

Dietrich Thränhardt

With open arms – the cooperative reception of Ukrainian war refugees in Europe

An alternative to the asylum regime?

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'L'Europe se fera dans les crises et sera la somme des solutions apportées à ces crises.'

'Europe will be forged in crises and will be the sum of the solutions adopted for those crises.'

Jean Monnet

FOREWORD

THE COOPERATIVE RECEPTION OF UKRAINIAN WAR REFUGEES IN EUROPE – AN ALTERNATIVE TO THE ASYLUM REGIME?

By taking in millions of Ukrainian war refugees the EU Member States have shown a historically unprecedented solidarity. The unanimous activation of the Directive on ‘Temporary Protection’ in the European Council has enabled the unbureaucratic and rapid reception of people who have had to flee the war and destruction inflicted by Russian bombs.

What was not previously possible or was undesired for other groups of refugees in far smaller numbers has been possible in this instance even in Member States that hitherto were opposed to a more open European asylum policy and the fair distribution of refugees. ‘Temporary protection’ confers on people from Ukraine a pass allowing them free and self-determined entry to the EU and access to language and education provision, the health care system and the labour market.

Amidst a discussion on stepping up European border protection, data on the reception of Ukrainian war refugees is growing. As recently as December 2022 the first results were published of a representative survey (IAB et al. 2022) by the Federal Institute for Population Research (Bundesinstitut für Bevölkerungsforschung – BiB), the Institute for Employment Research (Institut für Arbeitsmarkt- und Berufsforschung – IAB), the Research Centre of the Federal Office for Migration and Refugees (Forschungszentrum des Bundesamtes für Migration und Flüchtlinge – BAMF-FZ) and the Socioeconomic Panel at the German Institute for Economic Research in Berlin (Sozio-oekonomischen Panels [SOEP] am Deutschen Institut für Wirtschaftsforschung Berlin – DIW). Refugees from Ukraine were asked (and will continue to be asked over a longer timeframe) about their experiences of reception and integration in Germany.

In other European countries, too, more and more surveys and studies are being conducted, enabling us to discern a humane approach to European reception policy that may serve as a model for future policy design, both in the European and the German context, long into the future.

On the bitter anniversary of the outbreak of Russia’s illegal war of aggression on 24 February 2022 the present publication provides a first European comparative study of ‘Temporary Protection’ and offers insights into the strengths and weaknesses of the different national systems as regards entry procedures, accommodation facilities and (labour market) integration.

It appears that even when, on paper, national legislation makes numerous options available for refugees’ successful

integration in society, along with various instruments (such as language support, further training and employment options), in practice whether integration – for example, getting a job in keeping with one’s qualifications – works out depends primarily on the available structures and resources in a region or municipality.

It is becoming clear that political will alone is not enough to bring sustainable and adequate ‘welcome structures’ into being. Two factors are key, hardly surprisingly: sufficient financial resources and ample personnel in the various authorities to ensure the most efficient integration processes, from initial reception to actually getting a job. This applies not only to refugees from Ukraine, but naturally to all those who seek protection in Germany.

We hope that the findings presented here not only encourage further investigations, but also contribute to the debate on a different, more humane asylum system in Europe.

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SUMMARY

In the wake of the Russian invasion on 24 February 2022 more than 4 million Ukrainian war refugees, mainly women and children, fled over the open borders into the European Union and its neighbour countries. Many of them were taken in spontaneously by engaged citizens, thereby finding support and stability. The EU gave free rein to Europeans' willingness to help when it activated the Directive on Temporary Protection on 3 March 2022 and left it up to the refugees themselves which country of refuge they wanted to go to. 'Free choice' had never previously been an option in Europe and emerged from these specific political circumstances. War refugees from Ukraine have the right to work, support and medical care. Norway, Switzerland, Iceland and the United Kingdom got on board with the EU initiative. Through such cooperation it has been possible to get to grips with the biggest flow of refugees in Europe since 1947.

What started out as spontaneous help has now been going on for a year. Support for hosts and refugees differs among European countries as regards extent, form and efficiency. But however they may vary European states are working together pretty smoothly in their reception efforts, in stark contrast to the toxic conflicts generated by the distribution of asylum seekers. Unlike in the asylum system there have scarcely been any legal disputes, either, but rather goal-oriented pragmatic action. A new European reception regime has emerged alongside the asylum system within the framework of cooperation between civil society and states.

In the domestic implementation of Temporary Protection some countries have taken over monitoring elements from their asylum systems, while others are regulating their reception efforts independently of that. Such differences are evident primarily in the varying degrees of success experienced by efforts to get Ukrainians into the workplace. All states face the task of integrating war refugees in such a way that they are able to use and further develop their capabilities so that after the war ends they will have the chance to be active either in Ukraine or in their host country. To the extent that solidarity-based reception is successful, there will be an opportunity to transfer well-functioning elements of the new regime to the existing asylum system and resolve its contradictions and dilemmas.

INTRODUCTION

The ‘temporary protection’ afforded to over 4 million Ukrainian war refugees has changed Europe’s migration landscape fundamentally. Most of these war refugees are initially taken in privately by ordinary citizens and thus come into direct contact with local people, unlike most asylum seekers, who are housed in isolation in reception facilities. Without the enormous commitment of European citizens countries of first reception would not have been able to cope in providing accommodation and care. In contrast to asylum seekers Ukrainians are able to move around Europe freely, including back to Ukraine and to return to a reception country once more. They are able to work and are supposed to be given support. They have obtained these rights not through protracted asylum processes, but directly on arrival in a European country of reception, which they themselves have chosen.

In this way a second Europe-wide reception regime has been activated, functioning according to different rules, alongside the established asylum regime based on the Geneva Refugee Convention. This represents a major opportunity because the existing asylum system has manifold shortcomings. The EU asylum regime, notwithstanding detailed regulatory agreement, has led to toxic disagreements between Member States, especially since 2015, and renewed in 2022. Human rights are regularly violated at a number of external borders and no satisfying solution is in sight. Within the framework of Temporary Protection, however, only principles have been laid down. It is proceeding on a cooperative basis, even though the number of Ukrainian refugees is higher than in all refugee flows since 1947¹ and took place very swiftly. The EU states are not returning anyone and have made available far-reaching EU freedoms to Ukrainian war refugees, albeit supposedly only for a certain period. A Ukrainian passport or other recognised documents open the door to admission, in contrast to the multiple verification problems that characterise the asylum regime.

Juxtaposition of the two reception regimes opens up new vistas, both practically and analytically. While in the past free choice of reception country was considered rather pie in the sky (Maiani: 100–101) it is now observable reality. The smooth functioning of this open solution in the EU and other western European states begs the question of whether free choice would be better than a technocratic approach to distribution also in the case of other refugee groups. Furthermore, the gigantic experiment now unfolding shows war refugees’ preferences

when they are free to choose their country of exile. Is it a matter of spatial or linguistic proximity to their country of origin, good opportunities for work, knowledge of the national language, comprehensive social services, efficient public authorities, good schools for children, effective digital information networks or contacts with friends and relatives who had emigrated earlier on?

As in the case of asylum in accordance with the Geneva Convention, the actual implementation of ‘Temporary Protection’ in European countries varies, for example, as regards cooperation between state and civil society, social assistance for refugees and financial support for hosts, integration in the labour market and efficient bureaucratic procedures, including varying degrees of advancement in digitalisation.

In some countries, ‘Temporary Protection’ is administered completely separately from traditional asylum, while in others they are closely linked, for example, as regards allocation of accommodation. That is likely to be particularly important for perceptions, and not only in countries such as Poland, where Ukrainians are welcome, while at the same time migrants are turned back at the Belarussian border using extreme measures. This is inevitably followed by the question of whether and how the two regimes influence one another and how they may develop further. Will ‘Temporary Protection’ after a phase of heartfelt solidarity in response to the Russian aggression have to contend, longer term, with acceptance problems similar to those affecting asylum? Will successful mechanisms emerging from Ukrainian reception become a model for practical treatment of other groups? Or will reception quality polarise between welcome Ukrainian Europeans and non-European Others?

Given the sheer momentum of events, the pressing urgency of the war’s progress and dramatic changes our analysis can inevitably serve only as a beginning, describing and characterising the structures and contexts of the reception of war refugees. We are especially interested in good practice in order to facilitate institutional learning.

But what analytical material is available?

While there is now precise and extensive comparative data on reception of asylum seekers, that is not the case as regards ‘Temporary Protection’. Since March 2022 Eurostat has been publishing charts on the registration of Ukrainian refugees in European countries, in which a gradual movement from east to west can be traced

¹ Oddly, many publications talk about the ‘biggest refugee movement since the end of the Second World War’ (for example, Brücker et al. 2022). It is well known that the great majority of the 12 million Germans were resettled only after the decision was taken on expulsion at the Potsdam conference, in other words 1945–1947.

(see Figure 4). Extensive comparative data is also made available by UNHCR, but it has to rely on state figures and unlike Eurostat cannot establish supranational standards. Furthermore, UNHCR has issued numerous extremely useful reports on the situation in Ukraine and neighbouring states. Particularly notable are the two analyses published by the Razumkov Centre in Kyiv on global flows of Ukrainian refugees, although sadly they have received too little attention in the West. Deep insights are also provided by the MIDEM study (2022) on reception in the Visegrad countries and in Germany. A conference report with information on six countries has been announced (Mantu et al. 2023).

Many analyses are plagued by the fact that in many countries there is little reliable information on the population of war refugees there. At most, as a result, the number of registered refugees is used, for example in the OECD study (2022) and the MIDEM study (2022). It is clear, however, that some of those who registered in some countries have emigrated further or have returned home. For example, the Polish president explained, when ending support payments for Ukrainians, that many had already gone home (Wyborcza 2022). Eurostat gives the number of war refugees in Poland at the end of 2022 as 944,000. Further and return migration, however, are unlikely to be the same in all reception countries and of course depend on the relevant reception conditions. It is obvious that the effect is stronger in countries of first reception near Ukraine than in countries further away. Indicative of this is the evident reluctance on the part of Ukrainians with a Canadian visa to actually fly there, so far away from home (see Section 2.3 below). The British sample-survey reveals a low rate of return migration of around 5 per cent (ONS 2022a), although because of the visa requirements the situation there is not comparable with that in other European countries.

In the United Kingdom and Poland, the statistical offices have published representative survey studies on the Ukrainian refugee population in recent months, as have the responsible authorities in the Netherlands and Switzerland, and a research institute in Germany. In a number of countries the hosts are also surveyed concerning their experiences and perspectives. Questions and study design vary considerably. Switzerland produces particularly precise data every week on qualifications, education and training, language skills, distribution among cantons and labour market entry, all of which the State Secretariat for Migration (SEM) puts online. Returns to Ukraine are also noted, for which funding is available.² Reception of refugees is also observable on a week by week basis for the Netherlands, while Denmark also gives data on rejections. Poland registered refugees in its PESEL system swiftly, and the increase over the months is exactly discernible. At the end of 2022, however, more and more reports were appearing on withdrawal of the entitlement to remain (Daily News 2022), which also makes the reference

figure somewhat problematic. In Germany it was a long time before Ukrainians were registered, after which they were entered in the Federal Labour Office system, as long as they met the relevant criteria. The Central Register of Foreign Nationals provides information on registration, but not on actual residence.

Given the data situation it is also difficult to capture differences between Ukrainian refugee groups in European countries. Countries even take different approaches to the differentiation of age groups, classifying young people as those up to 16 or 18 years of age. Given the exploratory character of the present study official data and research findings were not sufficient, especially as regards policy outcomes. Many media reports have therefore been used and as far as possible checked for accuracy. It was not possible to take account of all 27 Member States and other cooperating European countries. We shall therefore focus on the main reception countries. We are particularly interested in different practices and approaches in order to present the breadth of different solutions to issues of integration, provision and participation, as well as continuing and functioning examples that may serve as models. Looking through the various documents and reports it was striking that the respective national discourses on the reception of war refugees are often self-referential and lack information on other European countries.

Thus one of the principal aims of the present study is to convey a broad picture of reception situations and the differences between them.

1.1 ON THE TERMINOLOGY OF THE DIRECTIVE AND THE STUDY

Directive 2001/55/EC (the Temporary Protection Directive), in the English version, talks of 'a mass influx of displaced persons from Ukraine'. The Danish text speaks of 'fordrevne', the Swedish 'födrivna', the Czech 'strámutate' and the Italian 'sfollati'. The German version talks of 'Vertriebene', the French of 'personnes déplacées', the Spanish 'personas desplazadas' and the Portuguese 'pessoas deslocadas'. In Dutch the relevant term is 'onthemden'. This clearly differs from the terminology of the Geneva Refugee Convention and the corresponding EU directives, which talk of 'Flüchtlinge', 'refugees', 'réfugiés', 'rifugiati', 'refugiados', 'vluchtelingen' and 'flyktingar'.

Directive 2001/55/EC came into being in the wake of the displacements of the post-Yugoslav wars and civil wars. Many EU states had taken in persecuted groups of people, although there was no common EU response. The underlying notion was one of collective expulsion of whole populations or population groups, as in the case of the conflicts in Croatia and Bosnia-Herzegovina. By contrast, the Geneva Refugee Convention and with reference to that also the EU directives are concerned with those fleeing

² Statistiken Ukraine Krise, Statistiken (admin.ch); Schutzstatus S – Sprachkompetenzen, Ausbildung und B, 220922-auswertung-kompetenzen-d (1).pdf; Faktenblatt: Auswertung Berufsqualifikationen, 220531-auswertung-berufsqualifikation-d.pdf.

individual persecution, following in the tradition of taking in political refugees. Denmark opted out of the Directive when it was adopted in 2001.³

Previous practical responses to asylum seekers often involved collective displacements, for example, the massive refugee movements from Syria from 2011. Demands to activate the ‘Temporary Protection’ directive in the European Council were unsuccessful, however. On the other hand, individual fates also differ widely in the case of collective persecution, for example, depending on the intensity of resistance or the arbitrariness of the persecution.

The flow of Ukrainian refugees was triggered by the Russian military invasion and its subsequent course has reflected its different phases. It has been shaped by the war in respect of family separation, especially compulsory military service for men, and women’s and children’s opportunities to flee. The expression ‘war refugee’ therefore seems the most appropriate term for the refugee movements. It refers to a particular group that has come to Europe for the time being, but who largely wish to return home after the war or even while it is still going on. Their fate depends mainly on the course of the fighting. This special situation calls for a special term.

³ The sole systematic study of the evolution of the directive, the debates in the EU Council of Ministers and transposition into national law in Germany, the United Kingdom and the Netherlands is by Karina Franssen, at the University of Nimwegen (cf. Franssen 2011).

2

THE FLIGHT TO AN OPEN EUROPE, FROM POLAND TO PORTUGAL

2.1 FLIGHT ACROSS BORDERS

When the Russian invasion commenced many Ukrainians fled spontaneously to neighbouring countries. The borders were open – Ukrainians with a machine-readable passport did not need a visa for the Schengen Area since 2017. Even before EU ministers activated the ‘Temporary Protection’ directive in response to a ‘mass influx’ a week after the outbreak of war, there were 1 million Ukrainians in neighbouring states. On 15 March 2022 there were already 3 million (Johansson 2022). Civil society reacted swiftly, with help coming to the borders from all over Europe, while from 1 March 2022 UNHCR together with other aid organisations coordinated assistance with a

Regional Response Plan in the countries of first arrival. This support is still continuing and has been extended to include Bulgaria and the Czech Republic, which have taken in many war refugees.

The EU resolution on ‘Temporary Protection’ was adopted unanimously, although according to the responsible EU commissioner Johansson some states had initially been reluctant (Johansson 2022). What had been impossible in 2015 now became reality. It was clear to the European Commission that the asylum system could not cope with millions of refugees (Verkleij in: Mantu et al. 2023). Norway, Iceland and Switzerland joined the EU in opening up. Denmark adopted a Ukraine law, deviating from its opt-out policy for the sake of Ukrainians. Turkey

FIGURE 1

Free rail travel for war refugees up to 5.5.2022



and the Balkan states have also taken in refugees, again made easier by a visa waiver. The United Kingdom announced a sponsorship and family programme on 18 March 2022. The whole of Europe was now open.

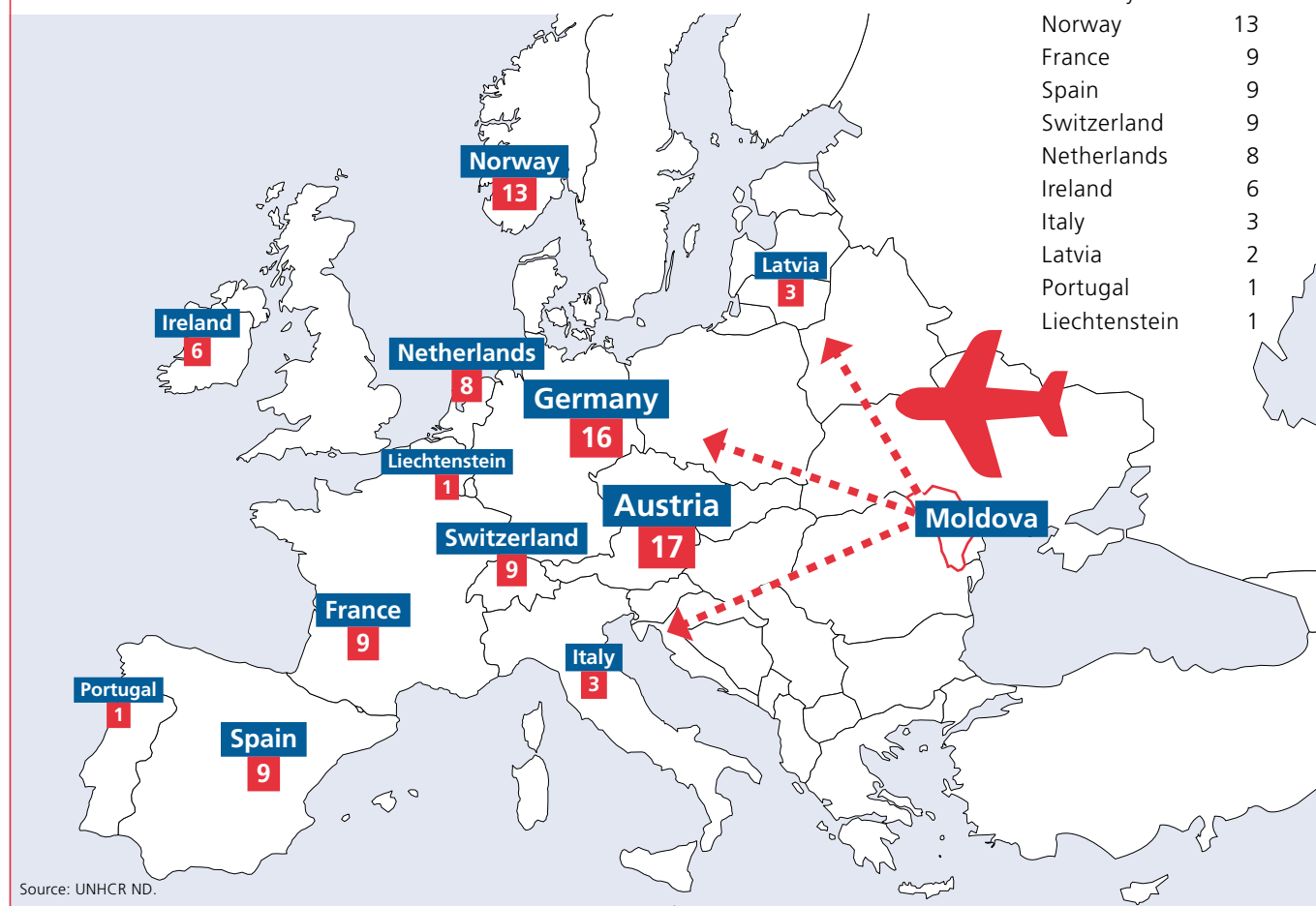
With the joint declaration that there would be no returns, the EU Council of Ministers lifted the restrictions that in principle the directive contained. Thus, war refugees had the possibility of deciding for themselves which country they would like to travel to. This stands in stark contrast to the Dublin system within the framework of which asylum management, in which transfers are planned at considerable expense and seldom succeed, imposes an enormous administrative burden and inhibits refugees' mobility. The fact that key EU distribution policies had broken down definitively since 2015 contributed to the special circumstances in which war refugees acquired great freedom of choice, in keeping with an open EU. When the directive was activated, one million war refugees had already been accepted, many of them by private citizens and reception was now continuing Europe-wide. A new, open flight and reception regime thus emerged, including the option of returning to Ukraine and coming back out again.

For geographical reasons war refugees came first to Poland, Slovakia, Hungary, Romania and Moldova. From the outset, however, some continued onwards, as far as Portugal or Ireland, which introduced a visa waiver for Ukrainians the day after the Russian invasion. European rail companies opened the way practically (see Figure 1). In the first three months, 3.5 million Ukrainians travelled free of charge – by the end of November Deutsche Bahn alone counted 500,000 free journeys (DB communication to the author). Local transport was also free. It was a big cooperative effort on the part of European railways, building on the efforts of Ukrainian railways, which often operates under fire and has had to repair tracks and trains rapidly when they are damaged.

The large stations in Cracow, Warsaw, Berlin, Prague, Budapest and Vienna were turned into distribution centres, in which volunteers, with local government assistance, received, provided for and forwarded refugees. In Germany, in order to relieve Berlin, which was sometimes taking 10,000 war refugees a day, further centres were established in Hannover and Cottbus. Bus companies and airlines, such as WizzAir, TAP and Flixbus also got involved. The French government in its assessment, however, stated that only 13.7 per cent of war

FIGURE 2

UNHCR refugee flights out of Moldova, March to October 2022



refugees travelled mainly by rail, in contrast to 40.5 per cent by car and 30.5 per cent by air (interieur.gouv.fr 2022). Ukrainian cars were given free parking in many European cities. Direct flights from Ukraine were no longer possible, but twelve countries participated in flying refugees out of Moldova (cf. Figure 2).

2.2 DISTRIBUTION ACROSS EUROPE BY YEAR END

Looking at registration 10 months on, Poland took first place, even though some of those who registered have either returned to Ukraine or have travelled onwards. It was only in January 2023 that Germany accounted for more refugees, 1,004,965 against 974,060 in Poland (Eurostat figures). On the other hand, only a few refugees have been registered in Hungary: 33,000 out of the 1 million who have crossed the country's borders. Although the Hungarian government did not block the resolution on Temporary Protection, as it had initially announced, all reports indicate that it has remained very reluctant to provide refugees with any kind of support, in response to which people have moved on to Prague or Vienna. The EU directive has not been implemented in Hungary with regard to non-Ukrainians (MIDEM 2022: 147–155). Support groups have accused the government of taking EU funds but without lifting a finger to help refugees. Even Hungarian-speaking Roma, who have a right to Hungarian citizenship, have gone to the Czech Republic or Germany (MIDEM 2022: 129/30; Senol 2022).

In Poland, Ukrainian refugees have encountered strong solidarity among the population. Two-thirds of people have donated money, 80 per cent have helped with donations in kind, 3 per cent have taken Ukrainians in, and 6 per cent have helped with care, job seeking or other practical issues. This willingness to help cuts across all occupational and income groups and has been particularly high at the Ukrainian border (Statistics Poland 2022). On top of that, there has been a lot of international aid, organised both spontaneously by volunteers and

by international aid organisations, coordinated by UNHCR. Together with UNICEF and IOM, UNHCR has established an Emergency Cash Assistance Programme in the countries of first reception, from which adult war refugees could obtain 80 euros a month, 160 euros for small children (up to three years of age) and 60 euros for children and young people up to 18 years of age, as an alternative to state aid (UNHCR et al. 2022).

Around 2 million Ukrainians – not including returnees – came to Poland, mainly in the first weeks after the Russian invasion. Three-quarters registered and 974,060 were living in Poland in January 2023, according to Eurostat figures. Poland and its government have won widespread recognition and European and US support since the Russian invasion, despite concerns about assaults on judicial independence there. Critics soon complained of the lack of action by the government itself, however, in particular the lack of reception infrastructure, the result of years of refusing to take in refugees. Warsaw's mayor appealed for direct EU aid for Polish cities to make up for government shortcomings: 'We need direct assistance because there is no strategy on the part of the government. A lot of what you see in Poland is based on improvisation' (Euroactiv 2022). He repeated this appeal in December (Karnowska 2022). Volunteers came to the Polish-Ukrainian border from all over Europe to bring material aid and collect refugees.

Europe's collective opening up enabled war refugees to move on quickly, not only in adjacent countries but to western and southern Europe. Although the figures in these countries are comparatively low, both absolutely and relatively, they did relieve the burden. The upshot is that there has been a three-way split as regards reception. Realistic estimates indicate that around 1.2 million Ukrainian war refugees are living in the countries of first reception (a million of them in Poland), with a further 1.5 million in neighbouring countries (especially Germany and the Czech Republic), and another 1.4 million war refugees in western and southern countries.

Although distribution is uneven – the United Kingdom, France and Italy together have registered fewer refugees than the Czech Republic – the situation is a lot better than in 2015, with people distributed across the whole of Europe. Volunteers and public willingness to take people in have played a positive role in this, in contrast to the hostile reaction to the idea of EU-wide quotas in 2015. While on that occasion the Visegrad countries totally blocked admission and many other countries proved reluctant, in 2022 there was a broad willingness to welcome incomers. Even Hungary did not openly stand in the way, although, as already mentioned, it did not lift a finger. France and Denmark set reception targets of 100,000, although the lack of contacts with war refugees meant that they were not met. Active members of the public took up the slack from organisationally weak governments, establishing digital contacts, arranging decent accommodation among volunteer hosts, and creating the conditions necessary to make it happen. This contrasted sharply with ponderous handling of documentation in some states.

TABLE 1

Flight to and registration in directly neighbouring countries (thousands)

Country	Entries from Ukraine	Returns to Ukraine	Registered in the country
Poland	8,507	6,410	1,546
Hungary	1,973	no data	33
Romania	1,738	1,386	102
Moldova	733	367	100
Slovakia	1,048	789	105

Source: UNHCR 2023 (up to 27 December 2022), including third-country nationals.

TABLE 2

War refugees from Ukraine in Europe

Country	Registered (thou- sands) (UNHCR)	Resident at the end of 2022 (Eurostat)	As a percentage of the po- pulation
Border countries	1,886	1,295	0.3–2%
Poland	1,546	961	2%
Slovakia	105	96	2%
Moldova	100	108*	4%
Romania	102	101	0.5%
Hungary	33	29	0.3%
Nearest neighbours	1,823	1,801	0.3–4%
Germany	1,022	968	1%
Czech Republic	474	432	4%
Austria	91	88	1%
Bulgaria	51	147	2%
Croatia	20	19	0.5%
Slovenia	8	8	0.3%
Lithuania	72	65	2%
Latvia	44	36	2%
Estonia	41	38	3%
More distant countries	1,245	1,242	0.1–1%
Italy	166	146	0.3%
Spain	160	161	0.4%
UK	152	161*	0.3%
France	119	68	0.1%
Netherlands	85	110	0.7%
Switzerland	76	62	0.6%
Ireland	70	70	1.0%
Belgium	64	63	0.5%
Portugal	56	56	0.5%
Sweden	50	46	0.4%
Finland	47	45	1.0%
Turkey	47	96*	0.1%
Denmark	37	32	0.5%
Norway	36	34	0.5%
Greece	21	22	0.2%
Cypris	21	13	1.0%
Luxembourg	7	5	1.0%
Other states	52	52*	
Europe (excluding Russia)	4,454	4,338	0.1–4%

Source: Ukraine Refugee Situation (unhcr.org), up to 27.12.2022. * For Turkey, the United Kingdom, Moldova and other states UNHCR's current figures ('recorded in country') were used. Eurostat: Statistics I Eurostat (europa.eu), author's calculations.

Per head of population the Czech Republic and Estonia have taken in a particularly large number of war refugees (see Table 2; OECD 2022: 99, Figure 4.1.), even though according to estimates half of those registered in the Czech Republic have since moved on or returned home (Vichová in: Mantu et al. 2023). In Lithuania and Latvia, too, the other two Baltic states, there is a high proportion of Ukrainians in the population, some of them entering from Russia.

Among more distant countries Ireland's high intake stands out – at around 1 per cent it is proportionately as high as in Germany and Austria. Especially in the first weeks this contrasted sharply with the attitude of the United Kingdom, which insisted on a visa system, which it speeded up only in response to widespread public criticism. British newspapers reported the security concerns expressed by British ministers, although this induced Irish ministers to step up their humanitarian efforts, entirely in accordance with the EU resolutions (Downes 2022).

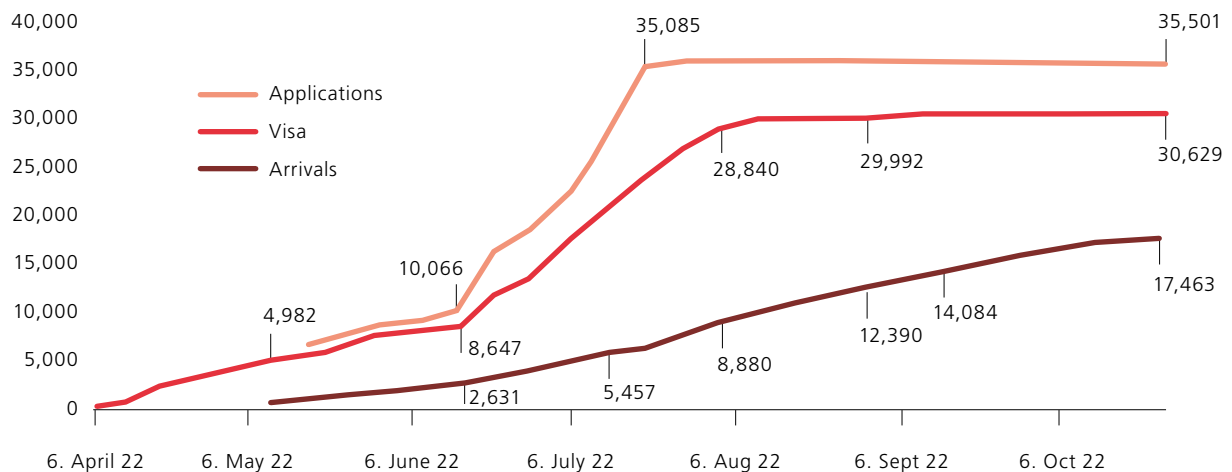
2.3 VISA REQUIREMENTS APPLY THE BRAKES: UNITED KINGDOM AND NON-EUROPEAN COUNTRIES

The contrasting example of the United Kingdom makes it clear how important the openness of the Schengen Area and visa waivers were for rapid refugee flows throughout Europe. It made sense to seek refuge in the United Kingdom because English is the main foreign language in Ukraine. However, applicants found themselves stranded in front of British embassies or at the Channel coast. The French Interior Minister condemned his British counterpart's 'lack of humanity' and demanded consular services be expanded. This took quite a long time, however, which is why so many Ukrainians went to Ireland. The visa procedures meant that war refugees reached the UK only later on, having been stuck in other European states as a kind of waiting room. A chart (Figure 3) produced by the Scottish government clearly shows the visa system's dampening effects. Months passed between application, approval and entry in the country, with the majority arriving only in July and August. Even the efforts of the Scottish government could not make up for this.

The constraints imposed by visa systems are evident from the flight of Ukrainians to non-European countries. Despite the Canadian public's willingness to take them in and the authorities' intensive efforts the visa system hindered and delayed entry to Canada. By 11 December 2022 some 735,927 applications had been made and 456,083 visas issued, but only 113,279 war refugees had flown in. A further 19,080 had come over land, mainly via Mexico, where Ukrainians don't need a visa. All the special measures the Canadian government instigated to give Ukrainians preferential treatment were insufficient to make up for these delays. They included a fee waiver, 'priority processing', assistance with flights and extended

FIGURE 3

Entry delays caused by the visa system using the example of Scotland's 'Super Sponsor System'



Source: Scottish Government 2022.

'newcomer services' for those arriving (Government of Canada 2022). It seems that war refugees who are granted a visa are hesitant to fly to Canada, in particular if in the meantime they have established themselves elsewhere while they were waiting. Taking in Ukrainians has proved even more difficult in the United States, despite the tremendous public sympathy. In the first few weeks, Ukrainians travelled via Mexico. On 21 April 2022 President Biden announced the 'Uniting for Ukraine' programme, with an initial target of 100,000 Ukrainians. Materially the programme is based on the 'generosity of supporters in the United States ... who primarily will drive demand for this pathway' (Homeland Security 2022). In legal terms war refugees will be 'on parole' for two years.

By the end of the year Americans had offered 200,000 places and 102,000 Ukrainians had been received (Murray/Ashley 2023). By contrast, Ukrainians could travel to Israel and Turkey without a visa, which initially were used as escape routes. Norway refers Ukrainians for visas to its embassy in Ankara (Norway in Ukraine 2022). In Israel the reception of non-Jewish Ukrainians was controversial and subject to quotas until the Supreme Court ruled on 3 July 2022 that Ukrainian war refugees can enter without restriction and remain for three months (Morag 2022). Here too visa-free entry helped to open things up.

Welcome in Ireland – Reservations in the UK (Irish Times, 11.3.2022)

The contrast in the approaches taken by the Irish and British governments to Ukrainian people seeking refuge as they flee the Russian invasion could not be sharper. At Dublin Airport, there is a 'one-stop shop' – as Minister for Justice Helen McEntee described it – where people fleeing the war-torn country receive a Personal Public Service (PPS) number allowing them to work and access supports and where they can register for accommodation where necessary. There is access to phone chargers and SIM cards. In a dedicated room at the airport, there are toys, baby food and nappies for the many children arriving into the country. The Government waived visa requirements for Ukrainians the day the Russians attacked and, in concert with other EU countries, is offering temporary protection for at least a year. On the UK side, there are obstacles and red tape, lots of it. TV and newspaper reports have relayed stories and images of desperate, exhausted families being turned away by UK immigration officials and lines of people, including elderly people in their 90s, standing outside a British visa centre

in eastern Poland in the snow, queueing for the papers to travel to Britain. Since the invasion, 2,965 Ukrainian nationals, mostly women and children, arrived at Dublin Airport as of Wednesday, including 486 on Sunday, the highest daily number of arrivals. In the UK, a country with a population 13 times the size of Ireland's, just 957 visas were approved by Wednesday for Ukrainians, while 22,000 applications had yet to be processed. Where McEntee talked about how she was considering taking in Ukrainian refugees into her own home, her British counterpart Priti Patel, the UK Home Secretary, was discussing balancing 'the risk' of security concerns about letting Russians infiltrate the UK by claiming to be Ukrainian refugees, while responding to the Ukrainian refugee crisis.

Source: Carswell 2022.

3 IMPLEMENTATION OF THE EU DIRECTIVE ON 'TEMPORARY PROTECTION' IN EU MEMBER STATES

3.1 EFFICIENT REGISTRATION: DAYS OR MONTHS

The reception countries responded to the sudden 'mass influx' at various speeds and with a variety of measures. The European Agency for Fundamental Rights has documented activation of the Directive in 15 countries (see Table 3). On 25 February 2022, one day after Russia's invasion and in anticipation of the EU regulation, Slovakia adopted the Law on certain measures related to the situation in Ukraine, including registration and the provision of 'allowances' to hosts housing war refugees. Decrees followed on 28 February and 17 March 2022 and on 30 March, finally, the 'Lex Ukrajina' was passed, which regulated work opportunities for Ukrainian health care workers. Portugal, the Czech Republic, Latvia, Croatia, France, Estonia, Romania, Poland and Lithuania responded in March, Italy, Sweden and Bulgaria in April, Germany in May and Greece in June.

Registration also proceeded at different speeds in different countries. Eurostat published monthly statistics on registration numbers, including maps (see Figure 4).

In March most war refugees were registered in Poland, Czech Republic and Slovakia, followed by Spain, Austria, Bulgaria, France, Belgium, Portugal, Sweden, Switzerland, Estonia, Ireland and Latvia. Germany, the Netherlands, Hungary and Cyprus provided no information. The different rates of registration were important in terms of further integration. Registration was the key to work, assistance, accommodation, schools and education.

Germany granted war refugees a 'temporary exemption from the requirement of a residence permit', retroactively from 24 February 2022, and thus included also non-Ukrainian refugees, who were not able to travel visa-free. The final regulation which amended the Residence Law was adopted on 25 May 2022 and came into force on 1 June. From then on war refugees were no longer treated as asylum seekers, but as recognised refugees. First and foremost that meant that henceforth they were no longer provided for by the *Länder*, but rather the employment agencies were now responsible and they were given full health insurance, employment services and social benefits (Hartz IV/citizen's benefit). War refugees were not obliged to accept accommodation in shelters, but could be allocated to *Länder* or municipalities if they availed themselves of state housing. In the event, in the first days and weeks they were taken care of and housed by volunteers, municipalities and the *Länder*. The hotspot was Berlin's main railway station.

3.2 THIRD-COUNTRY-NATIONAL REFUGEES FROM UKRAINE

The EU resolution on 'temporary protection' covers not only Ukrainian citizens but also third-country nationals who had enjoyed permanent residence in Ukraine before 24 February 2022, in particular refugees who enjoyed protection in Ukraine, as well as family members of Ukrainians or of these groups, including unmarried partners in steady relationships and other persons who lived in the family unit. For Germany that means that, in contrast to other provisions, grandparents or others outside the nuclear family could fall under these regulations.

The EU Council of Ministers was unable to reach agreement on taking in people with temporary residence status in Ukraine and left it to the Member States to grant

TABLE 3

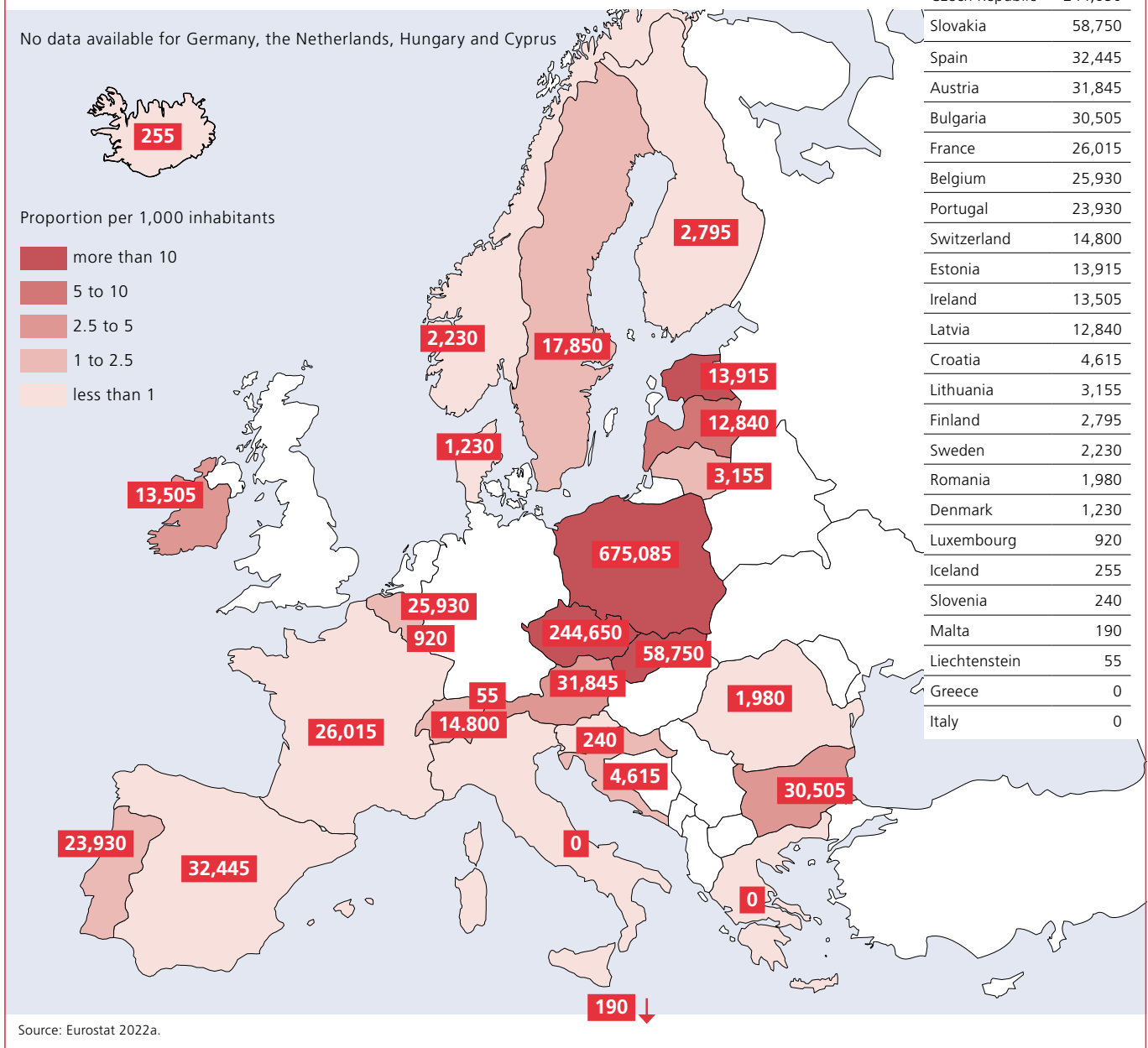
Implementation of the EU Directive on 'Temporary Protection'

Slovakia	25.2.2022
Portugal	1.3.2022
Czech Republic and Latvia	3.3.2022
Croatia	7.3.2022
France and Estonia	10.3.2022
Romania and Poland	12.3.2022
Lithuania	17.3.2022
Italy and Sweden	7.4.2022
Bulgaria	26.4.2022
Germany	23.5.2022
Greece	10.6.2022

Source: European Agency for Fundamental Rights 2022.

FIGURE 4

'Temporary Protection' in March 2022



protection to other groups of people, in particular third-country nationals who could not return to their home country in safety. The Member States reacted differently. Poland did not accept non-Ukrainians into its PESEL system, but instead granted them temporary residence, as a result of which many moved on to other countries. In the Netherlands and Portugal, which proportionately took considerably more non-Ukrainians, there were discussions on introducing restrictions in late 2022 (Geertsema Gil in: Mantu et al. 2023). In Germany, different *Länder* have taken different approaches. City states have tried to make arrangements for foreign students who had studied

in Ukraine. The Informationsverbund Asyl/Migration has produced an overview of the legal options (2022). At present there is no overall picture of non-Ukrainian refugees. India evacuated 16,000 of its students in Operation Ganga, who were flown out of Hungary, Romania or Poland (Mathrubhumi 2022).

3.3 DELAY AND FULL COVERAGE OF NEEDS IN GERMANY

While in the Netherlands, for example, registration at the local authority is quick and easy, in Germany it included identity screening, carried out with the help of PIK stations.⁴ This was because there were concerns about control problems in relation to the flow of Ukrainian refugees, expressed by the CDU/CSU and AfD in a controversial Bundestag debate (BT-Drs. 20/21, TOP ZP 8; MIDEM 2022: 46). Länder prime ministers took up registration at their conferences time and again. On 2 June 2022 they called for ‘straightforward registration’, but including identity screening, which is ‘an essential condition for issuing probationary certificates and granting residence permits’. They called on the federal government ‘to do everything possible on its part to ensure the timely completion of police registration in the AZR, to prevent duplicate entries in the system and to deal with it as quickly and effectively as possible’ (MPK 2022). On 2 November 2022 came a new decision: ‘the Länder are to ensure that all Ukrainians seeking protection are fully registered in the Central Register of Foreign

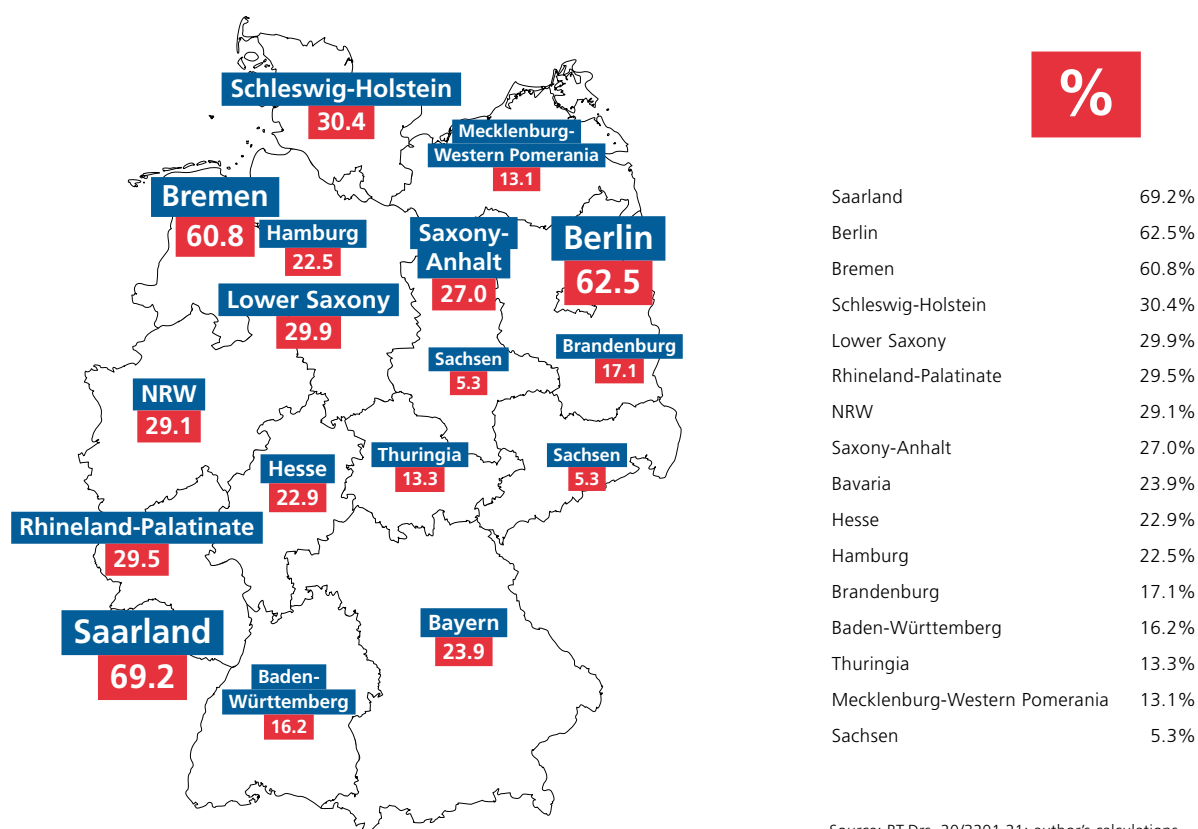
Nationals. If they have not already done so the Länder are to ensure by means of corresponding guidelines that their immigration authorities are fully digitalised. The immigration authorities should be able to exchange the requisite data digitally with other (administrative) authorities. If necessary, data protection regulations should be amended for this purpose’ (MPK 2022).

By the end of June 2022, according to Federal government data, 232,859 Ukrainian war refugees had been issued with ‘a residence permit in accordance with §24 AufenthG [Residence Act]’, 249,258 persons had been issued with a probationary permit, 244,814 persons had submitted a request for protection and 169,356 persons had so far not submitted a request for protection and had not received that entitlement’ (BT-Drs. 20/3201: 21, see Figure 5). After three months, then, only 26 per cent had obtained a residence permit. Furthermore, the differences between the *Bundesländer* were striking.

The transition to Hartz IV and then to citizen’s benefit (*Bürgergeld*) was agreed mutually between the Länder and the federal government. It was based not only on consensus concerning the humanitarian obligation to provide emergency assistance in the context of Russian

FIGURE 5

Residence permits issued to war refugees by 30.6.2022 (in per cent)



Source: BT-Drs. 20/3201 21; author’s calculations.

⁴ These ‘personalisation infrastructure components’ (Personalisierungs-Infrastruktur-Komponenten) comprise ‘a laptop, a camera, a fingerprint scanner, a document verification device, a printer and an LTE router’ (MIDEM 2022: 47).

aggression, but also on the *Länder*'s strong interest in passing on the costs of looking after war refugees to the federal government and the Federal Employment Agency (BA). The *Länder* also received federal subsidies for other integration costs, such as for schools and kindergartens. When CDU leader Merz criticised this switch, Greens MP Aeffer mentioned this in the Bundestag debate on 19 October 2022: 'Let's face it: it was the *Bundesländer* who said: let's switch from SGB II from the Asylum Seekers Benefit Act. There is money involved, there are costs involved and all kinds of things. Everyone is agreed on that, no matter who is in government and where. You insisted it be done quickly and quite rightly. Health care provision is now better – I hope that everyone here receives better health care than is available under the Asylum Seekers Benefit Act – and the labour market is open' (BT-Drs. 20/62).

Germany provides high social benefits by European standards and treats war refugees on the same footing as locals. The level of Hartz IV benefits has been constantly criticised as being too low in Germany and thus benefits were raised by general agreement from 1 January 2023. On the other hand, the CDU leader criticised them as too generous when Ukrainians started to get them. Because of the change of system and the complexity of the Hartz IV system, however, it took a long time for recipients to get their money. New assessments had to be issued for around 600,000 people. For the authorities the transition involved a major administrative burden. How sluggishly it all went is highlighted by a local report, according to which in September they were still working on the basis of the Asylum Seekers Benefit Act (Petersen 2022).

In lower income EU countries such comparative calculations are much more sensitive because newcomers may receive higher benefits than locals. That was why in these countries benefits were temporary and eventually ended, as in Poland, for example, or adjusted to the local level, as in the Czech Republic. That was linked to a strong expectation that people would find work. That was hardly surprising because hundreds of thousands of Ukrainians had been working in both countries for years, who would be able to help their compatriots both with the language and with information.

4

CITIZENS, STATES AND ADMINISTRATIVE PROCEDURES

4.1 HOSTS AND SPONTANEOUS DIGITAL NETWORKS

After the Russian invasion on 24 February 2022 people in many European countries began to take in Ukrainians spontaneously and to help them in all kinds of ways. One Polish activist from Torun recalls: ‘It just happened... since 24 February my phone has been ringing off the hook. People told me about free flats, cars for transportation, people collecting clothes... Loads of people were willing to provide accommodation and they’re still with us’ (Błaszkiwicz 2022). Village communities from Bavaria to Normandy did up empty houses so they could take in Ukrainian families (Piechulek 2022; actu.fr 2022). The Dutch, Belgian and Luxembourg monarchs each opened the doors of one of their castles for refugees (Dutch News 2022; Gijs 2022; Gayle 2022). Volunteers from many countries went to the Ukrainian border to bring aid and pick up refugees. Ukrainians already living in the EU were particularly active, serving as contact people, intermediaries, sources of information, translators and hosts.

Digital networks sprang up spontaneously, helping with housing and bringing war refugees together with people providing accommodation. Lukas Kunert, one of the founders of #UNTERKUNFTUKRAINE, spoke of ‘becoming embedded’. This initiative established just after the war broke out was the intermediary between 49,000 refugees and private hosts, receiving 400,000 offers (Haller et al. 2022). It was efficiently organised and helped people find stability and support, at least as far as possible in a situation of mass flight. The great majority of these hosts had never had anything to do with asylum issues before and acted out of a desire to help. Ideological motives didn’t come into it (Haller et al. 2022: 20). People helped out spontaneously and they were able to do so because the state did not put any obstacles in their way, as is usually the case with asylum seekers. In Germany the Federal Ministry of the Interior hooked up with the initiative and other intermediation efforts and supported them.

Similar mediation networks were founded all over Europe. In Poland the major cities were particularly active and put under stress. In Italy the state planned to take in 100,000 war refugees, but because of administrative difficulties only 14,000 places were made available. According to research institute IDOS (INFO Migrants 2022b), the ‘majority of Ukrainian refugees have been taken in as a result of the solidarity shown by Italian citizens and Ukrainians already living in Italy. The

vast majority of refugees were taken in on a private and individual basis, not in collective social or public structures’.

In Switzerland, the Swiss Refugee Council organised distribution and worked closely with the state. Two-thirds of those taken in, however, found their way informally, outside this framework (Bauer 2022). In France the state took over mediation itself, although fewer Ukrainians came than had been expected. The Netherlands activated disaster legislation and gave mayors full powers to procure or requisition properties, as a result of which four-fifths of war refugees could be accommodated in an organised fashion, for example, on boats and at holiday resorts. Denmark announced it was building ‘Ukrainian towns’ (Gillet 2022), although it failed to follow through, not least because far fewer than the expected 100,000 refugees actually turned up. Overall there are substantial differences between reception structures (see Table 4). According to UNHCR estimates, in Poland, Bulgaria, Hungary, Moldova, Romania and Slovakia 32 per cent of war refugees lived with private hosts, 34 per cent in rented accommodation and 28 per cent in collective accommodation or transit

TABLE 4

Private accommodation of refugees (percentage share)

Country	Percentage	Month
United Kingdom	92	October (condition for entry)
Italy	80	October
Switzerland	60	July
Germany	40	August–October survey
Poland	34	May–November survey
Slovakia	32	October
Netherlands	23	November
Czech Republic	20	December
France	11	November
Ireland	10	November

Sources: Info Migrants 2022b; Rijksoverheid 2022; GESIS Blog 2022; Abend 2022; Swiss Refugee Council 2022; Slovakia_MSNA_2022_FV_(1).pdf; Previssima 2022; Vichová in: Mantu et al. 2023.

centres of various kinds. One per cent were left homeless (UNHCR Factsheet 2022).

The UK government made entry for Ukrainian war refugees conditional on private invitation and paid hosts 350 GBP a month to cover their costs. By contrast, the Irish government made a considerable effort and accommodated 90 per cent of refugees itself. Because Ireland is the only English-speaking country that doesn't require a visa and its reception efforts were generous and well organised it attracted many Ukrainians. In the autumn the government faced an accommodation problem and responded by doubling support for private hosts to 800 euros, the highest sum paid to hosts across Europe (see Table 5).

Around the same time the Dutch government lowered housing benefit ('*wooncomponent*') for private accommodation from 215 to 93 euros. The government justified its action by claiming that the simple payment per head had been the right thing to do at the beginning. Meanwhile the problem was that '*leefgeld*' was higher than benefits for other needy groups, and that created problems. The new regulation was 'clearer and more honest' and had certain advantages in terms of implementation (Ministerie van Justitie en Veiligheid 2022b). Given the continuation of the war and the likely duration of refugees' stay the Netherlands thus switched from an ad hoc solution to a more permanent one.

Individual countries' support measures differ in a number of respects, not just the level. Some countries have supported hosts, others refugees; a third group doesn't

pay anything and a fourth pays both. Payment levels also differ enormously, ranging from 0 to 800 euros for hosts, and between 0 and full citizen's benefit in Germany (from January 2023). In Switzerland the federal government gives the cantons a sufficient flat payment of 21,000 Swiss francs a year, which the cantons use very differently, matching, in miniature, differences across Europe (see Table 5). In Poland and Denmark payments to hosts were terminated after a period of months. In Germany, war refugees have been provided for at the level of recognised refugees since 1 June 2022, while in Austria they receive assistance at the same level as asylum seekers. While some countries pay fixed sums, either to families or by number of persons or differentiated in terms of adults and children, others allow war refugees access to their social protection systems, which again are organised very differently.

In Germany individual districts have made payments to hosts, which was cheaper than public accommodation. Since the transition to the welfare system from 1 June 2022, hosts can enter into rental or subtenancy agreements with their guests and be compensated that way. It is not known to what extent that has happened, but because of the large numbers of people and the complexity of the system it is often rather sluggish. A study in June–July 2022 found that only 21 per cent of hosts had obtained money from the state (Haller et al. 2022; author's calculations). But exactly that was top of hosts' wish lists (Haller et al. 2022). They also have to cope with higher energy prices, which makes a real difference with more people in the house.

TABLE 5

Support for hosts and refugees

Country	For hosts	For war refugees
Poland	Expired on 30 June	Only pregnant women, large families, disabled
Czech Republic	–	€200 if in private accommodation
Netherlands	–	€260 + €215 if private, €93 from 1.2.2023
Switzerland	290–696 CHF	0–300 CHF, depending on canton
Germany	Locally €150–250	Since 1.7.2022 social welfare/citizen's benefit (Bürgergeld)
Austria	–	€425
United Kingdom	£350, £500 after 1 year	£200 'welcome', social support (low)
Ireland	€400, from December €800	Social support
Denmark	Expired on 31 August 2022	Social support
Sweden	–	€2.0/€6.53 per day, if private
Hungary	–	HUF 23,000 (€56)
France	€450 for 90 days, then €150	Social support
Canada	CAD 3,000 adults/CAD,500 children	One-off payment

Sources: Visit Ukraine Today 2022; Horgan-Jones/Roche 2022; Previssima 2022; Government of Canada 2022a.

4.2 RESILIENCE OF HOSTS AND STATE SUPPORT

Hosts have displayed considerable care, great stamina and resilience. In the German study the great majority reported positive experiences from taking people in, and 80 per cent would do it again (Haller et al. 2022: 34), especially women and children. The biggest problem was reported to be dealing with the authorities: ‘Red tape. Dozens of demands from various offices, and not the same from district to district. Most of it is only in German. So you have to help. Refugees on their own would find it impossible to cope’ (Haller et al. 2022: 28). In Switzerland hosts have turned out to be similarly steadfast, in contrast to the expectations of the authorities, who had assumed that the novelty would soon wear off (Walser 2022; Fargahi 2022).

The British survey also reveals positive attitudes. Six out of ten sponsors wanted their guests to stay longer than the six months initially agreed upon, a quarter more than a year. Almost every host said that they had provided more support and help than the government programme envisaged. Eight out of ten prepared meals for the refugees, two-thirds found them work and 45 per cent supported them financially, according to a study by the Office for National Statistics (Easton/Andersson 2022). Although as of October/November 2022 some 56 per cent of war refugees in the United Kingdom had found work, they were strongly dependent on their hosts. Some 80 per cent of guests contributed to food costs, 17 per cent to the rent (ONS 2022a).

Hosts feel in many respects that they have been left in the lurch by governments. A Swiss writer commented: ‘Care for guest families is minimal and the cantonal social authorities make it so complex that it’s just embarrassing ... Last but not least, it’s just unacceptable that the cantons provide such stingy refugee support that they are able to keep back a considerable portion of the federal contribution of CHF 1,500 per refugee per month for themselves’ (Hein 2022).

Since the peak in March 2022 the media has scarcely reported on the hosting of Ukrainian refugees. DIW president Fratzscher aptly noted that ‘a million Ukrainians ... have come to Germany since the start of the war, and many people have barely noticed’ (Fratzscher 2022). Furthermore, the headlines of the few reports tend to highlight setbacks or failures, even though the article itself overwhelmingly describes positive situations and impressions. For example, the article just cited is headlined ‘A quarter of refugee sponsors do not want to carry on,’ even though the text paints an entirely positive picture of resilience and predominantly good experiences (Easton/Andersson 2022). In the media, continuity and stability are less ‘sexy’ than crises.

4.3 SIMILAR TO ASYLUM PROCEDURES OR A NEW APPROACH

Two approaches to organising the reception of war refugees can be distinguished: an orientation towards customary asylum procedures, albeit with more freedom, and an entirely new approach. Germany, Austria and Switzerland have taken the first approach, building on their established systems and institutions. Despite all the sympathy for war refugees the upshot of this is that restrictive features of the asylum system have also come into play here. A particularly glaring example is the legal confiscation of refugees’ assets in Switzerland, which is hardly likely to foster a welcoming atmosphere in the wake of Russian aggression. The State Secretariat correctly points out in the information it provides that ‘the authorities may confiscate your assets. For people in private accommodation the SEM may suspend this by instruction. For people housed in a federal centre their assets will be confiscated’ (SEM Protection Status [*Schutzstatus*] S, Switzerland 2022). This text was still on the website as of the end of December 2022.

Frictions emerged with regard to the distribution of war refugees throughout Germany and Switzerland with civil society initiatives seeking accommodation and building contacts with hosts. If a flat was found, for example, for a refugee family registered in Berlin in a county in Brandenburg, the county could reject the move because it was already overburdened. Moreover, the paperwork would take so much time, discouraging landlords from taking in Ukrainians. The Berlin senator Kipping therefore ‘asked the federal government to relax the requirements in circumstances in which someone from a city with an overstretched housing market moves to an area with vacancies where housing companies would be glad to have them’ (DPA 2023). What worked freely at European level encountered obstacles in Germany. In early September 12 out of 16 *Bundesländer* declared a ‘temporary halt to accepting new people’. In Switzerland there were criticisms that central distribution had split up families (Tischhauer 2022; Bauer 2022). The reformulated paragraph 24 of the Residence Act also contains restrictively formulated distribution mechanisms, while private accommodation often ignored the legal provisions.

Other countries built up their reception systems independently of existing asylum practice. In the EU accession countries of 2004, there was no other option because nothing of the kind really existed and in any case many refugees had to be accommodated at short notice. Poland, the Czech Republic, Estonia and Slovakia established basic one-stop-shop registration systems. Estonia’s prime minister Kaja Kallas stated that reducing bureaucratic hurdles would make life easier for traumatised war refugees: ‘It is up to us to make it as easy as possible for those fleeing Putin’s war to settle in to their temporary new life here (...). Most of the refugees we are taking in are women and children, so it is important that the adults find work and the youngsters a place in school or kindergarten as soon as possible. That will help them

settle in to their lives in Estonia more easily and more quickly' (Republic of Estonia 2022).

While Poland relied largely on citizens, municipalities and international volunteers for accommodation, the Czech Republic established a state distribution system to complement citizens' engagement (MIDEM 2022). The Netherlands also struck out on new paths. It activated a Security Law that enabled mayors to requisition accommodation. The efficiency of these measures, by means of which, unlike neighbouring countries, they housed most war refugees in communally organised accommodation contrasted sharply with the concurrent crisis in accommodation for asylum seekers. While Ukrainian war refugees were thus housed in boats, holiday homes or camp sites, other asylum seekers had to sleep on the ground outside asylum centres (NL Times 2022).

The difference was even more extreme in Poland. While the country welcomed Ukrainian war refugees, asylum seekers fleeing the Belarusian regime were harshly turned back at the borders, thereby violating binding EU directives. The liberal Polish newspaper *Gazeta Wyborcza* regularly reports deaths at the border. Volunteers at the Ukrainian border received assistance, while at the Belarusian border they were impeded and harassed. But government support gradually receded even for Ukrainians – from October 2022 they had to pay a fee even for mass accommodation (Karpieszuk 2022).

5 DIFFERENCES, SUCCESSES AND OBSTACLES TO ACCESSING THE LABOUR MARKET

5.1 LEGAL AND NORMATIVE BASES

The European Commission proposed a right to work when framing the directive on 'temporary protection' in 2000, as in the case of recognised refugees. The Netherlands, however, called for a six-month moratorium, supported by France and Germany. This was in keeping with similar restrictions on asylum seekers in many other countries. Also controversial was whether the right to work should be incorporated in the directive at all. In the end it was established in the directive, but Member States were entitled to confer subordinate status in relation to EU citizens and those of equivalent status (Franssen 2011: 237–239). In Germany, as in the Netherlands, authorisation requirements were introduced on transposition into national law.

With widespread labour shortages and sympathy for Ukrainian war refugees against the background of the Russian war of aggression, perceptions changed as regards access to work. Now protection aspects were also cited, such as restrictions because of traumatic experiences or protection against exploitation. For example, the Dutch Justice Ministry restricted work permits to dependent employment to 'provide potentially vulnerable refugees with more security' and safeguard them against underpayment (Ministerie van Veiligheid 2022a). That contradicts the directive. It is difficult in individual cases to analyse the motives and effects of restrictive measures. Authorisation requirements are also restrictive when the original motivation no longer holds or humanitarian motives predominate. It is in this context, ironically, that programmes and accompanying investigations on 'promoting work for refugees' have developed, after initially being confronted by a ban on work (Brussig et al. 2022).

Of course not all war refugees are able to work straightaway, for example, because of disability or trauma or because they have to look after young children. That is why the directive also mentions social support. On the other hand, work can help to reduce trauma, establish a new normality and foster stable social relations. It provides people with social recognition and boosts self-confidence, in contrast to prolonged dependence on social benefits or charity.

5.2 DIFFERENCES IN WORK PARTICIPATION IN EUROPE

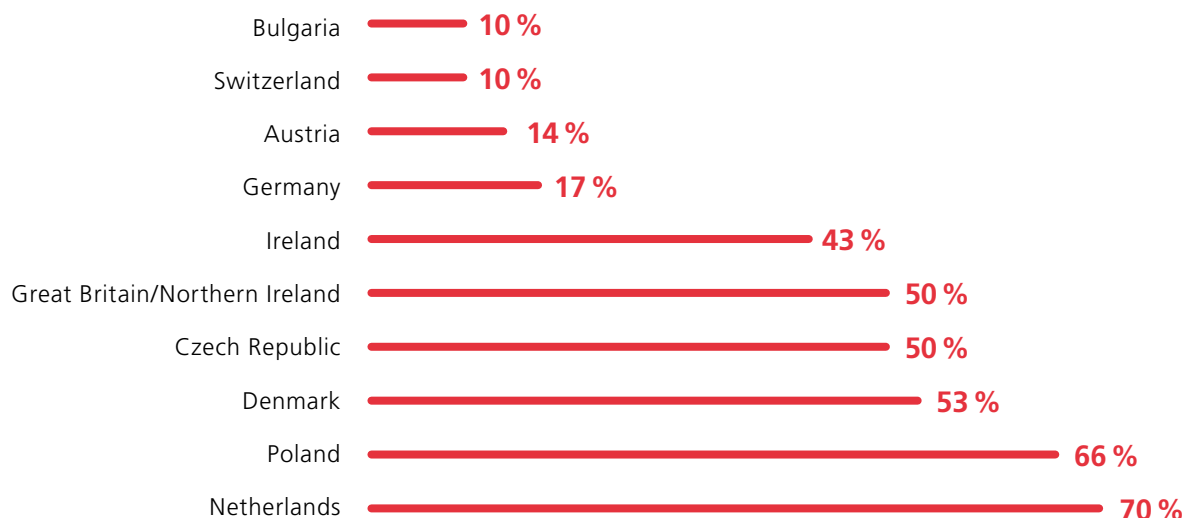
After a year of flight and reception we can see that in some countries Ukrainians have been able to find work quickly, in others much more slowly. While in the Netherlands, Denmark, Poland, Bulgaria, the Czech Republic and the United Kingdom half or more than half of Ukrainian war refugees who are able to work have found jobs, in Switzerland, Germany, Austria and Belgium the figure is much lower (see Figure 6). It is reported from Poland that Ukrainians are responsible for 40 per cent of new start-ups (Slawinski 2022). In other countries it is very difficult. These differences are surprising and in need of explanation. Because there are still no comparative Eurostat data, information was compiled from academic work, national statistics and media reports. Naturally it is of varying quality. Some of it comes from official labour market statistics, some from representative surveys or estimates. In the Dutch statistics the number of jobs filled was counted. Because some war refugees have taken up several jobs, whether serially or concurrently, the calculated value of 83 per cent has to be discounted. The reduction to 70 per cent is an estimate (see similar discrepant figures at FRA 2023, 42).

The substantial differences across Europe are scarcely noted in domestic debates in individual countries. In Germany and Switzerland, the percentage rates of those taking up work have been viewed positively by experts, despite the poor results. The (accurate) argument is that at least Ukrainians have found work more quickly than other refugees. 'Federal councillor praises Ukrainians' willingness to work', ran one headline in Swiss newspaper *Blick* on 23 August 2022. 'Although many women have come with small children Ukrainians' labour market integration has increased slightly', declared *Die Welt* on 19 October 2022, quoting labour market expert Herbert Brücker. 'For Germany the IAB assumes an employment rate of up to 15 per cent – a terrific achievement in such a short time', declared MP Stephanie Aeffner (Bündnis 90/The Greens) on 19 October 2022 in the Bundestag (BT-Drs. 20/62). DIW president Fratzscher talked of the 'benefits of immigration, including economic ones'. The 'integration of refugees from Ukraine' is 'a success story' (Fratzscher 2022).

In the German-speaking countries expectations regarding refugees getting a job appear to be low. The same applies to the broader public, because there are very

FIGURE 6

Ukrainian refugees in employment (in per cent)



Sources: MIDEM 2022; NL Times 2022a; ONS 2022a; ONS 2022b; Employ Ukraine 2022; Yahoo News 2022; McQuinn 2022; Expats CS 2022a; External Ukraine Refugee Situation Operational Update_Bulgaria.pdf; Carter 2022; Jobindsats 2022; 220803-angaben-erwerb-d.pdf.; Horgan-Jones/Roche 2022

few press articles or debates on the issue. What really dominates is the narrative of the burden imposed by ‘immigration on the social security system’. Such attitudes go back a long way. Refugees were categorised as asylum seekers in Germany as early as the 1980s and kept out of the labour market, while in the Mediterranean countries they were regarded as potential workforce (Finotelli 2007).

In Switzerland 66.7 per cent of Ukrainian refugees have tertiary qualifications and a further 25.2 per cent have secondary qualifications. Around 15 per cent speak English very well, and 20 per cent speak it well. These refugees tended to have occupations in keeping with their qualifications when still in Ukraine. The Swiss State Secretariat has documented these qualifications (Table 6).

5.3 WELL QUALIFIED UKRAINIANS

Research and media reports alike agree that Ukrainian refugees are well qualified. Particular emphasis is placed on the high proportion of those with a higher education. According to a survey by Ukrainian research institute the Razumkov Centre in July/August 2022 30 per cent of refugees were highly qualified, 14 per cent were company managers or departmental heads, 14 per cent business people, 12 per cent skilled workers and 11 per cent homemakers. Highly qualified specialists were ‘more numerous than among Ukraine’s general adult population before the beginning of the war’. In comparison with the general Ukrainian population the refugees tend to be higher up the social scale in terms of education, occupation and income. Some 90 per cent of refugees asked lived in cities before the war and only 10 per cent in villages (Razumkov 2022a). According to a UNHCR survey in Ukraine’s neighbouring states 46 per cent of refugees were university graduates and 29 per cent had completed vocational training (UNHCR 2022b). A German study found that 72 per cent have ‘tertiary qualifications’ (Brücker et al. 2022: 7).

TABLE 6

Working refugees by occupational group (Switzerland)

Executives	5.4 %
Intellectual/academic professions	38.9 %
Technicians/non-academic specialists	17.2 %
Office staff and related professions	10.7 %
Service occupations and sales people	17.3 %
Craft workers and related jobs	5.3 %
Plant and machine operators and fitters	2.7 %
Unskilled workers	1.7 %
Skilled workers in agriculture and forestry, fisheries	0.6 %

Source: State Secretariat for Migration, Switzerland, Factsheet Assessment of Professional Qualifications, 31.5.2022.

5.4 EFFICIENT AND CUMBERSOME ADMINISTRATIVE PROCESSES

Why does labour market participation vary so much? The UNHCR Implementation Study on the admission of Ukrainians reports that in 22 of the 26 countries examined⁵ there was a shortage of child care and in 18 countries the language barrier was a problem. There are also more general problems that all countries have to cope with arising from the fact that the refugees are largely women with children. On the other hand, there have been complaints about a lack of information and tricky administrative processes in only half of EU countries: problems with a 'lack of information' in 13 out of 26 countries and complaints about 'lengthy and complicated recognition procedures' in 12 (UNHCR 2022d: 23). Countries are anonymised in the UNHCR study. In the Razumkov survey in 2022 some 22 per cent of those asked reported bureaucratic problems with registration. In Poland the figure was a mere 5 per cent, while in Germany it was as high as 49 per cent (Razumkov 2022a).

Turning to the issue of administrative processes, extreme differences emerge. The successful countries have introduced simple and efficient access rules (one-stop shops), which include permission to work from the outset. In the Czech Republic 187,786 Ukrainian refugees had obtained legal status including a work permit by 17 March 2022, rising to 310,000 at the end of April and 473,736 by the end of December. The Czech government expressly emphasised getting a job and grants 'immediate emergency aid' of 500 krone (200 euros) for six months, after which benefits fall in line with rates for locals (MIDEM 2022: 132). Financial support (for hosts) is also time-limited in Poland. Poland also adopted a special law on 11 March 2022 with a new category for Ukrainian refugees, also permitting them to seek employment from the very start. In September 430,000 war refugees were already working, two-thirds of those of working age (MIDEM 2022: 89). Registration was similarly swift, dealing with 1,546,354 Ukrainians by the end of December. In Ireland there is a uniform procedure that take place right on landing at the airport; Portugal also has a one-stop-shop process. In the Netherlands registration is carried out by local councils, as in the case of other incomers. In Germany, Austria and Switzerland, however, a number of steps have to be negotiated before being granted permission to work, which gives rise to delays and orientation difficulties because the various offices need time for processing.

One-stop-shop procedures have been set up especially for Ukrainian refugees, entirely separately from the asylum system. On the other hand, in German-speaking countries many established mechanisms and refugee admission systems have also been used for Ukrainians. The staff is also the same and it involves practices and routines that come from the long tradition of an ambivalent policy of

admission, restriction and monitoring of asylum seekers, including the long-standing ban on employment for certain periods or groups.

In this context in Germany § 24 para 6 Residence Act contained an employment ban for war refugees with 'Temporary Protection'. Only with the legal changes from 1 June 2022 was this deleted. As detailed in the justification of the legal change (BT-Drs. 20/1411, No. 2, letter b) this contradicted superordinate EU law and thus was not legally valid. Konstanz legal scholar Daniel Thym clarified the right to work as early as 5 March 2022 in his 'Constitutional blog' (Thym 2022). In a circular of 15 March 2022 the Federal Ministry of the Interior also alerted the *Länder* to the right to work, but without entering into the contrary provision in the law (BMI 2022a). Nevertheless, the employment-denying formulation in the law undoubtedly had effects in practice. The legal amendment of 1 June 2022 was also associated with a change in jurisdiction from *Land* responsibility in accordance with the Asylum Seekers Benefits Act to the Bundesagentur für Arbeit (BA). This gave rise to an enormous administrative burden because all assessments made until then had to be redone. All payments were recalculated and the documents refiled. The BA received large quantities of payments and employment services for Ukrainians had to be set up.

How burdensome and incomprehensible the German system is, became clear at the end of May 2022 in an interview given by departing BA president Scheele. He explained that 'we can only act when there is a probationary permit or a replacement certificate for a probationary permit. Of the 770,000 Ukrainians to date only 260,000 have obtained a so-called probationary permit.' The probationary permit proves that an application has been submitted and thus there is a right of residence. Even ordinary German citizens do not understand this, as emerged from a question put by an astonished reporter from the *Süddeutsche Zeitung*. (Hagelüken 2022). In an Ifo-Institut survey conducted in May/June 2022 some 66 per cent of respondents stated that they have a work permit, while 83 per cent had received social benefits (Giesing et al. 2022: 18). There is obviously a lack of information, although all war refugees have the right to work from the outset.

In Switzerland the legal regulation for those in need of protection (Schutzstatus S) contains a ban on employment, specifically for three months. Ukrainian war refugees were permitted to work by decree, although this has to be applied for by a potential employer. 'The canton examines whether the financial and workplace conditions as regards the relevant activity are in place. The canton takes into account the specific situation of persons in need' (SEM 2022a). A condition for applying for a work permit is the existence of written confirmation from the State Secretariat that protection status S has been granted.

⁵ Denmark is not subject to the EU regulations because it has an 'opt out'; it has regulated the admission and integration of Ukrainians independently.

In Austria, several appointments with the authorities are also necessary in order to be able to take up work.

In Belgium all war refugees have to be registered at Palais 8 of the Brussels Expo, where they receive a certificate of 'temporary protection'. Then they can apply to their local council for a one-year residence permit for non-EU citizens. This 'A card' gives them the right to undertake dependent work. For self-employment a '*carte professionnelle/beroepskaart*' must be applied for. This requires, among other things, a 'police clearance certificate', presentation of a business plan and payment of a fee of 140 euros. Regional governments are responsible (van Olmen 2022; Brussels Economy and Employment 2022). The same provisions apply as for non-EU citizens; there is no simplified regime for Ukrainians.

5.5 LEVEL OF SOCIAL SUPPORT AND INACTIVITY TRAPS

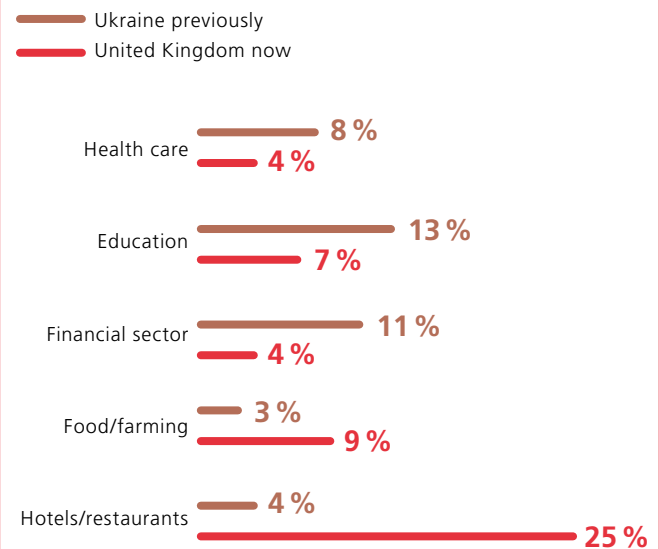
Since the criticisms raised by CDU leader Merz concerning the level of social security benefit there has also been discussion of whether a high benefit level diminishes the incentive to take up work and exerts a pull effect. Although Merz backtracked in the face of a barrage of criticism, he then claimed that he had received many letters of support. The issue is thus a topic of discussion once again. In order to clarify matters it is worth looking at the neighbouring countries.

In the Netherlands Ukrainians find work quickly even though social support of 475 euros is in line with that of Germany. To date, however, it has been paid out as a fixed amount ('*leefgeld*'), without taking other income into account. There is thus an incentive to work and earn additional money. From 1 February 2023, however, the system has changed and benefits are reduced in accordance with further family members. Instead of simple per capita payment, benefits will be paid in accordance with those of other social benefit recipients, including child benefit and child care allowance. Then it becomes more complicated. Benefits are cut for the whole family if a family member finds work or receives unemployment benefit (Ministry of Justice 2022). It remains to be seen whether the incentive to work will decrease.

In Austria and Switzerland, where payments are much lower – sometimes, as already mentioned, below the subsistence minimum – employment take-up is as low as in Germany. Immigration figures are also similar to those in Germany, relatively speaking. The benefit level doesn't seem to be the key issue, but rather the straightforwardness or cumbersomeness of the administrative mechanisms. In Austria, furthermore, there is an inactivity trap arising from the asylum system and also applying to Ukrainians. In the case of an additional source of income exceeding 110 euros a month they cease to be covered by health insurance. Only 7,000 out of 90,000 Ukrainians are in jobs, and a further 8,000 are registered (Kirner 2022; ZIB 2 vom 2.11.2022 um 22:00 Uhr – ORF-TVthek). As early as 2015 it was stated that the basic social security system 'often

FIGURE 7

Previous employment in Ukraine and now in the United Kingdom (in per cent)



Source and graphic: ONS 2022.

removes the incentive to work from refugees' (Benz 2015). The head of the Austrian employment authority has thus advocated emulating Germany and transferring Ukrainians from basic social security to income support in order to 'lead them out of the trap'. Most Ukrainian refugees in Austria have not registered with the employment service and thus cannot be placed in jobs by it. Given such high obstacles to legal employment, however, we can easily imagine that informal employment might thrive.

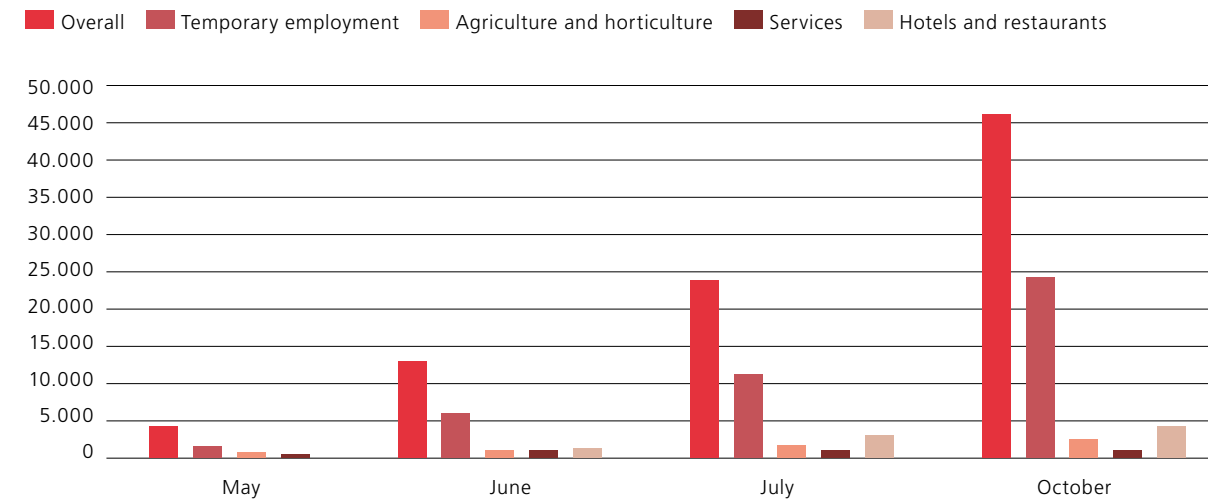
5.6 ANCILLARY EMPLOYMENT FOR THOSE WITH HIGHER QUALIFICATIONS

Despite all the quantitative differences as regards employment take-up in European countries they have one thing in common: the quality of available employment is predominantly low. Ukrainian war refugees are overwhelmingly in ancillary jobs, primarily in low paid service positions, such as hotels and restaurants. According to a survey in the United Kingdom, 65 per cent of employees do not work in the occupations they are employed in at home (ONS 2022, see Figure 7).

Hospitality is also the main category in Switzerland, at 23 per cent, while 8 per cent are employed in education and 17 per cent in planning/consulting/IT (SEM 2022b). In the Netherlands 53 per cent of employment was arranged through temporary employment agencies, mainly in manufacturing, cleaning and warehouses. Some 10 per cent found employment in hotels and restaurants, 6 per cent

FIGURE 8

Registered employment of Ukrainians in the Netherlands



Source: SER 2022.

in agriculture and horticulture and 3 per cent in services (SER 2022: chart 6, see Figure 8).

For Germany the Expert Council on Migration and Integration shows similar patterns as regards Ukrainians who came before the war. It warns of a continuation of this development, which de facto would result in a deskilling of war refugees, all the more so the longer they carry out ancillary work (Schork et al. 2022). In the study by the IFO-Institute, however, 26 per cent of war refugees reported that they would only accept a job at the level of their qualifications, 26 per cent would work below their qualifications and another 26 per cent see no chance of getting a job or have no interest in working. Similarly the IAB-BAMF-BiB-SOEP study shows that 71 per cent of employees have a 'qualified or highly qualified occupation'. Nevertheless, the proportion of women in a job recedes in the fourth month of residence and after 6 months stagnates at 16 per cent. German language skills are low after 6 months, although 51 per cent attend German courses or have completed one. Those in employment have the best language skills. Some 57 per cent of those asked want to be in employment 'within the next year and 16 per cent after two to five years' (Brücker et al. 2022). Some '74 per cent of unemployed Ukrainians were unemployed at the time of the survey and thus involved in the job centre's mediation and development infrastructure. Some 21 per cent of this group actively sought work in the past four weeks before the survey', and 88 per cent reported that they need support and advice (Brücker et al. 2022: 10–12). Despite high organisational and financial outlay labour integration in Germany is comparatively low and stagnating.

5.7 PROSPECTS OF OBTAINING QUALIFIED EMPLOYMENT

A Czech survey found uncertainty among employers concerning how long Ukrainian employees were likely to remain because, at the time of the survey, their residence status was set to expire in March 2023. While employers can test language skills and qualifications they are unable to solve this problem. The authors therefore propose providing refugees with the prospect of long-term residence. They write: 'This would allow workers to maintain their current status in the labour market, motivate refugees to invest in integration and reduce the risk of their return to Ukraine' (Brno Daily 2022).⁶

Similarly, a survey conducted by the Swiss Employers' Association in August 2022 showed that 56 per cent of businesses were willing to employ Ukrainians. They valued their qualifications and motivation positively. Regarding problems, they mentioned, besides language difficulties, the strict limitation on protection status. They would like to prolong residence permits for the duration of the relevant employment. Many businesses received no applications from Ukrainians, but tried to mobilise employment services (Sotomo 2022).

All this derives from the provisional regime and suggests solutions such as maintaining and improving occupational qualifications. In Poland, Ukrainians already have the possibility of applying for three-year residence status and thus of stabilising residence after finding a job.

Employment of Ukrainians in education and health care naturally spring to mind because both sectors are in

⁶ Czech-Ukrainian cooperation in the arms sector goes even further, with Ukrainian production transferred to the Czech Republic for the duration of the war, including specialist workers (Großmann 2022). This cooperation certainly benefits from the fact that there are many Ukrainian employees in Czech industry.

Italy: Legislative decree on temporary employment of Ukrainian doctors and nurses/care workers, 21.3.2022

‘Art. 34. Derogation from the provisions on recognition of health care qualifications for Ukrainian doctors’

‘From the date of entry into force of this Decree and up to 4 March 2023, and by way of derogation from Articles 49 and 50 of the regulation in accordance with Presidential Decree 31 August 1999 No. 394, and the provisions of Decree-law No. 206 of 9 November 2007, health care professionals with Ukrainian citizenship shall be permitted temporarily to practice medicine in public or private social and health care establishments on national territory if they lived in Ukraine before 24 February 2022 and intend to engage in health care or other care activities on national territory in public or private social

and health care establishments on the basis of professional qualifications acquired abroad, as regulated in specific EU directives. Interested health care institutions can proceed to the temporary recruitment of such professionals ...

The abovementioned health care institutions shall provide the relevant regions and autonomous provinces with the names of the health care professionals who will be recruited pursuant to this Article, in accordance with the respective regulations on appointments.’

Source: DECRETO-LEGGE 21 marzo 2022, n. 21. Misure urgenti per contrastare gli effetti economici e umanitari della crisi ucraina. (22G00032) (GU Serie Generale n.67 del 21-03-2022) note: Entrata in vigore del provvedimento: 22/03/2022 Decreto-Legge convertito con modificazioni dalla L. 20 maggio 2022, n. 51 (in G.U. 20/05/2022, n. 117); author's translation.

dire need of specialists with language skills. Furthermore, doctors, nurses and teachers are in considerable demand in many European countries. According to an UNHCR survey 11 per cent of war refugees worked in education and 6 per cent in health care (UNHCR 2022b). The abovementioned British figures go in the same direction. The British survey at the same time indicates a lack of schooling for Ukrainian children (ONS 2022). There are complaints of teacher shortages in many European countries.

In Italy as early as March 2022 a far-reaching law was introduced for medical staff for the duration of ‘temporary protection’. War refugees were put on the same footing as EU citizens and are permitted to work in Italian health care institutions. A glance at the internet shows that this regulation has found a broad echo among the Italian public. This makes it possible to close a gap in care for Ukrainian patients. The regulation allows immediate deployment because the usual approval procedures take so long that doctors and care workers could not be used in the current challenging situation. Practical implementation is left up to institutions instead of leaving them at the mercy of red tape.

However, I found a report on the employment of refugee doctors in an Italian hospital only on 11 February 2023. It formulates a dual aim: basic medical provision with an initial examination for disoriented Ukrainian patients and integration and training of Ukrainian doctors in the Italian health care system (Coviello 2023).

Slovakia's ‘Lex Ukrajina’ of 22 March 2022 also contains regulations on health care, namely on the ‘opportunity to pursue vocational training in all areas of health care and all medical institutions’. People displaced by the war are to work ‘under the expert supervision of a health care professional’. The Health Ministry will be involved and carry out an ‘inspection in electronic form’ (Isamosprava 2022).

5.8 EFFORTS IN GERMANY

It would be in line with the system of ‘temporary protection’ to strive for such integration in other countries, too, as extensively as possible. That applies to doctors, nurses and care workers, kindergarten and school teachers. Ukrainian patients or students could be better looked after, while professionals could learn the relevant national language and become acquainted with the medical and education system.

In Germany, the Conference of Ministers of Education (Kultusministerkonferenz – KMK) and the Conference of Ministers of Health (Gesundheitsministerkonferenz) in March 2022 addressed the employment of Ukrainian teachers and doctors, nurses and carers. The Conference of Ministers of Education set up a task force, which had met 39 times by November. Many schools have tried to recruit Ukrainian teachers. It is positive that thought has been given to this possibility, given that previous efforts concerning teaching staff from refugees’ home countries have been rather limited (on this see Wojciechowicz et al. 2023). Although there is a severe shortage of teachers ‘there is little to choose from in many *Bundesländer*’ (Munzinger 2022). Concerning the current state of play as regards these efforts the Conference of Ministers of Education reported on 21 November 2022:

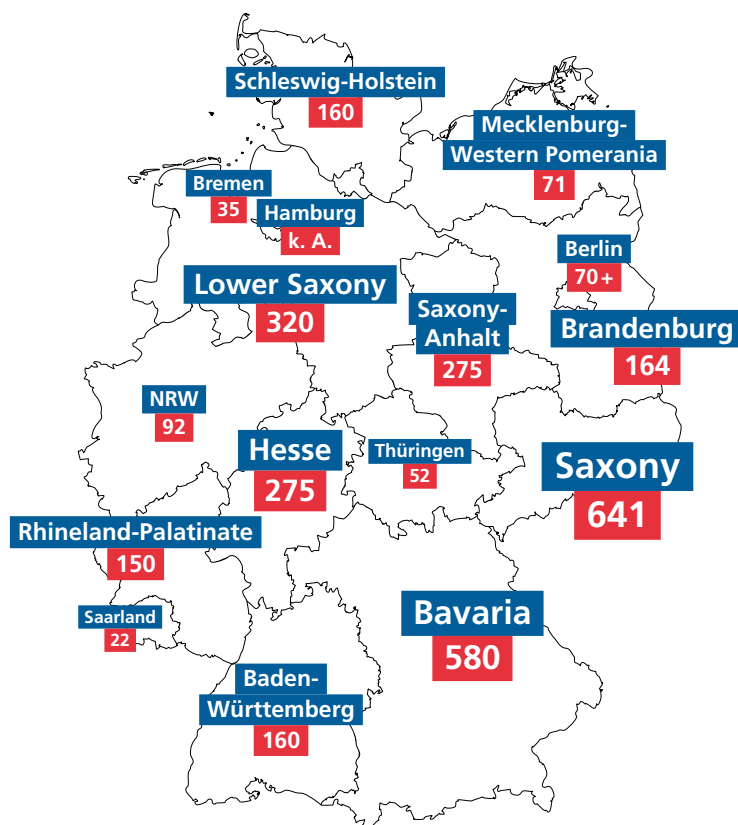
Since the invasion of Ukraine the *Länder* have employed teaching staff from Ukraine. Often these are not regular appointments, but short-term engagements as support staff or teaching assistants, in many cases part-time. The *Länder* have exchanged experiences as regards different forms of appointment.⁷

In December 2022 the Integration media service contacted the *Länder* and obtained figures on the employment of Ukrainian teaching staff (see Figure 9). There are striking differences. Saxony and Bremen quickly

⁷ Response from KMK, Educational Coordination Ukraine, to a question put by the author on 21.11.2022.

FIGURE 9

Ukrainian teaching staff employed in the Bundesländer (absolute figures)



Source: Mediendienst Integration 2022.

recruited Ukrainian staff. In both *Länder* the number of Ukrainian support teachers matched the calculated need. The two biggest *Länder* have been less successful. Bavaria recognises teaching qualifications from the EU, Switzerland, Iceland and Norway. The FDP want to change the relevant regulations (Eichmann 2022). The war and the new EU legal position have not caused them to change their mind. North Rhine-Westphalia has limited Ukrainian teaching staff to ancillary roles (Arnsberg District Administration 2022). The notion of hiring a Ukrainian English teacher on a regular basis appears alien to them.

Specific practices such as the German requirement of teaching competence in two subjects, which continues to be a factor in rejections, should be sidelined for the time being. There is a severe staff shortage in both areas after all. Ukrainians should obtain parity with EU citizens as regards professional recognition. If it proves possible to make real progress in this respect it would have knock-on effects in other areas. If someone is able to find a professional post and a stable income, that can only be a benefit across the board, for example, in the housing market.

Health care seems even more intractable. Although in April 2022 the Conference of Health Ministers came

out in favour of a 'timely' joint recommendation on faster approval of Ukrainian health care personnel (Conference of Health Ministers 2022), there have been few successes to date. In December 2022 labour lawyer Steffen Pasler summed things up:

'So far nothing has been regulated on this. Special regulations have been discussed for Ukrainian nurses/care specialists, but to date that hasn't happened' (in: Sausse 2022). In November 2022 the responsible *Land* Saxony-Anhalt wrote to all *Bundesländer* and obtained the relevant data in December.⁸ Subsequently, 134 Ukrainian doctors applied for a licence to practice medicine, eight have received it, of whom six are in Schleswig-Holstein. Some 160 doctors applied for a professional licence, 48 have received it, 12 of whom are in Bavaria, 10 in Rhineland-Palatinate and nine in Schleswig-Holstein. A total of 160 nurses have applied for a permit to use a professional title in a caring profession, 32 have received it, 14 of whom are in Rhineland-Palatinate and 11 in Lower Saxony. It is striking that the few successes have been in a few *Bundesländer*; most *Länder* responded with 'no data'. Calculating that there are probably around 36,000 health care professionals among the war refugees in Germany (6 per cent of adults) this is very paltry. In the

⁸ The following is based on a communication to the author by the GMK's administrative office on 31.12.2022, with figures from all *Bundesländer*.

responses, there is a fairly receptive attitude, but despite a few concessions as regards presentation of documents, the most frequent assertion is that there have scarcely been any applications. Regarding active efforts only one service centre, that of Saxony's Medical Chamber, is mentioned, with which 'more than 100 refugee doctors' have registered. An adaptation training course is set to commence in Dresden in April 2023.

The European Commission is trying to bring together job opportunities and applications across Europe by means of an 'EU talent pool' (EURES, see European Commission ND). This digital route is no doubt appropriate for opening up the European labour market to Ukrainian war refugees, who, in the wake of their flight, are less tied down geographically than locals. The pilot project is initially focused on them. To date, Finland, Croatia, Lithuania, Poland, Spain, the Czech Republic and Cyprus are participating.

are also eased. In the absence of this positive coupling a vicious circle sets in of isolation, poverty, disdain, envy and financial difficulties, the blame for which can easily be put on refugees. Frustration develops on all sides. The Polish newspaper *Gazeta Wyborcza* quotes a complaint from an integration activist: 'This is a big missed opportunity that doctors have to wait so long for recognition of their qualifications. They are very motivated and if we provided them with the right conditions they could practice their profession. As a result, a woman who used to be a hospital lab technician is currently an ancillary worker in a hospice' (Błaszkiwicz 2022). And in Germany, indeed, they are left sitting at home.

5.9 LABOUR MARKET PARTICIPATION BRINGS COST REDUCTIONS, ACCEPTANCE AND STABILISATION

In Poland, the head of the Polish Development Fund forecasts that the state will register a surplus of 1.1 billion zlotys (230 million euros) with regard to Ukrainian refugees in 2023. He calculates that Poland will spend 2.4 billion zlotys for the education of refugee children and another 2.3 billion zlotys on child subsidies, but there will be six billion zlotys in taxes coming from Ukrainians, since 60-70 per cent are working, and 20,000 Ukrainian companies have been registered in 2022 (Ciobanu 2023). The author of the report about the calculation comments that Poland has managed to keep financial support to a minimum, and private citizens have mostly stepped in (Ciobanu 2023).

In October 2022 Czech finance minister Zbyněk Stanjura was pleased to announce that the cost of taking in refugees would be lower than originally thought. He said: 'The costs will probably not exceed 1 billion euros, that is, around 25 billion kronas. Ukrainian refugees have rapidly integrated in the labour market, they don't really burden the health service and many Czechs have taken them in free of charge' (Radio Prague International 2022). In a period of strong price increases and economic uncertainty that is a substantial relief, and no doubt reduces people's worries about the burden imposed by refugees. Not only are costs being reduced, but also the social and political tensions emerging at a time of such increasing uncertainty and rising prices. Taking up employment not only ensures income, but also confers self-confidence and acceptance. It is thus an important step towards social stability.

The Czech example shows that effective efforts as regards job placement and removal of obstacles leads to positive results for all concerned. People who get a job not only earn money but acquire a status on an equal footing with locals, who then no longer regard new arrivals as benefit claimants, but as contributors. Public finances

'TEMPORARY PROTECTION' AND THE EXISTING ASYLUM SYSTEM

Since the activation of the Directive on 4 March 2022, 'temporary protection' has proved itself as a reception regime. Over 4 million war refugees have been taken in, without it leading to social conflicts or international tensions. In contrast to asylum, there have been very few legal disputes, but rather a lot of cooperative action. The decision not to control everything centrally or to allot refugees to particular countries has unleashed enormous practical solidarity and digital networking has proved its worth with a multitude of helping hands. States and citizens have worked together much better than within the asylum regime, which is characterised by ambivalence between reception, monitoring and control, and rejection. In this way, Europe has handled over 4 million Ukrainian war refugees much better than a far smaller number of asylum seekers. While in spring many observers had feared that such dynamic solidarity would be exhausted after a few months, now, after a year the influx continues, volunteers have not lost their enthusiasm and in several countries war refugees are able to find work fairly quickly.

Comparing the two regimes (Table 7), in many ways it seems that emancipation from regulations and bureaucratic processes simplifies and speeds things up considerably. That begins with free entry, which in the past was also possible from many non-European countries. In the run up to introduction of the asylum system, however, restrictions gradually accrued. But now the whole trafficking problem and related dangers, dependencies, payments, criminal processes and resort to violence are eradicated. Tactical considerations as regards surmounting borders and legitimising asylum applications, which go hand in hand with the ambivalence of the granting of asylum and hostility, become redundant. Passports are no longer concealed but presented freely. Returning to the home country becomes easier because the European countries keep the borders open.

Based on the free choice of reception country restrictions regarding choice of location are also eliminated for all those with invitations from private individuals. In some countries, however, including Germany and Switzerland, state accommodation is associated with the allocation of place of residence, even in the system of 'temporary protection'. In fact, the most important difference is the elimination of the asylum procedure and the related restrictions for Ukrainian war refugees. In many countries this means waiting years for a decision and uncertainty regarding admission, with consequences for children and their educations. On the other hand, those who qualify for asylum, when their claims are recognised, are permanently protected, while

'temporary protection' is granted for a limited time and in the case of Ukraine will depend on the course of the war. After the end of the war in Yugoslavia Germany repatriated almost all civil war refugees (Barslund et al. 2017; Oltmer 2022), although some went on to the United States.

That fact that in many countries many Ukrainians have been taken in by private households has led to closer integration in society, in contrast to the situation of residents of asylum centres. This also opens up the opportunity for cooperative relations between the authorities and people providing support. Overregulation diminishes this and makes things more difficult for hosts, too.

The decision not to return people to the home country and the freedom of travel and settlement have changed the character of 'temporary protection' decisively, shaping the current situation. Together with the already existing visa exemption for Ukrainians this has made Ukrainian war refugees into de facto EU citizens, at least for the time being. This construction has brought to bear the strengths of the European Union: its size, its sophisticated diversity and its ability to put up with differences and turn them to advantage. After the many toxic disputes about asylum seekers, their allocation, onward migration and recognition, it has been one of the biggest surprises and reliefs that refraining from intra-European regulation and allocation has contributed to easing the tension and open co-existence, in which 26 out of 27 Member States have worked together constructively. And not only traditionally refugee-friendly countries, but even Denmark and the United Kingdom have been willing to take people in.

As long as the war in Ukraine continues the two reception regimes will continue to exist alongside one another. In the reception countries they come into contact in various ways. The experience of a functioning reception system will remain in place for future emergency situations. The extent to which the positive experiences with 'temporary protection' are able to influence the asylum regime will depend on decisions taken in individual European countries. There is no discernible common line or even joint decision-making on regime change. But it is certain that European citizens have accepted Ukrainians as Europeans.

The problems with the European asylum system are generally known. There are human rights abuses on several external borders, states that fundamentally disregard the applicable directives, long-drawn-out procedures that in a high percentage of cases have to be sorted out in the courts, and an expensive and inefficient system of returns (Dublin system). At the end of 2021, a total of

758,700 asylum applications were still pending, including 264,400 in Germany (Eurostat 2022b). Approval rates vary enormously, including for groups with the same origin, and even between EU countries and individual branches of Germany's Federal Office for Migration and Refugees (BAMF). Waiting times are long – in Germany the average was 7.6 months as of November 2022. During this period

asylum seekers' initiative or enterprise are largely in hibernation, and school provision for their children is often inadequate. Refugee centres give rise to additional psychological problems, as well as high costs. The system has often been criticised as a 'lottery' (Thränhardt 2020, 2021, 2023).

TABLE 7

Regime comparison: asylum system and 'temporary protection', 2022⁹

	'Temporary protection' for Ukrainian war refugees	European asylum system
Form of decision-making	Reception of all war refugees	Individual applications
Border regime	Open, visa-free	Visa requirement, controls, upstream relocation in other countries, trafficking, costs
Freedom of movement and settlement in the EU	Free choice of reception country, freedom of movement, also into Ukraine and back	Country of first reception, returns/Dublin system, restrictions during asylum process
Freedom of movement within states	Restrictions possible for recipients of social assistance (Germany)	Initial accommodation, after approval movement restricted for recipients of social assistance in some <i>Länder</i> (Germany)
Housing	Private accommodation/housing possible, right to official housing	Accommodation in reception centres until the decision on asylum, after approval free
Length of admission process	Immediate admission, up to 4 March 2023, extended to 4 March 2024, subject to further decisions of the EU Council of Ministers	Processing of asylum application took an average 6.6 months in Germany in 2021, legal proceedings 24 months; in the case of a positive decision unlimited, review possible; possible forbearance in the event of rejection (Germany)
Right to language courses	Yes	Varies depending on origin up to approval, the Coalition wants to introduce language courses for all (Germany)
Work	Possible immediately	Waiting periods, varies by country of origin
Medical treatment	Health insurance	Asylum Seekers Benefit Act, health insurance after approval
Children, education	Full access to education system, <i>Länder</i> regulations	Restricted pending asylum decision, varies by country, full access after approval
Family reunion	Core family and persons living in the family group	Core family, waiting periods, differences according to asylum status
Civil society and state	Cooperation, many refugees accommodated privately	Tensions between engaged citizens and the asylum bureaucracy
Domestic regulations	Pragmatic, cooperative	Judicial proceedings, increasing legal specialisation, long-drawn-out processes
Relations between EU countries	Cooperative, no disputes	Race to the bottom as regards deterrence, conflicts, controversies, cooperation

⁹ On the regime concept see Cvajner et al. 2018: 65-80; for an earlier version of this table see Thränhardt 2022a.

RECOMMENDATIONS

These recommendations and further reflections stem from experiences with the system of ‘temporary protection’, as developed for Ukrainian war refugees, and from the various experiences of individual European countries. In particular the question arises whether the leap out of the predicament of the asylum system that the EU made with its activation of ‘temporary protection’ in early March 2022 could also lead to remedies for other refugee groups and situations. The recommendations are directed towards the European and German levels.

7.1 EUROPEAN LEVEL

DOCUMENT AND ANALYSE RECEPTION IN THE EU AND NEIGHBOURING STATES TO PUBLICISE GOOD PRACTICE

Experiences with ‘temporary protection’ show that overall reception in Europe has been organised successfully, even though organisation varies between different countries. Differences may be observed particularly in relation to administrative efficiency and digitalisation, accommodation, material and social support, and the possibility of working and making use of professional qualifications. There is room for improvement as regards mutual awareness of the relevant regulations, problems and good practice. For that reason the practice of ‘temporary protection’ in the EU Member States and their neighbours should be documented and made transparent. This includes reception and current figures, data on material support, kindergarten and school attendance, accommodation provided by helpers, the state or the housing market, and finally the various legal and administrative regulations. States that have not reached their reception targets and where there are willing hosts can make this known. In this way a positive debate can be launched in the constructive spirit in which Ukrainian war refugees have been welcomed in Europe.

SUPPORT NETWORKING AMONG HOSTS AND ENGAGED UKRAINIANS

Directly after the beginning of the Russian invasion, host societies began to network with refugees. This transformed reception both qualitatively and quantitatively and has been fundamental to its success. The EU should subsidise one or several platforms on which the various activities are brought into contact, including information on spare reception capacity in some countries. Ukrainian activists in the reception countries could play a particular role in this.

OPEN EQUAL EU STATUS FOR WAR REFUGEES OCCUPATIONALLY, ABOVE ALL AS REGARDS HEALTH CARE AND EDUCATION

The EU Council of Ministers should grant war refugees EU access rights for the duration of their stay, in particular equal treatment in relation to employment, for example, in education and health care. Established equal treatment in terms of EU rights would eliminate many administrative barriers that currently impede war refugees’ temporary integration. At the same time, this would confer on war refugees who will remain a smooth transition towards the aim of Ukrainian EU membership.

OPEN EUROPEAN STATUS FOR OTHER CATEGORIES OF RECOGNISED REFUGEES

Based on positive experiences with EU openness, recognised refugees should be granted free travel and settlement rights in the EU by decree of the Council of Ministers. That would improve labour allocation in terms of demand and supply and make various approval procedures and confirmatory asylum applications redundant. As has happened in the reception of Ukrainian refugees the host society would thus avoid certain obstacles and networks could be formed.

7.2 GERMAN POLICY AND ADMINISTRATION

DIGITALISATION AND ONE-STOP-SHOP GOVERNMENT, SIMPLIFIED PROCEDURES

Reception procedures should be fully digitalised, as in many other countries. With the presentation of a machine-readable Ukrainian passport there should be a one-stop-shop procedure whereby all access to residence, work, health insurance and social benefits would be opened up. Legal regulations should be framed in such a way that local authorities would not be subject to unnecessary burdens. Only in that way can they remain fit for purpose and proactive. Restrictions should be eliminated when someone has found accommodation and a job. That also applies to asylum seekers and refugees in accordance with the Geneva Convention. In a situation of mass flight simple rules and rapid procedures are necessary. Administrative bottlenecks generate frustration and stifle acceptance. At the same time, efficiency problems and delays in one place give rise to further sets of problems. Simple and rapid registration leads in every area of life to faster and smoother normalisation. Prompt assistance right at the outset is crucial for people who have escaped with their lives and little else. Refinements can wait.

SCHOOL WORK PROGRAMME

The *Bundesländer* should recruit Ukrainian teachers in proportion to the number of Ukrainian students, with the task of teaching and, when they have time, learning German. On top of that, adaptation courses should be available during the holidays, with child care provision. There should be individual solutions for transitions to full teaching, in accordance with language skills and other capabilities, for example, for English teachers. There should also be options for maintaining or enhancing Ukrainian language proficiency, in parallel with the German curriculum. Legal regulations should also be adapted accordingly. Being able to work brings independence, self-esteem, recognition and stability. Work can also foster linguistic and social integration. It is important not merely to formulate the right to work, but also to make it a reality.

WORK PROGRAMME FOR DOCTORS AND NURSES/CARE WORKERS

Accordingly, hospitals, medical practices and care facilities should have the option of appointing Ukrainian doctors and other health care personnel temporarily, with the task of looking after Ukrainian patients and gradually being integrated into the German health care system. Legal regulations should be adapted accordingly.

FAST, FAIR AND WELL ORGANISED ASYLUM PROCEDURES ON THE SWISS MODEL

The experiences of the past year have shown that it has been easier to host 1 million people in Germany under the aegis of the 'temporary protection' system than the 200,000 people in the asylum system. That is largely because of the excessive length and low quality of asylum procedures. It is thus a matter of urgency that asylum processes be speeded up and improved. Switzerland's synchronised procedure provides a blueprint for this. It has already been successfully tested in Germany in 2017. If it proves possible to complete the procedure, as in Switzerland, in an average of 50 days instead of six to seven months, numerous benefits will accrue, as we have seen in the reception of Ukrainians. Above all the long waiting period will be eliminated, in which asylum seekers are in limbo and detained with no chance of advancing with their integration. Municipalities and *Länder* would be relieved of a considerable portion of the heavy burden involved in accommodating asylum seekers for months, who, because of their unresolved circumstances, cannot be integrated. Positive experiences with an immediate start for refugees should lead to an acceleration of asylum procedures, as practiced in Switzerland. Instead of shutting down asylum seekers' initiative and detaining them for months in large camps, decision-making should be rapid and decisive.

CLEAR AWAY THE RED TAPE RELATED TO THE WESTERN BALKANS AND AVOID THE NEED FOR 50,000 PROCEDURES

The Coalition is currently planning to increase the number of work permits for the Western Balkans to 50,000. A general opening up of the labour market to the Western Balkan states (or initially for certain particularly cooperative states, such as North Macedonia) would save on 50,000 complex visa and work permit procedures and free up administrative capacity. The great experience of opening up Europe and cooperation with autonomous organisation should encourage the authorities to introduce freedom of travel and settlement also for other groups, if they are able to obtain jobs or invitations via networks.

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By taking in millions of Ukrainian war refugees the EU Member States have expressed historically unprecedented solidarity. The unanimous activation of the Directive on 'Temporary Protection' in the European Council enabled the unbureaucratic reception of people forced to flee the destruction wreaked by Russian bombs. What had not been possible – or desired – for other groups of refugees in far smaller numbers happened in this case even in Member States previously opposed to a more open European asylum policy and the fair distribution of refugees. On the bitter anniversary of Russia's illegal war of aggression that commenced on 24 February 2022 we present a first European comparative study of 'temporary protection' and shed light on the strengths and weaknesses of the different national systems as regards entry procedures, accommodation options and (labour market) integration.

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