valid travel or residence document. Additional requirements may include meeting national professional standards and not posing a threat to public policy.

The standard validity for a Blue Card is 27 months; the card can be renewed multiple times for up to four years and three months at a time.¹¹⁵ According to PBGB data, in 2024 a total of 1,235 temporary residence permits for employment were issued, of which 13 were granted on the basis of the EU Blue Card. This represents a significant decrease of 40% compared to 2023 (See Figure 5).¹¹⁶

¹¹¹International Protection (Police and Border Guard Board, Estonia) <<https://www.politsei.ee/en/instructions/international-protectiothe>> accessed 30 September 2025.

¹¹²Aliens Act (Estonia) (RT I, 18.11.2013, 1 October, 2025) § 46.

¹¹³ Eurostat, 'Country Factsheet | July 2024' (Eurostat, 2024) <<https://www.emn.ee/wp-content/uploads/2024/05/estat-cf-ee-1.pdf>> accessed 18 October 2025.

¹¹⁴ Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC [2021] OJ L382/1.

¹¹⁵ EU Blue Card (European Commission, Migration and Home Affairs, Estonia) <https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/eu-blue-card/eu-blue-card-estonia_en> accessed 23 September 2025 & Police and Border Guard Board, Working in Estonia for a Foreigner (Estonian Police and Border Guard Board) <<https://www.politsei.ee/en/instructions/working-in-estonia-for-a-foreigner>> accessed 30 September 2025.

¹¹⁶ European Migration Network (EMN Estonia), Rändestatistika 2020–2024: overview 2025 (EMN Estonia, June 2025).

While the EU Blue Card provides a pathway for legally residing and working, there are practical challenges for Ukrainian nationals as they need to transition from the TPD to another status or protection framework before applying for the EU Blue Card. Additionally, the level of education obtained, recognising diplomas and qualifications, thus, it may complicate obtaining a job.¹¹⁷

Labor migration	2022	2023	2024
General	1,267	1,155	783
Top specialist	645	320	170
Employment at a startup	345	116	18
Expert/advisor/consultant	81	33	40
Scientific activities/ lecturers	40	34	34
Member of the management body of a body corporate governed by private law	6	10	17
Athlete/coach/referee	9	26	15
EU Blue Card	18	10	13
Clergyman/monk/nun	17	34	22
Artistic personnel	7	8	17
Teacher	10	4	12
Short-term employment		273	65
Working in a growth company		12	23
Other	18	19	6
TOTAL	2,463	2,054	1,235

Figure 5. *First-time temporary residence permits for employment, by type of employment in Estonia (2022-2024) (PBGB, 2024).*

5.4. Study-based Permits

The legal basis for gaining a temporary residence permit for study is set in the Aliens Act.¹¹⁸ A study-based temporary residence permit is suitable for primary, basic and upper secondary school students, vocational school students, university students enrolled in Bachelor's, Master's, or Doctoral studies, participants in foundation courses, participants in traineeships at an educational institution, and voluntary service within the framework of a youth project or program.¹¹⁹ The educational institution or international student organisation should provide documentary evidence to the PBGB,¹²⁰ then the temporary residence study permit will be issued by the PBGB to a student for studying full-time in an educational institution that is recognised in Estonia.¹²¹ Upon receiving the study-based permit, the PBGB will also issue the residence card.

¹¹⁷ European Council on Refugees and Exiles, *Transitioning out of the temporary protection directive* (Policy Paper, February 2024).

¹¹⁸ Aliens Act (RT I 2006, 2, 3) (Estonia) arts 162–175.

¹¹⁹ Ibid art 162.

¹²⁰ Ibid art 163.

¹²¹ Police and Border Guard Board, Residence Permit for Study for a Foreigner (Estonian Police and Border Guard Board) <<https://www.politsei.ee/en/instructions/residence-permit-for-study-for-a-foreigner>> accessed 18 October 2025 & European Commission, Student in Estonia (EU Immigration Portal) <https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-estonia_en> accessed 18 October 2025.

It is important to take into consideration that the study-based permit may be issued for a period of up to one year, but not longer than the estimated duration of the studies.¹²² However, the permit can be annulled if the student fails to complete the study program.¹²³ In 2024, 389 study-based permits were issued, continuing the gradual decline observed between 2020 and 2024.¹²⁴

Potential practical challenges Ukrainian nationals might face are finding a suitable school and passing the entrance exams. However, Estonia provides access to education for Ukrainian children and ensures participation in compulsory education to support their integration into Estonian society. The Estonian Ministry of Education and Research would prefer the children to be educated in Estonian, but there are also other language options available, such as Russian.¹²⁵ Additionally, submitting all the necessary documents might create difficulties, as some documents might be left behind or lost when fleeing the war. When submitting these documents, there is a state fee to be paid, and the Ukrainian national should have sufficient income and a medical insurance policy.¹²⁶

5.5. Other Options

In Estonia, the primary legal basis regulating residence permits for refugees, beneficiaries of subsidiary protection, and other foreigners is the Aliens Act.¹²⁷ If the Ukrainian national is recognised as a refugee, a three-year residence permit is issued. Holders of subsidiary protection receive a one-year permit, which may be extended. After meeting the required period of lawful residence, integration criteria, and other statutory conditions, individuals can apply for permanent residence.¹²⁸

Estonia also implements the LTRD, enabling Ukrainian nationals to obtain long-term EU residence after five years of uninterrupted legal residence.¹²⁹

In Estonia, naturalisation is available to foreign nationals aged 15 and older who meet specific criteria. Applicants must have legally resided in Estonia for at least eight years, including the last five years with a permanent residence permit. They must demonstrate proficiency in the Estonian language at a B1 level, pass an examination on the Estonian Constitution and the Citizenship Act, and have a legal source of income. The application process involves submitting necessary documents, undergoing required tests, and taking an oath of loyalty to Estonia.¹³⁰ This can be challenging, for example, learning the Estonian language and the certifications of different documents. According to EMN data, in 2024 there were 1,095 applications for naturalisation, and

¹²² Aliens Act (RT I 2006, 2, 3) art 170.

¹²³ Ibid 173.

¹²⁴ Rändestatistika 2020–2024: overview 2025 (n 160).

¹²⁵ Ministry of the Interior of the Republic of Estonia, Support for Ukraine (Estonian Ministry of the Interior) <<https://www.hm.ee/en/ukrainiaton>> accessed 20 October 2025.

¹²⁶ Police and Border Guard Board, Residence Permit for Study for a Foreigner (Estonian Police and Border Guard Board) <<https://www.politsei.ee/en/instructions/residence-permit-for-study-for-a-foreigner>> accessed 21 October 2025.

¹²⁷ Aliens Act § 37.

¹²⁸ Aliens Act § 56–71.

¹²⁹ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L16/44.

¹³⁰ Police and Border Guard Board, Estonian Citizenship for an Adult (Estonian Police and Border Guard Board) <<https://www.politsei.ee/en/instructions/estonian-citizenship-for-an-adult>> accessed 21 October 2025.

751 persons were granted citizenship. This represents a 30% decrease compared to 2023 in the number of individuals who obtained Estonian citizenship through naturalisation.¹³¹

6. LATVIA

6.1. Asylum

In Latvia, the legal basis for granting international protection is set out in the Asylum Law.¹³² The process begins with the Ukrainian national submitting an application to the RAD, which will further examine the application and make a decision on whether an alternative status will be granted or refused.¹³³ Furthermore, the State Border Guard will interview the Ukrainian national, then the application with the obtained materials will be examined no later than three months.¹³⁴

The final decision made by RAD can be appealed to the Decision of the Board within two working days.¹³⁵ The Board will examine the appeal within three working days when the file is received. Therefore, the Ukrainian national will be considered an asylum seeker during this period.¹³⁶ However, if the State Border Guard, the Department, or the Board cannot examine the appeal during this period due to substantiated reasons, it can extend the application for three to twelve months according to national legislation.¹³⁷ Data provided by the OCMA shows Latvia registered 801 asylum seekers in 2024, of whom 104 were granted refugee status and 88 were granted alternative status.¹³⁸

In practice, Ukrainian nationals might face challenges when applying for asylum in Latvia. Firstly, the appeal deadlines are short. Secondly, the State Board Guard is responsible for initial interviews, which might extend the application process if there is a large number of applications, and Border checks might prioritise security checks over substantive assessment. Lastly, the application process time can extend up to twelve months, which might lead to legal uncertainty for the Ukrainian national.

6.2. National Protection Schemes

The legal basis for humanitarian residence permits is set in the Immigration Law. Once the TPD expires, the Head of the office may issue a permit if it conforms with international legal obligations, the interests of Latvia, or is associated with *force majeure* or humanitarian considerations.¹³⁹ To apply for a humanitarian permit, the Ukrainian national submits documents to the OCMA, which assesses the eligibility and documentation.¹⁴⁰ Procedurally, OCMA decisions are subject to

¹³¹ Rāndestatistika 2020–2024: overview 2025 (n 160).

¹³² Asylum Law (Latvijas Vēstnesis, No 100/2009, 7 March 2002).

¹³³ Ibid ss 3 and 4(1).

¹³⁴ Ibid ss 16.

¹³⁵ Ibid ss 19(3).

¹³⁶ Ibid ss 19(3).

¹³⁷ Ibid ss 19(4) and 16(2).

¹³⁸ Office of Citizenship and Migration Affairs (PMLP), *Statistics - Asylum Seekers* (PMLP, n.d.) <<https://www.pmlp.gov.lv/en/statistics-asylum-seekers>> accessed 8 November 2025.

¹³⁹ Immigration Law (Latvia), adopted 31 October 2002, in force 1 May 2003 s 5(2).

¹⁴⁰ Ibid s 32(1)(2).

administrative review, ensuring oversight and procedural fairness. The challenges Ukrainian nationals might face include insufficient finances, no valid travel document, posing health or public safety risks, having an illegal residence history, criminal convictions, receiving relocation compensation, being linked to blacklisted persons or fictitious marriages/adoptions, working without a permit, or not maintain sponsorship or demonstrating a stable connection to their home country.¹⁴¹

6.3. Employment-based Permits

To obtain the EU Blue Card to have an employment-based permit, Ukrainian nationals need to fulfil the general requirements, including having a valid work contract or binding job offer, health insurance, and valid travel or residence documents, as well as meeting the requirement for the minimum salary threshold, which is 24,720 EUR (or, if not subject to Cabinet Regulation No.108, 19,776 EUR per year.)¹⁴² In national legislation, the Law on Regulated Professions and Recognition of Professional Qualifications, allows Ukrainian nationals to satisfy the requirement for professional qualifications in regulated fields, reducing administrative barriers and speeding up their access to highly qualified employment in Latvia. The competent authority in Latvia is allowed to recognise professional qualifications based on the documents available.¹⁴³ In 2024, employment-based permits in Latvia were issued to 3,540 third-country nationals and compared to 2023 the number has decreased by 303 persons, according to data provided by EMN (See Figure 8).¹⁴⁴ Ukrainian nationals should take into consideration that their TPD status needs to be changed to a different legal status or protection scheme to qualify for the EU Blue Card.

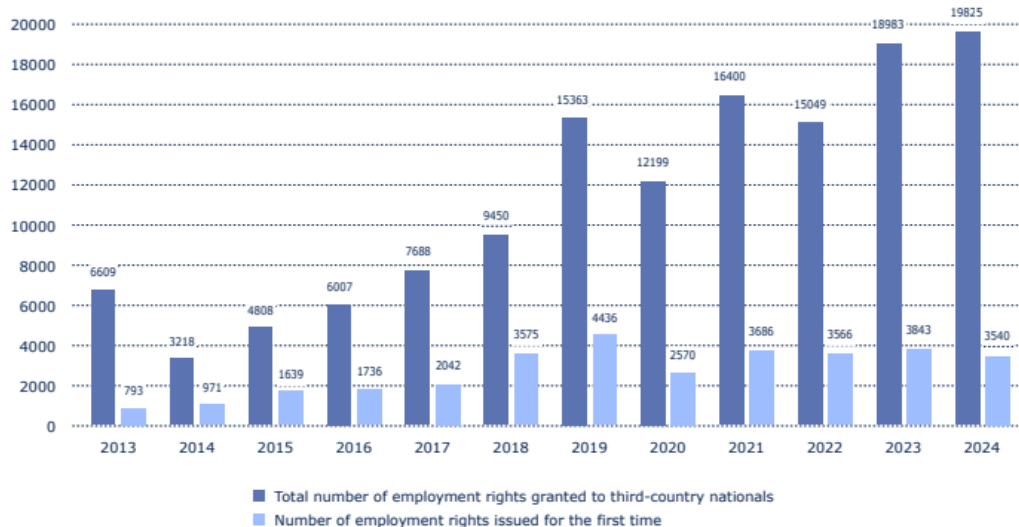


Figure 6. *Employment rights granted to third-country nationals and residence permits issued for the first time in connection with employment in Latvia. (EMN, 2024)*

¹⁴¹ Ibid s 34.

¹⁴² EU Blue Card (Office of Citizenship and Migration Affairs, Latvia) <<https://www.pmlp.gov.lv/en/eu-blue-card>> accessed 23 September 2025.

¹⁴³ Law on the Support of Civilians of Ukraine (Saeima on 3 March 2022, Latvijas Vēstnesis No 45A, 4 March 2022)s 13(3).

¹⁴⁴ European Migration Network (EMN Latvia), Asylum and Migration Overview in Latvia (EMN Latvia, May 2025).

6.4. Study-based Permits

To obtain a study-based permit, Ukrainian national should register at a university or other institution of higher education. They should then request a temporary residence permit for the time period of studies in an educational institution in Latvia.¹⁴⁵ This permit is mandatory if the study period exceeds more than 90 days. Upon acceptance, a Ukrainian national will receive an official invitation from the educational institution. The invitation is filled at the OCMA by the academic representative. Ukrainian nationals must provide the invitation number upon submitting the documents at the Embassy of Republic of Latvia. According to EMN data, 2,916 study-based permits were issued in 2024, representing a decrease from 3,423 permits in 2023.¹⁴⁶

Practical difficulties Ukrainian nationals might face when applying for a study-based permit are the application and residence permit fees. Various documents that are required by both the educational institution and the Embassy of Republic of Latvia, such as providing a radiologist's report on the results of an x-ray or fluoroscopic examination done in Latvia, and a health insurance. The residence permit will not be renewed if the student has not made sufficient academic progress, for example, if their studies are significantly delayed, repeatedly suspended, or discontinued without completion.¹⁴⁷

6.5. Other Options

Ukrainian nationals in Latvia may access long-term residence under the LTRD, which has been transposed into the national legislation through provisions regulating permanent residence for third-country nationals. For EU long-term residence, applicants must meet criteria including five years of continuous lawful residence, Latvian language proficiency, and financial self-sufficiency.¹⁴⁸

In Latvia, naturalisation is available to foreign nationals aged 15 and older who meet specific criteria. Ukrainian nationals must have legally resided in Latvia for at least five years, possess Latvian language proficiency, and demonstrate knowledge of the national anthem, Latvian history and culture, and the Constitution. They must also have a legal source of income. The application process involves submitting necessary documents, passing required tests, and taking an oath of loyalty to Latvia.¹⁴⁹ According to EMN data, 694 persons were admitted to Latvian citizenship through naturalisation in 2024. The number of third-country nationals naturalised remained stable, with 155 persons in 2024 compared to 154 in 2023.¹⁵⁰

¹⁴⁵ Asylum Law (Latvijas Vēstnesis, No 100/2009, 7 March 2002) ss 23(10).

¹⁴⁶ Asylum and Migration Overview in Latvia (n 164).

¹⁴⁷ European Commission, Student in Latvia (EU Immigration Portal) <https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-latvia_en> accessed 22 October 2025.

¹⁴⁸ Directive 2003/109/EC.

¹⁴⁹ Office of Citizenship and Migration Affairs, Naturalisation (Republic of Latvia) <<https://www.pmlp.gov.lv/en/naturalisation>> accessed 21 October 2025.

¹⁵⁰ Asylum and Migration Overview in Latvia (n 164).

7. LITHUANIA

7.1. Asylum

The right to seek asylum in Lithuania is governed by the Law on the Legal Status of Aliens.¹⁵¹ The process begins with logging an application at the border crossing points of Lithuania, the police agency, and the Foreigners Registration Centre.¹⁵² Once the case has been filed, the Migration Department determines, according to Regulation (EU) 604/2013, within 48 hours, whether Lithuania is responsible for examining the case.¹⁵³

If Lithuania is responsible for the application, the Migration Department needs to examine the case within three months, however it may be extended till six months if there are objective reasons that preclude examination.¹⁵⁴ The Migration Department will assess the application in consultation with the Ukrainian national.¹⁵⁵ Refugee status is granted to an asylum applicant who has a well-founded fear of persecution based on various aspects, such as race, religion, nationality, membership of a social group, or is outside their country of citizenship or former habitual residence or cannot seek protection from Ukraine due to fear of prosecution.¹⁵⁶ The final decision on whether the status will be granted or refused will be made by the Migration Department.¹⁵⁷ According to EMN, 362 persons applied for asylum in 2024, of which 52% received a positive decision. Ukrainian nationals represented approximately 6.4% of all applicants. This reflects a decrease compared to 2023, when 575 asylum applications were submitted in Lithuania (See Figure 7).¹⁵⁸

If the asylum application is refused, the Ukrainian national can appeal the decision. The appeal should be filed through the Foreigners Registration Centre. This centre will forward the appeal to the Supreme Administrative Court of Lithuania. Then the Court will examine the alien's appeal according to the procedure established by the Law on Administrative Proceedings. The final decision will be delivered no later than ten days from the acceptance date of the appeal.¹⁵⁹

Challenges Ukrainian nationals might face are difficulty proving individual persecution, as many Ukrainian nationals flee generalised violence.¹⁶⁰ Restrictive interpretation by Lithuanian authorities, as the granting of Asylum for Ukrainian nationals is rare as the conflict is viewed as temporary.

¹⁵¹ Law on the Legal Status of Aliens (Lietuvos Respublikos Seimas, No IX-2206, 29 April 2004).

¹⁵² Ibid art 67.

¹⁵³ Ibid art 72.

¹⁵⁴ Law on the Legal Status of Aliens (Lietuvos Respublikos Seimas, No IX-2206, 29 April 2004) art 81.

¹⁵⁵ Ibid art 83(1).

¹⁵⁶ Ibid art 86.

¹⁵⁷ Ibid art 86(3).

¹⁵⁸ European Migration Network (EMN), Migration Policy in Lithuania 2024 (IOM Lithuania, EMN, 2024).

¹⁵⁹ Ibid art 117.

¹⁶⁰ Ibid art 83.

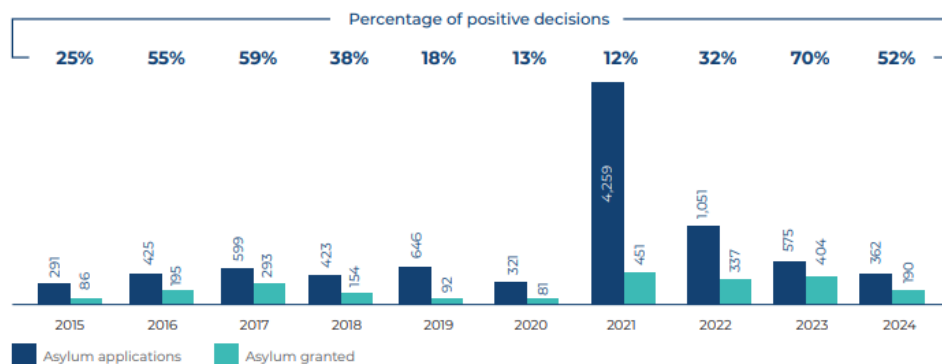


Figure 7. *Asylum in Lithuania: a ten-year overview (EMN, 2024)*

7.2. National Protection Schemes

In Lithuania, the legal basis for humanitarian residence permits is provided in the Legal Status of Foreigners.¹⁶¹ While Lithuania primarily relies on the TPD for Ukrainian nationals, humanitarian residence permits are available on a case-by-case basis, e.g. if the person is unable to leave Lithuania due to armed conflict or other humanitarian crises, or faces persecution from non-democratic actors. The Ministry of Foreign Affairs of Lithuania must submit a request supporting the foreigner's case. Applications are assessed by the Migration Department, and then a final decision is made.¹⁶² According to the Migration Department, humanitarian permits are being issued in increasing numbers, while a smaller number has applied for asylum or subsidiary protection.¹⁶³

7.3. Employment-based Permits

In Lithuania, Ukrainian nationals may apply for an EU Blue Card if they have a valid job offer for at least six months in a profession included in the list of high-value-added occupations with a shortage of workers or another highly skilled occupation, as well as holding a higher education diploma or at least three to five years of professional experience equivalent to higher education qualifications in the relevant field. For highly valued professions, the minimum salary must be 1.2 times the average gross salary, whereas for other occupations it must be 1.5 times the average. The validity of the EU Blue Card is three years, or the duration of the employment contract plus three months if shorter.¹⁶⁴ A few practical challenges Ukrainian nationals might face are changing their TPD status to a different legal status or protection scheme in order to qualify for the EU Blue Card. Moreover, discrepancies in education, along with challenges in having diplomas and professional qualifications recognised,

¹⁶¹ Republic of Lithuania, Law on the Legal Status of Aliens (No. IX-2206) art 40(8).

¹⁶² Ibid art 130(1).

¹⁶³ Relex Law Firm, 'Arrived to Lithuania on Humanitarian Visa? You Might Need to Apply for Asylum Urgently' (Relex Law Firm, 2023) <<https://relex.lt/arrived-to-lithuania-on-humanitarian-visa-you-might-need-to-apply-for-asylum-urgently/>> accessed 20 October 2025.

¹⁶⁴ EU Blue Card (European Commission, Migration and Home Affairs, Lithuania) <https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/eu-blue-card/eu-blue-card-lithuania_en> accessed 23 September 2025.

can create further obstacles to securing employment.¹⁶⁵ However, Lithuania does not apply a labour market test for applicants who are already residing in the country.¹⁶⁶ According to EMN data, in 2024 there were 66,274 employment-based permits issued in Lithuania.¹⁶⁷

7.4. Study-based Permits

The legal basis for obtaining a study-based permit in Lithuania is set in the Law of the Legal Status of Aliens.¹⁶⁸ Ukrainian nationals must be involved in a higher educational institution that is recognised in Lithuania, or in vocational training, a traineeship, or up-skilling at a recognised academic or research institution.¹⁶⁹ Application for a temporary residence permit is through the Migration Department. It provides an online application form, MIGRIS, for submission of the application form and necessary documents to apply for a temporary student-based permit. Then the national will be issued with a residence permit for the duration of their studies, but no longer than one year. The residence permit can be renewed if all the conditions are fulfilled, such as having health insurance, sufficient means of subsistence, or receiving a regular income, and having a place of residence.¹⁷⁰

If the residence permit is not renewed before expiry, the Ukrainian national must leave the country and await a decision abroad. The decision to issue or renew a temporary residence permit is generally made within three months, or within 45 days of payment of an additional fee.¹⁷¹ According to EMN data, 7,336 persons received study-based permits in 20204. Compared to previous years – 2023 and 2022 – there has been a significant increase in issuing study-based permits in Lithuania.¹⁷²

Challenges Ukrainian nationals might face are ensuring all necessary documents, as some of them could be left behind. However, Lithuania has taken steps to support displaced Ukrainian students by providing access to education and ensuring that school attendance for children is mandatory.

7.5. Other Options

Lithuania implements the LTRD within its national framework, the Law on the Legal Status of Aliens.¹⁷³ Ukrainian nationals may obtain permanent residence when they have lawfully resided on either temporary permits or as refugees and beneficiaries of subsidiary protection, in Lithuania for five consecutive years.¹⁷⁴ Additionally, Ukrainian nationals maintaining a lawful stay through TP, employment, or study can thus transition to permanent or long-term residence.

To apply for naturalisation in Lithuania, the application must be filed with the Migration Department, and multiple requirements need to be fulfilled: a Ukrainian national must have resided legally in the

¹⁶⁵ European Council on Refugees and Exiles, *Transitioning out of the temporary protection directive* (Policy Paper, February 2024).

¹⁶⁶ EU Blue Card (Migration and Home Affairs, Lithuania).

¹⁶⁷ Migration Policy in Lithuania 2024 (n 174).

¹⁶⁸ Law on the Legal Status of Aliens (Valstybės žinios, No 121/1998, 17 December 1998) art 46.

¹⁶⁹ Ibid art 46(1).

¹⁷⁰ Ibid arts 26, 46(2).

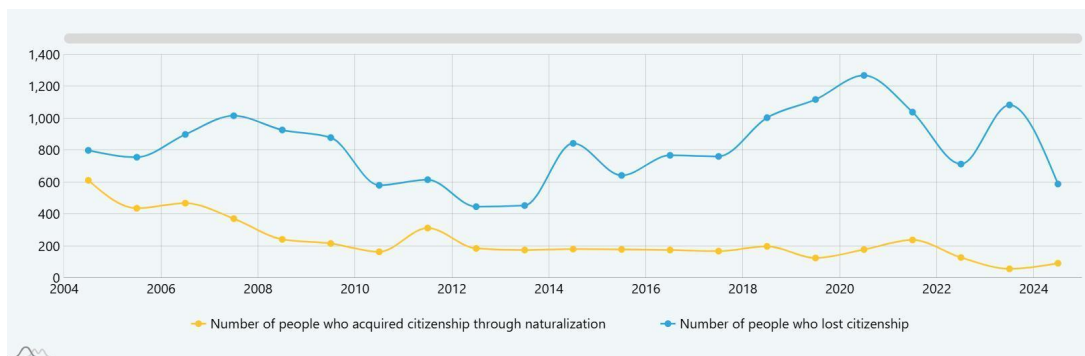
¹⁷¹ European Commission, Student in Lithuania (EU Immigration Portal) <https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-lithuania_en> accessed 22 October.

¹⁷² Migration Policy in Lithuania 2024 (n 147).

¹⁷³ Law on the Legal Status of Aliens, Articles 53–54.

¹⁷⁴ Ibid arts 53(1)(8), 53(1)(7).

country for a set period, usually 10 years, demonstrate proficiency in the Lithuanian language, and pass a test on the Constitution. They must also show financial stability and a clean criminal record.¹⁷⁵ According to EMN data, in 2024, 90 people acquired citizenship through naturalisation, representing a slight increase compared to 2023 (See Figure 9).¹⁷⁶



See Figure 8. *Naturalisation and loss of citizenship in Lithuania (EMN, 2024).*

8. REPUBLIC OF MOLDOVA

8.1. Asylum

The Republic of Moldova governs asylum under Law No. 270-XVI/2008. The Bureau for Migration and Asylum's Refugee Directorate issues a renewable asylum-seeker ID that attests to legitimate residence and records claims made to border or territorial authorities, such as the police or detention centres.¹⁷⁷ Both ordinary and accelerated processes have time constraints imposed by law. Key protections for applicants include free interpretation, legal aid, written information on their rights and responsibilities, protection from refoulement during the process, access to receiving facilities, and basic medical care.¹⁷⁸ Suspensive effects are either automatic or available from the court to stop removal during review, and negative rulings can be challenged.¹⁷⁹ The modest reception and processing capacity of Moldova is under pressure due to the large number of Ukrainian refugees it hosts (around 127,000 by March 2025), many of whom are registered as asylum-seekers.¹⁸⁰

¹⁷⁵ Migration Information Centre, *Lithuanian Citizenship* (MiCenter) <<https://micenter.lt/en/lithuanian-citizenship>> accessed 23 October 2025.

¹⁷⁶ European Migration Network (EMN), *Migration Trends - Lithuania* (EMN, n.d.) <<https://123.emn.lt/en/migration-trends/>> accessed 7 November 2025.

¹⁷⁷ Law No 270-XVI of 18 December 2008 on Asylum in the Republic of Moldova, arts 5(a), 32(1)–(2), (5), 52–54.

¹⁷⁸ Ibid arts 58(2)–(4), 28(1)(c), (e)–(f), (k), (m), (o), 29–30.

¹⁷⁹ Ibid arts 60(5), 61.

¹⁸⁰ UNHCR, 'Republic of Moldova' (UNHCR, updated March 2025) <<https://www.unhcr.org/us/where-we-work/countries/republic-moldova>> accessed 14 November 2025; Norwegian Refugee Council, *Two-Year Mark Research: Poland and Moldova* (NRC April 2024) 5.

■ Refugees | 67%
 ■ Refugee-like situation | 28%
 ■ Asylum-seekers | 1%
 ■ Stateless | 3%

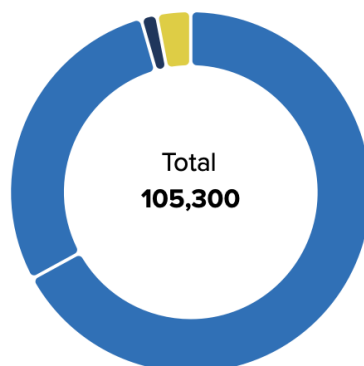


Figure 9. Republic of Moldova - Population and financial overview (UNHCR, 2025)

Interaction with national temporary protection

In parallel, Moldova runs a TP regime. If recipients of this program have a legitimate fear of persecution or a genuine risk of significant harm, they may still apply for asylum.¹⁸¹ Although this cooperation is administrative rather than formal, reports that are currently available show that the General Inspectorate for Migration (IGM), in collaboration with local authorities and international partners, coordinates registration and documentation procedures to avoid administrative gaps when beneficiaries move between TP and other residence types.¹⁸² If asylum is denied, the person retains TP for the duration of its validity.

Upon recognition, the Refugee Directorate offers humanitarian protection or refugee status under the 1951 Convention to those who face the death penalty, torture, or inhuman treatment, or who pose a severe personal risk of violence. Both statuses grant access to integration measures and accompanying resident rights.¹⁸³ With an estimated 100,000 refugees and third-country nationals remaining in Moldova in 2023, or roughly 4% of the total population, UNHCR estimates that the country has one of the highest per capita refugee ratios in Europe, making the relationship between TP, asylum, and other statuses a crucial practical concern.¹⁸⁴

8.2. National Protection Schemes

Law No. 200/2010 on Foreigners in Moldova governs both temporary and permanent residency based on a number of criteria, such as family, work, humanitarian needs, and other particular categories. A complete dossier, including verification of identity, housing, income, and health

¹⁸¹ UNHCR, 'Temporary Protection in Moldova' (Help.UNHCR.org) <<https://help.unhcr.org/moldova/temporary-protection/>> accessed 20 September 2025.

¹⁸² World Bank, *Displaced Persons from Ukraine in Moldova: Moving Towards Durable Solutions* (July 2024) 16.

¹⁸³ Law No 270-XVI (n 83), arts 11, 28(1)(c), (e)–(f), (k), (m), (o), 29–30, 32(1)–(2).

¹⁸⁴ UNHCR, *Protection Brief #1: Republic of Moldova* (UNHCR, September 2023) 1-2.

insurance, must be submitted by applicants.¹⁸⁵ After granting a residence right, authorities are required by law to assist foreign residents in integrating, particularly those who are there for humanitarian or vulnerable reasons.¹⁸⁶

Subject to language and integration criteria, beneficiaries may apply for permanent residency and then naturalisation after a number of years of lawful stay, typically on the basis of employment, family, or humanitarian purposes.

These regular residential routes coexist with Moldova's TP regime. Authorities coordinate documentation to avoid gaps in lawful stay during the transfer, and TP beneficiaries may still petition for asylum or transition to another resident status when qualified.¹⁸⁷

Feasibility

For those who do not fit the technical definition of refugees but would suffer hardship or disproportionate repercussions if returned, humanitarian and discretionary routes serve as safety valves in both systems. Their primary advantages are preservation of family life, access to employment, and customised proportionality. However, inconsistent practice, paperwork difficulties (such as apostilles or consular documents), and income or fee restrictions are common issues with both systems. To assure continuity of lawful stay, these can be lessened by early evidence gathering, streamlined proof checklists, targeted fee waivers, and more transparent transitions between temporary and regular resident titles.

8.3. Employment-based Permits

As long as their TP status is still in effect, registered beneficiaries of Moldova's TP regime are free to work right away and are not required to obtain a separate work permit.¹⁸⁸ Although this easy access promotes economic integration, it is only intended to be temporary.

Under Law No. 200/2010 on Foreigners, TP holders usually switch to work-based residence for longer-term residency. A legitimate job contract, evidence of accommodations, health insurance, and adequate means of subsistence are necessary for this employer-led process. Renewal is contingent upon ongoing work and timely fee payment, and quota regulations or sectoral labour tests may be applicable.¹⁸⁹ Simplified processes are available to qualified candidates, although processing is frequently delayed by the need for extensive documentation, such as certified translations, apostilled diplomas, and extracts from criminal records.

When originals are not available, authorities have become more accommodating since 2023, allowing substitute evidence when reasonable. However, applicants should plan beforehand, communicate with the National Employment Agency and the IGM, and make sure there are no gaps in their authorised stay during the transition.¹⁹⁰ Subject to integration and language criteria, work-residence status is renewable once it is granted and may eventually result in permanent residence or naturalisation.¹⁹¹

¹⁸⁵ Law No 200/2010 on the Regime of Foreigners (MD), chs I–II.

¹⁸⁶ Ibid art 5.

¹⁸⁷ UNHCR Moldova (n 82).

¹⁸⁸ UNHCR Moldova (n 87).

¹⁸⁹ Law No 200/2010 (MD) (n 96) art 32(2), (2¹).

¹⁹⁰ UNHCR Moldova (n 82).

¹⁹¹ Law No 200/2010 (MD) (n 94) arts 44–47.

Employment-based residence is positioned to absorb a significant portion of post-TP transitions because TP has served as a fast-track to employment. However, effective uptake will depend on practical barriers, such as skills matching, childcare, and documentation, which have already been identified by comparative research and Moldovan local-authority surveys.¹⁹² About 70% of refugees in Moldova have higher education, according to OSCE field reporting, but issues like childcare, language, and skill recognition, which have been noted in other assessments, continue to hinder their ability to participate in the labour market.¹⁹³

8.4. Study-based Permits

In accordance with Law No. 200/2010 on Foreigners, the IGM provides temporary housing for students. Candidates present a valid passport, evidence of income, proof of housing, a valid insurance policy, and an admission certificate. Although institutions frequently communicate with IGM, applicants are still in charge of paying fees, submitting their work on time, and having any previous diplomas translated or legalised.¹⁹⁴ Student residence grants lawful stay for the full period of studies, in accordance with national legislation and the rules applied by the host institution (Article 37(4) of Law No. 200/2010).

Student housing can legally help younger beneficiaries transition into longer-term stays during the post-TP phase. However, whether this pathway is genuine or merely nominal will depend on enrolment and language challenges, particularly for youngsters and learners with impairments.¹⁹⁵

8.5. Other Options

After a qualifying period of lawful temporary residence, usually many years for job, family, or humanitarian reasons, with shorter periods for specific categories, permanent residence in Moldova is granted by Law No. 200/2010 on Foreigners.¹⁹⁶ The practical route for TP beneficiaries is to utilise TP to stabilise their work or education, then go on to Law 200/2010's ordinary resident title, accrue qualifying years, and then move on to permanent residence.¹⁹⁷ Gaps in a lawful stay can be avoided by collecting alternate paperwork and certified translations early.

¹⁹² World Bank (n 88) 6–9.

¹⁹³ OSCE Parliamentary Assembly, *Ad Hoc Committee on Migration: Report on the Field Visit to the Republic of Moldova (Chişinău, 9–10 March 2023)* (OSCE PA International Secretariat 2023) 4-5.

¹⁹⁴ General Inspectorate for Migration (Republic of Moldova), 'For the Attention of Foreign Students Who Want to Study in the Republic of Moldova' (IGM Portal, 2024) <<https://igm.gov.md/en/for-the-attention-of-foreign-students-who-want-to-study-in-the-republic-of-moldova/>> accessed 20 September 2025.

¹⁹⁵ World Bank (n 83) 7; United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) Disability and Displacement: Ukraine War's Impact on Moldova (UNPRPD, UNDP, UNFPA, UNICEF, UN Women and OHCHR, 2023) 3–4, 18–21.

¹⁹⁶ Law No 200/2010 (MD) (n 90) arts 44–45.

¹⁹⁷ Law No 270/2008 on Asylum in the Republic of Moldova (n 77) ch V; Law No 200/2010 (MD) (n 90) arts 31(2), 44–45.

9. POLICY RECOMMENDATIONS

9.1. Austria & Germany

Germany and Austria should, in line with the European Commission's 2025 proposal for a coordinated EU approach, promote and facilitate the transition of beneficiaries of the TP under § 24 AufenthG and § 62 AsylG 2005 to other legal statuses before the scheme ends, while ensuring access to information, coordination with Ukrainian authorities, and pathways that enable voluntary reintegration or continued residence through clear, rights-based and sustainable national frameworks.¹⁹⁸ Without reform, over one million Ukrainians currently benefitting from the TP in Germany and Austria may face legal uncertainty after March 2027, according to Eurostat data.¹⁹⁹

Czechia faces similar pressure due to high per capita numbers, showing that early planning is crucial across all Member States, while Moldova demonstrates that even non-EU countries can coordinate transitions effectively through strengthened administrative cooperation.

In line with UNHCR's 2025 Recommendations, Germany and Austria should prepare for the transition from the TP by enabling refugees to make well-informed, voluntary decisions through impartial information, individualised counselling, and legal advice.²⁰⁰ Both should expand simplified, longer-term residence options – including for vulnerable groups unable to meet employment or income criteria – and make full and flexible use of transitional arrangements under the TPD. In Germany, lawful stay under § 24 AufenthG could count toward § 9a AufenthG; in Austria, similar pathways exist under §§ 55–57 AsylG 2005 and § 41 NAG. Estonia's proactive guidance for Ukrainians shows how structured information systems reduce uncertainty, while Latvia's procedural delays highlight what should be avoided when designing transition mechanisms.

As ICMPD observes, although TP has proven to be an effective EU instrument for hosting those fleeing Russia's aggression, it remains a short-term measure that prolongs uncertainty—underscoring the need for coordinated, sustainable long-term solutions that balance the interests of displaced persons, Member States, and Ukraine itself.²⁰¹ In line with ECRE's 2024 policy recommendations, Germany and Austria should create flexible labour mobility and long-term residence frameworks reflecting EU legal standards.²⁰²

Czechia's efforts to merge humanitarian, work, and study routes under Lex Ukrajina VII provide an example of a more unified long-term approach, while Lithuania's difficulties with restrictive subsidiary protection show the risks of overly narrow interpretations. Beneficiaries of the TP should be able to access existing migration channels – such as the EU Blue Card and Single Permit – through national transposition and practical facilitation.²⁰³ Both countries should also maintain alternative pathways

¹⁹⁸ European Commission, *Proposal for a Council Recommendation on a Coordinated Approach to the Transition Out of Temporary Protection for Displaced Persons from Ukraine* COM(2025) 651 final (4 June 2025) 2.

¹⁹⁹ Eurostat (n 14).

²⁰⁰ UNHCR, *Recommendations on the Continued Use of Temporary Protection and Guiding Principles for Transition in Relation to the Ukraine Refugee Situation* (May 2025) 8.

²⁰¹ Martin Wagner and Marina Grama, 'Phasing Out Temporary Protection? Shaping EU Policies through National Experiences' (ICMPD Commentary, March 2025) <<https://www.icmpd.org/blog/2025/phasing-out-temporary-protection-shaping-eu-policies-through-national-experiences>> accessed 20 October 2025.

²⁰² European Council on Refugees and Exiles (ECRE), *Transitioning out of the TPD: ECRE's Analysis of the Main Options Available to Ensure a Smooth Transition out of the TPD Regime for People Displaced from Ukraine* (Policy Paper 13, February 2024) 13.

²⁰³ Ibid.

for those unable to meet employment-based criteria, including students, older persons, and individuals with medical needs.²⁰⁴ Moldova's emphasis on protecting vulnerable groups demonstrates the importance of inclusive long-term planning. Any further prolongation of the TP should therefore preserve its temporary character while guaranteeing continuous access to lawful stay and rights and be accompanied by the gradual development of durable solutions – whether through voluntary and safe return, long-term integration, or alternative residence pathways that reflect the needs of diverse beneficiary groups.²⁰⁵

9.2. Czechia

In order to ensure continuity of lawful stay and prevent protection gaps, Czechia should, in accordance with UNHCR's 2025 Recommendations, prepare an orderly, rights-based transition by creating longer-term, simplified residence options for TP beneficiaries under § 3a of Act No 325/1999 Coll., Asylum Act, including for vulnerable groups that might not meet employment or income criteria.²⁰⁶ In order to prevent overburdening the asylum and residency systems, careful transition planning is crucial, especially as Czechia has one of the highest per capita numbers of TP recipients. Early planning is crucial when handling heavy caseloads, as demonstrated by Germany's and Austria's experiences, and Estonia's organised information systems demonstrate how precise instructions can lessen uncertainty during transitions. Building on the framework of Lex Ukrajina VII, authorities should create easier pathways for individuals who fit humanitarian, work, or educational requirements while guaranteeing that vulnerable persons, such as elderly, disabled, or medically ill individuals, maintain their right to lawful stay even if they are unable to meet insurance or income requirements.

Czechia should improve administrative cooperation between labour migration and protection authorities and offer easily accessible information channels and counselling to encourage voluntary, well-informed decisions.²⁰⁷ After recipients fulfil integration and stability criteria, it may eventually test a nationwide approach to convert Lex Ukrajina VII permits into permanent residence. Such changes would be in line with scholarly research showing that the most long-lasting and administratively viable post-TP solution is to grant former TP recipients access to long-term resident status. This would help to avoid backlogs in national asylum systems and guarantee protection when return is still dangerous.²⁰⁸ The necessity for Czechia to maintain adaptable, easily accessible transition pathways is highlighted by the lessons learnt from Latvia and Lithuania, which also demonstrate that strict documentation requirements or limited procedures run the risk of causing delays.

9.3. Estonia

In Estonia, national authorities should focus on facilitating Ukrainian nationals from the TPD to long-term legal statuses, for example the employment-based or permanent residence. There is clear and accessible guidance available for Ukrainian nationals. Therefore, comparing to other Baltic States some applications are assessed with the Ukrainian national as some documentation could be lost, this could be implemented to allow some flexibility. However, it is important to note that it could raise

²⁰⁴ Ibid.

²⁰⁵ Ibid 5.

²⁰⁶ UNHCR (n 189) paras 10, 16–20, 28(b)–(c).

²⁰⁷ ECRE (n 191) 13.

²⁰⁸ Meltem Ineli Cığır, 'When Temporary Protection Ends: Longer-Term Solutions for Refugees from Ukraine' (2023) SIEPS European Policy Analysis 11 epa 9.

a potential delay in the application process. Enhancing access to Estonian language courses for asylum seekers, students, and other beneficiaries of protection will support integration and help meet naturalisation requirements. Additionally, raising awareness of humanitarian residence permits for Ukrainian nationals is important. Lastly, Estonia should strengthen mechanisms for recognising foreign diplomas and professional qualifications. Estonia could also revise its transition framework by drawing on the practices of Germany and Austria, which provide comprehensive guidance and individualised counselling, as well as Czechia's unified long-term residence pathways, ensuring that Ukrainian nationals receive clear, structured support when moving beyond TPD.

9.4. Latvia

In Latvia, policies should focus on improving the efficiency and predictability of asylum and protection procedures, reducing delays in registration, interviews, and appeals. The current appeal deadline should be extended as it is only two working days. Thus, there could be measures to strictly adhere to or reduce the statutory processing times for asylum applications to minimise the period of legal uncertainty for applicants. Facilitating access to Latvian language courses, vocational training, and cultural orientation programs will support integration and enable individuals to meet long-term residence and naturalisation requirements. Furthermore, Latvian competent national authority portals, such as the PLMP, should provide more comprehensive, transparent, and well-structured information regarding the range of available options for Ukrainian nationals, including humanitarian and employment-based permits. Latvia could also benefit from practices implemented in Austria and Germany, where early transition planning and efficient administrative coordination reduce delays, and from Moldova's inclusive approach that prioritises vulnerable applicants, helping Latvia build a more predictable and accessible system.

9.5. Lithuania

In Lithuania, Ukrainian nationals often face challenges to prove individual persecution as there is restrictive interpretation by authorities who view the conflict as temporary. Therefore, Lithuanian authorities should adopt a less restrictive interpretation of the criteria for subsidiary protection, acknowledging that fleeing widespread, generalised violence is sufficient grounds for protection, rather than requiring proof of individualised persecution. The national authorities should also improve mechanisms for recognising foreign diplomas and work experience for Ukrainian nationals, as it has been done in Latvia. Enhancing language training and civic education programs will support integration and help individuals meet naturalisation criteria, enabling long-term social inclusion and participation in Lithuanian society. Lastly, Lithuania may improve its system by following Germany's and Austria's flexible, rights-based long-term residence pathways and by adopting Moldova's emphasis on protecting vulnerable groups, as well as Czechia's efforts to streamline transitions through unified humanitarian, work, and study routes.

9.6. Republic of Moldova

Moldova should keep implementing UNHCR's guiding principles on voluntary and informed choice, non-refoulement, and inclusion of vulnerable groups as a non-EU state housing displaced Ukrainians under national TP. To guarantee that transfers from TP to other statuses, including as work and study residence, take place without causing gaps in lawful stay, the authorities should improve institutional collaboration between the Bureau for Migration and Asylum and the IGM. While nations

like Germany and Austria rely more heavily on sophisticated digital systems and larger administrative infrastructures to manage high volumes, Moldova demonstrates that effective coordination with international partners can help make up for limited administrative capacity when compared to EU Member States. Moldova might create a systematic transition plan that combines streamlined paperwork, one-on-one counselling, and collaborations with EU organisations and funders to increase integration, training, and legal aid assistance.

In order to establish a clear transition from temporary to permanent residency and allow people who are unable to return safely to regularise their stay, Moldova may eventually include aspects of the EU's LTRD into its Law No. 200/2010. While preserving the framework of TP until a safe and respectable return to Ukraine is feasible, integrating integration criteria and access to employment, education and healthcare would strengthen social participation and lower the risks of irregularities. In contrast to Latvia and Lithuania, where strict procedural interpretations may restrict status options, Moldova places a strong emphasis on protecting vulnerable groups, which is similar to Czechia's humanitarian pathways. This illustrates how Moldova's inclusive approach could be used as a model for systems that seek to close gaps for applicants who are elderly, disabled or low-income.

10. CONCLUSION

The findings of this report demonstrate that while the TPD has provided an unprecedented collective response to displacement from Ukraine, the legal and practical options for beneficiaries after its expiry in March 2027 remain uneven across Europe. Each of the seven countries examined – Germany, Austria, Czechia, Estonia, Latvia, Lithuania, and Moldova – offers distinct frameworks for asylum, national protection, employment, study, and other residence pathways, and their accessibility and effectiveness vary widely. In many cases, TP has ensured immediate safety and socio-economic inclusion, yet it has not been firmly linked to durable legal status or long-term residence rights.

The comparative analysis shows that while some Member States have begun to design transition mechanisms, others still lack clear guidance or procedures for post-TPD residence. These differences risk creating legal uncertainty and unequal treatment for displaced persons across Europe. Therefore, a coordinated approach is essential.

Building on the evidence gathered, the report concludes that sustainable, rights-based transition pathways – rooted in EU law, practical accessibility, and respect for human dignity – are necessary to ensure continuity of protection. Future policy should bridge the gap between temporary status and long-term integration, aligning national frameworks with shared European principles. In doing so, the report supports ECRE's broader advocacy for a coherent European strategy that transforms emergency protection into stable, future-oriented solutions for displaced Ukrainians.

BIBLIOGRAPHY

CJEU Case Law

Singh v Minister voor Immigratie en Asiel (C-502/10) (CJEU, 21 December 2011)

Al Chodor (C-528/15) (CJEU, 15 March 2017)

Jawo v Bundesrepublik Deutschland (C-163/17) (CJEU, 19 March 2019)

International and European Instruments

Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR)

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 [2001] OJ L212/12

Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L16/44

Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L16/44

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted [2011] OJ L337/9

Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment [2021] OJ L382/1

Regulation (EU) No 604/2013 (Dublin III) [2013] OJ L180/31

National Laws

Germany:

Asylgesetz [Asylum Act] (Germany, BGBl I 2008, 1798, as amended)

Aufenthaltsgesetz [Residence Act] (Germany, BGBl I 2008, 162, as amended)

Staatsangehörigkeitsgesetz [Nationality Act] (Germany, BGBl I 1913, 583, as amended)

Austria:

Asylgesetz 2005 [Asylum Act 2005] (Austria, BGBl I Nr. 100/2005, as amended)

Niederlassungs- und Aufenthaltsgesetz [Settlement and Residence Act] (Austria, BGBl I Nr. 100/2005, as amended)

Staatsbürgerschaftsgesetz 1985 [Citizenship Act] (Austria, BGBl Nr. 311/1985, as amended)

Czech Republic:

Act No 24/2025 Coll. (Lex Ukrajina VII) (CZ)

Act No. 150/2002 Coll., Code of Administrative Justice (CZ)

Act No 325/1999 Coll. *Asylum Act* (CZ)
Act No 326/1999 Coll. *Aliens Act* (CZ)
Act No. 500/2004 Coll., Administrative Procedure Code (CZ)

Latvia:

Asylum Law (Latvijas Vēstnesis, No 100/2009, 7 March 2002)
Immigration Law (Latvia), adopted 31 October 2002, in force 1 May 2003
Law on the Support of Civilians of Ukraine (Saeima, 3 March 2022, Latvijas Vēstnesis No 45A, 4 March 2022) s 13(3)

Lithuania:

Law on the Legal Status of Aliens (Lietuvos Respublikos Seimas, No IX-2206, 29 April 2004)

Republic of Moldova:

Law No 200/2010 on the Regime of Foreigners (MD)
Law No 270-XVI of 18 December 2008 on Asylum in the Republic of Moldova
Estonia:

Act on Granting International Protection to Aliens (Estonia, RT I 2006, 2, 3)

AIDA Country Reports

AIDA, Temporary Protection Austria: 2024 Update (ECRE 2024)
AIDA, Temporary Protection Germany: 2024 Update (ECRE 2024)
Lukas Gahleitner-Gertz, AIDA Country Report: Austria – 2024 Update (AIDA, ECRE July 2025)
Lena Riemer, Lea Rau and Ronith Schalast, AIDA Country Report: Germany – 2024 Update (AIDA, ECRE June 2025)

Academic Literature

Bernhard Riederer and others, 'Attitudes of Ukrainian Refugees in Austria: Gender Roles, Democracy, and Confidence in International Institutions' [2025] *Genus* 2
Evelina Kamyshnykova, 'Ukrainian Forced Migrants' Integration in European Labour Market: German vs Polish Case' [2024] *Three Seas Economic Journal* 74
Florian Trauner and Gabriele Valodskaite, 'The EU's Temporary Protection Regime for Ukrainians: Understanding the Legal and Political Background and Its Implications' [2022] *CESifo Forum* 17
Herbert Brücker and others, 'Ukrainian Refugees in Germany: Evidence from a Large Representative Survey' [2023] *Comparative Population Studies* 395
İneli Ciğer M, 'When Temporary Protection Ends: Longer-Term Solutions for Refugees from Ukraine' (2023) *SIEPS European Policy Analysis* 11 epa 9
Judith Kohlenberger and others, 'High Self-Selection of Ukrainian Refugees into Europe: Evidence from Kraków and Vienna' [2023] *PLOS ONE* 1

Macková L, Zogata-Kusz A, Filipec O and Medová N, 'Temporary Protection for Ukrainian Refugees in the Czech Republic and Poland' (2024) *Nationalities Papers* 1

Ženková Rudincová K and Vomlela L, 'Czech Immigration and Integration Policy Before and After the War in Ukraine' (2024) 15(SI) *Eastern Journal of European Studies* 89

Reports and Policy Papers: Institutional and Policy Research Reports

ECRE, *Transitioning out of the TPD: Analysis of the Main Options Available to Ensure a Smooth Transition out of the TPD Regime for People Displaced from Ukraine* (Policy Paper 13, February 2024)

European Migration Network (EMN), *Migration Policy in Lithuania 2024* (IOM Lithuania, EMN, 2024)

European Migration Network (EMN Estonia), *Rändestatistika 2020–2024: Overview 2025* (EMN Estonia, June 2025)

European Migration Network (EMN Latvia), *Asylum and Migration Overview in Latvia* (EMN Latvia, May 2025)

EMN Austria, *Displaced Persons from Ukraine – Summarizing Overview of Austrian Measures in the Period February 2022 to June 2023* (International Organization for Migration (IOM) 2024)

European Commission, *Proposal for a Council Recommendation on a Coordinated Approach to the Transition Out of Temporary Protection for Displaced Persons from Ukraine* COM (2025) 651 final (4 June 2025)

European Council on Refugees and Exiles (ECRE), *Transitioning out of the TPD: ECRE's Analysis of the Main Options Available to Ensure a Smooth Transition out of the TPD Regime for People Displaced from Ukraine* (Policy Paper 13, February 2024)

European Migration Network, *EMN Country Factsheet 2022: Czech Republic – Main Developments in Migration and International Protection, including Latest Statistics* (European Commission 2023).

European Union Agency for Asylum, *Asylum Report 2023: Annual Report on the Situation of Asylum in the European Union* (EUAA 2023).

Herbert Brücker and others, *Ukrainian Refugees in Germany: Escape, Arrival and Everyday Life* (Institute for Employment Research (IAB) 2023) IAB-Forschungsbericht No 24/2022en

Iuliia Lashchuk, *From Displacement to Employment: Comparing the Labour Market Integration of Ukrainian Women in Poland, Italy, and Germany* (MIDEM Policy Paper 2025–1, Technische Universität Dresden 2025)

Ola Ali and Ljubica Nedelkoska, *The Demographics, Skills and Barriers to Labor Market Entry of the Displaced Ukrainians in Austria* (Complexity Science Hub 2025)

Philipp Heiermann and Kaan Atanisev, *The Application of the TPD to Refugees from Ukraine in Germany: Best Practices and Challenges* (European Migration Network (EMN Germany) 2024)

UNHCR, *Recommendations on the Continued Use of Temporary Protection and Guiding Principles for Transition in Relation to the Ukraine Refugee Situation* (May 2025)

United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD), UNDP, UNFPA, UNICEF, UN Women and OHCHR, *Disability and Displacement: Ukraine War's Impact on Moldova* (UNPRPD 2023)

World Bank, *Displaced Persons from Ukraine in Moldova: Moving Towards Durable Solutions* (July 2024)

Book Chapters

Elspeth Guild and Kees Groenendijk, 'Temporary Protection and the Future of Ukrainians in the EU' in Sandra Mantu, Karin Zwaan and Tineke Strik (eds), *The Temporary Protection Directive: Central Themes, Problem Issues and Implementation in Selected Member States* (Centrum voor Migratierecht, Radboud University Nijmegen 2023)

Valeria Lazarenko and Maryna Rabinovych, 'Collective Protection for Ukrainians in the EU: Laws, Practices, and Implications for EU and Ukrainian Policies' in Maryna Rabinovych and Anne Pintsch (eds), *Ukraine's Thorny Path to the EU: From "Integration without Membership" to "Integration through War"* (Palgrave Macmillan 2025)

Online Sources

Czech Statistical Office, 'International protection' (Czech Statistical Office 2025) https://csu.gov.cz/internationalprotection?utm_source=chatgpt.com&pocet=10&start=0&podskupiny=292&razeni=-datumVydani accessed 12 November 2025

EU Blue Card (Migration and Home Affairs, Estonia) https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/eu-blue-card/eu-blue-card-estonia_en accessed 23 September 2025

EU Blue Card (Migration and Home Affairs, Lithuania) https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/eu-blue-card/eu-blue-card-lithuania_en accessed 23 September 2025

EU Blue Card (Office of Citizenship and Migration Affairs, Latvia) <https://www.pmlp.gov.lv/en/eu-blue-card> accessed 23 September 2025

Eurostat, Country Factsheet | July 2024 (Eurostat, 2024) <https://www.emn.ee/wp-content/uploads/2024/05/estat-cf-ee-1.pdf> accessed 18 October 2025

Eurostat, 'Temporary protection for persons fleeing Ukraine – monthly statistics' (Eurostat Statistics Explained, 2025) https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Temporary_protection_for_persons_fleeing_Ukraine_-_monthly_statistics accessed 12 November 2025

European Commission, Student in Estonia (EU Immigration Portal) https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-estonia_en accessed 18 October 2025

European Commission, Student in Latvia (EU Immigration Portal) https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-latvia_en accessed 22 October 2025

European Commission, Student in Lithuania (EU Immigration Portal) https://home-affairs.ec.europa.eu/policies/migration-and-asylum/eu-immigration-portal/student-lithuania_en accessed 22 October 2025

European Migration Network (EMN), Migration Trends - Lithuania (EMN, n.d.) <https://123.emn.lt/en/migration-trends/> accessed 7 November 2025

General Inspectorate for Migration (Republic of Moldova), 'For the Attention of Foreign Students Who Want to Study in the Republic of Moldova' (2024) <https://igm.gov.md/en/inspectorate/> accessed 20 September 2025

International Protection (Police and Border Guard Board, Estonia) <https://www.politsei.ee/en/instructions/international-protectioth> accessed 21 October 2025

Martin Wagner and Marina Grama, 'Phasing Out Temporary Protection? Shaping EU Policies through National Experiences' (ICMPD Commentary, March 2025) <https://www.icmpd.org/blog/2025/phasing-out-temporary-protection-shaping-eu-policies-through-national-experiences> accessed 20 October 2025.

Ministry of the Interior (CZ), 'Employee Card' (Information Portal for Foreigners) <https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/employee-card/> accessed 20 September 2025

Ministry of the Interior (CZ), 'EU Blue Card' (Information Portal for Foreigners) <https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/blue-card/> accessed 20 September 2025

Ministry of the Interior (CZ), 'Long-Term Residence for the Purpose of Studies' and 'Proof of Funds for the Residence (Finances)' (Information Portal for Foreigners) <https://ipc.gov.cz/en/visa-and-residence-permit-types/third-country-nationals/long-term-residence-permits/> accessed 20 September 2025

Ministry of the Interior of the Republic of Estonia, Support for Ukraine (Estonian Ministry of the Interior) <https://www.hm.ee/en/ukrainiaton> accessed 20 October 2025

Norwegian Refugee Council, 'Two-Year Mark Research: Poland and Moldova' (NRC 2024) https://www.nrc.no/siteassets/reports/20240416_report_two-year-mark-research-pl-and-md.pdf accessed 12 November 2025

Office of Citizenship and Migration Affairs (PMLP), Statistics - Asylum Seekers (PMLP, n.d.) <https://www.pmlp.gov.lv/en/statistics-asylum-seekers> accessed 8 November 2025

Office of Citizenship and Migration Affairs, Naturalisation (Republic of Latvia) <https://www.pmlp.gov.lv/en/naturalisation> accessed 21 October 2025

Police and Border Guard Board, Estonian Citizenship for an Adult (Estonian Police and Border Guard Board) <https://www.politsei.ee/en/instructions/estonian-citizenship-for-an-adult> accessed 21 October 2025

Police and Border Guard Board, Residence Permit for Study for a Foreigner (Estonian Police and Border Guard Board) <https://www.politsei.ee/en/instructions/residence-permit-for-study-for-a-foreigner> accessed 18 October 2025

Police and Border Guard Board, Working in Estonia for a Foreigner (Estonian Police and Border Guard Board) <https://www.politsei.ee/en/instructions/working-in-estonia-for-a-foreigner> accessed 30 September 2025

Relex Law Firm, Arrived to Lithuania on Humanitarian Visa? You Might Need to Apply for Asylum Urgently (Relex Law Firm, 2023) <https://relex.lt/arrived-to-lithuania-on-humanitarian-visa-you-might-need-to-apply-for-asylum-urgently/> accessed 20 October 2025

UN High Commissioner for Refugees, Bi-Annual Factsheet 2024-09: Estonia (UNHCR, 2024) <https://www.unhcr.org/europe/sites/europe/files/2024-10/bi-annual-fact-sheet-2024-09-estonia.pdf> accessed 9 November 2025

UNHCR Czech Republic, 'Special Long-Term Residence Permit (Lex Ukrajina VII)' (Help.UNHCR.org, 11 February 2025) <https://help.unhcr.org/czechia/ukr-long-term/> accessed 20 September 2025

UNHCR, 'Help for People from Ukraine in the Czech Republic: Special Long-Term Residence' (2025) <https://help.unhcr.org/czech/information-for-people-from-ukraine/special-long-term-residence/> accessed 20 October 2025

UNHCR, 'Republic of Moldova' (UNHCR 2025) <https://www.unhcr.org/us/where-we-work/countries/republic-moldova> accessed 14 November 2025

UNHCR Moldova, 'Temporary Protection in Moldova' (Help.UNHCR.org) <https://help.unhcr.org/moldova/temporary-protection/> accessed 20 September 2025



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