

# INTERNATIONAL PROTECTION FOR PEOPLE FLEEING UKRAINE

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With the war in Ukraine escalating, all countries must take measures to enable exit from Ukraine, offer international protection both to people fleeing Ukraine and to those Ukrainians who are already on their territories and support neighbouring countries and other host countries.

## FOUR PRINCIPLES

- **Enable exit from Ukraine.** All countries must continue keeping borders with Ukraine open, allowing swift access to their territory to Ukrainian and non-Ukrainian nationals fleeing Ukraine.
- **Welcome all people fleeing Ukraine.** Neighbouring and other host countries should assist all those fleeing Ukraine, whether they reached their territory by regular or irregular means. They should ensure prompt registration, adequate reception facilities and effective services, including medical care and protection services for unaccompanied children, without any form of discrimination.
- **Grant international protection to those who need it.** All countries must grant international protection to all Ukrainians and other nationals fleeing Ukraine who would be at real risk of serious human rights violations if returned to their countries. They should grant international protection to all Ukrainians already in their territory, including providing them with documentation as necessary to ensure the full enjoyment of their rights.
- **Share the responsibility for the protection and assistance of people fleeing Ukraine.** While the European Union is receiving and providing protection to the majority of those displaced by the conflict, other countries should support the EU and other host countries. They can do it through humanitarian aid and by opening and increasing safe and regular pathways to protection.

## RECOMMENDATIONS TO NEIGHBOURING COUNTRIES, EUROPEAN UNION MEMBERS STATES AND OTHER COUNTRIES

### RECOMMENDATIONS TO COUNTRIES NEIGHBOURING UKRAINE AND OTHER EUROPEAN UNION MEMBER STATES

- **Enable exit from Ukraine:**
  - Continue keeping borders with Ukraine open and allowing swift access to their territory to Ukrainian and non-Ukrainian nationals fleeing Ukraine, including those without valid travel documents. Respect the principle of *non-refoulement* and refrain from unlawful practices such as pushbacks at borders.

- **Welcome all people fleeing Ukraine:**

- Neighbouring countries and other host countries should ensure prompt registration of all people arriving, their reception in adequate facilities and effective provision of information as to how to access protection, legal and other services, such as medical care and psychological support, and the possibility of onward travel, including the free travel options offered by European transport companies. Assistance, information and other services should be provided without discrimination against any person or group, based on gender, nationality, migration status or any other ground.
- Neighbouring countries and other host countries must also ensure systematic identification of people in need of specific protection measures, including unaccompanied or separated children and people at risk of being trafficked, and provide referral to adequate support services and/or care arrangements.

- **Grant international protection to those who need it:**

In response to the arrivals from Ukraine, the European Union has activated for the first time the Temporary Protection Directive (TPD) aimed at providing immediate protection to those fleeing the conflict. While welcoming that decision, Amnesty International has identified [several shortcomings and concerns](#) and maintains the following calls:

- EU Member States should apply the temporary protection status provided for under the TPD as swiftly and as broadly as possible, including to non-Ukrainians.
- Member States should give prompt access to asylum or to other temporary status to those who will not be covered by temporary protection status. People fleeing Ukraine should be granted a secure status that ensures access to rights and services in a similar manner to Ukrainian nationals and other people who will enjoy temporary protection status.
- Member States should facilitate travel and provide financial support, if needed, to people who can return safely to their home countries.

- **Share the responsibility for the protection and assistance of people fleeing Ukraine**

No country alone can take the responsibility for such large numbers of people in need of protection. While neighbouring countries have the obligation to guarantee prompt access to their territory and provide for immediate humanitarian needs, meeting longer-term protection needs and providing for durable solutions relies on the support and solidarity of other States in the region and beyond.

- EU member states should effectively cooperate within EU mechanisms (e.g. the Solidarity platform set up by the European Commission) to facilitate the sharing of responsibility for people displaced by the war in Ukraine and make available reception capacity in proportion to the size of their population and economy.
- Any transfer of people between EU states to support responsibility sharing must take into consideration the individual's consent and their family and wider links with communities in the country of destination. Transfer decisions must also take adequately into account the availability of support services for unaccompanied minors or separated children, disabled people, survivors of trafficking, and other marginalized groups.

## **RECOMMENDATIONS TO ALL COUNTRIES**

- **Welcome all people fleeing Ukraine**
  - Keep borders open to all people fleeing Ukraine.
- **Ensure the protection of people fleeing Ukraine**
  - Ensure access to fair and effective asylum procedures and adequate reception conditions to all those fleeing Ukraine. Expedite all pending asylum procedures for Ukrainian nationals. Re-examine *ex officio* all rejected asylum cases and cases for which other forms of protection were revoked or not renewed, allowing for the assessment of emerging protection needs arising *sur place*.
  - Extend or renew existing visas to all Ukrainian nationals who were already out of the country as of the Russian invasion on student, work, tourist or other visas.
  - Grant regular migration status to all Ukrainians currently on their territories in an irregular status and/or awaiting return, to ensure they can fully enjoy their human rights and access basic services.
  - Immediately stop deportations and other returns to Ukraine, or to third countries where people fleeing Ukraine might be at risk of being returned there.
- **Share the responsibility for the protection and assistance of people fleeing Ukraine**
  - Open new safe and regular pathways to ensure that Ukrainians and people fleeing Ukraine who wish to seek international protection can do so as quickly and safely as possible and have unimpeded access to their territory and asylum procedures.
  - Offer humanitarian visas in numbers adequate to the scale of the crisis to both Ukrainians in Ukraine and Ukrainians in neighbouring and other host countries.
  - Expedite the processing of all other complementary pathways, including work, study and family reunification visas for Ukrainian nationals.
  - Significantly increase resettlement pledges to address ongoing crisis and displacement situations, in line with UNHCR identified priorities.
  - Provide meaningful financial, technical and human contributions to meet the humanitarian needs of people fleeing Ukraine.