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Ukrainian Displacement: What You Need to Know

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BACKGROUND AND CONTEXT

Since the beginning of the Russian invasion of Ukraine one week ago, hundreds of thousands of Ukrainians have fled the country. The United Nations High Commissioner for Refugees (UNHCR) estimated that 660,000 Ukrainians had crossed into neighboring countries as of March 1, 2021, with the majority arriving in Poland as well as Hungary, Moldova, Romania, Slovakia and other European states.¹ These numbers are in addition to at least 160,000 Ukrainians who have been internally displaced in the last week.² Whether the number of refugees and internally displaced Ukrainians continues to climb depends on the nature of the conflict; if fighting continues and if Russia solidifies its occupation over large parts of the country, we can expect the number of both these groups to rise.

EUROPEAN RESPONSE

Since 2017, Ukrainian passport holders have been able to travel to the Schengen Zone³—the internal zone of free movement among most European countries—without obtaining a visa for a period of 90 days. With the current crisis, this policy stands and countries like Poland have even removed the requirement of showing a negative COVID-test in order to enter, while Germany and Austria have offered free-of-charge train journeys to Ukrainians seeking to move beyond their first country of entry.⁴

European states, in conjunction with the UNHCR and other international organizations, have also been providing aid and immediate humanitarian assistance to Poland and other first countries of arrival, directing arriving refugees to shelters and reception centers if they do not have family members to stay with.⁵ One of the greatest concerns is on the Ukrainian side of the border; the UN has reported 60-hour wait times to cross between Ukraine and Poland, 20 hours to enter Romania, and 24 hours to cross into Moldova.⁶ Ukrainian men between the ages of 18 and 60 are also not currently allowed to leave the country and are instead being forced to enlist in the military defense against Russia.⁷

Europe is also discussing options for protecting refugees in the event that the conflict lasts beyond the 90 days that Ukrainians have legal status within Schengen countries. The European Commission has stated that it is considering invoking the Temporary Protection Directive, established in the 1990s after the arrival of Bosnian refugees from the former Yugoslavia.⁸ Under Temporary Protection, Ukrainians would be able to work, have access to national health care systems and social assistance, and send their children to school for between one and three years. Responsibility for Ukrainians would also be allocated across EU member states according to the reception capacity of each country, helping to alleviate the pressure put on front-line states like Poland. However, the directive is not a mandatory relocation scheme, potentially leading



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to the same problems seen in 2015 with the arrival of more than 1 million Syrian refugees in the EU. Some states—including Slovakia and Hungary—reneged from proposals to allocate the responsibility of refugees equally across the EU, ultimately derailing efforts to accommodate Syrians. When European states were unable to agree on an internal political solution to the presence of Syrian refugees and other nationalities, they turned to a process of outsourcing refugee hosting by paying countries like Turkey and Libya to host them instead and prevent their onward movement.⁹

At present, the willingness to receive, reallocate Ukrainian refugees across the EU, and look for medium- to long-term solutions points to lessons learned from 2015. A 2020 European Commission document acknowledged, “As our experience during the 2015 refugee crisis also shows, the Union needs a structured approach to handle crisis in order to avoid *ad hoc* responses.”¹⁰ However, analysts and scholars have also argued that the willingness from European countries to accommodate Ukrainians results from racist or prejudiced views about which types of refugees deserve protection. Refugees from the Middle East and Africa are still languishing in deplorable conditions in camps on Greek islands, not allowed to cross to mainland Greece; and just last year, Europe deployed troops to prevent predominantly Middle Eastern asylum seekers from crossing the border between Belarus and Poland. In a very clear double standard, African and Middle Eastern asylum seekers who had been residing in Ukraine have been unable to flee to Poland over the last week, even as Ukrainian citizens have been allowed to cross.¹¹

A POSSIBLE U.S. RESPONSE

While the arrival of Ukrainian refugees is a less pressing issue for the U.S. than for Europe due simply to geography, the U.S. can nonetheless take steps to assist Ukrainians. First, a bipartisan commission of 42 senators—40 Democrats and two Republicans—have urged the Biden administration to offer Ukrainians already in the U.S. access to Temporary Protected Status (TPS), a designation that would allow them to remain legally in the U.S. while the current conflict continues.¹² The Department of Homeland Security can authorize TPS for any nationality for a period of 6, 12, or 18 months.¹³ At present, Haitians, Hondurans, and Syrians, as well as other nationalities, have temporary protection. While TPS is not a long-term solution, it would allow approximately 30,000 Ukrainians the ability to stay and work in the U.S. while waiting for further clarity about the possibility of returning to Ukraine if fighting ceases.¹⁴

Second, the U.S. could facilitate easier visa access for Ukrainians to come to the U.S. to reunite with family members. Unlike in Europe, Ukrainians cannot arrive in the U.S. without first obtaining a visa and demonstrating that they have the financial resources to support themselves during their stay. If the financial requirement were waived—as well as the requirement that Ukrainians have a clear intent to return to Ukraine within a short period—and if Ukrainians were able to obtain visas on arrival in the U.S., they could travel from countries like Poland and safely stay with family members in the U.S. while waiting out the crisis.¹⁵

Finally, if Ukrainian displacement becomes protracted, the U.S. could consider resettling Ukrainians from countries of first arrival and giving them access to permanent residency in America. In the 1990s, during the last large-scale outward migration of refugees from Europe, the U.S. resettled 130,000 Bosnians forced to flee ethnic cleansing. Many were resettled to the Midwest, revitalizing cities like St. Louis and contributing economically and

culturally to their new communities. If fighting continues and a return to Ukraine becomes infeasible, the U.S. will need to consider long-term pathways for protecting Ukrainians.

LOOKING AHEAD

The forced migration of individuals—whether from Europe or anywhere in the world—is always dismaying and of grave concern, but the displacement of Ukrainians need not be a crisis. At present, national European authorities, in collaboration with UN institutions and international nongovernmental organizations, are responding with swift and timely policies to accommodate and host those who have been forced to flee their homes. In the best-case scenario, the Russian invasion and subsequent fighting can be resolved diplomatically and those who fled—whether internally or across international borders—will be able to return home. However, the EU, the U.S., and other countries need to anticipate and plan for multiple pathways to medium- and long-term protection in the event that the conflict continues. The positive reception displayed by Europe toward Ukrainians thus far, while commendable, should also be extended to others seeking protection within its borders, regardless of nationality and race.

ENDNOTES

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