



AD HOC QUERY ON 2022.14 Scope and other issues relating to the temporary protection directive (TPD)

Requested by Adolfo SOMMARRIBAS on 28 March 2022

Compilation produced on 7 July 2022

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden plus Norway (26 in Total)

Disclaimer:

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1. Background information

This ad hoc query collects information as part of a rapid information collection exercise. The questions in this ad hoc query cover scope of the Temporary Protection Directive and other issues. Your responses are requested by Monday 4 April at 12h CET.

2. Questions

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- 1. Has your Member State extended temporary protection to categories other than those covered under Art. 2(1) of the Council Decision? YES/NO. If you answer yes, to what categories.
- 2. What other arrangements do you have in place for Ukrainian nationals on the territory before 24 February 2022? Please distinguish between a) legal residents b) irregular migrants (e.g. expired permits; undocumented).
- 3. If applicable, what does 'adequate protection' entail under your national law and has your Member State decided to apply the protection in this form rather than applying the Council Decision?
- 4. Does your Member State apply national temporary protection scheme(s) in parallel to temporary protection under the Directive? YES/NO. If you answer yes, can you please explain to which people and what does it entail in terms of rights granted?; and can you please explain the procedure set up in your national legislation to grant this TP under the national scheme?
- 5. Did your Member State take any measures with regard to Ukrainians already residing in the EU before the Russian attack and holding a non-permanent residence permit (e.g. for the purpose of work, study, family reasons)? In particular, does your Member State consider extending the validity of those residence permits, which are going to expire in the next year?
- 6. How do you provide information explaining the relevant provisions on temporary protection to potential beneficiaries? Please describe the format and if possible provide a link.

We would very much appreciate your responses by 4 April 2022.

3. Responses

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Wider

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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П	EMN NCP Austria	No	
•••	EMN NCP Belgium	Yes	1. Yes, third-country nationals with permanent residence in Ukraine who cannot return safely or permanently to their country of origin (and their nuclear family). 2. A) irregular migrants There are no specific provisions on irregularly staying Ukrainians. In principle, they can register for temporary protection. B) Legal residents: - Ukrainian citizens who are, or have arrived, legally in Belgium and who, due to the situation in their country, stay longer than the authorized stay, are advised to go immediately to the municipal administration of their place of residence to declare their arrival and/or to request the authorisation to extend their stay in Belgium. In principle, once requested, they will receive an authorisation and they do no need to prove force majeur, nor the fact of having travel insurance Ukrainian citizens who are legally residing in Belgium for a limited period of time and no longer meet the requirements for renewal of their residence card (card A) can obtain an extension of their authorized stay (end date of

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

			stay + 90 days), with a possibility of extension up to a maximum of 180 days. In principle, they can register for temporary protection. - Ukrainian citizens may also register for temporary protection and apply for international protection, even though the latter is not encouraged. - Ukrainian seasonal workers who work in the Flemish Region with a work permit can apply for an extension of this work permit in combination with an extension of their short stay, even if they will stay and work as a seasonal worker for more than 90 days. The total duration of admission to work as a seasonal worker can be up to 5 months. In addition, the period of validity of the harvesting card must be taken into account. 3. We apply the Council Decision and do not need to fall back on the national protection statuses. 4. No. 5. See answer Q2. We have interpreted 'already residing in the EU before the Russian attack' as 'residing in Belgium before the Russian attack'. 6 https://info-ukraine.be/en (Federal government website for Ukrainians, citizens and local authorities (NL, FR, DE, ENG) - https://www.federaalombudsman.be/en/faq-ukraine-flee (federal ombudsman) - https://dofi.ibz.be/en/themes/ukraine (Website Immigration Office for Ukrainians))
-	EMN NCP Bulgaria	Yes	1. No Temporary protection is provided to Ukrainian citizens residing in Ukraine before February 24, 2022 and members of their families;

			Nationals of other third countries (other than Ukraine) and stateless people who have used their right to international protection or another equivalent type of national protection in Ukraine before 24 February 2022, and members of their families; Persons with foreign citizenship or statelessness who left the territory of Ukraine as a result of hostilities and entered and remained on the territory of the Republic of Bulgaria, if they explicitly state that they want to enjoy the status of temporary protection until March 31, 2022. 2. Bulgaria, as part of the EU, has an agreement with Ukraine on visa-free travel. It guarantees the opportunity for all Ukrainian citizens to enter the territory of our country only with their biometric passports and to stay for up to 90 days within 180 days. 3. Bulgaria applies the Council Decision. 4. No 5. Ukrainians already residing in the EU before the Russian attack and holding a non-permanent residence permit cannot apply for temporary protection. If they want, they can apply for international protection. 6. National portal is created (ukraine.gov.bg) where full information is provided in Bulgarian, English, Russian and Ukrainian. Information is also provided at the border and at the places for registration. Ministries, Agencies, NGOs have a section on their websites providing information to Ukrainian nationals in Bulgarian, Russian, English, and Ukrainian. There is a crisis hotline and email address (crisis@mfa.bg) for inquiries created in the Ministry of Foreign Affairs.
-8-	EMN	Yes	1. YES.

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NCP Croatia		In line with the Decision of the Government of the Republic of Croatia from 7 March 2022; temporary protection shall apply to nationals of third countries legally residing in Ukraine on 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian regulations who are unable to return to their country or region of origin in safe and durable conditions. Ukrainian nationals and their family members who fled Ukraine not long before 24 February 2022 due to the security situation and cannot return to their country as a result of the armed conflict will also be granted temporary protection. 2. For persons who are not in the scope of the Government Decision); and had their status previously regulated in line with Aliens Act; are urged to apply for extension of their residence status and residence permit in line with Aliens Act (e.g. if they had residence and work permits and their employment contracts might not be extended, employers are urged to inform Croatian Employment Services in order to assist Ukrainian nationals with finding another employer, and subsequently apply for another residence and work permit). For persons who were on a short stay and stayed over 90 days; are urged to inform competent police stations/police administrations of this information; and will not be fined for their overstays.
		4. N/A
		5. Please see answer to q. 2.
		6. All informations explaining the relevant provisions on temporary protection are available at the website: https://hrvatskazaukrajinu.gov.hr/ on Croatian and Ukrainian language, which serves as a one-stop-shop and contains all relevant information on how to apply for temporary protection, on rights and first admission, as well as access to an online application form. Mol also opened functional e-mail address privremena.zastita@mup.hr ; which deals with everyday inquiries on procedures regarding temporary protection. Free p hone number 114 is also available for all information on temporary protection, information on accommodation, food, health care, children's education, employment status and other rights.

		Also, leaflets are handed to beneficiaries of temporary protection at the border crossing points, containing information on how to apply for temporary protection.
EMN NCP Cyprus	Yes	1. No. 2. There is currently no special arrangement for Ukrainian nationals being in Cyprus before 24.02.2022. Of course, they are outside any return procedure. 3. N/A. For Ukrainian nationalsm only the provisions of the temporary protection directive and the relevant Council decision apply. 4. No. 5. No. 6. People eligible to temporary protection can seek information online regarding their current situation in Cyprus. The asylum Service has also implemented an online page where potential applicants can apply directly for the Temporary Protection permit at the following link (https://docs.google.com/forms/d/e/1FAlpQLSeaiqPy5jqRjUR-X8318VSDQETGoxa8). Finally, more details about the procedures and FAQs can be found in the website of the Asylum Service (http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/All/3BFEC5EBDF867909C) and of the Civil Registry and Migration Department (http://www.moi.gov.cy/moi/crmd/crmd.nsf/All/512A158D7DC15EE3C22588060033) As a more general effort for provision of information, the Deputy Ministry of Research, Innovation and Digital Policy, operates a call center for Ukrainian nationals, where they can seek general information on immigration, education, welfare and other relevant matters. the call center (1477, +35722285777) runs

		from Monday to Friday from 08:00 to 20:00, in Greek and English.
EMN NCP Czech Republic	Yes	 YES. The temporary protection was extended for persons mentioned in Article 2 par. 2 of the Council Implementing Decision, i.e., for third country nationals (no Ukrainian citizens) with a valid permanent residence permit in Ukraine. Moreover, the Czech Republic has decided to extend the temporary protection according to Council Implementing Decision (EU) 2022/382 also to Ukrainian nationals who left Ukraine before 24th February 2022 and who are not holders of long-term visa or long-term residence permit issued by the Czech Republic or other Member State (these persons are mentioned in recital 14 of Council Implementing Decision). Family members of the persons mentioned above are also eligible for temporary protection. Persons with a valid permanent residence in Ukraine are eligible for temporary protection if they cannot return safely to their country or region of origin because it does not meet the requirement of safe and durable conditions. Persons who arrive in the territory of the Czech Republic have right to stay visa-free up to 90 days. If they have arrived with a short-term visa or their visa-free travel is about to expire, they can apply for temporary protection (please see the previous answer). Person who holds a valid long-term visa or residence permit that can be extended is asked to follow standard procedures and submit all the necessary documents for extension of the permit. Persons who are not eligible for temporary protection even if their stay on the territory before 24 February 2022 has been illegal can ask for a visa for a stay over 90 days for leave to remain in the territory (so called special long-term visa). Their access to the asylum procedure is of course enabled for all foreign nationals

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Nowadays the Czech Republic provides temporary protection according to Council Implementing Decision and Temporary Protection Directive. Nevertheless, since 25th February 2022 the Czech Republic was providing adequate protection to persons fleeing the war in Ukraine in the form of so called special longterm visa, which provided them with the same standards as the Temporary Protection Directive, such as access to accommodation, food, health insurance, access to education and to labour market. From March 22nd 2022 Act No. 65/2022 Coll. (the so called Lex Ukraine) has come into force by which holders of special visa were automatically transferred to the temporary protection regime. 4. NO. Person who holds a valid long-term visa or residence permit that can be extended is asked to follow standard procedures and submit all the necessary documents for extension of the permit. Please see the answer to the question number 2. The Ukrainian citizens and other persons fleeing the armed conflict can get all the necessary information on temporary protection as well as other relevant/useful information via a web page of the Ministry of the Interior. Information is provided in Czech, Ukrainian and English language. www.mvcr.cz/ukrajina The Ministry of the Interior has also launched a dedicated helpline that works non-stop and email address to provide the necessary information and assistance. +420 974 801 802 ukrajina@mvcr.cz A special website "Our Ukrainians" has also been launched by the Ministry to match the needs with

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available offers of support. The webpage works in four languages: Czech, Ukrainian, Russian and English. https://www.nasiukrajinci.cz/cs/

In the Regional Assistance Centres for Help and Assistance to Ukraine instructional videos are broadcasted to share the most important information. Interpreters in Ukrainian and Russian languages are present all the time to disseminate all the necessary information as well as to prevent misunderstandings.

Also, the main news broadcasted by the Czech Television is interpreted to Ukrainian language and public Radio Ukraine was established in order to help citizens of Ukraine to get oriented in the Czech Republic. https://www.mujrozhlas.cz/zive/radio-ukrajina?_ga=2.113958606.893773860.1649013395-

1610477469.1649013395

Moreover, many other institutions are involved in providing information to the beneficiaries of the temporary protection, i.e., governmental organizations, professional organizations and NGOs.

The Ministry of Labour and Social Affairs provides on its websites information for Ukrainians concerning social benefits as well as information on how the Czech social system works. Throughout their Labour offices provides also information for employers of Ukrainians as well as for Ukrainian employees in the Czech Republic. All this information is provided both in Czech and Ukrainian languages.

https://www.mpsv.cz/web/cz/pomoc-ukrajine

The Ministry of Education, Youth and Sports provides information on Czech educational system, employment of Ukrainian teachers by Czech schools, lists of schools and kindergartens with free capacity and general information on inclusion of Ukrainian children into Czech education. This information is provided in Czech and Ukrainian languages.

https://www.edu.cz/ukrajina/

The Ministry of Health provides information concerning the health care for Ukrainians fleeing the armed conflict. There is an info line that deals with any health issues and provides translation for both Ukrainian patients and Czech doctors. The Ministry of Health also set up so-called UA points. The UA points are placed in university hospitals and they serve as primary care points for Ukrainian refugees, both for children and adults.

https://www.mzcr.cz/category/ukrajina/

Czech Bar Association provides free legal consulting and contact for Ukrainian speaking lawyers.

		https://www.cak.cz/scripts/detail.php?id=25507 Among the biggest NGOs which provide help and information to Ukrainian refugees belong: • People in Need https://www.clovekvtisni.cz/informatsiia-dlia-gromadian-ukrayini-8616gp • Organization for Aid to Refugees https://www.opu.cz/cs/ • META https://www.cervenykriz.eu/ • Czech Red Cross https://www.cervenykriz.eu/ • Caritas Czech Republic https://www.charita.cz/
EMN NCP Estonia	Yes	 No, Estonia has not extended temporary protection to categories other than covered by the Council Decision. Estonia applies temporary protection to the following categories: Ukrainian citizens, who were residing in Ukraine before 24 February 2022 and arrived in Estonia starting from 24 February 2022. People with other citizenship and stateless persons residing in Ukraine before 24 February 2022, who have received international protection from Ukraine and who arrived in Estonia starting from 24 February 2022. Family members of the above-mentioned persons. Ukrainian nationals who arrived in Estonia before 24.02 or their place of residence was not Ukraine before that date can legally stay in Estonia based on a decision of the Director General of the Police and Border Guard Board. According to the decision Ukrainian citizens and their family members (regardless of their citizenship) may stay in Estonia after their visa or other legal basis for stay has expired or is about to expire. There is no need to specifically apply for the extension of the visa or other basis for stay. The decision is regarded as the legal basis for the temporary stay in Estonia pursuant to the Article 43 (1) 5 of the Aliens Act, granting Ukrainian citizens the right to stay in Estonia directly arising from the administrative act until the revocation of the decision. As for the irregular migrants the same decision of the Director General of the Police and Border Guard Board gives them a legal basis for temporary stay. Therefore Article 13 (2) of the Obligation to Leave and

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Prohibition to Entry Act is applied which foresees that if it is proven that a third-country national has been granted a legal basis to stay in Estonia, the return decision ceases to be in force.

- 3. Estonia applies adequate protection under national law in respect of stateless persons and nationals of third countries other than Ukraine, who were legally residing in Ukraine before 24 February 2022 on the basis of valid permanent residence permit issued in accordance with Ukrainian law and who are unable to return in safe and durable conditions to their country or region of origin. They are subject to international protection.
- 4. No, Estonia does not apply national temporary protection schemes in parallel to temporary protection under the directive. However, it is possible to apply for international protection on general grounds.

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Ukrainian nationals who arrived in Estonia before 24.02 or their place of residence was not Ukraine before that date can remain in Estonia based on a decision of the Director General of the Police and Border Guard Board. According to the decision Ukrainian citizens and their family members (regardless of their citizenship) may stay in Estonia after their visa or other legal basis for stay has expired or is about to expire. There is no need to specifically apply for the extension of the visa or other basis for stay. The decision is regarded as the legal basis for the temporary stay in Estonia pursuant to the Article 43 (1) 5 of the Aliens Act, granting Ukrainian citizens the right to stay in Estonia directly arising from the administrative act until the revocation of the decision.

If a person has a temporary residence permit in Estonia and the circumstances of its granting have not changed, it is possible to apply for an extension of the temporary residence permit in order to stay in Estonia. It is also possible to apply for and receive international protection.

- 6. Information explaining about relevant provisions on temporary protection to potential beneficiaries is provided in various forms:
 - 1. Information leaflets have been prepared and shared, printed versions of leaflets are shared by the Police and Border Guard Board at the border;
 - 2. Information hotline 1247
 - 3. Webpages kriis.ee and politse.ee
 - 4. Migration consultants' and international protection counselors of the Police and Border Guard Board.

+	EMN NCP Finland	Yes	 Yes, Finland has extended temporary protection to the categories covered in Art. 2(2) and 2(3) of the Council Decision. Those Ukrainian nationals, who are residing in Finland on residence permits, can apply for continuance for the permit in question, apply for temporary protection or apply for asylum. Irregular migrants are advised to legalize their residence by applying a residence permit, temporary protection or asylum. In any case no one will be returned to Ukraine. Finland has not decided to apply the protection on the mentioned form. No. See above answers 1 and 2. Finland is not considering to extend validity of residence permits expiring next year. We are providing information to potential beneficiaries of temporary protection on relevant provisions on the Finnish Immigration Services web site (https://migri.fi/en/temporary-protection). In addition, we provide some information on temporary protection via Finnish Border Guard and Police and also on social media.
	EMN NCP France	No	
•	EMN NCP Germany	Yes	YES, already submitted via THEMIS (as requested by COM). Eligible for a residence permit according to section 24 Residence Act (Aufenthaltsgesetz), are people who meet the following criteria: They have lived in Ukraine before 24 February 2022 and

are a Ukrainian national (including family members) who had their residence in Ukraine before 24 February 2022; are a non-Ukrainian national and/or stateless person (including their family members) who enjoyed international protection or equivalent national protection in Ukraine before 24 February 2022; are a non-Ukrainian citizen or stateless person who cannot safely return to their country of origin with a permanent residence card; are a non-Ukrainian citizen (but not stateless person) who cannot safely return to their country of origin and you have legally lived in Ukraine for a longer period that is not just a short term stay (e.g., for visiting or short-term employment). (Please note: This group goes further than the Council Decision.) 2. Eligible for a residence permit according to section 24 Residence Act (Aufenthaltsgesetz), are people who meet the following criteria: They have lived in Ukraine before 24 February 2022 and are a Ukrainian national (including family members) who had their residence in Ukraine before 24 February 2022; are a non-Ukrainian national and/or stateless person (including their family members) who enjoyed international protection or equivalent national protection in Ukraine before 24 February 2022; are a non-Ukrainian citizen or stateless person who cannot safely return to their country of origin with a permanent residence card; are a non-Ukrainian citizen (but not stateless person) who cannot safely return to their country of origin and you have legally lived in Ukraine for a longer period that is not just a short term stay (e.g., for visiting or short-term employment). 3. The German Residence Act entails Section 24 which covers the Directive 2001/51, whereas the scope of application is determined by the Council Decision and the national residence law and social law.

			 NO, but people are still free to ask for asylum and it will be processed accordingly. Ukrainians already residing in Germany with a residence permit are allowed to apply for temporary protection according to Section 24 Residence Act, if the extension of the existing residence permit is not possible due to the requirements by law or if during the time of validity of the residence permit the requirements were not met anymore so that a subsequent termination would have been necessary. Germany offers general information through the website (that will soon become an web application) Germany4Ukraine (https://www.germany4ukraine.de), also the Federal Ministry of the Interior offers FAQs (https://www.bmi.bund.de/SharedDocs/faqs/DE/themen/ministerium/ukraine-kr) on its homepage that are regularly updated. Due to the fact that the administration of the Residence Law is decentralized in Germany, the Federal Ministry of the Interior provides the Länder (Federals States) with information on the application of the Residence Act and the information for the applicants that the Federal States may use to provide during the process.
W	EMN NCP Greece	Yes	 NO Since 24.2.2022, the airspace over Ukraine has been closed for civil flights and Frontex has suspended any type of forced or voluntary return of Ukraine nationals to the country. Therefore, all operations regarding forced returns to Ukraine from Greece have also been suspended According to the Ministerial Decision 131035, nationals of third countries other than Ukraine or stateless persons who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who are unable to return in safe and durable conditions to their country or region of origin may submit an application for international protection according to the provisions of law 4636/2019 "On international protection and other provisions" (A'169).

			 4. NO 5. The Ministry of Migration and Asylum has recently adopted special provisions regarding the extension of the validity of third country nationals' residence permits. This extension is linked to the specific measures taken by the Ministry due to COVID 19 pandemic. In this respect, the validity of all residence permits expired on 31.3.2022 is extended until 30.6.2022. All third country nationals, subject to the above mentioned provision, shall submit their application for renewal until 30.6.2022 at the latest. This provision incorporates Ukrainian nationals as well. 6. Relevant information is provided in three languages (Greek, English, Ukrainian) in the following link: https://migration.gov.gr/ukraine/
II	EMN NCP Hungary	Yes	 NO.Ukrainian citizens residing in Ukraine before 24 February 2022, stateless persons enjoying international protection or equivalent protection in Ukraine or non-Ukrainian third-country nationals and their family members, ensuring the rights guaranteed by the Temporary Protection Directive and the Council Decision activating it. General procedural rules apply to Ukrainians already present in the EU. We apply the Councin Decision. The status granted by the Directive does not preclude the possibility to lodge an asylum application; therefore, if an asylum applicant with the status granted by the Directive wishes to lodge an asylum application in Hungary, access to the asylum procedure must be ensured.

			5. General procedural rules apply to Ukrainians already residing in the EU, all documents can be extended. 6. The National Directorate-General for Aliens Policing ensures the possibility for persons already present in the territory of the country or arriving at the border crossing to apply for recognition as an asylum seeker or to obtain a form equivalent to a temporary residence certificate at the collection points and regional directorates. The National Directorate-General for Aliens Policing has a special helpdesk in Budapest for applicants for recognition as an asylum seeker. Applications for recognition as an asylum seeker must be submitted in person. The first step of the application is registration, data collection and filling in the application form. The procedure is simplified if the applicant has documents. The application form for recognition as an asylum seeker can be downloaded from the National Directorate-General for Aliens Policing website and can be filled in to speed up the procedure. The applicant's photograph is taken and fingerprints are taken. Once the application has been submitted and the data recorded, the applicant will be issued with a humanitarian residence permit valid for 60 days at the reception desk. Non-Ukrainian third-country nationals who are not eligible to apply for asylum and who have been admitted despite not fulfilling the entry conditions may, at their discretion, take the initiative to regularise their stay by applying for a residence permit or leave the Schengen area.
•	EMN NCP Ireland	No	
=	EMN NCP Italy	Yes	1. No, the categories are the same as in Art. 2 (1). In addition, we note the transposition of Art. 2 (2) (3) 4).

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2. 2.

Ukrainian citizens already residing in Italy who have submitted an application for emersion from the labour market and for whom the procedure is still being defined, are allowed to leave and re-enter the national territory for the sole purpose of providing assistance to their families. Ukrainian citizens who have applied for Italian citizenship after 24 February 2022 are exempt from submitting their birth certificate and the criminal record of their State of origin until the end of the state of emergency, after which they will regularise their application. Moreover, Ukrainian citizens present on Italian territory before 24 February 2022 (both legal and irregular residents) may, in any case, apply for international protection.

- 3. Italy decided to apply the Council Decision on temporary protection
- 4. No, in Italy there is no structured discipline/national regime on temporary protection other than the one provided for in implementation of the European Directive 55/2001. However, according to art. 20 of the Consolidated Text on Immigration, since 1998 it is possible to activate extraordinary reception measures for exceptional events. The procedure and the rights granted to the beneficiaries follow the eventual activation decree.
- 5. Ukrainian citizens already residing in Italy who have submitted an application for emersion from the labour market and for whom the procedure is still being defined, are allowed to leave and re-enter the national territory for the sole purpose of providing assistance to their families. Ukrainian citizens who have applied for Italian citizenship after 24 February 2022 are exempt from submitting their birth certificate and the criminal record of their State of origin until the end of the state of emergency, at the end of which they will regularise their application. Moreover, Ukrainian citizens present on Italian territory before 24 February 2022 may in any case apply for international protection.
- 6. The Ministry of the Interior has prepared a fact sheet with information available in Ukrainian, Russian and English for the stay of Ukrainian refugees on the national territory. This sheet explains the health obligations to be met according to the anti-Covid 19 legislation, who to contact to obtain accommodation, how to regularise one's position in Italy and other useful information. Link: https://www.interno.gov.it/sites/default/files/2022-03/benvenuto_eng.pdf

	EMN NCP Latvia	Yes	 legal residents may stay and prolong their residents permits in a regular procedure or if the reasons of stay are not valid any more (no longer in force), they may apply for temporary protection. irregular migrants cannot be returned because of the war in Ukraine, their return is cancelled and they may apply for temporary protection. Latvia applies Council Decision, by providing housing, catering, essential goods, healthcare, social benefits, rights to employment and education services. No. Legal residents may stay and prolong their residents permits in a regular procedure or if the reasons of stay are not valid any more (no longer in force), they may apply for temporary protection. If the term of validity of a travel document issued in Ukraine has expired, it shall be considered valid in the Republic of Latvia until 28 February 2023. Civil Protection Commission of the Cooperation Area is a municipal body. Commission in each municipality has to provide information on: accommodation, food, provision of basic necessities, health care services and educational services for children. social assistance and social services; Other necessary support. as well there is online source https://www.ukraine-latvia.com, where information is available in Ukrainian. A hotline for services and support available for Ukraine residents in Latvia: +371 27 380 380 (available 24/7).
-	EMN NCP Lithuania	Yes	YES. According to <u>Government Resolution No. 224 of 16 March 2022 Regarding the Granting of Temporary Protection to Foreigners in the Republic of Lithuania</u> , temporary protection is granted to the following

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categories of persons: 1) persons displaced from Ukraine on or after 24 February 2022, as a result of Russia's military aggression. who are 1.1) Ukrainian nationals residing in Ukraine before 24 February 2022 1.2) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 1.3) family members of the persons referred to in points 1.1 and 1.2. 1.4) stateless persons and nationals of third countries other than Ukraine, who were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and who may not be returned to their country of origin or another receiving state in safe and durable conditions. 2) persons who temporarily left Ukraine after 24 January 2022 and were lawfully present on the territory of the European Union or a third state if they meet the requirements listed in 1.1-1.4 and arrive in the Republic of Lithuania before 1 May 2022. The categories mentioned in 1.4 and 2 are not covered under Art. 2(1) of the Council Decision. 2. Ukrainian nationals staying legally In accordance with the above-mentioned Government resolution No. 224, Ukrainian nationals who left Ukraine after 24 January 2022 and were lawfully present on the territory of the European Union are entitled to temporary protection. Those nationals of Ukraine who have biometric passports and whose national visas or temporary residence permits in Lithuania expire may enjoy a visa-free regime and stay in Lithuania for 90 days on that basis. Irregular Ukrainian nationals Those nationals of Ukraine and their family members regarding whom the Migration Department has passed a return decision may for the time being remain in the Republic of Lithuania until further notice. Ukrainian nationals and their family members who are staying irregularly are allowed to apply for a temporary residence permit or a visa. At this time, the Migration Department will make no further return or expulsion decisions regarding nationals of Ukraine. Ukrainian nationals who do not have valid passports may apply for a temporary residence permit on humanitarian grounds. 3. Lithuania applies the Council Decision

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4. YES.

According to Article 130^1 of the Law on the Legal Status of Foreigners, if a foreigner is unable to leave the Republic of Lithuania for humanitarian reasons or because s/he is persecuted by an undemocratic regime and/or has suffered or may suffer from the repressions carried out by that regime, the Ministry of Foreign Affairs may request that a temporary residence permit be issued to him/her for up to 1 year. Temporary residence permits on humanitarian grounds were issued to Ukrainian nationals prior to the Government Resolution, which implemented the Council Decision (EU) 2022/382. Since March 16, most Ukrainian nationals fleeing Ukraine can get a temporary residence permit on the grounds of temporary protection (Art. 49 of the Law on the Legal Status of Foreigners), while temporary residence permits on humanitarian grounds may be issued to, inter alia, those Ukrainian nationals who do not have a valid passport.

While temporary residence permits on humanitarian grounds are issued for up to a year, temporary residence permits on the grounds of temporary protection are issued for the duration specified by the Government (in this case, until 4 March 2023 but this could be extended). Those granted temporary protection are entitled to free accommodation provided by state and municipal institutions, agencies and organizations and the implementation of this right is administered by the Ministry of Social Security and Labor.

In practice, the basket of rights is the same. Most importantly, all Ukrainian nationals have the right to

- work without the need to apply for a work permit (employers also do not need to apply to the Employment Service when employing Ukrainian nationals);
- register with the Employment Service and get consultations in English or Russian languages
- get basic healthcare services for free, including free vaccination against COVID-19
- get social benefits and various compensations from the municipal authorities if they lack income

5. Those Ukrainian nationals whose visa or temporary residence permit expire may remain in Lithuania and enjoy a visa-free regime for 90 days. At the end of the visa-free period they will be able to apply to the Migration Department for a new visa or a temporary residence permit. The Migration Department has decided to not cancel national visas and temporary residence permits and to not to make any return or expulsion decisions with regard to Ukrainian nationals and their family members for the time being. Those nationals of Ukraine and their family members regarding whom the Migration Department has passed a return decision may for the time being remain in the Republic of Lithuania until further notice.

			6. Full information is provided in registration centers at the time of registration. Many State institutions, NGO and International organizations have also created a section on their websites providing information to Ukrainian nationals in Lithuanian, English, and Ukrainian. Many state institutions and agencies (the Migration Department, the Employment Service, the), municipalities have created special hottines or email addresses for inquiries in Lithuanian, English, Russian and Ukrainian. For example: Government: https://lrv.lt/lt/aktuali-informacija/informacija-apie-kara-ukrainoje/aktuali-informacija-1 Migration Department: https://migracija.lrv.lt/lt/naudinga-informacija/ukraina-ukrayina-ukraina-ukraina-ukraina-ukrainan-ukrainan-ukrainan-ukrainan-nationals: +370 5 271 7112 Ministry of Social Security and Labor: https://stipa @socmin.lt Email for inquiries: Ukraina@socmin.lt Employment Service: https://utt.lt/ua/ Hotline for Ukrainian nationals: +370 661 10885 IOM Lithuania: https://stipruskartu.lt/ua/ #СильнішіРазом (housing initiative) https://stipruskartu.lt/ua/
II	EMN NCP Luxembo urg	Yes	1. Yes, Luxembourg extended temporary protection to categories other than those covered under Art. 2(1) of the Council Decision, in that temporary protection is also granted to persons having a valid short term residence permit, and who are unable to return to their country or region of origin in safe and durable conditions In Luxembourg, temporary protection is applicable to displaced persons from Ukraine since 24 February 2022 as a result of the military invasion by the Russian armed forces that began on that date, and who fall into one of the following categories:

 Ukrainian nationals residing in Ukraine before 24 February 2022; stateless persons, and nationals of third countries other than Ukraine, who were granted international protection or equivalent national protection in Ukraine before 24 February 2022; family members of the persons referred to in points 1. and 2., irrespective of the nationality of the family members. The following are considered family members insofar as the family was already present and residing in Ukraine before 24 February 2022: a. the spouse of the person covered by temporary protection, or the unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its national law relating to aliens – which could be proven by relevant registry documents and certificates or by any other document issued by the Ukrainian authorities, even attestations provided by the country's representation in that Member State; b. the minor unmarried children of the abovementioned person covered by temporary protection, or of his or her spouse, without distinction as to whether they were born in or out of wedlock or adopted – which could be proven by birth certificates or similar; other close relatives who lived together as part of the family unit at the time of the circumstances surrounding the mass arrivals of displaced persons, and who were wholly or mainly dependent on the abovementioned person covered by temporary protection – which could be proven by residence documents, family register and proof of relevant payments of care. Member States should 'use their margin of appreciation in the most humanitarian way'. Stateless persons and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid residence permit issued in acc

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Legal residents who have a valid residence permit will keep it and in case they fulfil all the criteria the permit will be renewed.

In the case of Ukrainian nationals who are irregular migrants and have been identified as such and received a return decision before the 24th February 2022, there will be a postponement for removal in accordance with

article 125 (1) of the amended law of 29 August 2008 on free movement of persons and immigration.

3.

N/A. In Luxembourg the only temporary protection scheme implemented is the one that comes from the Temporary Protection Directive, that is transposed in articles 67 to 79 of the amended law of 18 December 2015 on international protection and temporary protection. Luxembourg is applying the temporary protection in the terms of the Council decision 2022.382 of 4 March 2022.

4. No.

If you answer yes, can you please explain to which people and what does it entail in terms of rights granted?; N/A

and can you please explain the procedure set up in your national legislation to grant this TP under the national scheme? N/A.

5.

At the moment no decision has been taken. Nevertheless, regarding the residence permits if the conditions are still being fulfilled for a specific type of residence permit it will be renewed.

6

Information for temporary protection can be found on the website of the Ministry of Foreign and European Affairs and in the public information website of the Luxembourg government:

Ministry of Foreign and European Affairs:

 $\frac{https://maee.gouvernement.lu/fr/actualites.gouvernement%2Bfr%2Bactualites%2Btoutes_actualites%2Bcommuniques%2B2022%2B03-mars%2B12-protection-temporaire-ukraine.html}{}$

		https://maee.gouvernement.lu/en/services-aux-citoyens/accueil-de-personnes-ukraine.html Guichet.lu: https://guichet.public.lu/en/citoyens/immigration/ukraine/protection-temporaire.html Furthermore, upon arrival, applicants for temporary protection receive an information note informing them about the temporary protection and the rights deriving from it.
EMN NCP Malta	Yes	1. Temporary Protection is granted to persons falling under Article 2(1) and (2) of the Council Implementing Decision. Temporary Protection can also be considered in relation to family members of persons listed under points (a) and (b) of Article 2(1) of the Council Implementing Decision who were displaced from Ukraine before the 24th of February 2022. 2. From IPA's end such persons are not eligible for temporary protection and would be redirected to the asylum procedure, provided that they wish to apply for international protection in Malta. 3. Malta is granting temporary protection and not 'adequate protection under national law' to persons falling under Article 2(2) of the Council Implementing Decision. 4. No. 5. From IPA's end such persons are not eligible for temporary protection and would be redirected to the asylum procedure, provided that they wish to apply for international protection in Malta. Identity Malta Agency has not taken any measures with regard to Ukrainians already residing in Malta before the Russian attack and holding a non-permanent residence permit. Should the residence permit of such

			nationals expire, they should apply for a renewal under national legislation according to their reason of stay in Malta 6. Information is generally provided by info providers in oral format with the help of an interpreter, if needed. If necessary, potential beneficiaries of temporary protection are also provided information through the leaflets published by the EUAA and/or the info published online by the Commission (both are publicly available). Beneficiaries of temporary protection are subsequently given an info sheet indicating their rights in accordance with the law. Relevant information is available on the website of the Ministry responsible for Home Affairs: https://homeaffairs.gov.mt/en/MHAS-Departments/International%20Protectio
=	EMN NCP Netherlan ds	No	
	EMN NCP Poland	Yes	1. Yes, i.e. to the Ukrainian citizens, their spouses and family members of the Pole's Card holders who immediately before the outbreak of war were not present on the territory of Ukraine (e.g. they were temporarily outside the country as tourists or in business travels) and who currently cannot return to the country due to the military operations. 2. While the main body of the provisions of the special law is dedicated to those Ukrainian citizens who are just arriving in connection with hostilities on the territory of this country, some of its provisions deal specifically with the legal situation of those Ukrainian citizens who are already on the territory of the Republic of Poland.

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Member State

Legal residents: • Extension of national visas by law – until 31.12.2022 (+ visa sticker to the passport for drivers in international transport) Extension of temporary residence permits by law – until 31.12.2022 The stay of a citizen of Ukraine, to whom the commanding officer of the Border Guard post on the border section Republic of Poland with Ukraine permitted entry into the territory of the Republic of Poland pursuant to Article 32(1) of the Act of 12 December 2013 on foreigners (permission to enter for a period not longer than 15 days due to the humanitarian reasons), shall be considered legal for a period of 18 months. • Extension of residence cards and other IDs by law - for a period of 18 months. Extension of short-term stays (i.e. in visa-free regime or on the basis of Schengen visa) – for a period of 18 months. • Extension of a 30-days period for leaving Poland (i.a. in the event of the binding decision refusing or on withdrawal of the residence permit) – for a period of 18 months. Simplified access to a labour market (upon notification) and possibility to register as an unemployed person. Possibility to run up business under the same rules as Polish citizens. Irregular migrants: Extension of period for a voluntary return – for 18 months. • Possibility to apply for a residence permit during the extended period for voluntary return Irregular migrants have also a right to apply for international protection. N/a - Poland decided to fully apply the Council Decision. No, but it is to note that we've got two schemes for beneficiaries of temporary protection: one is for UA citizens and their spouses as well as the family members of the Ukrainian Pole's Card holders (under the special law i.e. the Act of 12 March 2022 on assistance to citizens of Ukraine in connection with the armed

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conflict on the territory of this State) and other is for beneficiaries of international protection and other forms of national protection in UA and their family members, as well as the permanent residents in UA who cannot come back to their countries of origin in safe and durable conditions (under the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland). These two acts altogether are implementing art. 2 (1) and (2) of the Council Implementing Decision (EU) 2022/382 of 4 March 2022. The scope of rights granted is similar but not the same - wider in case of UA citizens and their family members. The rights of foreigners under the special law have been extended compared to the Decision of the Council. The stay of a foreigner covered by this law will be considered legal for a period of 18 months and is associated with a number of rights provided for in the provisions of a special law.

5.

Yes, temporary residence permit's validity extension is provided by means of law (with no need to take any actions) until 31 December 2022, as well as the similar residence cards extension (expiring after 24 February 2022). The special law provides also the measure of extension period of validity of national visas issued to UA citizens until 31 December 2022, under the same rules.

Moreover, a citizen of Ukraine or another foreigner whose stay will be considered legal for a period of 18 months will be entitled to work and undertake and pursue economic activity to the fullest extent. This provision provides such a right for all Ukrainian citizens whose stay in the territory of the Republic of Poland is considered legal on the basis of the provisions of a special act and the Act of 12 December 2013 on foreigners.

6

The Office for Foreigners has launched a special website dedicated to temporary protection - https://www.gov.pl/web/ochrona (available also in Ukrainian, English and Russian). It contains information on the most important issues related to the stay in Poland. All information is also shared via OFF social media channels.

Moreover, all information is provided by a dedicated hotline, e-mails and in direct contact with client. A dedicated information service was also created: https://www.gov.pl/web/ua

	EMN NCP Portugal	Yes	 Ukrainian residents on the territory before 24 Feburary 2022 have the same arrangements other third country nationals have: Legal residents have their documents expiring dates extended as part of the COVID 19 measures; undocumented cases must be solved with resort to Embassies and Consulates; they have basically the same rights Portuguese and European Union citizens have (except for having sensitive functions in political, judicial or the military systems); this regime is not intended for them Irregular migrants may have to be considered for this regime, taking into account that it is impossible to return them to their home country safely. Also, these migrants may fall under the international protection regime. N/a No So far, there are no special measures for these cases although this kind of situations may be taken into account. Potential beneficiaries of temporary protection are informed and directed to the relevant sites through SEF's dedicated website, sefforukraine.sef.pt, available in Portuguese, English and Ukrainian languages. There is also an official website of the Portuguese government where all pertinent and general information can be obtained, https://PortugalforUkraine.gov.pt.
•	EMN NCP Slovakia	Yes	 1. Yes. Ukrainian nationals (regardless of the date of displacement) the parent of a minor who is a Ukrainian national, if the family was already present and residing in Ukraine

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before 24 February 2022 2. Every Ukrainian national (regardless of the date of displacement) may apply for temporary protection, except 1. applicants for asylum, beneficiaries of asylum or subsidiary protection, a foreigner who has been granted permanent or temporary residence in the territory of the Slovak Republic 2. The validity of temporary residence, permanent residence or tolerated residence, which would otherwise expire during the emergency situation declared in connection with the mass influx of foreigners into the Slovak Republic caused by armed conflict in Ukraine is extended until two months from the withdrawal of the emergency situation. 3. Slovakia applies temporary protection to nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and who are unable to return in safe and durable conditions to their country or region of origin. 4. The Slovak Republic applies temporary protection under the Directive, but we have adopted the wider scope of categories concerned protection as defined in the Council Decision (see responses above). The Slovak Republic has started to grant temporary protection since 1 March 2022 as a national status, after the Council Decision was adopted, the Slovak Republic is granting temporary protection under the Directive, which is to the same extend. 5. See response to question 2. The residence granted to Ukrainian citizens on the territory of the Slovak Republic before the outbreak of armed conflict remains valid. If such citizens are interested in being granted temporary protection and give up their temporary residence permit in writing, their previous residence will expire. However, due to the extraordinary situation, an amendment to the Act on the Residence of Foreigners was adopted in the Slovak Republic, which states that the validity of residence that would otherwise expire during this extraordinary situation is extended until two months after the emergency situation is revoked. 6. Information on temporary protection are provided via leaflets which are distributed to people crossing the borders (at border crossings, high-capacity centres, train and bus stations, at the Foreign Police

		Departments, at asylum facilities of the Migration Office). Available here https://www.minv.sk/?tlacove-spravy&sprava=pomoc-ukrajine&subor_spravy=436881 Information are also available on governmental websites https://www.minv.sk/?tlacove-spravy&sprava=pomoc-ukrajine https://www.minv.sk/?tlacove-spravy&sprava=ministerstvo-vnutra-zriadilo-infolinky-pre-ukrajinsky-hovoriace-osoby (specialized infolines) https://www.minv.sk/?vizova-info-typy-viz-1 https://www.minv.sk/?vizova-info-typy-viz-1 Number of initiatives of the NGOs or international organizations provide also these information.
EMN NCP Slovenia	Yes	 No. For now, international protection. N/A No. No. We are currently not considering this measure. Information for potential beneficiaries on temporary protection is provided online – on official government pages (https://www.gov.si/en/topics/slovenias-assistance-to-the-citizens-of-ukraine). Thorough information about the procedure for recognising the status of TP is provided to those persons who apply for TP by the Government Office for the Support and Integration of Migrants. This is done with a help of informative brochures and by organising information service.

EMN NCP Spain	Yes	1. YES. By Agreement of the Council of Ministers, Spain has extended the scope of temporary protection to persons affected by the conflict in Ukraine who may find refuge in Spain, in the following terms (Order PCM/170/2022, of March 9, publishing the Agreement of the Council of Ministers of March 8, 2022): 1) Ukrainian nationals who were staying in Spain before February 24, 2022 who, as a result of the armed conflict, cannot return to Ukraine. 2) Third-country nationals or stateless persons who were legally residing in Ukraine on the basis of a valid legal residence permit (whether permanent or otherwise as students) issued in accordance with Ukrainian law and cannot return to their country or region. 3) Nationals of Ukraine who were in an irregular situation in Spain before February 24 and who, as a result of the armed conflict, cannot return to Ukraine. 4) Members of the families of the persons referred to in paragraphs 1 and 2, in the following terms. a) to the spouse or their unmarried partner; b) their unmarried minor children or children of their spouse, without distinction as to whether they were born in or out of wedlock or adopted; c) other close relatives who were living together as part of the family unit when the conflict started and who were totally or principally dependent on them. 2. See previous answer 3. N/A 4. No 5. Yes. See question 1: Ukrainian nationals who were staying in Spain before February 24, 2022 who, as a result of the armed conflict, cannot return to Ukraine. 6. Through the websites of Ministries of Interior and Inclusion, Social Security and Migration. Both of them

		include the information also in ukrainian language: Ministry of Interior: http://www.interior.gob.es/es/web/servicios-al-ciudadano/ucrania-proteccion-temporal The Spanish Asylum Office provides the same information included in the website also in a leaflet paper format in person together with the temporary protection resolution notification, clarifying at the same time any doubts with the support of interpreters. Ministry of Inclusion, Social Security and Migration: https://www.inclusion.gob.es/es/ucrania/index.htm In addition to having a general telephone number for all of Spain providing information for Ukrainians, the entities financed by the Ministry of Inclusion, Social Security and Migration, which are part of the State Reception Network, are deployed throughout the territory 24 hours a day to respond immediately to any need for information or reception of displaced persons from Ukraine, with telephone numbers for each province that can be found on this website: https://www.inclusion.gob.es/es/ucrania/telefonos/index.htm .
 EMN NCP Sweden	Yes	 None. Just ordinary asylum and migration arrangements. We do not take any decisions regarding UA citizens. Nor do we apply enforcement of a refusal-of-entry or expulsion for UA citizens We apply the Council Decision. No No

			 A leaflet, which can be distributed to new arrivals by border police and NGOs, with short information about contacting the Swedish Migration Agency to apply for protection and accommodation: Information for people coming from Ukraine_engelska (migrationsverket.se) More comprehensive information about the terms of the TPD, how to apply, the support offered by the Swedish Migration Agency and which rights that are offered those who are granted protection under the TPD can be found on our website: Protection under the Temporary Protection Directive - Swedish Migration Agency (migrationsverket.se) (this information will soon be available in Ukrainian and Russian) Those who visit the Swedish Migration Agency to apply for protection or accommodation can receive information in person with the help of an interpreter. We also use social media to spread awareness to applicants and the general public about how to find correct and up to date information on our website. Shortly we will also begin sending a short summery (in English, Ukrainian and Russian) of the rights afforded those who are granted protection under the TPD along with the decision on their application.
#=	EMN NCP Norway	Yes	 No. Norway is not bound by the EU Temporary Protection Directive. However, the Norwegian Immigration Act has a provision in section 34: Collective protection in a mass flight situation - with similar categories to the TPD. This provision was implemented Friday 11 March, for displaced people from Ukraine. Irregulars and others can apply for asylum through the ordinary asylum procedure. To what extent legal residents should have the opportunity to apply for temporary collective protection (the national scheme) or just an extension of their permit, is currently under consideration.

AD HOC QUERY ON 2022.14 Scope and other issues relating to the temporary protection directive (TPD)

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