

**THE TEMPORARY PROTECTION
DIRECTIVE: THE ANALYSIS OF THE DUTCH CASE**

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Abstract

The present paper examines the Temporary Protection Directive which was activated for the first time in March 2022 as a result of the Russian invasion of Ukraine on 24 February 2022. By analysing the implementation of the Temporary Protection Directive in the Netherlands, the present paper aims to reveal the main strengths and weaknesses of temporary protection, as a legal instrument. In addition, since the author of the paper has direct experiences with Ukrainian refugees in the Netherlands, the purpose of the article is also to reveal the practical challenges the refugees are undergoing.

Keywords: The Temporary Protection Directive, displaced persons, refugees, Ukrainian crisis, temporary protection

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I. Introduction

The Temporary Protection Directive¹ (the TPD) was adopted as a consequence of the Yugoslavian war in 2011. As stated in the preamble to the TPD, its goal is to set up minimum standards for providing temporary protection in case of a mass influx of displaced persons and ‘to take measures to promote a balance of efforts between the Member States in receiving and bearing the consequences of receiving such persons’.² Still, even though scholars were advocating for its activation in the context of previous refugee crises³, the provisions of the TPD have never been activated before.

However, on 2 March 2022, the European Commission proposed to activate the TPD in order to offer swift and effective assistance to people fleeing the war in Ukraine in the form of temporary protection in the EU. This meant that they would be granted a residence permit and have access to education and the labour market.⁴ Consequently, EU Justice and Home Affairs Ministers discussed the proposal to activate the TPD, taking into account the situation in Ukraine. The Ministers reached an agreement about the proposal of the Commission. On 4 March 2022, the EU Council decision was published in the Official Journal of the European Union establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of the TPD.⁵ This decision activated the TPD with respect to this group of displaced persons and introduced the possibility of temporary protection for them.

The Swedish Minister of Integration and Migration, Anders Ygeman, stated that activation of the TPD is a historic act⁶. In my opinion, it is a positive message which means that the EU Member States are eager to offer help and aid those fleeing the war in Ukraine. Despite this, some criticism has been presented regarding the fact that some Member States are avoiding the application of the TPD and are thus violating EU law.⁷ For example, Hungary was criticised for not providing sufficient information for the displaced people and for the ‘lack of political will’ to offer the

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof [2001] OJ L 212 (the TPD).

² Ibid, point 8.

³ M Ineli-Ciger, ‘Time to Activate the Temporary Protection Directive.’ (2016) 18(1) European Journal of Migration and Law 1; L Krayem, ‘The EU Response to the 2015 Refugee Flows: A Missed Opportunity to Use the Temporary Protection Directive?’ (2020) 7 (1) ISLRev 33.

⁴ European Commission, ‘Ukraine: Commission proposes temporary protection for people fleeing war in Ukraine and guidelines for border checks’ at

https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1469 (last visited 12 March 2022)

⁵ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection [2022] OJ L 71 (the Council Implementing Decision).

⁶ The Government of Sweden, ‘EU agrees to activate Temporary Protection Directive’ (Government Offices of Sweden, 2022) at <https://www.government.se/articles/2022/03/eu-agrees-to-activate-temporary-protection-directive/> (last visited 30 July 2022).

⁷ K Babicka, ‘Temporary Protection: Poland and Hungary Once Again Creating Their Own Rules in Breach of EU Law’ (Opinio Juris, 2022) at <https://opiniojuris.org/2022/04/11/temporary-protection-poland-and-hungary-once-again-creating-their-own-rules-in-breach-of-eu-law/#:~:text=Poland%20and%20Hungary%20once%20seem,one%2C%20only%20for%20Ukrainian%20nationals.> (last visited 12 October 2022).

temporary protection in general.⁸ When it comes to Poland, Babicka in her article published in April 2022 claimed that stateless persons and beneficiaries of international protection, and their family members who are fleeing the war are excluded from the temporary protection⁹ which can be regarded as a violation of the TPD.

It is important that the Member States are complying with EU law and that the TPD is properly applied on the national level in order to give the necessary protection to the displaced individuals. In this regard, one has to understand how exactly the Member States responded to the activation of the Directive, and how they translated the provisions of the TPD on the national level. By analysing the implementation of the TPD in the Netherlands, the present paper aims to reveal the main strengths and weaknesses of temporary protection, as a legal instrument. Besides this, since the author of the paper has direct experiences with Ukrainian refugees in the Netherlands, the purpose of the article is also to reveal the practical challenges the refugees are undergoing.

II. What is Temporary Protection?

Temporary protection is defined in article 1 (a) of the TPD as:

‘a procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection’.

The Directive further provides a definition of the term ‘mass influx’. This term must be understood as ‘arrival in the Community [now: Union] of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival in the Community was spontaneous or aided, for example through an evacuation programme’.

There are in my view good reasons for defining minimum standards at the EU level regarding temporary protection. First, this can decrease disparities between the rules existing in the various EU Member States concerning the reception and treatment of displaced persons in a situation of mass influx. Moreover, it encourages solidarity and fair sharing of responsibility among the EU States with respect to receiving large numbers of potential refugees.¹⁰ Speaking about the principle of solidarity and fair sharing of responsibility, the Court of Justice of the European Union stated in *European Commission v Republic of Poland and others* that the burdens related to ‘emergency situation characterised by a sudden influx of third-country nationals on their territory, must, in principle, be divided between all the other Member States’.¹¹ The court also added that according

⁸ Ibid.

⁹ Ibid.

¹⁰ European Commission, ‘Temporary protection’, (European Commission, 2022) at https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_it#:~:text=What%20is%20temporary%20protection%3F,to%20their%20country%20of%20origin. (last visited 30 July 2022).

¹¹ Joined Cases C-715/17, C-718/17 and C-719/17, *Commission v Poland, Hungary and the Czech Republic* ECLI:EU:C:2020:257 at [80].

to Article 80 TFEU, the principle of solidarity and fair sharing of responsibility governs the Union's asylum policy.¹²

Some academics believe that the principle of solidarity is a justification for why Ukrainian refugees are treated in a more advantageous way than for instance asylum seekers who came to the EU in 2015 from Syria¹³. In fact, it seems that the actual realization of this principle is vital. In March 2022 more than 100,000 people were arriving each day to Poland from Ukraine; it was important to provide an effective response to this crisis and the involvement of all the Member States was necessary.¹⁴

Still, it is not clear how the principle of solidarity and fair sharing of responsibility is working in practice. The displaced individuals are free to choose any Member State to apply for temporary protection. Currently, Ukrainian nationals are visa-free travellers, meaning that they have the right to move freely within the European Union after being admitted into the territory of one of the Member States for a period of 90 days. Based on this, they are free to choose the Member State in which they want to enjoy the rights derived from the temporary protection status.¹⁵ However, there is a risk that refugees will be more attracted by countries, such as the Netherlands and Germany, with higher allowances and higher chances to get employment. Thus, some of the Member States run the risk of being overburdened.

According to Article 4 of the Directive, the duration of the temporary protection will be 1 year, with the possibility to be extended for up to 3 years. Those who receive temporary protection are entitled to get a residence permit for a minimum of 1 year. They should be given access to suitable accommodation, medical care, and assistance in terms of social welfare. Additionally, they can be engaged in employed or self-employed activities.¹⁶

III. Who Is Eligible to Receive Temporary Protection?

The Directive defines displaced persons as 'third-country nationals or stateless persons who have had to leave their country or region of origin or have been evacuated...'¹⁷. So, in principle, as also stated by the Guidelines presented by the Commission, those who were displaced from Ukraine before 24 February 2022 or who found themselves outside Ukraine before that date are not entitled to receive temporary protection. However, article 7 of the TPD says that Member States may extend temporary protection to additional categories of displaced persons. Further, Communication from the European Commission on Operational guidelines for the implementation of Council implementing Decision state that 'Commission strongly encourages

¹² Ibid.

¹³ P Rodrigues, C Tobler, 'Reception of people from Ukraine: Discrimination in international protection?' (Leiden University, 2017) at <https://leidenlawblog.nl/articles/reception-of-people-from-ukraine-discrimination-in-international-protection> (last visited 30 July 2022)

¹⁴ UN, 'Ukrainian refugees arrive in Poland 'in a state of distress and anxiety' (UN News, 2022) at <https://news.un.org/en/story/2022/05/1119172#:~:text=With%20more%20than%203.5%20million,agency's%20spokesperson%20said%20on%20Friday.> (last visited 11 June 2022).

¹⁵ Recital 16 in the preamble to the Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection.

¹⁶ Article 12 of the Directive.

¹⁷ The TPD, article 2.

Member States to consider extending temporary protection in particular to those who fled Ukraine not long before 24 February 2022'.¹⁸

The Council Implementing Decision in Article 2 states that the TPD will apply to not only Ukrainian nationals and their family members, but also to stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection (recognized refugees) in Ukraine before the start of the war, and their family members. Further, the Decision states that temporary protection or adequate protection under the respective national laws of the Member States should be granted to stateless persons and to nationals of third countries other than Ukraine, who were residing legally in Ukraine based on a valid permanent residence permit and who are unable to return in safe and durable conditions to their country or region of origin. Finally, Member States may apply temporary protection to other persons, such as stateless persons and nationals of third countries other than Ukraine, who were residing legally in Ukraine and who can not return in safe and durable conditions to their country or region of origin. This category includes for instance those who were residing in Ukraine based on a temporary residence permit.¹⁹

To clarify the meaning of 'safe and durable conditions' it is necessary to consult the Commission Guidelines. Based on these guidelines, the inability to 'return in safe conditions' means that there is a clear risk for the safety of the individual, cases of 'armed conflict or endemic violence, documented risks of persecution or other inhuman or degrading treatment or punishment.' In order for the return to be considered as 'durable', the individual concerned should have the ability 'to enjoy in his/her country or region of origin active rights, enabling that person to have prospects for basic needs to be addressed in his/her country/region of origin, and the possibility to reintegrate into the society.'

Despite the fact that the TPD covers many of those affected by the war in Ukraine, there were some comments expressed by Carrera, Ineli Ciger, Vosyliute and Brumat saying that one of the limitations of the TPD is that some groups of individuals, such as third-country nationals, for example students, who were living on the territory of Ukraine when the war started may be excluded from the temporary protection if decided by the Member States. The scholars stated that such a situation will lead to legal uncertainty and inconsistency and discrimination in the approaches of Member States²⁰. Also, Amnesty International urged that all those fleeing the war in Ukraine receive equal treatment.²¹

On the other hand, it might be reasonable, in my view, to establish certain limitations regarding to whom the temporary protection can apply. In the Netherlands, for example, until recently the rules allowed third-country nationals who had only temporary residence in Ukraine to receive protection under the Temporary Protection Directive. The Immigration and Naturalisation Service (IND), as well as Dutch municipalities, observed an increasing number of such individuals who came to the Netherlands and asked for temporary protection. It was noticed that many of

¹⁸ Communication from the Commission on Operational guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC [2022] C 126I (*Commission Guidelines*).

¹⁹ The Council Implementing Decision, Article 2.

²⁰ S Carrera et al., 'The EU grants temporary protection for people fleeing the war in Ukraine' (CEPS Policy Insights, March 2022).

²¹ Amnesty International, 'EU: Temporary protection is needed for everyone fleeing Ukraine' at www.amnesty.org (last visited 8 August 2022).

them might be abusing the Dutch law,²² they were asking for temporary protection while their countries of origin were safe. That is why it was decided that as from 19 July 2022, people who were living in Ukraine on a temporary residence permit, obtained due to their work or studies, would no longer be covered by the TPD in the Netherlands.²³ Such decision is in line with the TPD which does not provide obligation for the Member States to grant temporary protection to those third-country nationals who had a temporary residence in Ukraine.

IV. Temporary Protection Status in the Netherlands

Already at the end of May 2022, there were around 64,000 registered displaced persons from Ukraine in the Netherlands.²⁴ The websites of the Dutch government and the Dutch Immigration office provide general information regarding temporary protection in English and Dutch, for example about the process of registration or the requirements for the temporary protection. Generally, there are a lot of organizations providing information and offering support to displaced individuals, such as the Red Cross, the Dutch Council of Refugees, Fairwork, etc.

In the Netherlands, the temporary protection status can be obtained by:

- Ukrainian nationals who came to Ukraine after 27 November 2021.
- Ukrainian nationals who left Ukraine before 27 November 2021, stayed in the Netherlands for a longer period of time because they had a residence permit or had applied for asylum. Also, they should prove their stay in the Netherlands.
- Those who do not possess Ukrainian nationality and on 23 February 2022 they were a refugee recognised by Ukraine or they had a valid Ukrainian residence permit.
- Those living in Ukraine as a family member covered by the Directive.²⁵

It can be seen that a rather broad category of individuals, somehow having a connection with Ukraine, has the right to obtain temporary protection status in the Netherlands. The Dutch interpretation is that, for instance, even those Ukrainian nationals who already had a residence permit in the Netherlands before 27 November 2021 could benefit from temporary protection. The rules in this regard are different in the other Member States. For instance, in Luxembourg, to be eligible for temporary protection, the individual had to be a resident in Ukraine before 24 February 2022 and must have left the country since 24 February 2022 or shortly before.²⁶ Still, as already mentioned in this article, the rules became stricter for non-Ukrainian nationals who

²²Government of the Netherlands, 'Non-Ukrainians with a temporary Ukrainian residence permit no longer eligible for municipal accommodation and services' at <https://www.government.nl/latest/news/2022/07/19/non-ukrainians-with-a-temporary-ukrainian-residence-permit-no-longer-eligible-for-municipal-accommodation-and-services> (last visited 30 July 2022).

²³ Ibid.

²⁴NL Times, 'Nearly 64,000 Ukrainians now registered in the Netherlands' at <https://nltimes.nl/2022/05/24/nearly-64000-ukrainians-now-registered-netherlands#:~:text=Nearly%2064%2C000%20Ukrainians%20now%20registered%20in%20the%20Netherlands,-Since%20the%20start> (last visited 31 July 2022).

²⁵ IND, 'Temporary Protection Directive Ukraine' at <https://ind.nl/en/ukraine/temporary-protection-directive-ukraine#:~:text=You%20have%20Ukrainian%20nationality&text=And%20at%20that%20time%20you,not%20in%20another%20EU%20country>. (last visited 30 July 2022).

²⁶ The Luxembourg Government, 'Who is eligible for temporary protection' at <https://mace.gouvernement.lu/en/services-aux-citoyens/accueil-de-personnes-ukraine/FAQ.html> (last visited 13 August 2022).

had only temporary residence in Ukraine. Such individuals will no longer be able to obtain temporary protection in the Netherlands.

The first step of the temporary protection procedure is for the displaced individual to register at a local Dutch municipality. When the displaced individuals are registered in the Personal Records Database, they have the right to benefits and services in the Netherlands, such as accommodation, education, healthcare. Speaking from the authors' own experience, who has undergone this procedure with a family member, the registration processes are straight-forward and well-organized.

The second step of the process is for the displaced person from Ukraine to sign an application form at the IND. The IND is also responsible for checking whether the displaced person has a right to receive temporary protection and whether an applicant does not pose a threat to public order. Then, the displaced individuals receive proof of their right to live and work in the Netherlands from the IND.²⁷ Subsequently, they are supposed to soon get a 'residence sticker' in their passport as a confirmation. In practice, however, the process of receiving this sticker takes months. At the end of August 2022, the IND temporarily stopped issuing stickers due to their shortage.²⁸ This creates additional hindrance for the displaced individuals since a residence sticker is a confirmation for their right to live and work in the Netherlands.

Those who have the right to temporary protection in the Netherlands receive monthly allowances. Every displaced person (adults and minors) is entitled to an allowance of 55 EUR per month for personal expenses and clothing. Additionally, if the displaced person stays in a private home there is an allowance of 205 EUR for food and drinks. Those living with a host family receive a living allowance of 215 EUR for adults and 55 EUR for children on a monthly basis.²⁹

Important to mention is that in the Netherlands, those displaced persons that are covered by the TPD have no right to start the regular asylum procedure.³⁰ In principle, by applying for temporary protection an applicant is also submitting the asylum application under a simplified procedure (as opposed to the regular one). The displaced person is thus entitled to all facilities and benefits to which asylum seekers are entitled, including reception, living allowance, education and medical assistance. The Dutch immigration office only has to decide on an asylum application when the temporary protection ends (that is after a maximum period of three years). The decision period for an asylum application is therefore suspended for the duration of the temporary protection. According to State Secretary Van der Burg, with this procedure, the Netherlands is complying with article 17 of the TPD which states that persons enjoying temporary protection must be able to lodge an application for asylum at any time.³¹ It is stated that the advantage of submitting an asylum application under such conditions is that displaced persons rather quickly get clarity about

²⁷ Ibid.

²⁸ NOS, 'Pas in oktober weer verblijfsstickers voor Oekraïense vluchtelingen' at <https://nos.nl/artikel/2442892-pas-in-oktober-weer-verblijfsstickers-voor-oekraïense-vluchtelingen> (last visited 13 October 2022).

²⁹ Municipality of Amsterdam, 'Money for living' at '<https://www.amsterdam.nl/en/refugees/amsterdam-supports-ukraine/money-living/#:~:text=Every%20refugee%20from%20Ukraine%2C%20adults,are%20staying%20with%20private%20individuals.>' (last visited 5 August 2022).

³⁰ Ibid.

³¹ Ministry of Justice and Security, *Aanpak opvang ontheemden uit Oekraïne* (Ministry of Justice and Security, 30 March 2022).

their residence status and rights under the temporary protection.³² Indeed, the displaced individuals can easily register at the municipality, obtain right to work, such procedure seems faster than the regular asylum procedure which can last up to a year.³³ Nevertheless, as has been shown in this article, getting the confirmation of residence based on temporary protection (residence sticker) can also take months. Further, it is believed that such a procedure offered in the Netherlands overall does not bring clarity and certainty to the displaced individuals. They do not know how long the temporary protection will last and they also do not have clarity when it comes to the regular asylum application which may be examined only after the temporary protection ends.

V. Opinions of the Ukrainian Refugees Staying in the Netherlands

In order to get a better picture of how actually displaced individuals experience temporary protection, I have decided to conduct a survey among Ukrainian refugees who stay in the Netherlands. In total, 60 respondents participated in the survey. Six questions were asked to the participants. 29 % of the respondents believe that the temporary protection procedure in the Netherlands is not clear. 12 % of the respondents claimed that they do not know their rights related to temporary protection, while 69% stated that in general they know their rights but there are some unclear aspects. With regards to the question if the Dutch State authorities provide clear and understandable information on temporary protection 36% of the respondents replied in negative. Additionally, 71 % of those who participated in the survey replied that Dutch state authorities do not provide enough information related to their rights. Still, almost 50% of the respondents is satisfied with the temporary protection procedure. Finally, the last question related to the main practical difficulties with regards to the temporary protection procedure. Displaced individuals named a lot of difficulties, such as lack of clarity, language barrier, finding a job, problems with accommodation, medical care, child education, etc.

Indeed, despite the advantages of temporary protection, my experience with Ukrainian refugees is that they face many difficulties. I communicate regularly with the Ukrainian refugees and on a voluntary basis provide legal help to those fleeing the Ukrainian war. One example of the challenges relates to employment and the possibility to get the status of self-employed person. In theory, it should be easy for the displaced individuals to find a job in the Netherlands. Starting on the 1 April 2022 employers do not need to apply for a working permit to employ them. Still, displaced people face a lot of difficulties related to employment. They often do not know their labour rights since they do not speak the Dutch language. There is also a problem to find a job for highly qualified displaced persons. For instance, if you have a law degree from a university in Ukraine and worked in Ukraine as a lawyer it is not easy to get a law related job in the Netherlands since displaced persons do not have a European degree. Another big obstacle is that for the displaced individuals it is very difficult to operate their own company. As stated on the official website of the Dutch Chamber of Commerce, Ukrainian refugees can register a company, but after that all the potential clients or customers must obtain a working permit.³⁴ Of course, this makes it extremely difficult to run one's own business. Another possibility is to get a residence permit for a self-employed activity.³⁵ However, this procedure is not easy since the applicant has

³² Ibid.

³³ ECRE, 'Making and registering the application' at <Registration of the asylum application - Asylum Information Database | European Council on Refugees and Exiles (asylumineurope.org)> (last visited 12 October 2022).

³⁴ KVK, 'Ukrainian refugees: registration at KVK', at <https://www.kvk.nl/english/starting-a-business-in-the-netherlands/ukrainian-refugee-registration-at-kvk/> (last visited 4 August 2022).

³⁵ Dutch government, 'Werk en inkomen voor vluchtelingen uit Oekraïne

to fulfil certain criteria (e.g., concerning education or professional experience), show the added value for the Netherlands, pay rather high fees, and there is no guarantee that such permit will be granted.

VI. Conclusion

The activation of the TPD was an important step considering the huge numbers of refugees fleeing the war in Ukraine. Getting temporary protection in the EU means getting the residence permit rather quickly in one of the EU Member States, having the right to accommodation, medical care, possibility to work, etc. This is beneficial for displaced individuals. At the same time, the TPD allows a very broad category of individuals, somehow linked to Ukraine, to enjoy temporary protection. However, contrary to some comments expressed in the literature that absolutely everyone fleeing the Ukrainian war should be granted temporary protection, in my view, it should be granted to those individuals whose safety is at risk in the country where they normally live. For instance, it is reasonable not to grant temporary protection status to those who were residing in Ukraine only based on the temporary residence permit and who can safely go back to their country of origin.

What is also important is that the activation of the TPD encouraged the promotion of the principle of solidarity and fair sharing of responsibility among the Member States. However, it is not entirely clear how this principle works in practice. As stated before, there is a possibility that refugees will be more attracted by the countries with higher allowances and higher chances to get employment. For example, more and more requests are coming to the volunteers in the Netherlands asking if it is possible to come to the Netherlands from Poland, where the displaced persons have already received temporary protection. However, the Netherlands already has problems related to the shortage of housing. So, we need to think about how to make sure that the Member States indeed share the burden of receiving refugees.

Based on the case of the Netherlands, we can make some conclusions regarding the temporary protection and how it works in practice. From the perspective of the displaced persons from Ukraine, one of the biggest challenges right now is the lack of clarity related to the temporary protection status. Displaced persons do not know how long the temporary protection will last, how long they can stay in the house they are currently living in, if their children will be able to go to school, etc. Also, in the Netherlands specifically, the displaced persons will receive the decision about their regular refugee status only after the temporary protection ends. This aspect creates even more uncertainties for displaced individuals.

In the Netherlands, as well as in the other Member States, speaking the local language can be a big barrier for the displaced individuals, limiting their access to information, and restricting the possibility to find (suitable) employment even if those fleeing the Ukrainian war have the right to work freely in the EU. The issue related to employment is also challenging. Even though, according to the information provided by the Dutch Social Security Institution, as of the beginning of June 2022 around 13,200 refugees found a job in the Netherlands³⁶ it is not easy to find a well-

³⁵ at <https://www.rijksoverheid.nl/onderwerpen/opvang-vluchtelingen-uit-oekraïne/ondersteuning-in-nederland/werk-en-inkomen> (last visited 4 August 2022).

³⁶ UWV, 'Ruim 13.200 vluchtelingen uit Oekraïne aan het werk in Nederland' at <https://www.uwv.nl/overuwv/pers/persberichten/2022/ruim-13200-vluchtelingen-uit-oekraïne-aan-het-werk-in-nederland.aspx#:~:text=Ruim%2013.200%20vluchtelingen%20uit%20Oekra%C3%AFne%20aan%20het%20werk%20in%20Nederland,->

qualified job and the displaced persons often do not know their labour rights. Also, operating one's own business is very difficult for the refugees.

In my opinion, it is crucial to continue conducting research on the national level when it comes to the Temporary Protection Directive and its implementation to assess the success of this instrument and to understand to what extent the displaced individuals are actually enjoying the rights they are entitled to have according to the Directive. Now that Russia does not show signs to end the war with Ukraine - recently it even declared Kherson, Zaporizhzhia, Luhansk and Donetsk regions to be Russian territory - such research on the actual situation of Ukrainian refugees in the EU is the more important. Their situation will be less temporary than the TPD suggests.