

THE RUSSIAN WAR OF AGGRESSION AGAINST UKRAINE — THE BROAD FUNDAMENTAL RIGHTS IMPACT IN THE EU



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Foreword

Eight months after Russia invaded Ukraine, the world has changed profoundly. With no end in sight, the tentacles of war are reaching into the homes of people around the world resulting in widespread hardship and suffering.

Some 13 million people fled the solace of their homes, a mass movement of people not seen since World War Two.

Across Europe, the tremendous support and solidarity for the displaced people is heart-warming. But as the war drags on, immediate concerns need to be complemented by medium- to long-term solutions that address the needs of those directly affected as well as host societies.

The spill over of war also has had a direct bearing on many fundamental rights within the EU. These include access to jobs, housing, education and healthcare.

The European Union's rapid response, activating the EU Temporary Protection Directive, offered welcome relief and much-needed support to those in need. It allowed displaced persons the opportunity to quickly settle and to work, travel and access services across the EU.

Other pressing human rights issues have come to the fore and remain high on the EU's agenda, as a matter of priority. Human trafficking, sexual and gender-based violence, hate crime and hate-fuelled disinformation are grave risks as some people try to exploit the misfortune of others or foment dissent within Europe.

The EU Agency for Fundamental Rights (FRA) is supporting efforts to confront these fast-moving and complex challenges, underlined by my recent meeting in Finland with ministers on border controls.

This, the second in our series of bulletins, maps the complexity and scale of the war's diverse fundamental rights implications right across the EU. It also draws attention to the plight of vulnerable groups. For example, take the unaccompanied children that arrive without their parents or carers who are at risk of falling victim to traffickers. Or the Roma, who once lived in Ukraine but are now in the EU, who experience hate speech, particularly on social media.

Taken together, the findings from the bulletin aim to guide policymakers in finding rights-based solutions to the challenges the conflict poses in the EU.

As Russia's aggression of Ukraine carries on, I remain confident that Europe will continue to show solidarity. From the locals who have been so instrumental in lending a helping hand to the public administrations that provided safety to those in need, I am proud to see how we stand up for human rights and with Ukraine.

Michael O'Flaherty
Director

Acronyms and abbreviations

COMIN	Community Center for Work and Knowledge Mobility
COVID-19	Coronavirus disease 2019
EU	European Union
EUAA	European Union Agency for Asylum
FRA	European Union Agency for Fundamental Rights
JRS	Jesuit Refugee Service
NGO	Non-governmental organisation
PFRON	State Fund for Rehabilitation of Disabled People
the Charter	Charter of Fundamental Rights of the European Union
TPD	Temporary Protection Directive
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

Contents

FOREWORD	1
INTRODUCTION	11
IMPLEMENTING THE TEMPORARY PROTECTION DIRECTIVE – CHALLENGES AND BEST PRACTICES	14
Initial arrival, information provision, registration and issuance of residence permits	14
Access to employment	21
Access to accommodation	25
Access to social welfare services	31
Access to healthcare, mental health care and special needs assistance	34
Access to education	38
Protection of unaccompanied children and access to guardianship	45
ADDRESSING FURTHER CHALLENGES RELATED TO THE ARRIVAL OF DISPLACED PERSONS	51
Human trafficking and other forms of exploitation	51
Provision of information and support to victims of sexual and gender-based violence	57
Xenophobic disinformation and hate crime	59

Key findings

The arrival across Europe of **more than 7 million** people fleeing Ukraine after the Russian invasion triggered a wave of support from governments, local authorities and society as a whole.

The European Union (EU) activated the **Temporary Protection Directive** (TPD) for the first time. This entitles those displaced because of the war to legal residence, and access to work, housing and social assistance, healthcare and education. Beneficiaries of temporary protection must obtain a residence permit valid for one year, which can be extended up to three years. Beneficiaries can move freely in EU countries for 90 days within a 180-day period.

They are also protected under the EU legislation addressing **trafficking in human beings** (human trafficking), **hate crime** and **rights of victims of crime**.

Covering the situation in all EU Member States between mid-April and late July 2022, this second bulletin provides an overview of the key fundamental rights issues identified. It outlines challenges and good practices in the implementation of the TPD on the ground.

In addition, it looks at three phenomena with serious fundamental rights implications that have arisen since the start of the war, which the EU and its Member States have worked hard to combat, namely:

- ★ human trafficking;
- ★ sexual and gender-based violence;
- ★ xenophobic disinformation and hate speech.

It also highlights the fundamental rights implications for particular groups within the population and for the general population, as people across Europe **grow increasingly concerned** about the economic situation in their countries.

Finally, it looks at the situation of non-Ukrainian third-country nationals who fled from the Russian invasion of Ukraine to the EU and who are not granted the same rights and benefits everywhere.

The **first Ukraine bulletin** was published on 19 May 2022 and looked at the fundamental rights situation of people fleeing the Russian invasion of Ukraine to Hungary, Poland, Romania and Slovakia between 1 March and 27 April 2022.

It covered the legal framework of the implementation of the Temporary Protection Directive, the fundamental rights situation at EU borders and the situation of children.

Given the extended scope of this second Ukraine bulletin, comparing the findings of the bulletins and identifying trends is possible only to a limited extent.

Arrival, information provision, registration and the issuance of residence permits

Measures to enable people fleeing Ukraine to cross the EU's border safely and access the appropriate procedures improved significantly during the reporting period. For example, issues related to long waiting times and a lack of clear and fast procedures, as reported in the first European Union Agency for Fundamental Rights (FRA) **Ukraine bulletin**, were largely resolved.

However, the following are examples of challenges that still exist and that EU Member States have been working to resolve.

- ★ Systems and procedures for registering new arrivals vary across the EU, and in some Member States it is unclear how to obtain temporary protection status.
- ★ Effectively and quickly informing potential beneficiaries of temporary protection about their rights is difficult, with issues linked in some cases to the quality of information provided and the quality of interpretation. Authorities in many Member States have established dedicated websites and other information channels to address this.
- ★ Member States have taken steps to enhance available reception capacities. But coordinating the provision of initial shelter in the public reception system remains challenging in some Member States, where reception conditions are reportedly not always adequate.
- ★ Procedures and practices for issuing residence permits for temporary protection vary across Member States. Some Member States ensure that the process is quick, granting temporary protection almost immediately, while in others it can take up to eight weeks; creating legal uncertainty for displaced persons and possibly unequal treatment across the EU.

Access to employment

Beneficiaries of temporary protection generally enjoy access to the labour market and employment-related rights on a similar or equal footing to country nationals.

However, the following are examples of persisting obstacles that limit access to employment, which the EU and its Member States have been working to address.

- ★ Language barriers and limited access to information often prevent highly educated and qualified beneficiaries of temporary protection from finding work matching their skills. Therefore, many end up accepting low-skilled jobs. In response, authorities and other actors have taken steps to provide language training, set up information channels and match the skills of beneficiaries of temporary protection with available vacancies. The European Commission has issued **important guidance** in this regard.
- ★ Many Member States have simplified procedures for recognising professional qualifications. These often focus on sectors where there is a particular need for urgent additions to the workforce to support national efforts to integrate and support displaced persons from Ukraine, such as healthcare and education.
- ★ For the many adult beneficiaries of temporary protection who arrive alone with young children, access to the labour market first depends on access to childcare. Although several countries have increased their childcare capacity since the beginning of the war, it remains an issue, particularly in Member States with a systemic shortage of such facilities. This shortage also affects the general population. Central and local authorities, and civil society organisations, have been particularly active in trying to find solutions to meet the increased need for childcare.

Access to accommodation

To safely house displaced persons coming from Ukraine, Member States rely both on privately organised housing, provided by volunteers, non-governmental organisations or landlords for free or at reduced rates, and on public facilities, including state-contracted hotels and municipal facilities.

Many Member States determine housing benefits based on whether or not displaced persons qualify for temporary protection or specific support schemes. This can exclude those who do not qualify, typically non-Ukrainian third-country nationals. Other recurring obstacles to ensuring access to housing assistance include the following.

- ★ Limited capacity and suitability of public accommodation facilities, due to limited funding and a lack of long-term solutions. If not addressed, this results in long waiting times, frequent moves and risks of exploitation or abuse. At local level, authorities in some Member States have been overburdened, particularly in large cities or in Member States with large numbers of arrivals. Some Member States have addressed this by allocating displaced persons in a territorially balanced way.
- ★ Many EU countries have relied on private accommodation providers to host displaced persons for free or at a reduced rate. However, these are often short-term solutions, and compensation is not always provided or is tied to the beneficiary's eligibility for public housing assistance. Where privately organised accommodation is compensated, allowances are in some Member States reported to be insufficient.
- ★ Private accommodation is also not always vetted systematically, which can lead to safety risks, especially for women. However, several good examples of vetting systems were identified across the EU.

Access to social welfare services

Access to social welfare services for beneficiaries of temporary protection varies across Member States. Many link the provision of allowances to temporary protection status and provide support either through general social welfare schemes or specifically established support schemes, including regular, limited or one-off payments. Many Member States are also flexible when the necessary documents are lacking.

The following are examples of challenges that displaced persons report in relation to the scope and processing of social assistance and accessing support in practice.

- ★ In several Member States, allowances appear to be insufficient to cover subsistence, either because the amounts are low or because they are limited to one-off payments. Some Member States align social assistance with the benefits available to third-country nationals or asylum applicants.
- ★ Several Member States determine social assistance based on the protection status, nationality or type of permit of displaced persons, revoking the eligibility of or comparatively limiting assistance for beneficiaries of temporary protection.
- ★ The high workload involved in processing requests for social assistance allowances, combined with language barriers and a lack of documentation, has led to delays in payments.

Access to healthcare, mental health care and special needs assistance

National legislation implementing the TPD grants beneficiaries of temporary protection access to healthcare, including mental health care, according to FRA data.

However, access is granted to varying degrees, as the following examples show.

- ★ While many Member States have provided beneficiaries of temporary protection with access to the same services as citizens, a few others have provided access to emergency care only or have excluded certain services from the scope of coverage.
- ★ Most Member States provided free access to coronavirus disease 2019 vaccinations.
- ★ Some Member States had pre-existing deficiencies, including overburdened public healthcare systems, a shortage of medical professionals and limited access to certain services. These affected beneficiaries of temporary protection just like the general population. Some concerns of the local population, or fake news about displaced persons being able to access the healthcare system more easily, arose in a few Member States.
- ★ There were some reports of instances of people being refused services owing to a lack of capacity of medical staff, a lack of information regarding the rights of beneficiaries and discriminatory behaviour in several Member States.
- ★ Practical issues, including language barriers and a lack of access to medical records, also affected the provision of healthcare services. Authorities and non-governmental organisations in some Member States made efforts to recruit Ukrainian medical professionals and to provide free interpretation services to help improve access to services.

Access to education

Access to education is a particularly important aspect given the large number of children among those displaced. However, it is also a particularly challenging area for Member States to address with regard to increasing the capacity of schools at short notice to welcome and integrate millions of displaced children into their education systems. This especially affects Member States with a large number of arrivals. The EU has provided funding from Cohesion Policy funds, in addition to creating tools such as the **School Education Gateway** to help Member States ensure adequate access to education.

Key findings in this area include the following.

- ★ Schools, especially in cities and areas hosting large numbers of displaced families, lack capacity to enrol additional students.
- ★ The trend of many displaced children partaking in online distance learning provided by the Ukrainian authorities, as FRA's first Ukraine bulletin reported, has continued. This allows them to continue their education, but also raises concerns about their integration into national education systems.
- ★ Approaches vary in terms of providing support to children participating in Ukrainian online schooling, and limited progress has been reported since the first Ukraine bulletin. While some Member States make school attendance compulsory, others support those in Ukrainian distance learning in a manner that also prepares the children to join the national education system in that Member State.
- ★ Intensive language classes and preparatory classes in many schools aim to facilitate integration into national education systems, with non-state actors

sometimes playing an important role. Some Member States relaxed legal requirements to enable the recruitment of Ukrainian- and Russian-speaking teachers and other staff.

Protection of unaccompanied children and access to guardianship

A legal guardian must represent an unaccompanied child to ensure the child's well-being, under the TPD. Concerns relate mainly to the following.

- ★ Although some improvements on the period covered by the first Ukraine bulletin were reported, gaps remained in the initial and centralised registration of unaccompanied children, increasing their risk of going missing or becoming victims of human trafficking. Some Member States addressed these gaps by setting up dedicated registration systems for unaccompanied children. However, the systems in some countries do not register non-Ukrainian unaccompanied children fleeing Ukraine.
- ★ Member States applied diverse approaches to appointing or recognising guardians for separated children arriving with an appointed guardian from Ukraine. Some Member States appointed additional, or temporary or distant, guardians to cater for the increased demand.
- ★ Member States face challenges in providing adequate reception and care for unaccompanied children. Types and conditions of reception and services provided for unaccompanied children vary among the Member States. Some Member States set up special accommodation facilities providing unaccompanied children with the necessary material and psychosocial support, interpretation and educational activities.

Certain displaced persons faced additional difficulties in accessing the rights granted by the TPD in practice. Examples of these are as follows.

- ★ Roma in some Member States have been reported to encounter obstacles at the stage of initial reception and registration and when accessing employment, housing, social welfare services, medical services and education.
- ★ People with disabilities have particular needs when it comes to accessing healthcare and, for example, accommodation. This was addressed in some Member States, for example through measures ranging from recognising foreign disability certificates to particular accommodation entitlements.
- ★ There were also some reports of instances of the unequal treatment of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) people in initial reception centres.
- ★ Challenges were reported concerning unaccompanied children who had been living in Ukrainian institutions. Nearly half of them have disabilities. Not all Member States were prepared to host these children in the light of their obligation to respect de-institutionalisation policies. But some put special measures in place to ensure their safe and good-quality reception.

Human trafficking and other forms of exploitation

The **EU Human Trafficking Directive** and the national legislation transposing it in Member States include measures to prevent and address all forms of exploitation related to human trafficking. Human trafficking remains an issue of particular concern for EU institutions and Member States, which have taken a number of measures to address this risk.

- ★ Risks of trafficking for sexual and labour exploitation were identified in EU Member States, especially as a result of the online and offline targeting of victims and individuals offering private transport and accommodation to people fleeing Ukraine. Often, fraudulent agencies/intermediaries were involved. Some improvements were reported compared with the period that the first Ukraine bulletin covered, such as the introduction in a few Member States of the requirement to register individuals providing transport and private accommodation to those fleeing the war.
- ★ Member States have taken action to prevent and address human trafficking, including through awareness-raising and information campaigns on the risks of trafficking and on the support available to victims; using Ukrainian interpreters in running hotlines for reporting suspected cases; training front-line workers; and stepping up undercover and online investigations and increasing institutional and police cooperation.
- ★ A relatively limited number of suspected human trafficking cases were reported and investigated across the EU. Member States also reported some cases of the labour exploitation of displaced persons from Ukraine. Although these are not considered cases of human trafficking, they often involve violations of fundamental rights.

Provision of information and support to victims of sexual and gender-based violence

Regarding the provision of information and support to victims of sexual and gender-based violence in accordance with the EU **Victims' Rights Directive**:

- ★ A number of Member States took initiatives to inform women who have become victims of gender-based violence in Ukraine about their rights in the EU, in particular to overcome language barriers.
- ★ Support for victims of sexual violence does not include fast and unhindered access to abortion in all Member States. Some have very restrictive abortion laws, for example requiring the victim to provide evidence that she has been raped.

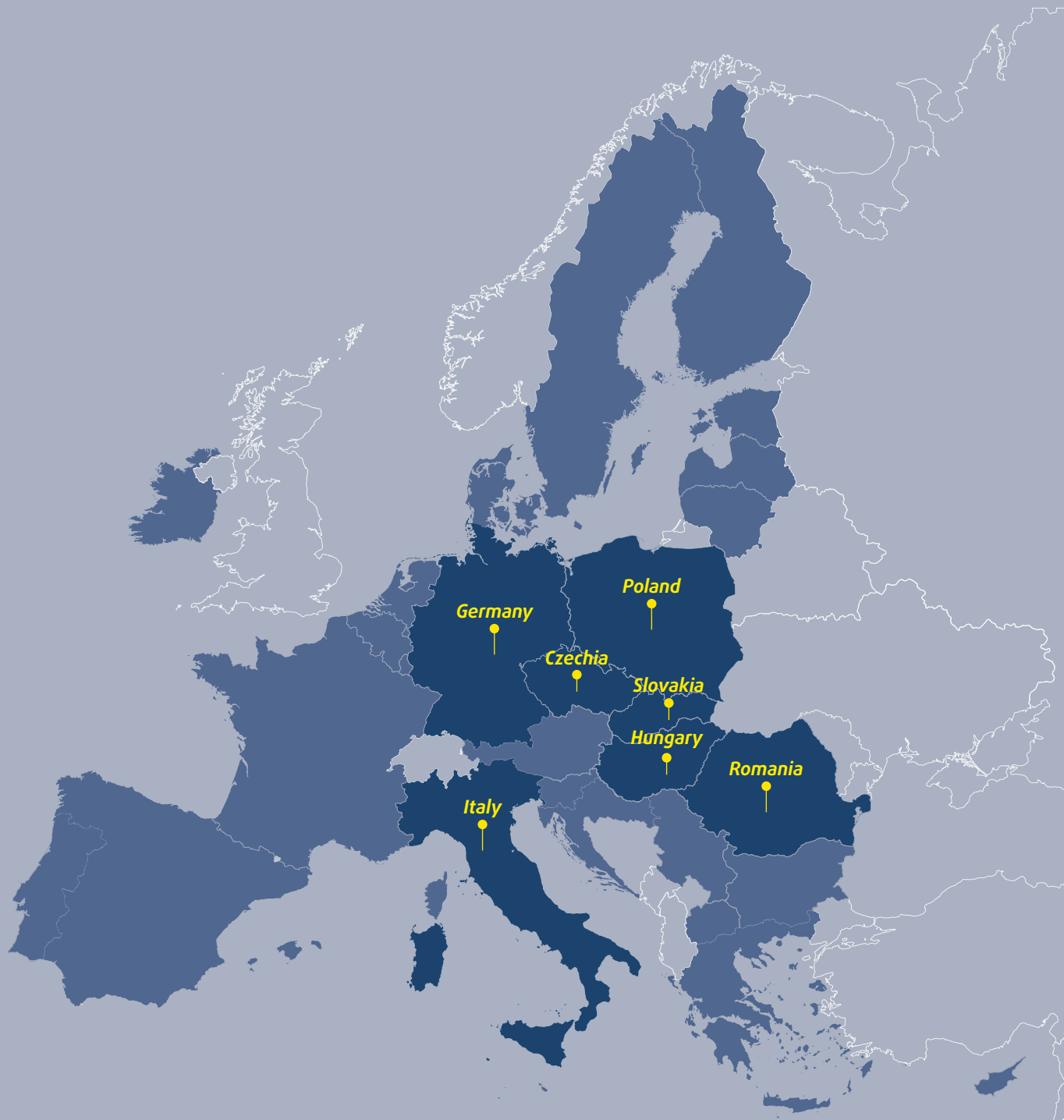
Xenophobic disinformation and hate crime

The following points concern xenophobic disinformation and hate crime.

- ★ While opinion polls and surveys show that Europeans largely feel sympathy for people arriving from Ukraine, incidents of hate speech, harassment and even violence against people arriving from Ukraine were reported in some countries. Xenophobic disinformation and hate speech are particularly widespread on social media, with Roma from Ukraine specifically targeted. While the majority of xenophobic cases reported to FRA have related to Ukrainian speakers, Russians and Russian speakers also experienced increased hate speech. Some public authorities have expressly condemned racism and hate speech.
- ★ There is a lack of comprehensive figures on the number of incidents of xenophobic disinformation and hate speech, because these crimes are often under-reported and the authorities do not systematically record information on nationality.
- ★ Member States have in place various measures regarding disinformation online and offline. Information reported to FRA indicates that only a few state authorities or non-governmental organisations have initiated targeted action or launched specific measures countering xenophobic disinformation, although fact-checking and content removal initiatives in some Member States specifically target this type of content.

The European Union Agency for Fundamental Rights has been regularly collecting data on asylum and migration since September 2015. This bulletin provides an overview of the key fundamental rights issues identified with regard to people fleeing from the Russian invasion in Ukraine to EU Member States. It outlines challenges and good practices in the implementation of the Temporary Protection Directive on the ground.

The situation in seven Member States – Czechia, Germany, Hungary, Italy, Poland, Romania and Slovakia – is examined in more detail. For the other 20 states, this bulletin covers up to three topics per state.



Introduction

The Russian invasion in Ukraine is the gravest threat to human rights in Europe of this generation. It has severe implications for respect for fundamental rights in the EU.

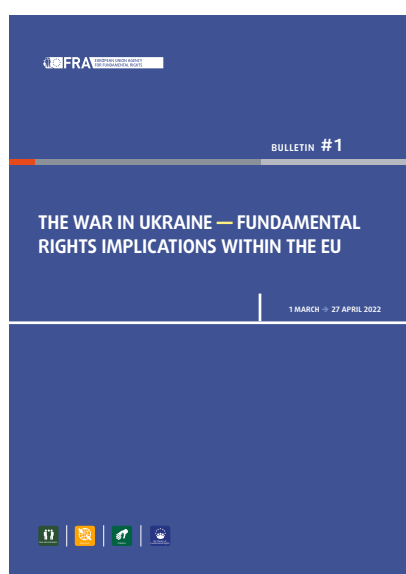
The dominant fundamental rights issues for the European Union Agency for Fundamental Rights (FRA) relate to the situation of the **13 million** people forced to flee Ukraine, many of whom seek safety in the EU. These issues include the impact of the large number of arrivals in the EU on local communities. However, FRA also engages with other fundamental rights issues, including the impact on ethnic and/or linguistic minorities in the EU, patterns of hate speech and responses to it, and the risk of attention being deflected from existing concerns, such as for migrants and regarding respect for the rule of law.

Within the limits of its powers, capacity and mandate, FRA engaged with the situation and is implementing a number of projects, including this periodic bulletin.

Governments, local authorities and society as a whole have shown tremendous solidarity, with civil society, private initiatives and volunteers bolstering the efforts of public authorities. Nine in 10 people in the EU agree with welcoming people fleeing the war into the EU and providing humanitarian support, according to a **Eurobarometer survey** undertaken in summer 2022.

The EU and its Member States have put in place a range of measures in record time to respond to the situation and welcome such unprecedented numbers of displaced persons. In doing so, they have stretched their capacities and resources to the limit, while also dealing with the fallout from the war on their own societies in the face of rising inflation and an energy crisis.

For the first time, the EU **activated the temporary protection mechanism**, granting displaced persons arriving from Ukraine a set of rights under the **Temporary Protection Directive (TPD) (2001/55/EC)**. These rights include access to work, housing and social assistance, healthcare and education. The EU has also made additional funding available to Member States to implement the mechanism. By early September 2022, **4.2 million people** had registered for temporary protection in the EU.



Besides the grave deterioration of the human rights situation in Ukraine, Russia's invasion has also had serious implications for many fundamental rights within the EU. On 19 May 2022, FRA published **Bulletin #1: The war in Ukraine – Fundamental rights implications within the EU** (Bulletin #1), covering the situation in Hungary, Poland, Romania and Slovakia. While some displaced persons chose to remain in those four EU countries bordering Ukraine and to apply for temporary protection there, others sought safety elsewhere in the EU, with some Member States hosting larger numbers of displaced persons than others.

This second FRA bulletin therefore looks at the situation across all Member States. While Bulletin #1 captured the main fundamental rights challenges arising during the immediate response to the arrivals in the first weeks of Russia's invasion of Ukraine, the current bulletin looks at further developments

Legal corner

The Temporary Protection Directive (**Council Directive 2001/55/EC**) applies in all EU Member States except Denmark. Denmark's **national rules** offer similar protection. The Temporary Protection Directive provides minimum standards for granting immediate and temporary protection in the event of a mass influx of displaced persons. It also provides measures promoting a balanced effort between EU Member States in receiving these persons. The **implementing decision** established the existence of such a mass influx of displaced persons from Ukraine within the meaning of Article 5 of the Temporary Protection Directive.

'Pendulum migration'

The proximity of Ukraine to EU Member States, along with the urgency of their escape from the war, is among the reasons why so-called **pendulum migration** has been observed among displaced persons from Ukraine. This situation helps explain why there are many more registered entries from Ukraine to the EU (**9.5 million** at the end of August 2022) than registrations for temporary protection.

Many people return or commute from the EU to Ukraine for legitimate reasons, including to check that their families are safe or to fetch official documents necessary for accessing jobs or schools in the EU. This should not be seen as a sign that a safe permanent return is possible, undermining the protection needs of these people.

FRA ACTIVITY

The bulletins are part of a broader set of FRA's activities addressing the situation. In August 2022, the agency compiled an **overview of key aspects of national laws implementing the EU TPD** in selected Member States, which will be regularly updated and expanded. A selection of initiatives from Human Rights Cities, including Barcelona, Budapest, Cologne, Ghent and Vienna will showcase cities' efforts to support displaced persons from Ukraine and help them access housing and employment. This information will be made available **online**. This will be followed by research in 2023 on key challenges and practices of public, especially local, authorities, who provide services at local level in accordance with the TPD in four policy areas: housing, education, employment and healthcare.



In the first half of 2023, FRA will publish the findings from an online survey on the experience of displaced persons, including children, concerning access to employment, education, childcare, housing, healthcare, language learning and issues affecting their integration, and aspects of discrimination and racism. FRA will also carry out a major survey on the experiences of violence and related human rights abuses of women fleeing the war in Ukraine. The results are expected to be available in 2024.

as Member States strive to put in place longer-term solutions. It aims to assist Member State authorities and EU policymakers in taking stock of the solutions and the remaining challenges as they continue to adjust their responses to the situation. It is also intended to help them prepare strategies for when people come to the EU seeking protection in the future, and from other parts of the world.

This bulletin starts by looking at the measures taken to ensure access to temporary protection in the areas covered by the TPD and the rights it grants to displaced persons, together with the remaining challenges in this regard. These rights include access to employment, suitable accommodation, social welfare, healthcare and education. In addition, the bulletin covers the EU- and national-level responses to three particular phenomena with severe fundamental rights implications that have arisen since the onset of the war and are high on the EU's list of priorities:

- trafficking in human beings (human trafficking);
- sexual and gender-based violence;
- xenophobic disinformation and hate crime.

Throughout the bulletin, particular attention is paid to the impact of the invasion on vulnerable groups. Some 90 % of those fleeing Ukraine are women and children, according to the United Nations High Commissioner for Refugees (**UNHCR**). Some children arrive in the EU unaccompanied or separated and require special protection. The bulletin looks at the additional challenges that particular groups face. These include Roma, whose population in Ukraine is **estimated** at 400,000.

The bulletin does not offer a complete picture of all the fundamental rights implications of Russia's invasion of Ukraine across the EU, such as those triggered by rising energy prices and the risk of shifting attention and resources from other fundamental rights priorities. While it hints at areas where the arrival of large numbers of people in need of support appears to accentuate existing challenges, it does not comprehensively map the socio-economic impact on the local populations of the various developments related to the current situation. It does not report in detail, for example, on the collateral effect of Russia's invasion of Ukraine in terms of the decisions of some Member States to hastily adopt new legislation allowing them to close the borders in case of emergency, and its fundamental rights impact. Another research project that FRA is currently implementing will examine this more extensively.

Despite its urgency and omnipresence, the situation triggered by Russia's invasion of Ukraine is not the only migration challenge that the EU and its Member States are facing. FRA closely follows other migration-related fundamental rights concerns in the EU, related, for example, to the Belarussian border and to the Mediterranean, and more generally to the treatment of asylum seekers and beneficiaries of international protection not from Ukraine. FRA reports on these issues in relation to other strands of its work.

Bulletin #2: Coverage and timeline

Bulletin #2: Russia's invasion of Ukraine – Fundamental rights implications within the EU documents the situation from mid-April to the end of July 2022, with later developments included where these were reported to FRA. Unlike Bulletin #1, published on 19 May 2022 and covering the situation in the four Member States neighbouring Ukraine, the second bulletin looks at the situation in all 27 EU Member States. It covers 10 thematic areas, some mirroring the rights guaranteed by the TPD and others selected for their particular relevance to fundamental rights.

FRA's multidisciplinary research network, Franet, collected data and information for this bulletin across all 27 EU Member States. It gathered information from sources in the public domain (hyperlinks to these are embedded in the relevant text), or provided orally or in writing by institutions and other organisations, as indicated in the endnotes. National authorities provided support by fact-checking the information.

Given the different numbers of displaced persons arriving in Member States across the EU, the situation in seven Member States – Czechia, Germany, Hungary, Italy, Poland, Romania and Slovakia – is examined in more detail. For the other 20 states, this bulletin covers up to three topics per state, as reported by Franet based on their relevance and the availability of data in the respective EU Member State.

Implementing the Temporary Protection Directive – challenges and best practices

This chapter looks at the fundamental rights implications of the application of the TPD in 27 EU Member States.

To ensure that people fleeing Russia's invasion of Ukraine receive adequate protection, the EU activated the TPD for the first time. It did so by adopting **Council Implementing Decision (EU) 2022/382** of 4 March 2022 (the implementing decision). All EU Member States apart from Denmark took part in adopting the implementing decision. Denmark is not bound by the TPD but has introduced a similar **national protection scheme**. In this regard, examples of measures implemented in Denmark will also be presented throughout this bulletin.

Beneficiaries of temporary protection must obtain a residence permit valid for one year (until 4 March 2023), which can be extended up to three years. They are granted rights and benefits under EU law, such as access to employment, accommodation or housing, social welfare and healthcare. Children have access to education, and families have the right to reunite. Beneficiaries also have access to banking services, and can move freely between EU countries for 90 days within a 180-day period.

All EU Member States worked quickly to implement the provisions enshrined in the TPD, with a view to making the rights afforded to beneficiaries a reality across the EU. While highlighting Member States' actions and examples of good practices in this regard, this chapter also outlines the obstacles that Member States face when implementing the TPD under the challenging circumstances brought about by the war. It looks at how EU and national measures implemented affect the fundamental rights of (potential) beneficiaries of temporary protection and those fleeing the war in Ukraine.

Some individuals escaping the war, for example some non-Ukrainian third-country nationals, do not fall under the scope of temporary protection in all Member States. The chapter also discusses the impact of the measures on particular groups, such as Roma and LGTBIQ+ people, fleeing the Russian invasion of Ukraine. Concerns about the impact of the measures on the local population are also reported where possible. However, a future FRA report will deal with this in more detail.

The chapter is divided according to the provisions of the TPD setting out the obligations of the Member States towards people enjoying temporary protection. It covers the fundamental rights situation on their initial arrival, before temporary protection is granted, including registration and initial reception; access to employment; access to accommodation; access to social welfare services; access to healthcare, mental health care and special needs assistance; access to education; and the protection of unaccompanied children.

Initial arrival, information provision, registration and issuance of residence permits

Since 2017, Ukrainian nationals travelling with a biometric passport have been able to enter all EU Member States and non-EU Schengen countries **without a visa for 90 days**. All other non-Ukrainian third-country nationals and stateless persons have been able to enter the EU pursuant to the humanitarian exemption clause of the **Schengen Borders Code** (Article 6 (5)).

Articles 8–10 of the TPD oblige Member States to provide people enjoying temporary protection with residence permits and to register their personal data while duly informing them about their rights and benefits under the TPD.

Personal scope of EU temporary protection

Under EU law, temporary protection applies to Ukrainian nationals and beneficiaries of international protection, including stateless persons, residing in Ukraine before 24 February 2022, Article 2 (1) of the implementing decision establishes. It also covers their family members.

Non-Ukrainian third-country nationals who permanently reside in Ukraine must also be protected, according to Article 2 (2) of the implementing decision. EU Member States must either apply the EU temporary protection scheme or provide adequate protection under their national law. The level of protection for non-Ukrainians from outside the EU varies in the 27 EU Member States.

The treatment of third-country nationals who were not permanently residing in Ukraine and are unable to return safely to their country of origin is even more diverse. However, Member States can extend the EU scheme of temporary protection to these individuals pursuant to Article 2 (3) of the implementing decision.

For more detailed information on the implementation of the TPD, see FRA's **overview of key aspects of national laws implementing the EU TPD** in selected Member States.

Member States' duty to admit displaced persons seeking protection from war is also implied in Article 18 (right to asylum) and Article 19 (protection from *refoulement*) of the Charter of Fundamental Rights of the European Union (the Charter). The duty of national authorities to provide correct and accessible information about temporary protection and the benefits it entails stems from the right to good administration as a **general principle of EU law**.

FRA collected information for this section in Bulgaria, Cyprus, Czechia, Denmark, Germany, Greece, Hungary, Italy, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia and Slovenia. The Member States provided information on the topics of initial arrival, registration, initial reception and the issuance of residence permits.

Initial arrival and registration

Member States are obliged to register certain personal data of people fleeing Ukraine pursuant to Article 10 of the TPD, to enable the effective application of the **implementing decision**. Over **4.2 million** people fleeing Ukraine have registered for temporary protection in the 29 EU+ countries (EU Member States, Norway and Switzerland) from the beginning of the war to 4 September 2022, a significant further increase on the 2.3 million registrations reported in **Bulletin #1**.

In line with the **European Commission's operational guidelines**, when registering people's personal data Member States should consult relevant international, EU and national databases during their checks and investigations. This includes checking the alerts on people and documents in the Schengen Information System. As data **cannot be entered** into the European Asylum Dactyloscopy



Legal corner

Tightened border controls in Finland in response to Russia's invasion of Ukraine

National security concerns arose in Finland, and some other Member States at the EU's eastern land borders, as a consequence of Russia's invasion of Ukraine. In response, the Finnish government acquired new powers through an amendment of the Emergency Powers Act and under the **amended Border Guard Act** (both entering into force on 15 July for use in the event of serious threats to public order, such as so-called hybrid threats or the instrumentalisation of migrants).

These powers include limiting the possibility of applying for international protection to selected border crossing points, even a single one. In essence, applications could potentially be submitted only at Helsinki-Vantaa Airport or at the Swedish-Finnish land border. This would mean that applications for international protection cannot be made along the 1,350-kilometre land border with Russia, but only at locations where persons fleeing from Russia have no access to. Fences could now also be erected at the borders.

The **Council of Europe Commissioner for Human Rights** and several stakeholders, including the **Finnish Non-discrimination Ombudsman** and **Amnesty International**, raised concerns that the new laws or their implementation may breach Finland's obligations under international and EU law to offer people in need the opportunity to seek protection.

In September 2021, the FRA Director visited Helsinki to discuss fundamental rights issues relating to the implementation of Amendments to the Border Guard Act with the Finnish authorities. FRA offered its expertise concerning training of border guards on EU fundamental rights law and agreed to disseminate its practical guidance **Border controls and fundamental rights at external land borders** among Finnish border guards.

Database in the context of temporary protection, the European Commission advises national authorities to register the people concerned in their national databases.

The initial registration on arrival of those seeking temporary protection¹ – which is different from the registration/application for temporary protection, culminating in the issuance of a residence permit (see 'Issuance of residence permits') – can be done at borders or at other locations within the country. This depends on the circumstances and national procedures in place, including at reception centres, or at the premises of migration authorities, local police or municipal authorities, **the European Migration Network** points out.

Member States have made efforts to ensure ease of access to EU territory for those fleeing the war. For example, nearly all Member States have lifted coronavirus disease 2019 (COVID-19) entry restrictions for people fleeing Ukraine. However, some issues remain, linked, for example, to security concerns (see 'Legal corner' on tightened border controls in Finland).

Restricted access to territory is also an issue in **Greece**. There, Ukrainian nationals fleeing the war without travel documents can only enter through the Promachonas border crossing point, according to the **website** of the Ministry of Migration and Asylum.

Member States put in place various systems for managing registration and granting temporary protection. Evidence from some Member States (e.g. **Romania** and **Slovakia**)² indicates that many displaced persons take some time before deciding whether or not to register for temporary protection in that Member State, often to consider their options about where to go.

Some Member States ensure that the process is quick, granting temporary protection almost immediately. For example, in **Bulgaria** temporary protection is **granted** on oral request when the displaced person registers on arrival in the country. Applicants receive a temporary protection registration card, guaranteeing them all the rights granted to beneficiaries. **Cyprus** also grants temporary protection on the day that the application is submitted, the UNHCR reported. The application can also be submitted online.

In **Czechia**, most people register immediately on arrival in the country (they must register within three days), according to the non-governmental organisation (NGO) Association for Integration and Migration. Temporary protection is de facto granted as part of the registration process.³ In **Romania**, the residence permit is also issued on the same day that the person applies for it.⁴

Unlike other Member States, where the same registration procedures apply to all people seeking temporary protection, **Poland** operates **two forms of registration** for displaced persons fleeing Ukraine, one for Ukrainian nationals and the other for non-Ukrainian nationals. The United Nations Special Rapporteur on the human rights of migrants **criticised** this as a double standard, differentiating between displaced persons fleeing the same war.

Between 28 February and 6 September 2022, more than 5.5 million border crossings to Ukraine were registered, according to the **UNHCR**. This figure reflects cross-border movements, and not the number of individuals crossing the borders. Movements back to Ukraine can be pendular, and do not necessarily indicate sustainable returns. Some people only go back to Ukraine for a short time, and then return to safety in the EU Member State where they are protected.

With the setting up of an **EU platform for the registration** of people enjoying temporary protection or adequate protection under national law on 31 May,

the issue of multiple registrations was addressed. This limits the risk of people abusing the system.

Information provision

Article 9 of the TPD requires Member States to provide information, including in writing, to people eligible for temporary protection on the provisions relating to temporary protection relevant to them. The European Commission established a [website](#) to help Member States fulfil this obligation and [encouraged](#) them to establish similar websites adapted to their national context.

Many Member States scaled up their efforts to inform and support potential beneficiaries of temporary protection. In [Greece](#), the [Ministry of Migration and Asylum](#) created a [multilingual section](#) on its website for Ukrainians wishing to enter Greece. In addition, the Ministry of Health introduced a [helpline](#) providing free psychosocial support, operated by psychologists from Ukraine.

In [Portugal](#), the government published an online platform – [Portugal for Ukraine](#), including [SEF for Ukraine](#) – to provide information about temporary protection in multiple languages. In [Slovenia](#), the Government Office for the Support and Integration of Migrants set up a [web](#) page and operates a toll-free call centre. [Romania](#) established [government platforms](#) and the [Border Police](#) started operating a 24-hour helpline in Ukrainian at the Sighetu Marmației border crossing point.

In addition to national initiatives, the UNHCR also provides multilingual information online, for example for people in [Hungary](#), [Poland](#), [Romania](#) and [Slovakia](#). The European Union Agency for Asylum (EUAA) also operates a [web page](#) providing up-to-date information.

Despite such positive developments, Member States are still working to find solutions to overcome certain obstacles. In [Denmark](#) and [Romania](#),⁵ concerns have been raised about the lack of certified Ukrainian interpreters, for example. In [Hungary](#), the NGO Hungarian Helsinki Committee [voiced concerns](#) about the lack of information provided by authorities, leaving many people unaware that they must apply to benefit from temporary protection in Hungary.

In [Malta](#), limited information on the TPD is available, according to [the Asylum Information Database](#). The Migrants Commission of Malta confirmed this finding.

Initial reception

This section should be read together with the section on access to accommodation.

EU Member States worked hard to accommodate new arrivals during the initial reception phase, often relying on a combination of public reception systems and forms of private accommodation. Help from the [large diaspora of Ukrainians](#) in certain EU countries often facilitated these efforts.

Such a mixed system of initial reception is in place in [Hungary](#), for example. Culture and sports buildings have been used as temporary shelters in the towns close to the Ukrainian border, while municipalities also offer accommodation. The NGO Migration Aid established a large network of volunteers, who provide accommodation across the country.⁶ In the government-run transit hub in Budapest, dedicated services are available to those looking for stable accommodation.⁷



Romania also combines public reception facilities and private accommodation. The Ministry of the Interior coordinates 15 transit centres, offering more than 3,800 beds where people can stay for up to 72 hours, and authorities and civil society organisations secured 700 other locations, providing over 31,000 beds in temporary camps, gyms, social centres, student halls, hotels and private houses, according to the [UNHCR](#).

Private accommodation is the main form of initial reception in some Member States, such as in **Czechia**, the Consortium of Migrants Assisting Organizations reported,⁸ and in **Denmark**. A significant number of displaced persons who registered chose to reside there privately while their cases were pending.⁹

In other EU countries, newly arrived refugees from Ukraine are typically placed in the public reception system. In **Greece**, the accommodation facility of Sintiki in Serres, with a capacity of **nearly 500 beds**, serves as a temporary shelter for new arrivals, the [Ministry of Migration and Asylum](#) confirmed. Long-term accommodation is provided in the accommodation facilities of Serres (northern Greece) and Elefsina (southern Greece) for those who wish to access it. In **Poland**, people who register at initial reception centres stay there until longer-term accommodation is found, according to the staff of one of these reception points.¹⁰

Challenges remain, for example with regard to reception conditions and the coordination of arrivals. In **the Netherlands**, municipal shelters are temporary. However, it is unclear from the [government's website](#) where beneficiaries of temporary protection will be housed in future. The Immigration and Naturalisation Service **announced** that as of 4 July 2022 it would be providing proof of residence to displaced persons from Ukraine who were registered in the Personal Records Database and fall under the TPD.

In **Portugal**, the NGO Jesuit Refugee Service (JRS) **expressed concerns** about what it described as poor coordination between entities, public and private, hosting Ukrainian families.

Bright spots

Bulletin #1 highlighted the 'Blue Dots', safe spaces at border crossing points or in other arrival areas established jointly by the **UNHCR and the United Nations Children's Fund (UNICEF)** in countries receiving refugees fleeing Ukraine. Since then, more of these centres have been rolled out across Europe. There are now 30 across Bulgaria, Hungary, Italy, Moldova, Poland, Romania and Slovakia, with more planned to open as the crisis continues.

The centres provide immediate protection services for children, families and others with specific needs. These services include providing rest areas and children's play spaces, food, hygiene supplies, mental health and psychosocial support, basic legal counselling, referrals to local services and other information.

Although displaced persons arriving in **Malta** can apply for temporary free housing with the **Agency for the Welfare of Asylum Seekers** in open reception centres, displaced women and children from Ukraine do not feel safe and comfortable there owing to poor conditions and because most other residents are men, the Foundation for the Ukrainian Community of Malta reported. The Migrants Commission of Malta confirmed this finding. The **KENN** initiative, run by the Migrants Commission of Malta, provides one alternative: local families host displaced persons for three months, which can be extended to six months.

In **Romania**, people tend to stay in state-run facilities for more than three months, which NGOs have criticised owing to reported instances of overcrowding and limited privacy.¹¹

In **Slovenia**, the ombudsperson visited the initial accommodation facility in Logatec in June, where issues of overcrowding had been reported. Most people were accommodated in containers, where some complained about the heat and lack of privacy. Government plans were reportedly under way to transfer people staying in these containers to permanent accommodation.¹²

Issuance of residence permits

The TPD stipulates that Member States must provide people enjoying temporary protection with residence permits for the duration of the protection and issue documents or other equivalent evidence for that purpose (Article 8 (1)). Temporary protection of those fleeing as a consequence of Russia's invasion of Ukraine lasts one year from the entry into force of the **implementing decision**, that is until 4 March 2023.

Although the rights of beneficiaries of temporary protection are afforded directly by EU legislation, the residence permit serves in practice as a document for proving the status of the displaced persons to authorities. Such authorities include employment offices and services, schools and hospitals.

The European Commission launched an **EU platform for the exchange of information** among Member States on beneficiaries of temporary protection and adequate protection. This platform allows displaced persons to effectively benefit from their rights in all Member States.

All Member States issue residence permits for beneficiaries of temporary protection, except **the Netherlands**. There, people do not receive a residence permit and are merely given the status of asylum applicant. This can have serious legal and practical consequences for them, the **Meijers Committee pointed out**.

The average processing time for applications for temporary protection varies across Member States. Some grant temporary protection almost immediately after displaced persons register/apply, such as **Bulgaria, Cyprus** (the biometric residence permit arrives within three days), **Greece, Luxembourg**¹³ and **Poland** (see **Initial arrival and registration**).

In other Member States, it takes days or weeks, with some **first issuing an interim certificate** confirming the individual's request for temporary protection before a residence permit is actually issued. For instance, the processing time is 26 days in **Denmark**, according to data from the Danish Immigration Service.¹⁴ In **Slovenia**, the average is 28 days (as of June 2022).¹⁵

In **Czechia**, applications for temporary protection from two refugee camps in Prague (Troja and Malešice) had not yet been assessed as of the end of July.¹⁶ In **Germany**, the processing time is estimated to range from one to two days¹⁷ to three to six weeks.¹⁸ The **Identity Malta Agency** stated that the average processing time in **Malta** to issue a 'single permit' residence card for beneficiaries of temporary protection is between six and eight weeks.

Legal corner

On 1 September, **Germany** changed the eligibility criteria for temporary protection.

1. Ukrainian nationals and non-Ukrainian third-country nationals qualifying for temporary protection are still entitled to residence permits under Section 24 of the Residence Act.
2. However, non-Ukrainian third-country nationals who do not qualify for temporary protection are able to stay for a maximum period of 90 days (from the date of initial arrival in Germany) without a visa or residence permit. This exemption will end on 30 November 2022. After the 90-day period, they will have to either obtain some other residence status (e.g. as a student or qualified worker) or return to their country of origin.

Source: Residence Act

In **Hungary**, the processing of applications was slow, according to the Hungarian Helsinki Committee. However, procedures to apply for temporary protection have been **simplified and made more accessible**, with new features to facilitate booking appointments to lodge applications for temporary protection.

Eligibility for temporary protection also differs across countries. The Danish Institute for Human Rights **voiced criticism** about the **Danish** legislation governing temporary protection. It does not include in its scope people holding a permanent residence permit in Ukraine, stateless persons and non-Ukrainian third-country nationals who were legally staying in Ukraine and are unable to safely return to their country of origin.

In other Member States, in cases of non-Ukrainian third-country nationals fleeing the war, authorities interpret the eligibility criterion of 'return to the country of origin is unsafe' in a varied – and at times uncoordinated – manner, even within the same country (e.g. in **Germany**).¹⁹ For a more comprehensive picture, see FRA's updated **overview of national legislation implementing the TPD** in selected EU Member States.

In **Hungary**, non-Ukrainian third-country nationals who stayed lawfully in Ukraine and are not beneficiaries of international protection do not receive temporary protection in accordance with **national law**.

Impact on particular groups

Some groups appear to encounter particular challenges at this stage. Various non-governmental sources as well as some public bodies reported discrimination incidents against Ukrainian Roma fleeing the war. Ukrainian Roma with dual citizenship – that is those who are also EU (e.g. Hungarian) nationals – have also allegedly been subjected to lengthy verification processes while not being provided with adequate protection, including humanitarian assistance. In **Bulletin #1**, FRA recalled that relevant national authorities and civil society organisations need to be vigilant and ensure that complaints are investigated thoroughly and independently.

In **Czechia**, the two tent camps in Prague are intended for displaced Roma from Ukraine who have to wait until their dual citizenship is verified, which usually takes up to two weeks, as Ukrainians with dual citizenship are not entitled to temporary protection.²⁰ Roma fleeing the war face discrimination and racial or ethnic profiling in their use of initial arrival services and during the registration process, the volunteers and the Roma rights NGO IQ Roma service in Brno claimed. FRA contacted the **Refugee Facilities Administration of the Ministry of the Interior**, which stated that Roma from Ukraine do not face discrimination during registration or when accessing first arrival services in the refugee facilities.

In **Germany**, the **Central Council of German Sinti and Roma** contacted both the federal Ministry of the Interior and the integration authorities concerning the **alleged discrimination** that Ukrainian Roma face in accessing **temporary shelter**, for example not being allowed to move out of large reception centres to smaller accommodation facilities. However, it has received no answer. The Federal Government Commissioner for the Fight against Antigypsyism and for Sinti and Roma Life in Germany also reported cases of discrimination against Ukrainian Roma on their initial arrival and when accessing initial reception services to FRA.²¹

In **Poland**, an article that appeared on the **website of the Warsaw office of the Heinrich Böll Foundation** in May 2022 claimed that Ukrainian Roma face discrimination in accessing reception centres and services and during their stay there. The NGOs **Amnesty International Poland** and **Anti-Discrimination Centre** raised similar concerns. FRA contacted the Ministry of the Interior and Administration, which said that it had not received any official complaints regarding the situation of Ukrainian Roma in Poland.

In **Romania**, the **media** and the NGO **Aresel** reported cases of discrimination against Ukrainian Roma, who were denied meals in the help point established in the Bucharest North railway station. In response, **competent national authorities** stressed that support is provided without discrimination and stated that no official complaint was registered.

There were some reports of other particular groups experiencing unequal treatment. For instance, occasional incidents of discrimination against LGBTQI+ people and against women by other residents have occurred in initial reception centres in **Denmark**, according to the Danish Immigration Service.²² The Danish **media** also reported on the struggles of a group of 16 people with disabilities due to the physical surroundings of reception centres not being adapted to their special needs.

In addition, a **briefing** published in **Greece** by the NGOs Oxfam, the Greek Council for Refugees and Save the Children in May 2022 highlighted the contrast between the response towards refugees from Ukraine and that towards asylum seekers from other countries. FRA contacted the Ministry of Migration Policy, which stated that but did not receive a reply by the end of September 2022.

Access to employment

In accordance with Article 12 of the TPD, beneficiaries of temporary protection must be given the opportunity to engage in employed or self-employed work, subject to rules applicable to the particular profession, or vocational training. Article 15 of the Charter stipulates that third-country nationals authorised to work in the Member States are entitled to the same working conditions as EU citizens.

The **European Commission's communication** from March 2022 underlines the benefits of early employment both for new arrivals and for the hosting communities. It emphasises the importance of providing information to beneficiaries of temporary protection, treating them equally to other workers in terms of pay and other working conditions, and supporting them through language courses, counselling and basic training or helping them to build businesses. It also underlines the role of access to childcare and pre-school education in facilitating the employment of a large number of women who arrive in the EU as single parents with their children and of the recognition of professional qualifications obtained in Ukraine in aiding employment.

In June 2022, the European Commission provided more detailed **guidance for accessing the labour market, vocational education and training and adult learning of people fleeing Russia's aggression against Ukraine**. The guidance draws attention to the principles of the **European Pillar of Social Rights** and calls for the recognition of the principle of non-discrimination and the specific vulnerabilities of particular groups at greater risk of discrimination. In July, the European Labour Authority published the results of a **mapping** exercise on access to employment and social security for displaced persons.

FRA collected information for this section in Croatia, Cyprus, Czechia, France, Germany, Hungary, Italy, Latvia, Lithuania, the Netherlands, Poland, Romania, Slovakia and Slovenia. In addition, national authorities in Bulgaria and Greece provided information on some aspects of this topic.

Member States have enacted legislation granting beneficiaries of temporary protection access to the labour market and employment-related rights. In general, they can be employed on an equal footing with host-country nationals without needing to obtain a work permit.

However, Member States are still working to overcome barriers that can limit effective access to employment for beneficiaries of temporary protection.

Bright spots

In **Poland**, the State Fund for Rehabilitation of Disabled People (PFRON) helps with accommodation and/or transport for displaced Ukrainian nationals with disabilities. By mid-August, 1,455 people had received such tailored assistance.* Support for people with disabilities includes several hotlines; see the **Foundation Institute for Regional Development**, **PFRON** and **Instytut Głuchoniemych im. Jakuba Falkowskiego** websites.

* Poland, PFRON report for the Ministry of Family and Social Policy 16 August 2022.

Issues arose in relation to matching skills with jobs, language barriers, ensuring effective access to information, recognising professional qualifications, and the availability of childcare and pre-school education, and Roma in particular faced challenges in finding employment. In several Member States, concerns have also been raised that beneficiaries of temporary protection are more likely to be recruited for informal employment, which increases the risk of labour exploitation (see [Human trafficking and other forms of exploitation](#)).

Concerns about the impact of the implementation of the TPD on employment opportunities for host-country nationals and on local communities appear relatively rarely in public discourse and the media, according to information gathered by FRA. This is possibly in part because of the types of vacancies often filled by beneficiaries of temporary protection (see [Recognition of professional qualifications and requirements](#)).

However, some Member States have reported issues. For example, the [media in Lithuania](#) reported receiving complaints from locals. They stated that Ukrainian employees receive privileges and preferential treatment in certain workplaces, or that the arrival of displaced persons from Ukraine has reduced employment opportunities for locals. In [Slovakia](#), while the Migration Office²³ has not recorded any concerns or discontent among the majority of the population with regard to displaced persons looking for jobs, local-level representatives in the city of Nitra²⁴ reported some concerns among the local population that displaced persons were “taking their jobs”.

Provision of language training, information and tailored support

A mismatch between qualifications and actual employment prospects has been consistently reported since people displaced from Ukraine started to arrive in the EU. Evidence points to such people typically finding employment well below their level of education and qualifications, often in low-skilled jobs. For example, in [Czechia](#) the results of a [survey](#) published in June 2022 show that, while some



45 % of adult beneficiaries of temporary protection from Ukraine in Czechia have a university degree, about 80 % of those who are employed work in low-skilled occupations. Similarly, in **Slovakia** a **study** by the Ministry of Labour, Social Affairs and Family shows that, while 93 % of displaced persons entering the labour market have secondary or university education, almost 40 % of those who had found employment by the second half of April 2022 worked in low-skilled occupations.

One reason for this could be language barriers, which present a real problem for many beneficiaries of temporary protection seeking employment. For example, volunteers working with beneficiaries of temporary protection in the south of **France** note that they mostly apply for low-skilled jobs with minimal communication requirements, such as dishwashers or cleaners, because they have a low level of French language proficiency.²⁵

Employment services and other authorities in some Member States are helping people overcome language barriers that could hinder their employment opportunities by offering language courses or referring people to other organisations providing such services, including NGOs, municipal bodies, universities and business initiatives. For example, language training in **Czechia** is available for up to six months as part of a retraining programme offered by the Labour Office. Any jobseeker, regardless of their nationality or citizenship, can benefit from this service.²⁶

In **Hungary**, the Hungarian Association for Migrants **reported** on its successful cooperation with IKEA Hungary. IKEA offers an internship programme to people arriving from Ukraine, starting with an intensive Hungarian language course. Those who successfully complete the programme are offered employment. The programme is also open to people who do not intend to work at IKEA.

Effectively providing information to displaced persons about the right to work and available jobs also poses challenges.

Central employment authorities, local authorities and other bodies inform people using various tools. In Hamburg, **Germany**, the state-run **Hamburg Welcome Center** offers daily consultations regarding integration into the regional labour market and employment. It also supports employers and tries to match the needs of employers with jobseekers.²⁷ The **regional departments of the Employment Service** in **Lithuania** and the **Kekava** and **Riga** municipalities in **Latvia** have organised job fairs to bring beneficiaries of temporary protection together with employers.

Government portals and private job-search platforms have been made searchable in Ukrainian. In some Member States, dedicated portals were established to match beneficiaries of temporary protection looking for jobs with prospective employers, such as in **Czechia**, **Poland** and **France**.

In **Slovakia**, the **Central Office of Labour, Social Affairs and Family** is implementing the project 'Helping beneficiaries of temporary protection' to increase the employability of beneficiaries of temporary protection through providing paid volunteering work and mentored training provided by employers.

Recognition of professional qualifications and requirements

Long and complex procedures for the recognition of the qualifications of beneficiaries of temporary protection can hinder their access to work, particularly in the case of regulated professions. The Employment Service in **Croatia**,²⁸ the Hamburg Welcome Center in **Germany**²⁹ and the Legal Centre for the Protection of Human Rights and Environment in **Slovenia** confirm this.³⁰ The **European Commission's Recommendation (EU) 2022/554** therefore encourages Member States to swiftly issue recognition decisions.

Bright spots

Some Member States provide financial support for either beneficiaries of temporary protection starting a job, or Ukrainian businesses relocating to the EU. In **Latvia**, the **Law on Assistance to Ukrainian Civilians** provides for the payment of a special allowance of one minimum monthly salary (€500) to newly employed beneficiaries of temporary protection. In **Lithuania**, the government adopted an **order** granting a subsidy of €10,000 to any business relocating from Ukraine and €5,000 for each new job position it creates in Lithuania.

To ease the burden placed on jobseekers, several Member States adopted a simplified procedure across all professions. For example, in **Romania** Ukrainian nationals, but not other beneficiaries of temporary protection, have been able to substitute documents proving their professional qualifications or work experience with an affidavit since the adoption of the **ministerial order** in early March.

Other Member States relaxed the procedures for particular professions, typically in response to specific needs in certain sectors.

Legislation in **Hungary** and **Italy** simplified the recruitment of beneficiaries of temporary protection – in the case of Italy, for Ukrainian nationals only – in the healthcare sector. In **Slovakia**, the conditions of employment were relaxed in the field of education, instigated by the **Slovak Chamber of Teachers. NGOs** called for similar flexibility in other sectors of the labour market. In addition, in **Poland** some of the requirements for employment were **waived** for beneficiaries of temporary protection in the education and medical fields.

In **Latvia**, beneficiaries of temporary protection have access to a **facilitated qualification recognition procedure in regulated professions**, allowing them to submit documents in their original language and introducing specific regimes for their employment in the fields of healthcare, psychology, education and sports. Ukrainians who do not know Latvian (the official language of the state) can now also be employed, as long as it does not prevent them from carrying out the work, taking advantage of the widespread knowledge of Russian among the local population.

Furthermore, in **Lithuania** the **State Language Inspectorate** announced that beneficiaries of temporary protection can work without restrictions in jobs where elementary (e.g. drivers and cashiers) or upper intermediate (e.g. jobs in the education, culture or healthcare sectors) knowledge of the Lithuanian language is typically required. The **Employment Service** reported that over 70 % of displaced persons from Ukraine employed since 24 February 2022 work in high- or medium-skilled jobs. This appears to confirm the role of language barriers described previously, and the positive impact of measures facilitating access to the labour market for these people.

Availability of childcare and pre-school education

For many beneficiaries of temporary protection, securing their children's places in childcare or nurseries is essential for accessing employment, FRA data confirm. This is because the overwhelming majority of beneficiaries are women. The results of a **UNHCR survey** published in July 2022, based on interviews in Czechia, Hungary, Moldova, Poland, Romania and Slovakia, confirmed that displaced persons are largely women travelling with dependants, for example children aged 0–4 years (18 % of cases) and children or young people aged 5–17 years (53 % of cases). Therefore, while thematically this finding is closely related to the topic of access to education (see **Access to education**), the key challenges are described in this section instead.

In **Croatia**, the Employment Service reported the preference of beneficiaries of temporary protection for part-time or occasional work, especially among mothers with small children, as one of the key challenges for the beneficiaries in finding work.³¹ In **Slovakia**, inability to place a child in nursery is a significant barrier to integration into the labour market for parents, according to **NGOs**. In **Slovenia**, the NGO Slovene Philanthropy reported a similar issue. It may be easier to find places in nurseries in smaller towns, it said, as waiting periods tend to be longer in larger places, such as cities.³²

While the right to access to education (see **Access to education**) granted by Member States to beneficiaries of temporary protection generally extends to

pre-school education facilities, in several states the limited capacity of childcare and nursery places, including for nationals of those states, is a serious constraint. For example, in **Germany** the NGO JRS reported that, while children of working parents who are beneficiaries of temporary protection can be accepted into nursery, owing to limited capacity it is difficult even for German parents to find suitable places.³³ A 2019 **report by the German Institute for Economic Research** shows that this is a long-term, systemic issue. A **survey among Ukrainian households** conducted in June and July 2022 in **Czechia** shows that 62 % of children aged 2 to 6 do not attend a nursery, in many cases because those nearby have reached full capacity.

In **Ireland**, civil society organisations, such as the **Dublin City Community Cooperative**, have warned that the increased demand for childcare services from displaced Ukrainians will exacerbate the existing lack of services.

The **media** and representatives of some local authorities³⁴ in **Slovakia** have reported similar concerns among the local population around offering places to Ukrainian children, especially in larger cities. The **Ministry of Education** has taken steps to establish new nurseries and increase their capacity. €1 million was allocated to creating new classes, although some **local authorities** highlighted that this does not address the need for additional staff. In August 2022, the **ministry** announced additional measures to increase the capacities of nurseries, by about 12,300 places.

Initiatives to expand childcare capacities have also been reported in a number of Member States. In **Poland**, which hosts the largest number of displaced children, the **law** opens up the possibility of creating additional places and opening new day-care facilities. In addition, civil society initiatives in various cities and towns aim to bolster childcare options; for example, the Jewish Cultural Centre in Warsaw **offered day care** to children fleeing the war in Ukraine. Data collected by the Union of Polish Metropolises, however, show that as of June 67 % of displaced children under six years old in the 12 largest Polish cities did not attend nursery.³⁵

Impact on particular groups

The relatively few concerns reported to FRA about possible discrimination against particular groups in accessing employment mostly relate to existing concerns about the situation of Roma. No information is available about measures taken to address the risk of discrimination.

In **Germany**, Roma from Ukraine reportedly face much the same challenges as German Roma. Organisations such as the **Central Council of German Sinti and Roma** have repeatedly called for measures to prevent discrimination in the labour market, but currently such measures are not designed specifically for Roma. In **Hungary**, the **media** reported in May that, while the Transcarpathian Roma could generally find jobs in Hungary, they often faced racism and discrimination in workplaces.

Access to accommodation

In accordance with Article 13 of the TPD, beneficiaries of temporary protection must have access to suitable accommodation or, if necessary, be provided with the means to obtain housing. The directive highlights in this context the assistance needed by people with special needs, such as unaccompanied children and people who have experienced torture, rape or other serious forms of psychological, physical or sexual abuse.

The Charter (Article 34) protects the right to housing assistance to ensure a decent existence for all those who lack sufficient resources.

The **European Commission's March 2022 communication** highlights the need for Member States to include more permanent solutions in their broader housing policies, highlighting the availability of the European Regional Development Fund and European Social Fund to support community-based housing and services. The Safe Homes initiative provides practical **guidance** to Member States, regional and local authorities, and civil society on organising safe private housing initiatives.

FRA collected information for this section in 19 Member States (Austria, Belgium, Bulgaria, Cyprus, Croatia, Czechia, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, the Netherlands, Poland, Romania, Slovakia and Sweden). In addition, national authorities in Greece provided information on some aspects of this topic.

Information collected shows that state and/or private actors have provided housing support at different stages and depending on individuals' needs as they evolve. They have facilitated emergency reception in collective facilities on initial arrival (see **Initial arrival, information provision, registration and issuance of residence permits**) and have provided temporary and long-term housing options, generally sought once temporary protection is obtained.

Many Member States adopted specific legislation or administrative instructions to coordinate and/or financially compensate the accommodation of people fleeing Ukraine (e.g. **France**, Croatia, **Italy**, **Latvia**, **Lithuania** and **Slovakia**). In practice, arrangements include private accommodation, significantly relied on in **Austria**, **Belgium**, **Croatia**, **Czechia**, **Lithuania**, **the Netherlands** and **Poland**, and accommodation in state-contracted tourist or municipal facilities (**Bulgaria**, **Cyprus**, **Estonia**, **Ireland**, **the Netherlands** and **Slovakia**).

This section looks at how Member States provide access to housing for displaced persons, covering public and private accommodation, information provision and challenges faced, in particular by Roma, in finding adequate housing. It also focuses in particular on existing challenges experienced by nationals of Member States that have been exacerbated by the fallout from the war, for instance due to inflation and increasing prices. For example, in **Lithuania**, where the NGO #StrongTogether (**#StiprūsKartu**) coordinates accommodation offered by private owners and municipalities, NGO reports in the **media** have stated that fewer offers of private accommodation were received as of June while prices for accommodation continue to rise.

In some Member States, concerns were reported, largely by the media, about the impact of the arrival of displaced persons on the availability or prices of housing for locals.

In **Hungary**, the **media** reported a steep increase in rent prices since the beginning of the war, for example in Nyíregyháza, the largest city close to the Ukrainian border. In addition, fewer flats have been sold, as owners gain greater profit from renting them out. In **Poland**, many **media** reports claim that the large number of arrivals from Ukraine has contributed to the soaring accommodation prices, even though new arrivals rarely rented accommodation privately.³⁶ Such concerns are increasingly reflected in the political narratives of **far-right politicians** and in comments on internet forums and social media.

Public accommodation provision

Many of the reporting Member States make housing support available specifically to beneficiaries of temporary protection (including **Bulgaria**, **Croatia**, **Cyprus**, **France**, **Hungary**, **Italy**, **Latvia**, **Poland**, **Slovakia** and **Sweden**). They thus exclude many displaced non-Ukrainian third-country nationals, who may only be able to use support available in asylum procedures (see FRA's **overview of key aspects of national laws implementing the EU TPD** in selected Member States).

All Member States reporting on this topic centrally coordinate the availability of state-funded housing, some also including offers of NGOs and private providers. Some have a mechanism in place that allocates displaced persons to housing in a territorially balanced way (**Austria, France, Germany, Latvia, the Netherlands** and **Sweden**).

Publicly provided accommodation – including hotels and tourist facilities in many Member States – has been time-limited and linked to limited funds and planning for long-term solutions. Municipal facilities also tend to be limited in capacity or unsuitable for longer stays. Therefore, many Member States are facing particular challenges to their capacities to provide (especially longer-term) accommodation.

With the onset of the tourism season, for example, facilities contracted by the state had to be vacated, which resulted in displaced persons having to move. This happened in **Slovakia**, for instance, according to the **media**. In addition, in **Bulgaria** thousands of displaced persons had to **vacate** accommodation in tourist facilities on 1 June and were offered places in central buffer centres or municipal facilities if they were in “real need”, according to **Bulgaria’s Vice-President**. One of the two central buffer centres, Elhovo, **closed** after only two days, further reducing the state’s overall housing capacity.

In **Belgium**, some local authorities **reported** that they were overburdened and unable to facilitate housing. In June, one in three people were staying at the **Ariane centre** emergency shelter in Brussels for more than 15 days, although the centre was not adapted to such long stays, according to the **Flemish Red Cross**. **Vluchtelingenwerk Vlaanderen** reported that the long waiting times for longer-term accommodation resulted in people being forced to consider accommodation provided by informal housing networks.

In **Ireland**, the need for more sustainable and long-term accommodation structures has been highlighted by some **political parties**, the **UNHCR**, the **Immigrant Council of Ireland** and the **Ukraine Civil Society Forum**. With an increasing number of arrivals, the **media** are reporting a lack of suitable short-term emergency accommodation sites, along with a rise in **tented accommodation** and serious concerns regarding the **basic health, safety and dignity** of displaced persons. **The Netherlands** and **Poland** report similar issues while awaiting the adoption of longer-term strategies for accommodating displaced persons from Ukraine.

In **Sweden**, once beneficiaries of temporary protection receive their residence permit, the Swedish Migration Agency **assigns** them to a municipality based on labour market conditions, population size and total number of third-country nationals, according to legislative **amendments** effective as of July 2022. The allocation process may consider **personal factors** that would limit the person’s ability to move, such as family ties or a need for specialist care. If people choose to **organise their own** housing, they may **lose** their right to financial support.

Private accommodation providers

Many countries have relied significantly on private providers to host displaced persons for free or at a reduced cost. These offers are time-limited and not always compensated or vetted, according to stakeholders. A EUAA **report** from May recommends that Member States establish an assessment and vetting procedure to ensure that individuals offering private accommodation have the right profile and to verify that the housing is suitable. Only people with no criminal records should be considered for hosting displaced persons.

For instance, in **Austria, Finland** and **Slovakia**³⁷ 65–70 % of beneficiaries of temporary protection were staying in private accommodation as of July/August 2022. Similarly, in **Belgium**, where the **general population** responded **positively**



to calls to host displaced persons, as of mid-August around 72 % of beneficiaries of temporary protection **found** private accommodation before they were officially registered.

In addition, in **Croatia** as of 25 July 2022, 19,501 people were housed in private accommodation, according to the **Ministry of the Interior**. At the same time, fewer than 2,000 people were living in collective accommodation. In **Romania**, when granted temporary protection, most beneficiaries stay in individual apartments, according to NGOs.³⁸

Compensation for private accommodation

While Member States generally reimburse state or state-contracted housing providers directly, privately organised accommodation, provided by volunteers, NGOs or landlords, is not always subject to compensation or tied to eligibility for public housing assistance.

In **Belgium, Bulgaria, Cyprus, France, Hungary** and **the Netherlands**, for example, private hosts generally receive no financial compensation. In **the Netherlands**, private hosts receiving social benefits even risk losing part of their benefits. However, the government plans to **change** this.

Other Member States do compensate privately organised accommodation (**Austria, Croatia, Czechia, Estonia, Latvia, Lithuania, Poland, Romania** and **Slovakia**). For example, in **Croatia**, after checking the facility, the Ministry of the Interior **signs** a contract with people willing to rent residential housing units to beneficiaries of temporary protection that states that it will cover the rent directly.

Residents and businesses providing housing in **Lithuania** are **compensated** for up to **six months**, starting from the second month of hosting. The compensation amounts to €150 for one person and €50 for every additional person per month. Similarly, in **Latvia**, where around two thirds of displaced persons from Ukraine live in **private accommodation**, financial support **available** by law to private hosts is limited to **120 days** (previously **90 days**). **Municipalities** may enter into rental agreements with private owners, paying 100 % of the agreed rent but not more than **€300**.

In **Poland**, compensation for private hosts is limited to 120 days. This period is extendable in special cases, for example owing to disability, pregnancy or old age. Private hosts do not qualify for **compensation** if they provide housing to third-country national beneficiaries of temporary protection not covered by the **Act on Assistance to Ukrainian Citizens** or if the residents are not eligible for temporary protection. A civil society stakeholder described the situation of non-Ukrainian citizens as particularly difficult.³⁹

Stakeholders in some of the Member States that compensate privately organised accommodation reported some remaining challenges linked to insufficient allowances, late payments or non-transparent procedures. For example, in **Slovakia** some private accommodation providers have demanded additional fees from displaced persons despite the state reimbursing them, according to the NGO Slovak Humanitarian Council.⁴⁰

In **Romania**, the Department for Emergency Situations of the Ministry of Internal Affairs recognised that the reimbursement system requires improvement.⁴¹ The system lacks transparency, according to the JRS Romania and the Romanian Red Cross. In some cases, displaced persons regularly paying rent were evicted or did not receive meals or food allowances given to accommodation providers. Furthermore, the **media** have reported that delays in or a lack of reimbursements have led to evictions in collective accommodation centres of Bucharest.

Vetting and conflict resolution

Information received indicates that offers of private accommodation to beneficiaries of temporary protection are not always vetted by authorities. This can put people at risk of fundamental rights violations such as exploitation.

However, there are positive examples of procedures in the Member States. Some reported the prior verification of private hosting offers as a standard practice. This includes **Belgium**, where local authorities are responsible for checking the criminal record of all adult members of the host family as well as the quality, safety and hygiene of the housing, according to a **circular** from the Minister for the Interior.

In **Croatia**, private housing offers to be subsidised by the state are subject to a detailed inspection by the Ministry of Labour.⁴² In **Ireland**, the **Department of Children, Equality, Disability, Integration and Youth** reported inspecting vacant private homes that are offered as accommodation for displaced persons. In addition, where moves to shared homes involve children, the police vet the adults living in the home.

Furthermore, in **the Netherlands** offers of private housing listed on the **main website** offering this type of housing are all screened. In addition to an interview to assess hosts, hosts must provide an official certificate of good conduct. Only those who offer refugees a private space, such as their own room, are eligible to list offers.

In **Poland**, NGOs offering private accommodation – such as the **Ukrainian House** – usually vet offers. The main housing **website** lists **vetted** offers.

In **Romania**, offers of private housing **coordinated** by authorities are vetted, according to the Emergency Situations Department. The authorities verify the standard of the housing and the authenticity of the offer, as they may reimburse the costs.⁴³ Despite this, the JRS Romania and the **media** reported cases of abuse involving hosts trying to profit from the tax-free compensation by hosting as many people as possible, not passing on food allowances and imposing certain conditions for living in the housing.

Where NGOs are involved in vetting, they usually also offer support in resolving potential conflicts between hosts and guests. For example, in **France** ‘citizen’s accommodation’ provided under a tripartite commitment contract is monitored by the signatory NGO partner.⁴⁴ Local volunteers support the NGO in resolving problems and mediating conflicts. Local authorities in Sète found the briefing of host families by local volunteers of Ukrainian origin on specific differences from daily life in Ukraine to be very effective.⁴⁵

Bright spots

Austria provides a 24/7 multilingual **hotline**, an **information leaflet** with contact details of emergency shelters and long-term accommodation providers, and a central contact point for citizens willing to provide accommodation. The city of Vienna, for example, commissioned the **Diakonie Refugee Service** to act as a central contact point for the procurement/arrangement of private housing for displaced persons.

Provision of information

In many reporting Member States, authorities provide information on housing options on websites, including but not always in Ukrainian. This is typically done at local level, for example in **Austria, Bulgaria, Croatia, Estonia, France, Germany, Italy, Latvia, Lithuania**, the Netherlands, **Poland, Romania, Slovakia** and **Sweden**. In some cases, information is (also) provided at regional or municipal level, for example in **Austria, Belgium, Estonia, Germany** and **Latvia**.

In other Member States, there appears to be a heavier reliance on NGOs to provide information about accommodation (e.g. Bulgaria, Cyprus and **Italy**). In Bulgaria, several NGOs provide information and assistance in terms of housing, including **Caritas-Bulgaria** and the **Animus Association Foundation**. In **Cyprus**, only NGOs and private initiatives provide assistance to displaced persons in finding accommodation, according to the UNHCR.

Impact on particular groups

In **Czechia**, displaced Roma have reportedly faced discrimination in the housing market, according to the ombudsperson and NGOs.⁴⁶ In June, the ombudsperson issued a **recommendation** to municipalities based on verified information stating that some municipalities and regions denied accommodation to displaced Roma from Ukraine. They emphasised that discrimination in the field of housing based on ethnicity is incompatible with the law.⁴⁷ Similarly, in **Germany** the **media** reported that discrimination and prejudices make it difficult for displaced Roma, particularly large families, to find housing.

In **Hungary**, the Hungarian Helsinki Committee **reported** in April that Transcarpathian Roma accommodated in the villages of Szabolcs-Szatmár-Bereg county were not informed of temporary protection and had to travel to the nearest aliens police office, in Nyíregyháza, if they wanted to apply for it. The **media** reported an incident where 77 Transcarpathian Roma had to be accommodated in a container camp in the deserted outskirts of the city of Győr after local communities allegedly did not welcome their accommodation in public buildings at the Ukrainian–Hungarian border.

In **Poland**, hosts were reluctant to house Ukrainian Roma families, according to **NGOs, Researchers** and **activists** also reported that Roma faced discrimination at reception centres by staff or non-Roma Ukrainians. Furthermore, the **Commissioner for Human Rights** pointed out the problem of **discrimination** against Ukrainian Roma. The Ministry of the Interior **responded** by establishing regular information sharing between provincial police commanders and Roma organisations on this issue.

Moreover, in **Slovakia** the National Centre for Human Rights observed that volunteers were less willing to help larger groups of Roma women wanting to stay together to find suitable accommodation.⁴⁸

In relation to other refugees and migrants that have been entering from Belarus since 2021, **Amnesty International expressed concerns** about the preferential treatment of displaced persons from Ukraine in **Lithuania**, including with regard to access to accommodation. It also observed this in **Latvia**.⁴⁹

In **Cyprus**, the Confederation of Disability Organisations reported that accommodation was inadequate and not fully accessible to people with disabilities. This lack of adequate accommodation raises the risk of exploitation and abuse, including gender-based violence and trafficking, according to the UNHCR.

In **Estonia**, **NGOs** and **Ukrainians** reported various difficulties in finding long-term housing, influenced by **attitudes** of landlords. Some want to rent to **locals only**, do not want to rent to families with children or do not want to rent to displaced **men** because they think that the men should go to war instead. The **Gender Equality and Equal Treatment Commissioner** explained that excluding or evicting tenants on the grounds of their family status, nationality, refugee status or gender, among other things, is considered discrimination and is against the law in Estonia.

Similarly, in **Lithuania** the **media** reported cases of landlords refusing to house displaced persons from Ukraine, as the landlords presumed that they would only be short-term tenants or anticipated that they would not be able to end rental contracts with families with children for child protection reasons.

Access to social welfare services

In accordance with Article 13 of the TPD, Member States must ensure that beneficiaries of temporary protection receive the necessary assistance in terms of social welfare if they do not have sufficient resources. Article 34 of the Charter also recognises the right to social and housing assistance, which ensures a decent existence for all those who lack sufficient resources.



FRA collected information for this section in 16 Member States (Austria, Belgium, Croatia, Cyprus, Czechia, Finland, Germany, Hungary, Italy, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden). National authorities in Bulgaria and Greece provided information on some aspects.

This section highlights how Member States provided displaced persons from Ukraine with access to existing social welfare schemes, tying the amounts of allowances to temporary protection status or application for temporary protection status. Key factors determining financial allowances are the composition of the household, age, the person's needs and resources available to them. This section also looks at particular challenges that remain, namely the scope of the assistance provided; delays in processing payments; and factors that disqualify certain groups or limit such groups' access to social allowances in practice, affecting Roma in particular.

Scope of social assistance

Several Member States determine social assistance based on the (temporary) protection status, nationality or type of residence permit of displaced persons from Ukraine, possibly revoking their eligibility (**Belgium**) or comparatively limiting assistance for them (**Cyprus, Finland, Germany, Poland** and **Romania**). For example, in **Romania**, the **National Plan of Measures on the Protection and Inclusion of Displaced Persons from Ukraine** only helps beneficiaries of temporary protection.

In the most positive cases, some Member States provide access to general assistance schemes available to their nationals. For example, in **Belgium** beneficiaries of temporary protection are eligible for social assistance in line with the **general social welfare system**, including financial, material, and social and administrative support. The **federal Public Planning Service for Social Integration** provides guidelines for local authorities on how to apply the law to the specific situations of displaced persons, who can access social assistance from their municipality as soon as they receive a temporary protection certificate. However, Caritas International Belgium has observed considerable differences in the allowances paid by local centres.⁵⁰

In addition, in **Poland** people covered by the provisions of the **Act on assistance to Ukrainian citizens fleeing the war** have access to the same forms of social assistance as Polish citizens, including **various child, and family benefits**. These people also get a one-off **allowance** of PLN 300 (€64) per person. Adult displaced persons not covered by the act but **qualifying** for temporary protection who do not stay at foreigner registration centres get a daily cash benefit of PLN 15 (€3).⁵¹

This is insufficient to ensure basic subsistence, according to the **Helsinki Foundation for Human Rights**. Despite this, **far-right politicians** have raised concerns, including on **social media** and in parliamentary sessions, that social assistance payments to displaced persons from Ukraine would negatively affect the general welfare system.

Other Member States established specific social assistance schemes for displaced persons from Ukraine, including one-off payments of lump sums. For example, in **Cyprus**⁵² €340 is awarded per adult, considered insufficient by the UNHCR.⁵³ Yet other Member States align social assistance with the benefits available to third-country nationals or asylum applicants, for example **Austria, Finland, the Netherlands, Spain** and **Sweden**. **Romania** provides social assistance only to displaced persons requesting or benefiting from international protection and residing in Romania.⁵⁴

Low amounts and the local variance of payments are the most widely reported challenges for beneficiaries of temporary protection, criticised by NGOs in

many Member States. For example, in **Sweden** the **Swedish Refugee Law Center** and **Save the Children** have criticised the low level of financial support for beneficiaries of temporary protection as insufficient to ensure an adequate standard of living. If accommodation is provided without food, the maximum daily **allowance** is SEK 71 (€6.70) for a single adult. The allowance has not been adjusted since it was determined in 1994 and is significantly lower (almost half for a single adult) than the level of social support provided to **Swedish residents**.

A single adult asylum seeker or person under temporary protection would, if receiving a daily allowance of SEK 71, receive a monthly allowance (for 30 days) of SEK 2,130. The comparable sum for a single adult living alone and covered by social support for Swedish residents in 2022 would amount to SEK 4,250, consisting of SEK 3,210 for personal expenses and SEK 1,040 for other household expenses. These figures do not include the cost of rent, among other things.⁵⁵

Processing of requests

Authorities processing requests for social assistance had to deal with a high workload and practical difficulties, such as ensuring interpretation or resolving a lack of documentation. This led to delays in the payment of subsistence allowances in some cases. Some countries were affected more than others, depending on the numbers of arrivals and temporary protection applications, and the territorial distribution or capacities of social welfare offices.

In **Belgium**, the public centres for social welfare **reported** considerable pressure. The media reported a strike at the public centre for social welfare in **Ukkel** and a public appeal for support by the social workers at the public centre for social welfare in **Sint-Jans-Molenbeek**. The municipality of **Kraainem** asked its residents to not host any additional refugees, because the public centre and the municipal services would no longer be able to support the workload. Caritas International Belgium observed that some people lacked adapted social assistance and ran out of financial resources before they applied for temporary protection or while they were awaiting a decision from the public centre for social welfare.⁵⁶

In **Finland**, in spring, payments of the reception allowance were delayed by the large number of requests, according to the **Finnish Social Insurance Institution**. However, beneficiaries of temporary protection and applicants were able to obtain urgent temporary basic social assistance.⁵⁷

In **Slovenia**, staff shortages at the Government Office for the Support and Integration of Migrants resulted in delays in granting financial assistance to beneficiaries of temporary protection, according to the Human Rights Ombudsman and Slovene Philanthropy.⁵⁸ Many beneficiaries waited over two months before receiving the first payment.⁵⁹ Procedures were also prolonged owing to incomplete applications resulting in repeat applications.⁶⁰

Impact on particular groups

Difficulties faced by particular groups in accessing social assistance also emerged. In **Austria**, social assistance recipients earning a monthly income exceeding €110 risk losing basic care benefits, including accommodation. This effectively prevents many from entering the labour market, as NGOs such as **Asylkoordination Austria**, **Caritas** and **Volkshilfe** and the **Austrian Refugee Coordinator** have recognised. In addition, the **Federal Minister for Labour** considers changing the current system necessary to encourage employment.

Legal experts **concluded** that raising the income limit to €485 only for beneficiaries of temporary protection from Ukraine would be permissible, as they already acquire a temporary residence permit and access to the labour

Bright spots

In **Poland**, the programme 'Aid of Citizens of Ukraine with Disabilities', coordinated by **PFRON**, recognises Ukrainian disability certificates even though they are not considered valid in Poland. Aid is provided to people who present a Ukrainian disability certificate or say they have one.

market by law when entering Austria and because of the provisional nature of the temporary permit. **NGOs oppose** a difference in income limits for different protection groups.

In **Romania**, some beneficiaries of temporary protection could not access social benefits because requirements were difficult to meet, such as the need for both parents to be in Romania to receive child allowances, according to the Ministry of Labour, quoted by the **media**, and to **NGOs**. In **Slovakia**, the NGO Mareena pointed out the need to identify people who are unable to access social assistance because of a lack of internet access, a lack of personal contacts and an inability to find their way in a new environment.⁶¹

In **Cyprus**, the Confederation of Disability Organisations reported that many Ukrainians with disabilities who had applied for social assistance in March and April had not received the second instalment of the payment by July 2022.⁶² In **Czechia**, the Association for Integration and Migration reports that social welfare services are not prepared for vulnerable groups with multiple needs.⁶³

Access to healthcare, mental health care and special needs assistance

In accordance with Article 13 of the TPD, Member States must ensure that beneficiaries of temporary protection receive the necessary assistance to access healthcare, at least including emergency care and essential treatment. They must also ensure that the necessary medical assistance or other assistance is provided to beneficiaries with special needs, such as unaccompanied children, and victims of torture, rape or other serious forms of psychological, physical or sexual violence.



Article 35 of the Charter provides for the right to access preventive healthcare and the right to benefit from medical treatment under conditions established by national laws and practices. EU policies and activities should also ensure a high level of human health.

In the European Commission's **communication** of March 2022, it recommended that Member States provide broad access to sickness benefits and affiliate them with their public healthcare systems. To ensure specialised hospital treatment and care for those in urgent need, the Commission set up a solidarity mechanism for intra-EU medical transfers of displaced persons in need of healthcare from the Member States bordering Ukraine.

The Commission also stressed that standard child vaccination should be prioritised, and highlighted the importance of free access to COVID-19 vaccinations. Actions to provide mental health and trauma support are also of particular importance. Actions the Commission has taken include cooperating with civil society to increase mental health support; setting up a network of Ukrainian-speaking mental health professionals; and collecting and implementing best practices on mental health and well-being as part of the EU4Health programme.

The Commission also **highlighted** the important role that Ukrainian healthcare workers can play in national healthcare systems if their qualifications are swiftly recognised.

FRA collected information for this section in 11 Member States (Cyprus, Czechia, Estonia, Germany, Hungary, Italy, the Netherlands, Poland, Romania, Slovakia and Sweden). National authorities in Bulgaria, Greece, Lithuania and Slovenia provided information on certain aspects.

FRA data show that national legislation grants beneficiaries of temporary protection access to healthcare, including mental health care, albeit to varying degrees. This section looks at challenges related to the provision of and access to services, such as the scope of access to public healthcare systems and access to mental health support, and additional challenges faced by certain groups, including Roma. In a **poll** among Ukrainians held by the Razumkov Centre, 31 % of the respondents referred to problems with healthcare.⁶⁴ Obstacles in accessing abortions have been reported in some Member States and are further analysed in the section, covering the provision of information and support to victims of sexual and gender-based violence.

In **Poland** and **Romania**, some concerns of the local population and fake news about displaced persons being able to access the healthcare system more easily were reported. In **Poland**, the National Health Fund had to rebut fake news on social media claiming that Ukrainians have priority in hospitals and clinics, according to **media reports**. The **Helsinki Foundation of Human Rights and the Geremek Foundation** also highlighted the issue of disinformation on social media. The Romanian Red Cross reported that in **Romania** a few locals claimed that medical services are provided more promptly and less bureaucratically to displaced persons than to nationals.⁶⁵

In **Slovakia**, representatives of the Community Centre for Work and Knowledge Mobility in Nitra and the Migration Office reported similar concerns among the local population.⁶⁶ In addition to the local population's concerns, some **medical professionals** in **Poland** worry about the additional pressure on the **public healthcare system**, which has been affected by staff shortages and limited funding in recent years. The National Health Fund is monitoring the issue but has not noted any reduction in inpatient admissions due to the increased pressure.⁶⁷

Access to public healthcare systems

The scope of access to public healthcare systems depends on decisions made by national authorities and varies among Member States. In some, for example **Bulgaria, Czechia, Estonia, Germany, Italy** and **the Netherlands**, beneficiaries of temporary protection are entitled to the same public health services as citizens. In many cases, this means that those employed need to pay for health insurance, while unemployed people need to register with labour and unemployment offices.

In **Slovakia**, on the other hand, beneficiaries of temporary protection are only entitled to emergency healthcare. This is also the case in **Slovenia**, although a medical committee may approve broader access in some cases.

In **Cyprus**, beneficiaries of temporary protection only have free access to state hospitals and limited access to free medication, the UNHCR reported.⁶⁸ Issues with medication were also reported in **Slovakia**. There, the NGO Tenenet highlighted that, despite some assistance from the **General Health Insurance Company**, beneficiaries of temporary protection have to cover the full cost for their medicines.

In addition, in **Sweden** beneficiaries of temporary protection are provided with the same access to healthcare as asylum seekers, allowing adult beneficiaries to access only 'healthcare that cannot be delayed'. NGOs such as the **Swedish Refugee Law Center** have criticised this, maintaining that it makes adults' access to healthcare dependent on the discretion of individual medical providers.

Cases of doctors refusing services to beneficiaries of temporary protection were reported in various Member States. These were mainly due to a lack of capacity, but a lack of information and discriminatory behaviours were also reported.

In **Poland**, the **media** reported that in some cases healthcare providers refused services to beneficiaries of temporary protection because they were not fully informed of the requirements to provide care to those fleeing the war. In **Romania**, the President of the **National Federation of Family Physicians' Associations** reported that many doctors refused to help Ukrainians, owing to their short stay in the country and potential difficulties in contacting them as part of regular controls for medical prescriptions. In **Slovakia**, representatives of the Migration Office and of the Community Centre for Work and Knowledge Mobility in Nitra highlighted⁶⁹ that general practitioners and paediatricians have limited capacity to take on new patients, an issue that also affects Slovak nationals. Two outpatient clinics run by Ukrainian medical staff opened in Bratislava to provide services to displaced persons, Tenenet reported.⁷⁰

Other practical barriers in accessing medical services often relate to administrative issues and a lack of interpretation, as is the case in **Poland**. In response to concerns raised by the Polish **Human Rights Commissioner**, the Ministry of Health stressed the lack of legal provisions on the presence of interpreters during medical visits. Hospitals find ad hoc solutions to this, and beneficiaries of temporary protection often rely on the help of their relatives and friends. To address the issue, the ministry recently developed an **application** aimed at facilitating communication between doctors and Ukrainian-speaking patients.

Free access to COVID-19 vaccinations was provided in most Member States, including **Cyprus, Estonia, Greece, Hungary, Italy, the Netherlands, Poland, Slovakia** and **Slovenia**. In most countries, all people had the right to access them regardless of their status. In **Poland**, access to these vaccinations was provided to those legally residing in the country.

Vaccination of children was also made available for beneficiaries of temporary protection in some countries, including **Hungary, the Netherlands, Poland** and

Bright spots

In **Estonia**, the **Health Insurance Fund** published a list of family doctor centres, to which all displaced persons from Ukraine, regardless of their status, can turn.

Slovakia. In **Slovakia**, Tenenet reported⁷¹ challenges due to a lack of medical records or certificates that would indicate which vaccines children have already received in Ukraine. Similar issues were noted in **Poland** by the **Human Rights Commissioner**.

In some Member States, including **Cyprus**,⁷² **Hungary**⁷³ and **the Netherlands**, the provision of material support – hygiene kits, nappies, disinfectants, among others – to displaced persons mostly depended on initiatives by private actors and civil society.

Mental health support

Many people fleeing the war have had traumatic experiences and may need psychosocial care. In most cases, mental health support is provided to beneficiaries of temporary protection as part of their access to public healthcare. In practice, in some Member States, including **Czechia** and **Slovakia**, mental health support is mostly provided by civil society organisations supporting displaced persons from Ukraine.

Support is also provided by specialised staff in accommodation facilities, through helplines or online. For instance, in **Italy** the **Italian Red Cross** established a helpline. In **Slovakia** most support is provided **online** or **over the phone**.

In **Estonia**, the **Social Insurance Board** provides psychosocial crisis assistance in accommodation centres and reception points. Primary support and psychological first aid in English, Estonian and Russian are also provided through a helpline and **online**. The **Ministry of Social Affairs** published written materials and videos on how to support the mental health of people who have fled the war.

In **Hungary**, the NGO Cordelia Foundation **reported** that its staff are available at border crossing points and in the BOK Hall in Budapest, providing psychiatric care to new arrivals.

National authorities or NGOs in some Member States, such as **Estonia**, **Greece** and **Slovakia**, have employed Ukrainian professionals to assist. However, delays in having their qualifications recognised, which can be a lengthy process, can mean that they need supervision in some cases, as Tenenet reported in **Slovakia**.⁷⁴

An increasing need for mental health support was noted in some Member States. In **Czechia**, a survey conducted by the **Ministry of Labour and Social Affairs** of displaced persons points to a high and increasing demand for mental health services. In **Hungary**, Migration Aid **reported** that more and more children and mothers need psychosocial support.

Barriers to accessing mental health support have also been reported. In **Hungary**, the **media** reported that psychological and psychiatric care are not always available in Ukrainian. In **Poland**, access to psychosocial and mental health support can be limited by long waiting times, which affect the whole **public healthcare system**, and language barriers.

In **Slovakia**, accessing psychiatric care is a great challenge for beneficiaries of temporary protection, Tenenet reported. Patients are not always accepted because of capacity issues or a lack of information on the rights of beneficiaries of temporary protection, it added.

Impact on particular groups

In **Czechia**, the NGO InBáze highlighted that some beneficiaries of temporary protection faced difficulties in accessing healthcare, mainly due to a lack of

information but also due to the reluctance of some doctors to take on new patients. This particularly affected people with disabilities and chronic diseases who needed essential healthcare services shortly after their arrival.⁷⁵

In **Slovakia**, mental health care for women who have experienced sexual violence is practically unavailable owing to a lack of specialists, as a **coalition of NGOs** reported. Tenenet also reported that care for people with disabilities is not systematically provided and depends mostly on assistance provided by NGOs.⁷⁶

In **Czechia**, some Roma were allegedly denied service by healthcare providers as a result of racial discrimination, NGOs reported.⁷⁷ Researchers in **Poland** reported that Roma might hesitate to seek public services, including healthcare, owing to prior experiences of discrimination and a lack of trust in authorities.⁷⁸ Finally, in **Poland** the **media** reported on challenges that transgender people may face in promptly accessing hormones and that HIV-positive people may encounter in accessing individualised treatment from a specialist.

Access to education

Under Article 14 of the TPD, Member States are obliged to grant children enjoying temporary protection access to the education system under the same conditions as their own nationals, and may also allow adults to access the general education system. Article 14 of the Charter guarantees the right to education.

The **European Commission's March 2022 communication** acknowledges that the large number of children among those fleeing Ukraine results in both a huge logistical challenge and a major social responsibility. The Commission recognises that a combination of direct integration into the local education system and temporary reception classes may be required. It emphasises the need to address



language barriers and psychological trauma; provide parents with information; ensure access to extracurricular activities, psychological care and language classes; and recruit Ukrainian-speaking teachers to support children's integration in the education system. Besides EU financing from Cohesion Policy funds, Member States can avail themselves of EU tools such as the **School Education Gateway**, serving as a one-stop shop for accessing educational material from Ukraine and Member States' material in Ukrainian.

While acknowledging that children need to keep in touch with their home language and culture, the European Commission **called upon Member States** to ensure that children from Ukraine have a place in host-country schools and early childhood education and care from the new academic year (2022/2023), regardless of how long they intend to stay in the host country.

FRA collected information for this section in 16 Member States (Cyprus, Czechia, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania and Slovakia). In addition, national authorities in Bulgaria, Croatia, Greece and Slovenia provided information on some aspects.

FRA data show that all Member States acted – in line with their capacities – to grant displaced children access to education. They have used varying approaches to welcome and integrate children into their national education systems, either directly into mainstream education or through preparatory classes. Many beneficiaries of temporary protection have also made use of the opportunity provided by Ukrainian schools and authorities to keep their children in the Ukrainian education system by means of **distance learning**.

This section highlights examples of this, while also drawing attention to remaining challenges in accessing education. These challenges relate to enrolment in schools, the use of preparatory classes, a lack of staff, access to language classes, the provision of support to children continuing their education at Ukrainian schools online, and specific issues related to access to university, and include particular challenges faced by certain groups, including Roma.

Enrolment and school capacity

Many Member States reported relatively low rates of enrolment of child beneficiaries of temporary protection in schools in 2022, with many displaced children still using remote education services provided from Ukraine. However, they emphasised that they were making strong efforts to ensure the enrolment of children in education systems in time for the 2022/2023 academic year.

For example, in **Bulgaria** the Ministry of Education and Science said that, while there were 39,143 children from Ukraine in the country as of mid-August, only 439 students were enrolled in Bulgarian schools in the second semester of the 2021/2022 academic year, owing to their participation in distance learning at Ukrainian schools and healthcare concerns resulting from the difference in the vaccination calendars of the two countries. Nevertheless, the ministry is taking measures to ensure places for every child and student of compulsory pre-school and school age from the beginning of the 2022/2023 academic year.⁷⁹

In **Romania**, by the end of the academic year only 2,577 Ukrainian children (less than 10 %) were enrolled in schools or pre-schools, according to the **Ministry of National Education**. Until the completion of procedures to identify the level of study equivalent to the one that the child reached in Ukraine, these children formally attended school as 'observers' rather than students, and most children continued remote education in the Ukrainian system, NGOs reported. Of the 55 schools in Romania teaching some subjects in Ukrainian, none are present in the five cities hosting the largest displaced communities.⁸⁰

In **Slovakia**, about half of the 20,000 Ukrainian children of compulsory school age registered for temporary protection as of June were enrolled in the school system, according to the Ministry of Education.⁸¹ It is presumed that some were taking online classes within the Ukrainian education system, but statistics are unavailable.⁸² As already highlighted in **Bulletin #1**, beneficiaries of temporary protection are not subject to compulsory education because of their lack of permanent residence, according to the **Ministry of Education**. As a result, schools do not receive state funding for these children as they do for other pupils (except for a one-off payment of €200 per child).

Some Member States have achieved a very high level of enrolment. In **the Netherlands**, for example, among the 19,500 Ukrainian children of school age registered in the Personal Records Database, almost all (19,300) were enrolled in the Dutch educational system by July, according to official statistics.⁸³ The level of enrolment is high in this state because enrolment is mandatory and because online learning is typically not supported (see **Support in accessing Ukrainian schooling** for further details).

The capacity of many national education systems was already stretched when many children were not yet enrolled in formal education or were educated in preparatory classes. More child beneficiaries of temporary protection are predicted to require enrolment in the coming academic year. Concerns have been raised in some Member States about preparedness to integrate them and the impact this may have on education systems.

In **Cyprus**, where 331 child beneficiaries of temporary protection were enrolled in public schools before summer 2022, the Ministry of Education, Culture, Sport and Youth expressed concerns that the enrolment of a large number of Ukrainian students in public schools in September may put pressure on classroom capacities in some areas.⁸⁴ In a **survey among Ukrainian households** conducted in June and July in **Czechia**, more than one fifth of parents whose children were not enrolled in school quoted a lack of capacity or the school's refusal as a reason for non-enrolment. A research institute focusing on education and social policy **estimated** in April that in the new academic year the current nationwide school capacity will be exceeded by nearly 100,000 pupils, with Prague predicted to be most affected.

A president of the teachers' union Verband Bildung und Erziehung in **Germany** **stated** that the integration of thousands of refugee children will have an impact on the overall school system: classes will become larger, and some extracurricular programmes will have to be cancelled. In **Ireland**, the **Minister for Children, Equality, Disability, Integration and Youth** recognised that the situation has put significant additional pressure on schools in certain areas and stressed that there may not always be school places available in the areas where displaced persons live.

During his July visit to **Poland**, the **United Nations Special Rapporteur on the human rights of migrants** was informed that the Ministry of National Education was ready to integrate 400,000 Ukrainian students into the education system. This number had reached over 180,000 by the end of the 2021/2022 academic year, according to **authorities**. Certain groups – **civic initiatives** and **far-right political parties** that may seek to exploit the situation – have raised concerns about the impact of enrolling displaced children in schools. Some fear this may affect the availability and quality of education for nationals of the Member States.

A **memorandum of understanding** between the Minister for Education and Science and the UNICEF, signed in June 2022, aims to establish cooperation in order to prevent the educational exclusion of children from Ukraine and maintain good-quality learning in Polish schools.

Some Member States opened new dedicated education facilities to ensure access to the national education system in the new academic year. In **Estonia**,

for example, the **Ministry of Education and Research** announced that a new secondary school for children displaced from Ukraine would be opened in Tallinn in September 2022, with 800 places. At least 60 % of the lessons will be taught in Estonian, according to the **head of the school**. In **Cyprus**, a private school for Ukrainian children with 700 places, financed by private Russian-Ukrainian investors, was **planned to open** in September 2022.

Use of preparatory classes and availability of staff

Particularly in Member States with larger numbers of displaced children, various forms of ‘preparatory’ or ‘welcome’ classes have been used to prepare children to join regular classes. Some schools in **Czechia**, for example, created all-Ukrainian classes, particularly where the proportion of incoming students from Ukraine was high, in some cases as much as 30 %. Others integrated students into existing classes.⁸⁵ In **Germany**, among the more than 150,000 children from Ukraine enrolled in schools, the majority initially attended **preparatory classes, according to official statistics**.

In **Denmark**, **legislation** provides that children displaced from Ukraine can be enrolled in regular classes, but municipalities can also choose to teach them in reception classes or create special schools. In **the Netherlands**, children can enrol in mainstream education, existing ‘newcomer classes’ open to foreign students or in temporary transitional education facilities developed specifically for children arriving from Ukraine, according to the **government website**. In **Poland**, 2,409 ‘preparation units’ were operating in 1,408 primary and secondary schools by the end of the 2021/2022 academic year, according to figures from the **Educational Information System**. As the Russian invasion took place in the middle of the school year, recognising achievements of children made while still in Ukraine as well as evaluating progress has proven a significant challenge in **Poland**.

Some concerns were voiced about such preparatory classes. In **Czechia**, the risk of segregation was raised in **expert debates**. The **Danish Institute for Human Rights** welcomed efforts in **Denmark** to facilitate children’s access to education while acknowledging their attachment to the Ukrainian language, culture and identity, including by allowing tuition in specially created classes to temporarily take place in English or Ukrainian.

In **Denmark**, there are ongoing political discussions on how to facilitate schooling arrangements for Ukrainian refugees. It has therefore not yet been decided if the classes are temporary.⁸⁶ At the same time, the Danish Institute for Human Rights noted that refugees from other countries do not enjoy the same treatment.

The availability of teachers and teaching assistants was quickly recognised as a challenge in several Member States. In **Finland**, municipalities found it challenging to recruit teachers for an increasing number of preparatory classes in autumn, according to **media** reports. One solution was to engage Ukrainians as classroom assistants.

In **Germany**, the **media** reported the lack of qualified staff as a key challenge, referring to the declining number of teachers in the country in recent years and the fact that not many teachers from Ukraine are currently working in German schools. The Migrant Learners’ Unit, the government agency in **Malta** that caters for the needs of migrant learners, identified the shortages of educators and space as the greatest challenges.⁸⁷

In **Romania**, NGOs reported that, while some 150 Ukrainian- or Russian-speaking teachers were recruited by civil society organisations providing education services, over 1,000 were needed. Their employment by state schools was difficult because they needed to be proficient in Romanian.⁸⁸

To overcome the issue of staff shortages, some Member States relaxed legal requirements for the recruitment of teachers or support staff. This included replacing the requirement to supply proof of qualification with the requirement to provide an affidavit, or removing the requirement for knowledge of the national language for teachers working exclusively with Ukrainian children (see also **Recognition of professional qualifications and requirements**). Such measures were adopted in **Czechia, Luxembourg, the Netherlands** and **Slovakia**.

In **Poland**, **legislation** enabled the employment of foreign citizens with adequate knowledge of Polish as teaching assistants. However, the employment of such assistants, unlike teachers, is not funded by national authorities, and local authorities may find it difficult to allocate such resources. Warsaw municipal authorities were able to hire 200 Ukrainian teaching assistants thanks to the **Cash for Work programme, implemented by the Polish Center for International Aid**.

Access to language classes

Language barriers – arising when newly arrived child beneficiaries of temporary protection do not know the national language – are often the key obstacle to integrating child beneficiaries into national education systems. In **Slovakia**, 85 % of teachers who had contact with Ukrainian children perceive language as the biggest obstacle to their integration, according to a **survey conducted in June 2022 by the Comenius Institute**. In addition, in **Germany** and **Hungary** the media reported language barriers as a major obstacle.

Several Member States tackled this by introducing intensive courses in their national languages. In **Cyprus**, for example, the Ministry of Education, Culture,



Sport and Youth offered free intensive Greek classes in June and July for both adults and children. Ukrainian children were also prioritised in the registration of children in free summer schools, which offer Greek language learning, art, sports and recreational activities.⁸⁹

All people enjoying temporary protection in **Hungary** have the opportunity to attend a 520-hour Hungarian language learning course free of charge, provided for in the **asylum legislation**. The Hungarian Association for Migrants nevertheless reported that despite this opportunity there is neither a centrally organised Hungarian language course targeting students fleeing Ukraine nor a cross-cutting education policy designed to accommodate foreign students. In July 2022, the association launched a **school integration programme** to support displaced children from Ukraine to join public education in September 2022 by providing Hungarian language lessons and activities.

In **Portugal**, a **set of educational measures** created by the Directorate-General for Education stipulates that all child beneficiaries of temporary protection must have access to Portuguese classes. All Ukrainian children who opt to continue online distance learning at Ukrainian schools must attend Portuguese language courses. For those who have already joined the Portuguese education system, **such classes** are part of the regular school curriculum.

In **Romania**, NGOs reported that as of July 2022 language classes were being organised by various local-level stakeholders, sometimes with support from the local school inspectorates or local authorities.⁹⁰ JRS Romania and a representative of the local council of Constanta noted that, while the **National Plan of Measures on the Protection and Inclusion of Displaced Persons from Ukraine**, adopted at the end of June, provides for organising such classes to offer access to education for all children, its implementation was still in the early phases.⁹¹

In **Slovakia**, the **Ministry of Education** instructed schools to provide children with six hours of Slovak language courses per week, and provided **methodological materials**. However, the **Centre for Educational Analysis** argued that the courses are too short, are only for children aged 6 to 16 years and can only take place outside school hours, placing a burden on the children.

Teaching the national language as a second language was also recognised as a particular challenge for teachers in some Member States. In **Croatia**, for example, the government organised professional training for teachers on the inclusion of students from Ukraine in teaching Croatian.⁹²

Support in accessing Ukrainian schooling

When it comes to children continuing their education in the Ukrainian system through online distance learning, Member States have displayed different approaches.

In some Member States, compulsory school attendance is applied strictly to beneficiaries of temporary protection as well as to nationals of those states. In **Luxembourg**, all children residing in the country aged 4 to 16 are required by **law** to attend an international or local school. No exceptions are made to recognise alternative forms of education, such as Ukrainian online schooling.

In **the Netherlands**, the **Ministry of Education, Culture and Science** indicates that secondary schools may allow students to engage in distance learning provided from Ukraine only if there are no qualified teachers available to teach in the school and if the distance learning fits into the school's educational programme. In **Bulgaria**, the Ministry of Education and Science reported that, to avoid the risk of creating a long-term parallel education system and social and linguistic exclusion, it did not support children in continuing online schooling at Ukrainian schools.⁹³

Bright spots

As part of initiatives in **Poland**, **Portugal** and **Hungary**, compulsory school attendance is combined with support for distance learning.

While children may opt to continue their schooling remotely, they must still be present at a Portuguese school during the online sessions provided by the Ukrainian school, according to the **Directorate-General for Education** in Portugal. Schools guarantee the means for children to attend online classes while designating staff to supervise and support them, aiming to facilitate the future integration of the child in the regular schooling system.

Similarly, in **Poland** a special Ukrainian school (**SzkoUA**) was set up in Warsaw. Children enrolled at several Ukrainian schools are supervised on site at the Warsaw school by Ukrainian teachers, with the support of psychologists. Part of the educational programme is aimed at integrating them into Polish society.

Finally, in **Hungary** Migration Aid launched the '**Learning Without Borders**' programme. Six classrooms of 18 children took part in Ukrainian online classes, assisted by Ukrainian teachers and Hungarian volunteers.

In other Member States, state, local and non-governmental actors supported children who continued to engage in Ukrainian schooling, including through providing technical equipment such as laptops and tablets. In **Poland**, the ‘**School for You**’ initiative, organised by the Ministry of National Education jointly with other public and non-profit bodies, distributes computer equipment donated by companies to Ukrainian students. The **National Agency for Education** in **Finland** encourages municipalities to arrange a safe and supervised space, computers and internet access for distance learning.

Access to university education

The **European Commission’s communication** from March 2022 highlighted the need for flexibility to facilitate access to courses for and offer opportunities to students in higher education who benefit from temporary protection.

Some Member States took steps to ensure that such students could continue their education. For example, **Czechia introduced more flexible procedures** for universities to accept displaced students. **Germany** set up the **National Academic Contact Point Ukraine**, a platform to inform students about various types of support available from the higher education and research community. In **Luxembourg**, the Ministry of Education, Children and Youth **reported** in June that it was preparing, in cooperation with Ukrainian authorities, an online entrance exam for Ukrainian universities. In **Poland**, there were **calls from higher education funding institutions** introducing new dedicated programmes for students and/or researchers from Ukraine, or targeting long-standing programmes in Ukraine through dedicated calls open to Ukrainian students/institutions/researchers.

In **Ireland**, the **Irish Refugee Council** welcomed the decision to support people fleeing Ukraine by **not charging them international fees** for third-level education. It also called on the government to grant equal support and access for all refugees and asylum seekers.

Impact on particular groups

Roma beneficiaries of temporary protection have reportedly faced particular obstacles in accessing education in some Member States. In **Germany**, the Antigypsyism Monitoring and Information Office highlights the lack of ideas for addressing the specific needs of Roma children, who were largely in segregated school systems with a below-average level of education in Ukraine. It reports one case in Mecklenburg-Vorpommern where Roma children of school age have not been enrolled although they have stayed in accommodation for refugees “for a considerable time”. The monitoring body ascribes this delay to stereotypes of Roma refugees in the municipal administration.⁹⁴

In addition, in **Hungary** volunteer teachers told the **media** that Transcarpathian Roma children were in de facto segregated education in Ukraine, which, on top of language barriers, makes it difficult to integrate them into the school system. As a result, only two Transcarpathian Roma children who were beneficiaries of temporary protection out of the 22 who were of school age had been admitted to public schools by the end of April; the rest were educated by volunteers. Public schools typically claimed that they were at full capacity when asked to enrol Roma children, according to the article. Authorities reject these allegations, stating that equal treatment in accessing education is granted to Transcarpathian Roma.⁹⁵

Findings collected by researchers in **Poland** show that while many Roma children – especially in smaller towns – could enter education almost immediately, the majority did not. The research identifies as contributing factors the lack of sufficient information about access to schooling, insecure housing situations, the

Bright spots

In **Hungary**, a new subchapter of the Stipendium Hungaricum programme, ‘**Students at Risk**’, was set up. The programme provides university stipends to nationals of some 80 third countries around the world, and the subchapter allocated around €19.5 million for 2022 and 2023 to promoting the continuation of university studies for those forced to leave Ukraine owing to the war.

schools' lack of preparedness to deal with foreign children and language barriers, and the unwillingness of Roma parents to send their children to different schools.

In **Romania**, an NGO reported a case in Brăila where Ukrainian refugee children were allegedly excluded from a Russian-speaking public school due to pressure from parents of Romanian children.⁹⁶

In relation to university education, in **Portugal** the **media** reported potential discrimination by some university medical schools. The schools refused to enrol non-Ukrainian displaced students, who represent about 80–90 % of the total number of medical students arriving from Ukraine, arguing that accepting them would present a large burden for the medical schools. In response, the Ministry of Science, Technology and Higher Education issued an **order** in August that all beneficiaries of temporary protection displaced from Ukraine, including nationals of other third countries, may apply for medicine courses at all universities, forming an equal distribution of the applicants among the medical schools in Portugal. At the beginning of September, the **media** reported that of the 241 displaced persons from Ukraine, mostly non-Ukrainians, who applied for public medical schools in Portugal, 179 met the requirements and were accepted.

Protection of unaccompanied children and access to guardianship

It is **estimated** that more than half of those fleeing Ukraine are children. The protection of children arriving from Ukraine is a top priority for the EU, according to the **operational guidance on the application of the TPD**. All decisions or actions to be taken in relation to children must primarily consider the best interests of the child, as enshrined in Article 24 of the Charter.



Terminology box

An 'unaccompanied child' is a child who arrives unaccompanied by an adult responsible for them whether by law or custom. A '**separated child**' is a child who is accompanied by relatives or known (non-related) adults. In the context of Ukraine, there are two additional categories of children:

- children from Ukrainian institutions, who often arrive in the EU in groups accompanied by a guardian appointed by the competent Ukrainian authorities;
- children who arrive in the EU accompanied by a guardian appointed by the competent Ukrainian authorities.

For more information, see European Commission (2022), ***Unaccompanied and separated children fleeing from war in Ukraine – FAQs on registration, reception and care***, Brussels, European Commission.

The EUAA stated that EU Member States still do not systematically report data on unaccompanied children fleeing Ukraine. The exact number of unaccompanied children arriving from Ukraine is therefore unknown.

The European Commission's **FAQs on registration, reception and care** give guidance and stress the importance of the registration, reception and guardianship of unaccompanied and separated children from Ukraine.

FRA collected information for this section in 11 Member States (Cyprus, Czechia, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Romania, Slovakia and Spain). National authorities in Bulgaria provided information on some aspects of this topic, while some publicly available information from Belgium was also included.

This section looks at particular challenges related to the protection of unaccompanied children, namely as regards the gaps in their initial and centralised registration; the appointment or recognition of guardians for separated children arriving with an appointed guardian from Ukraine; and the provision of good-quality reception and care.

Registration of unaccompanied and separated children

In the **operational guidance on the application of the TPD**, the Commission recommends that the border control authorities of the Member States of first entry should as a minimum ensure that the identity of the unaccompanied and separated children, and that of the adults with whom the children are continuing their journey, as well as the declared Member State of destination, are registered.

In its FAQs on registration, reception and care, the **European Commission** describes three types of registration as crucial to ensuring a child's safety: initial registration at the border, registration with the national child protection authorities and registration for temporary protection. In most Member States, the distinction between these types does not seem to be clearly applied. It appears that several Member States register the unaccompanied and separated children only for temporary protection, which frequently occurs only once the procedures for the appointment/recognition of guardians are finalised.

Because the TPD affords children temporary protection in every EU Member State, their initial registration when crossing the external border is particularly important to protect unaccompanied and separated children from getting lost.

In addition to existing registration systems, some countries established new procedures for registering unaccompanied children from Ukraine.

In **Poland**, a register was created through a **platform** to record unaccompanied children entering Poland. In response to the particular situation there and the large numbers of unaccompanied children entering Poland, only unaccompanied or separated children with Ukrainian citizenship are registered. This could lead to

gaps in protection for non-Ukrainian children. In addition, a civil society **coalition** noted that the register is still not fully functional owing to technical issues.

In **Italy**, several local juvenile courts have adopted and released specific communications and procedures concerning the registration of unaccompanied children from Ukraine to ensure that they are promptly appointed a guardian and receive suitable accommodation.

With regard to registering for temporary protection, the majority of Member States register unaccompanied children using the same system used for adults, according to the **European Migration Network**. Additional information and documents are collected from the accompanying adults who are not their parents.

In **Czechia**, nobody registers at the border crossing point. The Ministry of Labour and Social Affairs issued **guidelines** on the procedure for the protection of unaccompanied children from Ukraine. Children are first registered at regional assistance centres for temporary protection, where they meet a representative of the Authority for the Social-Legal Protection of Children (the municipal-level child protection authority). Once children are registered, they are assigned to a school, institution or childcare facility.

In **Bulgaria** the State Agency for Child Protection created a register for children who apply for protection in the country. Later, unaccompanied children who registered for temporary protection were added to the register.

Concerns for the protection and safety of unaccompanied children linked to possible deficiencies in registration procedures were highlighted by some Member States.

For example, the Authority for the Protection of Childhood and Adolescence in **Italy** expressed concerns in a media **interview** that Ukrainian children who had not communicated their presence to the authorities were hosted in Italian families. The authority recalled that unaccompanied migrant children must always be registered by competent authorities to ensure that their family can be traced and that adequate support and reception is provided.

UNICEF reported concerns over gaps in registration that could increase the risk of unaccompanied children becoming victims of human trafficking (see **Human trafficking and other forms of exploitation** for more on the risk of trafficking) in **the Netherlands**. At first, the process of registering people arriving in the country from Ukraine did not allow the explicit registration of unaccompanied children. Unaccompanied Ukrainian children are barely visible to the organisations that provide shelter, which puts them at risk of disappearing from the radar and becoming victims of trafficking and exploitation, according to **UNICEF**. In a media article, the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children expressed concern over the authorities' failure to register unaccompanied children separately from other children. In response, in June 2022 authorities established a new procedure for registering unaccompanied children and referring them to the national guardianship authority Nidos.⁹⁷

Recognition and appointment of guardians for separated children

Article 16 of the TPD states that unaccompanied and separated children must be represented by legal guardians, an organisation that is responsible for the care and well-being of children or any other appropriate representation. Member States receiving unaccompanied children from Ukraine should initiate procedures for the recognition or appointment of a guardian or a legal representative as soon as possible, according to the **operational guidelines** of the European Commission on the implementation of the TPD.



In the case of unaccompanied children travelling on their own, Member States generally followed existing procedures for third-country nationals. Some Member States, such as **Belgium**, appointed additional guardians to cater for the increased demand.

Bright spots

The German Institute for Youth Human Services and Family Law, an NGO assisting youth welfare officers, has created a **website** dedicated to supporting welfare offices, lawyers and other professionals, and Ukrainian adults. It provides legal advice on family law in relation to Ukrainian children. It contains information on procedures for establishing guardianship for separated children and the recognition of guardians from Ukrainian institutions, and different forms in German and Ukrainian for parents, for example providing power of attorney regarding the care and custody of children.

Challenges that have arisen for authorities since the beginning of the Russian invasion of Ukraine have mainly been related to the appointment of guardians for separated children who arrive with friends, neighbours or other family members. In addition, the appointment of guardians for children who were living in institutions and arrive with an appointed guardian from Ukraine – who often have disabilities, and have already been deprived of parental care – has been a challenge. **Member States** have generally recognised Ukrainian guardians, and have sometimes established an additional guardian from the host country to support the child and the Ukrainian guardian. For example, in **Italy** juvenile courts have appointed *protutori* to support the guardians in caring for Ukrainian children.

Some Member States, such as **Bulgaria, Germany, Greece, Italy, the Netherlands** and **Poland**, introduced a flexible approach to guardianship to address these challenges, such as by providing distance or temporary guardianship. In **Spain**, the regional government in Catalonia approved a **general directive** to protect unaccompanied children coming from Ukraine, which also establishes criteria for the recognition of provisional guardianship by local foster families.

In **Germany**, for separated children living with friends or other family members but in close contact with their parents in Ukraine, family courts assess the need to appoint a guardian or a supplementary caregiver on a case-by-case basis. Guardians appointed in Ukraine are in principle **recognised** as their legal guardians.

Some EU Member States, such as **Greece, Poland** and **Romania**, introduced the assignment of a temporary or distance guardian to unaccompanied children

arriving from Ukraine. In **Greece**, the Prosecutor for Minors or the Prosecutor of First Instance acts as temporary guardian. Anecdotal evidence suggests that the majority of children arriving from Ukraine are accompanied by relatives, neighbours or friends, according to a **briefing** published by Oxfam, the Greek Council for Refugees and Save the Children in May 2022. Although Ukrainian consular officials are present at the border and there is coordination between the governments, the process of screening the family status of children to prevent trafficking seems unclear and inadequate. FRA contacted the Greek Ministry of Migration and Asylum requesting a statement but did not receive a reply by the deadline.

If children are already deprived of parental care and in institutions in Ukraine and come to **Poland** with the person who was their legal guardian in Ukrainian foster care, the court establishes this person as a temporary guardian. District authorities provide psychological help and assistance to temporary guardians and the children under their care.⁹⁸

In **Italy**, several juvenile courts have issued **guidelines** on handling the situation of children fleeing Ukraine. If children have relatives, family members or friends legally residing in Italy, they are registered in the central information system and the relatives can be appointed as guardians by the competent juvenile court. For children arriving in Italy from Ukrainian institutions accompanied by educators or other professionals, **recent case law** established that judicial authorities can appoint these professionals as guardians.

In **the Netherlands**, since June 2022 the NGO Nidos has assessed in cooperation with the child, and where possible with their parents in Ukraine, whether applying for temporary guardianship is appropriate. Nidos does not request that the court organise guardianship if their parents in Ukraine and their current caregiver consider that it is not necessary.

Some Member States reported practical problems due to delays in appointing guardians. For example, in **Slovakia** the Community Center for Work and Knowledge Mobility (COMIN), a contact centre for refugees in Nitra, encountered difficulties in finding housing for separated children who were awaiting a decision on whether or not relatives or friends they had arrived with would be appointed as their legal guardians. The Ministry of Transport and Construction reported that it had not encountered any difficulties in this regard.⁹⁹ The process of appointing a guardian took about 15–20 days, during which these children had no identification number. This meant that landlords had difficulties in claiming housing benefits for these children to cover the costs of renting their properties.¹⁰⁰ In response, the ministry stated that this benefit could be provided seven days prior to the official issuing of temporary protection.¹⁰¹

Providing good-quality reception and care

During the period of temporary protection, Member States should provide for unaccompanied children to be placed with adult relatives or a foster family, or in reception centres or centres with special provisions for children, or other accommodation suitable for children, pursuant to Article 16 (2) of the TPD.

Types and conditions of reception, accommodation and services provided for unaccompanied children vary among the Member States. They also depend on whether or not children are coming from institutions.

As a good practice, many Member States reported the provision of psychosocial care to unaccompanied children, among other services provided.

For example, in **Czechia** unaccompanied children are normally cared for at the Prague-based **Facility for Children of Foreign Nationals**, which serves both as a diagnostic institution, where children are examined by psychologists and other

professionals, and as a facility for long-term accommodation, providing a school and a dormitory. Ministerial [guidelines](#) outline the procedure that must be followed. In **Greece**, the National Emergency Response Mechanism for the Identification and Protection of Unaccompanied Minors transfers unaccompanied children to special emergency accommodation facilities that provide them with material and psychosocial support, interpretation, educational activities and safe accompaniment or representation during registration procedures. In **Hungary**, unaccompanied children are accommodated exclusively in children's homes, with professional staff, teachers, psychologists, interpreters and social workers on-site to assist children.

In **Slovakia**, unaccompanied children are placed in the [Centre for Children and Families and subsequent care](#), where they receive housing, meals, healthcare and compulsory schooling or vocational training, according to the representative of the Ministry of Labour, Social Affairs and Family.¹⁰² The centre has a professional team, consisting of a social worker, a psychologist and a special education teacher, and other professional staff who provide special assistance. Children are not placed in a centre if they are in the care of relatives or people close to them or against the will of the legal representative.

Impact on particular groups

A specific concern arose in relation to unaccompanied children arriving from Ukraine who were living in institutions in relation to de-institutionalisation policies. Before the war, more than 90,000 children were living in residential care institutions in Ukraine, according to [UNICEF](#). Nearly half of them had disabilities.

From 24 February to July 2022, over 3,000 children who lived in institutions in Ukraine were evacuated to different EU Member States, according to the [European Commission](#). Such transfers were agreed bilaterally with the authorities concerned or through private initiatives. Not all Member States were well prepared to host these children. The [Ukrainian authorities](#) have called on Member States to preserve the unity of the groups of children coming from institutions. This has sparked fears of former institutions opening again after closing owing to de-institutionalisation policies. This would contravene the principle of the child's best interests and de-institutionalisation policies promoted and funded by the EU. The [EU](#) has called for the establishment of community-based and alternative care solutions for Ukrainian children coming from institutions.

Some Member States established special measures to ensure safe and good-quality reception for unaccompanied children from institutions. For example, in **Germany** a coordination unit was set up to harmonise practices regarding the reception of entire orphanages of children from Ukraine. Berlin, for instance, successfully organised the reception of an orphanage from Odessa.

In **Poland**, when an organised group of children – for example, from institutions or other forms of foster care – arrives at the border, border guards direct such groups to the relief and coordination hub in Stalowa Wola, according to the Ministry of the Interior and Administration. The guard also notifies the Ministry of Family and Social Policy's coordinator for the evacuation of staff and children, providing the number of children and the details of the guardian.

Concerns were highlighted in some Member States about the safety of children from institutions. In **Czechia**, InBáze claimed that several groups of children had arrived from Ukrainian institutions, but that it was unable to track them.¹⁰³ Special efforts are made by Czech child protection authorities to not separate unaccompanied children who arrive as part of a group with an adult, according to the Ministry of Labour and Social Affairs.¹⁰⁴ Authorities respect the decision of Ukrainian child protection authorities to entrust institutional legal guardians with caring for children in Ukraine, and they are provided with all necessary care on arrival.

Addressing further challenges related to the arrival of displaced persons

Looking beyond the core requirements of the TPD, this chapter focuses on three specific fundamental rights challenges that have come to the fore with the arrival of large numbers of people displaced by Russia's invasion of Ukraine.

The chapter looks at both the challenges that Member States face in dealing with these phenomena and the good practices implemented across the EU.

Firstly, it covers the trafficking of people fleeing the war and measures to address this phenomenon, in relation to trafficking for both sexual exploitation and labour exploitation (**Human trafficking and other forms of exploitation**). Secondly, it looks at the provision of information and support services to victims of sexual and gender-based violence suffered as a result of the Russian invasion (**Provision of information and support to victims of sexual and gender-based violence**). Thirdly, it provides an overview of cases of xenophobic disinformation, attacks or hate speech against displaced persons fleeing Ukraine as well as against Russian speakers, and measures and initiatives undertaken to combat it (**Xenophobic disinformation and hate speech**).

Human trafficking and other forms of exploitation

The EU Human Trafficking Directive (**Directive 2011/36/EU**) and the national legislation transposing it in Member States includes measures to prevent and address all forms of exploitation related to human trafficking. Article 5 of the Charter, which prohibits slavery and forced labour, also prohibits human trafficking.

EU agencies and institutions have been quite active in addressing the risk of the trafficking of those fleeing the war. On 18 March 2022, the European Commission adopted **operational guidelines** to assist Member States in applying the TPD, including an explanation of the procedures related to human trafficking.

On 11 May 2022, the EU Anti-Trafficking Coordinator presented the **Anti-Trafficking Plan to protect people fleeing the war in Ukraine**, which builds on the **EU Strategy on Combatting Trafficking in Human Beings** and the **EU Human Trafficking Directive**. It sets out key measures for EU Member States to implement, including raising the awareness and reinforcing the prevention of trafficking; improving the early identification of, support for and protection of victims; and enhancing law enforcement and judicial responses to trafficking.

The European Commission also launched a dedicated **website** in three languages (English, Russian and Ukrainian) for people fleeing Ukraine, which includes a section with advice on how to avoid becoming a victim of trafficking and the numbers of emergency hotlines in all Member States.

International organisations also took particular note of the risk of human trafficking in the context of the large-scale arrivals when visiting specific EU Member States, including the Council of Europe Special Representative of the Secretary General on Migration and Refugees, who visited **Czechia** and **Slovakia** in May 2022. During FRA's **field visits to the EU Member States** bordering Ukraine in early March, it, too, noted the high risk of human trafficking, and advised relevant authorities to make additional efforts to inform arrivals in simple and considerate language about the risks of trafficking.

FRA collected information for this section in 20 Member States (Austria, Belgium, Bulgaria, Cyprus, Croatia, Czechia, Germany, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden). In addition, national authorities in Greece provided information on some aspects of this topic.

Terminology box

'Trafficking in persons' is the "recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation" (Article 2 of the **Human Trafficking Directive**).

As the EU and its Member States have drawn particular attention to the specific phenomenon and risk of displaced persons from Ukraine falling victim to trafficking (for the purpose of both sexual exploitation and labour exploitation), this section focuses on trafficking. It highlights the risk factors for trafficking identified in some Member States, including in relation to the provision of transport and private accommodation and in relation to unaccompanied children; identified cases of trafficking across the EU; and the preventive measures that have been adopted to tackle it. Although this is the section's main focus, it also refers to cases of labour exploitation involving people fleeing Ukraine that, while not occurring as a result of human trafficking, are violations of the fundamental rights to human dignity and to fair and just working conditions (Articles 1 and 31 of the Charter, respectively). Some of these cases could also be identified as criminal forms of labour exploitation under the legislation of the EU Member State where the exploitation occurs.

Following the war in Ukraine, the **European Labour Authority** has supported EU Member States by providing targeted information campaigns for displaced persons from Ukraine and translating information materials, by facilitating the exchange of practices related to undeclared work and labour exploitation among Member States, and by conducting concerted or joint inspections of sectors known to be of higher risk for the occurrence of labour exploitation.

Risk factors for trafficking and exploitation of people displaced by Russia's invasion of Ukraine

National authorities and stakeholders in several Member States (e.g. **Luxembourg, Portugal** and **Sweden**¹⁰⁵) have raised concerns in particular about the risk of human trafficking in connection with people fleeing Ukraine since the very start of the war.

Risks of trafficking were identified especially at border crossing points, in relation to individuals providing private transport and accommodation to those fleeing the war, and in relation to unaccompanied children and orphans. Trauma, a lack of language proficiency, financial need, dependence on assistance from other people and the presence of criminal networks already operating in the region all render people vulnerable to trafficking. A **report** by La Strada International identified third-country nationals fleeing Ukraine who are not entitled to temporary protection under EU law or Ukrainian people who do not want to apply for such protection as at particular risk of human trafficking.

In **Croatia**, the Office of the Ombudsperson reported the lack of sufficient checks by public bodies of private accommodation offered to displaced persons as a key risk for trafficking,¹⁰⁶ with NGOs in **Romania** **noting a similar concern**.¹⁰⁷ In **Hungary**, the **media** reported several cases of car drivers at border crossing points offering transport and accommodation to people in exchange for sexual services. On 1 May, in a media interview Migration Aid claimed that it had identified a growing presence of human traffickers who approach displaced persons posing as volunteers. It also highlighted that the lack of a centrally organised and supervised accommodation system may expose people to human trafficking.

Some Member States issued information to raise awareness about the risk of trafficking. For example, in **Slovenia** authorities **warned**, including in **Ukrainian**, that in some accommodation facilities individuals were offering matrimonial arrangements and private accommodation to women from Ukraine in exchange for sexual services and for performing household chores. In **Sweden**, **information materials** were disseminated stressing the importance of registering with the Swedish Migration Agency immediately on arrival, in response to concerns raised by the **Swedish Gender Equality Agency** that human trafficking and exploitation may occur and go undetected for displaced persons residing in private accommodation. Men offering accommodation to Ukrainian women with the intent of sexual exploitation (sometimes impersonating public authorities) remains a concern, according to the **gender equality agency**.

In combatting the risk of trafficking posed by unscrupulous providers of transport and accommodation, a few Member States introduced the mandatory registration and/or vetting of people offering transport and private accommodation (see also **Private accommodation providers**). In **Hungary**, the police introduced the mandatory registration of volunteer drivers in early March.¹⁰⁸ A registration system for drivers was also introduced in **Slovakia**, where the city of Nitra also established a system to register individuals providing accommodation.¹⁰⁹ In **Sweden**, civil society organisations have implemented initiatives to ensure that private accommodation is safe, for example by introducing mandatory background checks and training for hosts.¹¹⁰

Some countries pointed to high risks of unaccompanied children becoming victims of trafficking, for example in **the Netherlands**, owing to gaps in registration – which have been addressed by authorities since July (see Section 1.7.1) – and in **Cyprus**, where the UNHCR reported to the Ministry of Justice and Public Order that it had received suspicious emails involving individuals offering to accommodate Ukrainian children that posed the risk of trafficking.¹¹¹

In **Cyprus**, the UNHCR¹¹² expressed concern over the lack of adequate accommodation and the low financial support offered to displaced persons, which might increase the risk of exploitation. Similarly, in **Sweden** several organisations have identified the low level of financial support provided to displaced persons as a contributing factor to their vulnerability to exploitation, according to the **Swedish Gender Equality Agency**.

Cases of human trafficking and of exploitation in EU Member States

While risks for trafficking are high, few suspected cases of trafficking of displaced persons from Ukraine have as yet been reported and investigated across the EU. In **Austria**, the **Ministry of the Interior** reported that no criminally relevant conduct had been established to amount to trafficking in any of the 19 suspected cases of trafficking involving Ukrainians that had been investigated from the outbreak of the war until 27 June. Similarly, in **Slovenia**, while the police confirmed that several potential cases of trafficking were investigated between 10 March and 15 July, no criminally relevant conduct amounting to trafficking had been established in any of them.¹¹³

In **Czechia**, the police reported having registered only a few cases of trafficking and sexual exploitation that involved temporary protection holders, with no convictions so far.¹¹⁴ In **Germany**, between the start of the war and 21 July, the Federal Criminal Police Office received information about 17 investigations launched concerning human trafficking crimes, forced prostitution or crimes of exploitation.¹¹⁵ In **the Netherlands**, while no official figures are available, on 11 June the **media** reported that the municipality of Amsterdam had identified cases of illegal prostitution among and the sexual exploitation of Ukrainian refugees. In **Poland**, according to the Ministry of the Interior and Administration, no criminally relevant conduct amounting to trafficking had been established



for two of four suspected cases of trafficking involving Ukrainians, and procedural steps are underway for the remaining two.¹¹⁶ In **Portugal**, on 4 June the Immigration and Borders Service, quoted by the **media**, reported that 22 suspected cases of trafficking had been brought to the state prosecutor since the start of the war, of which two are being investigated.

In Madrid (**Spain**), the police reported receiving three complaints concerning the trafficking of Ukrainian displaced persons for sexual or labour exploitation, which triggered investigations. In **Sweden**, between 24 February and 31 July, the police registered 11 suspected trafficking cases involving people fleeing Ukraine, including three cases of trafficking for labour exploitation, three cases of labour exploitation (with no trafficking component) and two cases of trafficking for sexual exploitation. The police reported having come across Ukrainian women who had been forced into prostitution after fleeing Ukraine and that many of them come to Sweden through agencies based in Ukraine that had taken up to 50 % of their income.¹¹⁷

No cases of trafficking were reported in the reporting period in **Bulgaria**,¹¹⁸ **Cyprus**,¹¹⁹ **Finland**,¹²⁰ **Hungary**,¹²¹ **Luxembourg**,¹²² **Malta**,¹²³ **Romania**¹²⁴ and **Slovakia**.¹²⁵

The limited number of established cases of trafficking across the EU could be due to several factors analysed by FRA in **past reports**, including the high criminal threshold for proving that human trafficking has occurred, resulting in a small number of prosecutions; the fact that many victims remain undetected; and the obstacles faced by victims when reporting. It could also in part indicate the effectiveness of the measures established by Member States to prevent trafficking (see **Measures adopted by Member States to prevent and address human trafficking and exploitation**’).

Cases of exploitative labour conditions (with no trafficking component) were identified in several Member States. In **Czechia**, the NGO La Strada International

registered 123 cases of labour exploitation involving beneficiaries of temporary protection from Ukraine.¹²⁶ In **Hungary**, the **Hungarian Association for Migrants** reported coming across cases of exploitation, with Ukrainian workers being paid lower wages than Hungarian nationals. The association hired dedicated staff to coordinate employers and employees to prevent the exploitation of the workers.

The Netherlands Labour Authority has received 80 reports of underpayment, excessively long working hours or unsafe working situations from Ukrainians in recent months, according to the **media**. However, no cases of labour exploitation led to criminal charges. In **Slovakia**, a local authority representative reported having encountered many cases of labour exploitation involving beneficiaries of temporary protection, entailing non-payment, the withholding of identity documents and lack of employment contracts, with exploitation being particularly common when employment agencies were involved.¹²⁷

Job adverts potentially leading to exploitative labour conditions were identified in several Member States. For example, in **Czechia** a **media** report highlighted that although beneficiaries of temporary protection enjoy easier access to the Czech labour market than other third-country nationals, they are often offered unskilled work in warehouses, in factories or in the agriculture sector with excessively long working hours (10/12 hours a day, six days a week) and are charged high fees by employment agencies.

Measures adopted by Member States to prevent and address human trafficking and exploitation

Several EU Member States adopted measures to prevent trafficking and the exploitation of displaced persons from Ukraine, sometimes in the context of pre-existing national frameworks for combating trafficking. These include information campaigns, using hotlines for reporting incidents, training front-line workers, making registration mandatory for individuals providing transport and accommodation (see **Risk factors for trafficking and exploitation of people displaced by Russia's invasion of Ukraine**), providing additional funding, and increasing institutional and police cooperation.

The most common preventive measure is the distribution of leaflets and posters translated into Ukrainian, and sometimes into English, Russian and other languages, to warn people of the risk of trafficking and provide contacts of support organisations. This was observed in **Austria, Belgium, Bulgaria, Cyprus,**¹²⁸ **Germany, Hungary, Luxembourg, the Netherlands, Poland, Romania, Slovakia, Slovenia**¹²⁹ and **Sweden**. Information is distributed at border crossing points, at train stations, at airports, at registration centres, at reception centres and on social media.

For example, when first arriving and registering in **Belgium**, displaced persons from Ukraine receive a **general information brochure**, which explicitly mentions that sexual exploitation is punishable in Belgium and where to find help. They also get a brochure about sexual exploitation – available in **English, Russian and Ukrainian** – that refers to the national centres for human trafficking. In **Cyprus**, posters and leaflets in Ukrainian and Russian are made available at various key points, including at airports.¹³⁰

In **Poland**, as part of an **information campaign** against trafficking, leaflets and posters are provided and text message alerts are sent to people crossing the Polish-Ukrainian border, informing them about potential threats and assistance available in cases of trafficking. In **Romania**, over 53,000 anti-trafficking awareness leaflets were disseminated by the **International Organization for Migration, ROConnect – ProTECT Platform** and the National Agency Against Trafficking in Persons, including at border crossing points. In **Slovakia**, the Ministry of the Interior developed an **awareness-raising campaign** and distributed leaflets to communicate the risks of trafficking.¹³¹

Bright spots

Joint actions of Member States to tackle sexual and labour exploitation

On 23 May 2022, law enforcement authorities from 14 EU Member States, coordinated by the Netherlands (and supported by the European Union Agency for Law Enforcement Cooperation, the European Border and Coast Guard Agency, and the European Labour Authority), took part in an **online joint action** day coordinated by the European Multidisciplinary Platform Against Criminal Threats targeting criminal networks grooming Ukrainian refugees for sexual and labour exploitation through websites and social media platforms. The investigators monitored various online platforms to detect criminal networks attempting to recruit Ukrainian refugees. The online investigations focused on monitoring posts offering help to refugees for transport, accommodation and work. Dating sites and recruitment websites were monitored, as well as platforms offering sexual services. As a result, nine suspected human traffickers and nine suspected victims of trafficking were identified.

Bright spots

Supporting the safe travel of people displaced by the Ukrainian war, Romania

In **Romania**, the NGO eLiberare implemented **Kompass intervention model** to address exploitation and human trafficking among those fleeing Ukraine. The Kompass model involves following refugees' journeys from Romania across borders to their chosen destination. It establishes an "individual safety plan" for each refugee based on their vulnerabilities. For example, for those travelling to other countries the intervention team sets up check-in points at various locations throughout their journey. That way, if someone misses a checkpoint the NGO can intervene through the support of partner organisations or local authorities in that country. This model has assisted over 500 people and their families to develop safety plans, reducing their vulnerability to trafficking.

Some information materials target the specific risk of labour exploitation. For example, in **Luxembourg**, several national ministries developed a **leaflet** – translated into English, French, Russian and Ukrainian – informing people about labour rights and the support services available in the event of labour violations. In **Hungary**, the police distributed **information leaflets** in Ukrainian and Hungarian at all Ukrainian–Hungarian border crossing points, main train stations of Budapest and Budapest Airport on the dangers of human trafficking for labour exploitation and to inform people about the support mechanisms available.

Some Member States have also set up web pages and awareness-raising campaigns (e.g. **Bulgaria, Czechia, Germany, Greece, Romania, Spain** and **Slovakia**), sometimes as part of the national online platform for supporting displaced persons from Ukraine. The German website includes warning notices about dubious offers of housing or employment.

Some Member States reported the introduction or strengthening of anti-trafficking hotlines (e.g. Austria, Bulgaria, Slovakia and Spain) or of more general hotlines addressing all types of violence (Belgium). In **Slovakia**¹³² and **Spain**, Ukrainian speakers were hired to operate the national hotlines for trafficking victims.

Austria, Bulgaria, Germany,¹³³ **Hungary, Luxembourg**, Poland,¹³⁴ **Slovakia**¹³⁵ and **Slovenia**¹³⁶ conducted **training and information sessions** for the key professionals (such as NGOs and the police) who are likely to come into contact with potential victims of human trafficking to raise awareness of how to identify and support victims. For example, in **Hungary** the Hungarian Baptist Aid, in collaboration with the police, initiated **awareness campaigns** enabling staff of national authorities and NGOs working at border crossing points to inform displaced persons from Ukraine of the risks of trafficking. In **Slovakia**, the Ministry of the Interior held specialised workshops in cooperation with various NGOs and international agencies for front-line workers aimed at identifying potential victims of trafficking. In addition, the **International Organization for Migration** organised training for professionals working with unaccompanied children, which included how to recognise risky situations that occur at borders and how to support the safe travel of people coming from Ukraine.

Other measures adopted by Member States to prevent and address human trafficking include stepping up police patrolling and undercover operations in places where displaced persons are at a high risk of exploitation, such as train stations and reception centres (for example, **Austria, Cyprus, Hungary** and **Romania**); joint police operations; increased cooperation with victims' support services or other organisations (for example, **Austria, Hungary** and **Italy**); and the targeted monitoring of websites and online portals where job offers and other services are advertised (for example, **Austria, Cyprus, Hungary** and **Slovenia**¹³⁷). In **Hungary** the police reported monitoring all temporary shelters in Szabolcs-Szatmár-Bereg, the county that lies at the Hungarian–Ukrainian border, every three days.¹³⁸ Improved institutional cooperation was mentioned in **Austria**, where a specific **coordination mechanism** to address the risk of trafficking of Ukrainian refugees was established.

Poland passed **legislation** to increase the penalties for traffickers for the time of armed conflict in Ukraine. Other Member States implemented measures to better protect victims of trafficking. For example, the **Spanish** government adopted **measures** to facilitate the provision of minimum income to people fleeing Russia's invasion of Ukraine who are victims of trafficking.

Provision of information and support to victims of sexual and gender-based violence

On 5 May 2022, the European Parliament issued a **resolution on the impact of the war in Ukraine on women**, strongly condemning the use of sexual and gender-based violence as a weapon of war and expressing concern about the growing number of reports of human trafficking, sexual violence, exploitation, rape and abuse faced by women and children fleeing Ukraine and arriving in the EU. It calls on Member States to address the specific needs of victims of such violence, ensuring, among other things, that they can access victims' support services and complaint mechanisms. The resolution also emphasises that women and girls need continued access to sexual and reproductive health services throughout conflict and displacement, including access to safe delivery when giving birth, family planning services, and legal and safe abortion or clinical management of rape.

The **Victims' Rights Directive** is the main secondary EU law instrument on victims' rights and grants all victims of crime rights to information and to support services, including trauma support and counselling for women who are victims of gender-based violence (Article 9 (3) (b)). Victims who do not understand the language of the proceedings have the right to access interpretation and translation services. Rights set out by the directive apply to victims in a non-discriminatory manner, including with regard to their residence status. These rights therefore extend to beneficiaries of temporary protection and any third-country nationals not from Ukraine.

In addition, reaching out to victims of physical and sexual violence committed in the course of armed conflict and offering them support can be a first step towards encouraging reporting, granting victims access to the proceedings, and, ultimately, delivering justice in accordance with Article 47 of the Charter, whenever possible.

FRA collected information for this section in nine Member States (Austria, Belgium, Czechia, Germany, Greece, Italy, Poland, Romania and Slovakia). In addition, national authorities in France provided information on some aspects of this topic.

This section briefly outlines efforts made by Member States to ensure that women who are victims of – mainly gender-based – violence are provided with information about their rights and appropriate support services. FRA is currently conducting a survey on violence experienced by women fleeing Ukraine.

Provision of information

To allow victims to assess the official and non-governmental offers of assistance available to them, it is crucial to provide them with comprehensive and tailored information about their rights and practical options. This restores some control of victims over their situation. Some governments have taken action to help victims of gender-based violence, generally reluctant to talk about their experiences, access support in their native language.

The European Network on Victims' Rights (**ENVR**) expanded the **Find my victim support service** online tool to include support services available to victims of war crimes in EU Member States (information is available in Ukrainian).

In **Austria**, the Federal Chancellery's Directorate General for Women, in cooperation with the Austrian Integration Fund, produced comprehensive information **brochures** in Ukrainian on the assistance available to victims of sexual and gender-based violence. In **Belgium**, the federal information website **Info Ukraine** has web pages on psychosocial support and providing general referrals for psychosocial counselling and on **support for victims of (sexual)**

Bright spots

In **Belgium**, a dense network of counselling and support services highlights the seriousness of the criminal justice system's determination to bring perpetrators to justice. In addition, websites (**federal, Flemish, Walloon** and from **Brussels**) provide Ukrainian refugees with information about available support. The **Federal Public Prosecutor's Office** has publicly announced that it will contribute to the criminal investigations of war crimes against people in Ukraine by, among other things, collecting and securing the available evidence. People who are victims of such crimes, including sexual or gender-based violence, are encouraged to contact the office.

exploitation. It also provides information about the helpline and chat **1712**, through which people can ask questions about all types of violence (a phone call with an interpreter in Ukrainian or another language can be arranged on request), and the **sexual assault care centres**, available at several hospitals. These centres provide different types of support in one location, including medical and psychological care, forensic examinations and help with filing police reports.

In **Greece**, the **General Secretariat for Demography and Family Policy and Gender Equality** launched an **information campaign** targeting Ukrainian women to inform them about support services. The secretariat provides information through the **brochure** 'We are here for you', available in English, Greek, Russian and Ukrainian, with a QR code that links to the **WomenSOS website** and a list of counselling centres. The brochure also includes the number of a 24-hour hotline (15900), which, supported by the UNHCR, includes interpretation in Ukrainian and Russian.

A combination of state and non-state actors in **Poland** prepared **leaflets** and other information materials to inform people about the rights of women as victims of gender-based violence and the steps that they can take if they are victimised. In **Romania**, the General Inspectorate of the Border Police stated in July 2022 that a poster on gender-based violence with national emergency numbers, helplines and referral pathways had been translated into Romanian, Russian and Ukrainian for dissemination.

In some Member States, civil society organisations have stepped in to ensure the provision of information to victims of gender-based violence. In **Slovakia**, for example, the **NGO Freedom of Choice** (*Možnosť voľby*) has created leaflets in English, Russian, Slovak and Ukrainian to inform victims about a crisis helpline for women who have experienced sexual violence; interpretation is provided. Similarly, in **Germany** the **German Association of Women's Shelters** has organised the translation of information for women into Ukrainian and the regular distribution of such information. A **hotline for victims of violence** also provides guidance and assistance to women from Ukraine. NGOs and donations have funded these activities.

Provision of victim support

Victims of violence are entitled to access victims' support services, which is effectively required to enable victims to report the violation suffered to the police and to take a proactive role in criminal proceedings. Article 9 (3) of the Victims' Rights Directive provides that targeted and integrated support services, including trauma support and counselling, must be available to victims of sexual and gender-based violence.

Civil society organisations in many EU Member States play an active role in providing such services. For example, in **Poland** the **Centre for Women's Rights** and **Feminoteka** have been involved in helping Ukrainian women and girls since the start of the war. In **Slovakia**, the **NGO League for Mental Health** provides psychosocial counselling and crisis intervention in Ukrainian in the form of the free, anonymous 24-hour helpline '*Nezábudka*', staffed by 12 Ukrainian female professional counsellors with university degrees in psychology and psychiatry, and with additional specialist training completed in Ukraine or Slovakia.

Given the severity of the victimisation suffered – especially in cases of sexual violence – the focus of victims' support services must be on trauma support and counselling. In **Belgium**, the government of the Brussels-Capital Region approved **the funding of two organisations** for the reception of women from Ukraine who are victims of sexual violence as part of an approach to creating a low-threshold procedure that encourages victims to talk in their own language about the violence they have encountered.

In **Germany**, at regional and local levels the **Hamburg Welcome Center** reported that the Hamburg social welfare office, together with several counselling services, has developed a multi-level programme for the psychological support of traumatised persons, including victims of gender-based violence. The **Coordinating Centre for Traumatised Refugees** and **stabil und gesund** offer psychological and psychotherapeutic services to traumatised persons. The outpatient centre, **Flüchtlingsambulanz**, offers similar support to children and young people.

There are two main challenges that responsible authorities/organisations need to overcome to be able to offer appropriate support to victims of gender-based violence, according to information provided in August 2022 by the League of Mental Health operating in **Slovakia**.

- Victims of sexual violence are particularly reluctant to talk about their victimisation. However, trauma that remains untreated can lead to lasting health issues, including depression, self-harming and substance abuse.
- Few professionals (especially women) and teams know how to work with individuals who have suffered trauma as a result of war crimes and have sufficient theoretical and practical expertise in supporting victims of sexual violence. This observation is corroborated by information provided by NGOs in **Poland** (for example, **Centre for Women's Rights** and **Feminoteka**) who have pointed out that their capacity is limited in terms of funding and available staff.

For women who are victims of rape and fall pregnant as a result, smooth access to abortion services can aid them in coping with their victimisation. In **Slovakia**, **Freedom of Choice** (*Možnosť voľby*) has created leaflets in English, Russian, Slovak and Ukrainian providing information about Slovak legislation on abortions, the cost (average total price of about €400) and contact details of abortion facilities. However, this should be considered against the backdrop that displaced women from Ukraine with temporary protection have limited access to abortions, as **national legislation** provides that third-country nationals can only access abortion if they have permanent residence in Slovakia, according to the Slovak National Centre for Human Rights.¹³⁹

In **Poland**, NGOs informing women about abortion options **report** increasing numbers of women from Ukraine seeking information. They also highlight the **difficulties** that the women face in accessing abortions, as they **have** to make a credible case that they have been victims of sexual violence in the context of the Russian aggression to be able to have an abortion. Grevio, the monitoring body of the Council of Europe assessing the implementation of the **Istanbul Convention**, also highlighted in its 2021 **baseline evaluation report** on the situation in Poland the difficulties that women in the general population face in terminating a pregnancy resulting from rape. In **Czechia**, abortions should be available to women who are victims of sexual violence.

In **Germany**, the Center Überleben offers psychological support to 'helpers' - private individuals and families hosting displaced persons from Ukraine - and thus takes into account the fact that helpers can be indirectly traumatised by the experiences of the victims. Information programmes for them are being developed. Even if members of host families cannot be considered 'family members' in the sense of Article 8 (1) of the Victims' Rights Directive, authorities should recognise the need to support 'private helpers' with trauma counselling where necessary.

Xenophobic disinformation and hate crime

The fight against hate crime is intimately linked to several Charter rights, including the rights to life, human dignity, equal treatment and freedom of expression. In particular, in the EU, advocacy for national, racial or religious

Bright spots

Monitoring and denouncing hatred in Finland

To prevent and address hate crime and hate speech effectively, authorities need data and evidence. In **Finland**, in spring 2022 the **Ministry of Justice** launched a survey that gathered 2,758 respondents' experiences of hate speech and harassment. In the questionnaire in Russian, the respondents were also asked about the impact of Russia's invasion of Ukraine. Some 63 % of the respondents felt that hate speech and harassment had increased considerably because of Russia's invasion of Ukraine, 28 % said that it had slightly increased and 9 % believed that the war had had no impact on hate speech and harassment.

The Finnish police also collected data on attacks against Russian speakers.* Between 24 February and 31 March 2022, they recorded 27 reports of suspected hate-motivated offences against Russian speakers: 11 in April, nine in May, none in June and seven in July. **The police estimate** that only 5–10 % of all incidents are reported to the police. Public authorities, such as the **Finnish Prime Minister**, the **Advisory Board for Ethnic Relations** and the **Finnish National Agency for Education**, reacted quickly to these reports, condemning racism and hate speech.

* Finland, information provided by the National Police Board by email on 12 August 2022.

hatred that constitutes incitement to discrimination, hostility or violence is prohibited by law. Article 1 of the **Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law** obliges EU Member States to punish public incitement "to violence or hatred directed against a group of people or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin ... by public dissemination or distribution of tracts, pictures or other material".

FRA collected information for this section in 13 Member States (Czechia, Denmark, Estonia, Finland, Germany, Hungary, Italy, Latvia, Lithuania, the Netherlands, Poland, Romania and Slovakia).

Despite the high level of public support and sympathy among EU citizens for people fleeing the war in Ukraine, some incidents of hate speech, harassment and even violence against them have occurred, undermining human rights, democracy and the rule of law. Incidents of discrimination against persons perceived of as Russians or Russian speakers have also been reported, while law enforcement agencies warn about possible false reports and disinformation campaigns aiming to cause societal divisions in the EU. Xenophobic disinformation and hate speech are particularly widespread online, with Roma refugees specifically targeted. This section describes how Member States are dealing with the challenge of tackling xenophobic incidents and xenophobic online disinformation.

While online disinformation related to Russia's invasion of Ukraine is considered one of the security priorities of Member States and the EU (see also **Measures applied in relation to xenophobic disinformation and hate speech**), this bulletin looks specifically at online disinformation with xenophobic and anti-refugee components.

Incidents of xenophobic hate speech and discrimination against Ukrainian speakers

A **Flash Eurobarometer survey** was conducted in all Member States in April 2022 involving 26,066 interviews with a representative sample of EU citizens aged 15 and over. The results showed that nine in 10 respondents feel sympathy towards Ukrainians. Nonetheless, xenophobic incidents involving those who have fled Ukraine still occur in many EU countries.

In **Latvia**, between February and June, 112 criminal proceedings and over 250 administrative offence proceedings were initiated, **according to the State Police**. These were mostly related to support for Russian military aggression, including the public display of banned symbols and the theft and damage of Ukrainian flags and cars with Ukrainian number plates. The **State Security Service** is investigating 23 cases of hate speech, including eight for the public glorification and justification of genocide, crimes against humanity and peace and war crimes; and seven for activities aimed at triggering national hatred. Two suspects were detained.

In **Czechia**, between February and August police investigated 69 cases of hate speech against Ukraine or Ukrainians, resulting in 33 convictions.¹⁴⁰ The NGO **In Iustitia recorded** 16 incidents of prejudice-based violence against Ukrainian or Russian speakers.

In **Estonia**, between 24 February and 1 July the Police and Border Guard Board initiated three misdemeanour proceedings owing to incitement to hatred against Ukrainians or Russians.¹⁴¹ In July, **a video was shared** on social media in which a Russian-speaking man threatens a Ukrainian speaking women in Tallinn. In another case, in **Latvia** after a march as part of a campaign for the removal of Soviet monuments on 20 May, **a man attacked another man** displaying a Ukrainian flag, causing bodily harm. The attacker was sentenced to 200 hours

of community service, but the **case has since been reopened** to re-examine the sentence following a complaint from the victim's lawyer.

Incidents of xenophobic hate speech and discrimination against Russian speakers

In March 2022, the United Nations High Commissioner for Human Rights **stated** that a rise in Russophobia triggered by Russia's invasion of Ukraine had been observed in some countries. This can affect Russians and Russian speakers more generally, including Russian-speaking Ukrainians.

In **Germany**, the Federal Criminal Police Office reported that in Berlin, between 24 February and 20 April, **the police launched 82 investigations** into incidents "with ostensibly anti-Russian motivation", ranging from insults and threats to physical assaults. But officials also warned about **false reports of xenophobic attacks** as part of Russian disinformation campaigns targeting Russians living in the EU, which can worsen their feelings of exclusion.

EU DisinfoLab, an NGO focusing on researching disinformation campaigns, confirmed that several alleged Russophobic incidents reported were in fact propaganda and disinformation, while incidents against Ukrainians are disproportionately underrepresented in the German public debate. But EU DisinfoLab fact checkers also confirmed that real incidents had occurred against Russian citizens, which the organisation argues "risk being undermined, not believed or deemed false".

Equality bodies in **Czechia, Finland**,¹⁴² **Lithuania** and **the Netherlands** have also received some reports of incidents of alleged discrimination and unequal treatment against Russian citizens. Examples of these allegations include workers refusing to serve Russian-speaking customers in **Czechia** and in **Lithuania**, children in elementary schools threatening Russian-speaking children in **Denmark**, high school students harassing a Russian-speaking student in **Italy** and students or staff of universities harassing Russian students and staff in **Lithuania**.

Xenophobic disinformation and hate speech online

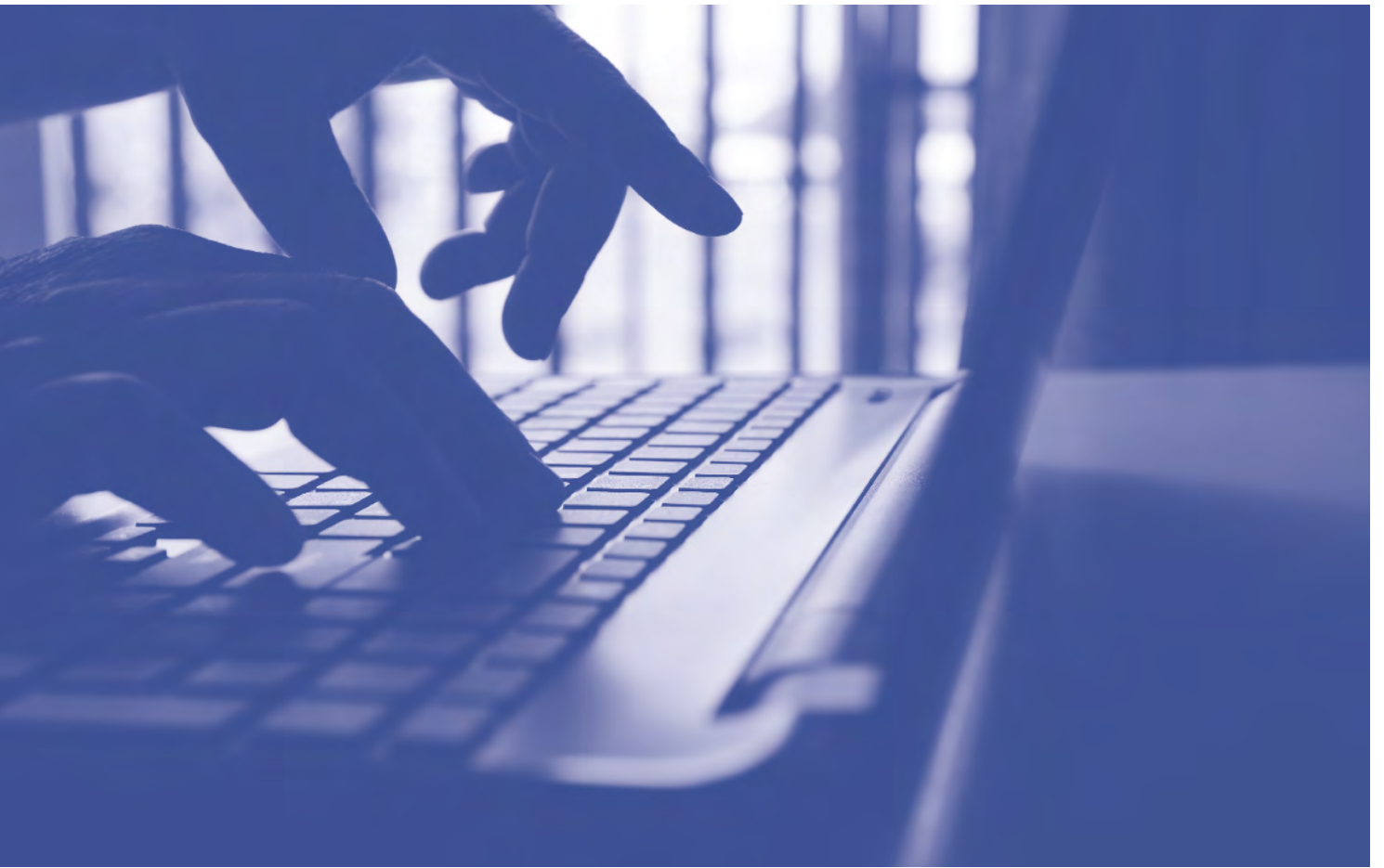
Accurate, reliable and trustworthy information has been an essential resource during the current crisis. Disinformation, including about refugees, can undermine people's trust in institutions and governments and erode social cohesion, with detrimental consequences. Some 13 % of Europeans 'trust a lot' and 50 % 'tend to trust' national authorities as a source of information about Russia's invasion of Ukraine and more than half of respondents (56 %) trust journalists and NGOs (53 %), according to the findings of a **Flash Eurobarometer survey** from April 2022. Trust in social media as a source of information about the war is much lower: 28 % of respondents trust social media and 63 % do not.

The role of the internet as a critical domain influencing public opinion is on the rise. FRA's evidence indicates that xenophobic hate speech and disinformation against people fleeing Ukraine is particularly prevalent online. Several recurring themes can be drawn based on reports from **Estonia, Hungary, Latvia**,¹⁴³ **Lithuania, Poland, Romania**¹⁴⁴ and **Slovakia**.¹⁴⁵ These include claims that governments are helping refugees from Ukraine at the expense of their own citizens; that refugees overburden social and healthcare systems and take away employment opportunities from their own citizens; that refugees are economic

Terminology box

Disinformation is verifiably false or misleading information created, presented and disseminated for economic gain or to intentionally deceive the public.

Source: European Commission's web page on **tackling online disinformation**.



FRA ACTIVITY

In the internet age, information travels faster and further than ever before. But so does disinformation, feeding off rumours, prejudices and stereotypes. How can we tackle it?



FRA developed a practical audio-visual guide on how to go about tackling disinformation using **+INPUT** – be positive, identify, narrate, pioneer, unite and track. Watch the video on the FRA website: **Positive Input: Your practical guide to dealing with disinformation**.

migrants who are wealthy and do not need nor appreciate the help that the governments provide; and that with their arrival crime levels increase, which allegedly has an impact on the security and growth of organised crime.

Politicians and public authorities have a special responsibility in times of crisis. Their statements can convey messages of solidarity or stir up xenophobic feelings. In **Estonia**, for example, the Conservative People's Party of Estonia published **an article on its website** claiming that there had been a massive in-person physical fight between Ukrainians, Russians and Estonians and suggesting that Ukrainians have been in trouble with the police for shoplifting and bribery. The **Police and Border Guard Board refuted** these claims. Again in **Estonia, a man was fined** €500 after he called for violence against Ukrainian citizens on the social media platform TikTok.¹⁴⁶

In July, the International Holocaust Remembrance Alliance **raised** specific concerns about racism and hate speech against Roma fleeing Ukraine in the EU. In **Czechia**, for example, Roma are specially targeted in online hate speech. Roma from Ukraine have been falsely accused of, among other things, refusing offered accommodation and being culturally “unadaptable”, according to the Roma rights NGO IQ Roma service.¹⁴⁷

In June 2022, the **Working Group on the implementation of the EU strategy on combating antisemitism and fostering Jewish life discussed** antisemitic narratives and disinformation that Russia used as justification for its invasion of Ukraine, condemning insinuations of ‘Nazi’ leadership in Ukraine and alleged genocide carried out by Ukrainians. They also analysed the risks of fake narratives fuelling antisemitism by distorting notions of objective facts.

Using AI to monitor online hate and disinformation

The **European Observatory of Online Hate** is a tailor-made artificial intelligence research tool for experts from civil society organisations, academia, law enforcement and policymakers working to combat hate speech and disinformation. This monitoring tool, with the support of the European Commission, scans 14 social media platforms in the 24 working languages of the EU and Russian, Arabic and Turkish for incidents of hate and disinformation. This includes mainstream and fringe platforms with various levels of moderation, for example Facebook, 4plebs, Gab, Google News, Instagram, Minds, Reddit, Steam, Telegram, TikTok, Twitter, Wordpress and YouTube.

The European Observatory of Online Hate informed FRA that between February and September 2022 it collected about 100,000 messages, and out of this analysed a sample of 100 of the most toxic. The research revealed that overall the amount of hate and xenophobia towards Ukrainian refugees is relatively limited compared with, for example, online antisemitism or anti-Muslim hatred.

But there is a clear distinction between mainstream social media platforms and fringe platforms, with the latter containing nearly three times more hate speech than mainstream platforms. The qualitative analysis further revealed that the type of comments varied from general anti-refugee sentiments (8.5 %), calling Ukrainians neo-Nazi (4.5 %), profiteers (2.5 %) and violent (2.5 %); and that a large proportion of the messages were false positives, that is mentioning Ukrainian refugees in general, but being more hateful towards refugees of different ethnic groups.

Measures applied in relation to xenophobic disinformation and hate speech

Member States tackle hate speech and xenophobic disinformation online and offline in various ways. However, information reported to FRA indicates that only a few states initiated targeted action in this regard as a result of Russia's invasion of Ukraine. Such action typically involved launching legal proceedings against individuals accused of publishing disinformation (highlighted in the previous section); blocking and removing certain sites or online content; and developing fact-checking initiatives and counter speech.

Only **Czechia** reported to FRA that it had implemented specific support measures for Ukrainian- and Russian-speaking victims of xenophobic hate crime. Following the increase in the number of incidents targeting Ukrainian and Russian speakers, **the NGO In iustitia** began operating a counselling hotline in both Ukrainian and Russian to support victims.

Some Member States amended their legislation to enable the blocking and removal of specific sites and content, including disinformation and xenophobic hate speech. In **Slovakia**, an amendment to **the law on cyber security** enabled the National Security Authority to block selected websites that included xenophobic and anti-refugee content until the end of September 2022.¹⁴⁸ In **Poland**, as a result of Google Poland's monitoring between 24 February and April 2022, 1,200 disinformation channels and 30,000 videos, including some with xenophobic and anti-refugee sentiments, **were removed** from YouTube.

Efforts to tackle online disinformation

The EU has been strengthening its approach to combating online disinformation through legislative proposals, policies and project initiatives since 2015, encouraging companies such as social media platforms to make firmer commitments to tackling disinformation. For example, in June 2022 a total of 34 signatories – including Google, Twitter, TikTok, Microsoft, other tech companies and civil society organisations – signed the EU's **strengthened Code of Practice on Disinformation**. Signatories committed to implementing over 120 measures, including empowering users, enhancing cooperation with fact-checkers and providing researchers with better access to data. Signatories have six months to implement the code. In 2023, they will report to the European Commission, which will assess their progress.

The **Digital Services Act** defines the clear legal responsibilities and accountability of online platforms. The Code of Practice on Disinformation, together with the act and the upcoming legislation on the **transparency and targeting of political advertising**, is an essential part of the EU's effort to tackle disinformation in the EU.

In the context of providing information for this bulletin, some Member States (e.g. **Czechia**, **Latvia** and **Lithuania**) reported to FRA that they had taken action to fight disinformation online, including by blocking sites and removing content related to Russia's invasion of Ukraine. The European External Action Service's **EUvsDisinfo database** collects individual cases of organised disinformation by Russia targeting Ukraine and affecting the EU.

Xenophobic disinformation fact-checking and counter speech

Several Member States reported efforts to counter xenophobic narratives and disinformation through the increased reporting and monitoring of such content or by fact-checking content and developing counter speech.



In **Lithuania**, the Office of the Inspector of Journalist Ethics sends reports about disinformation to Facebook and YouTube. Content includes xenophobic narratives claiming that Ukrainians are economic migrants aiming to abuse humanitarian support mechanisms in the EU. The office indicated that reporting disinformation on YouTube became easier after the **Trusted Flagger programme**, which prioritises reports about violations of community guidelines from government agencies and NGOs, was introduced. However, limited human resources were highlighted as a barrier to addressing disinformation online.¹⁴⁹ In July 2022, the **Lithuanian National Radio and Television** started the fact-checking initiative 'LRT Facts. Ukraine'. It aims to identify and counter the most common online disinformation narratives related to Russia's invasion of Ukraine and provide verified information (through articles in Lithuanian, Russian and Ukrainian, and a podcast in Russian).

In **Latvia**, the project **Re:Baltica/Re:Check**, undertaken by the Baltic Centre for Investigative Journalism, publishes fact-checking articles in connection with Russia's invasion of Ukraine, including on **xenophobic speech**. In **Poland**, the **Research and Academic Computer Network**, a state-owned research institute, established a new initiative that helps internet users verify internet content by sending it to the #SwitchonVerification experts. One of the main categories of such disinformation is xenophobic and anti-refugee posts and comments, according to **the research** institute. In addition, the **Polish IT for Ukraine** initiative established a team of IT companies specialising in counteracting xenophobic disinformation in relation to Ukraine.

In **Estonia**, the Police and Border Guard Board published **several videos on Facebook** refuting fake news regarding Ukrainians and asking people to refrain from spreading similar 'news'. It also shared the guide ***How to protect yourself in an information war?***

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PROMOTING AND PROTECTING YOUR FUNDAMENTAL RIGHTS ACROSS THE EU —

The Russian invasion of Ukraine triggered solidarity from EU governments, local authorities and society as they welcomed more than 7 million people fleeing the aggression. The European Union's rapid response, activating the EU Temporary Protection Directive, offered welcome relief and much-needed support to those in need. It allowed displaced persons the opportunity to quickly settle and to work, travel and access services across the EU. But other pressing human rights issues have come to the fore and remain high on the EU's agenda, such as human trafficking, sexual and gender-based violence, hate crime and hate-fuelled disinformation.

This second bulletin maps the complexity and scale of the war's diverse fundamental rights implications right across the EU. It looks at the wide array of issues countries need to address to ensure people's fundamental rights are upheld. It also draws attention to the plight of vulnerable groups. Furthermore, it identifies good practices for other countries to follow.

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