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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN
ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE
REGIONS**

European solidarity with refugees and those fleeing war in Ukraine

1. EUROPEAN SOLIDARITY WITH UKRAINE

The unprovoked military aggression and invasion of Ukraine by Russia has shocked the world. Condemnation on a global scale has been confirmed by the overwhelming majority of states in the United Nations¹. Russia has flouted the rule based international order and its actions are intended to destabilise the European security architecture. Indiscriminate attacks on civilians have led to massive loss of life, with countless tragedies for families and the destruction of peaceful communities. The determination of the Ukrainian people to do everything they can in defence of democracy and their nation has been remarkable.

The EU and its Member States, together with partners, were at the forefront of efforts to prevent bloodshed and then to respond to Putin's attack on the sovereign and peaceful nation of Ukraine, with unprecedented sanctions on the Russian Federation and Belarus². This also reflects a groundswell of revulsion around the globe at the contempt shown for human life, human rights, international law and the values we hold dear.

This combination of comprehensive and united support from the EU and the inspirational solidarity of individual Europeans is evident in support for all those fleeing the war. The number of people displaced from their homes and forced to flee Ukraine has now reached the millions and the numbers are growing by the hour. The EU is leading the work to bring direct humanitarian aid to the victims of the aggression. The remarkable efforts of Member States under pressure are being backed up by the EU through direct provision of shelter, food and healthcare and by providing people fleeing the war in Ukraine with a clear status through an unprecedented offer of temporary protection.

The impact of this dynamic policy response is being multiplied by the personal compassion of millions of Europeans to the plight of refugees³. The readiness of families to welcome refugees into their homes, of communities to provide food and shelter, of businesses to offer services and employment, and of people across the EU and beyond to offer supplies and support, is a vivid demonstration of European values in action. It shows a commitment on which to build as the ever-growing scale of the refugee crisis combines with the need to provide stability for people after the trauma of war. The Commission will include information on the Europa website to help citizens and the private sector to ensure that their support to those fleeing the war can come through trusted organisations and match the needs⁴. It is also important to ensure that high quality information is provided to counter disinformation aimed at undermining Europe's solidarity.

The EU's commitment to help those in need is unwavering. We will live up to our values and receive everyone fleeing Russian aggression with respect and humanity. We will continue to step up the effective delivery of emergency assistance and humanitarian aid. Solidarity is the keystone for the EU as we meet the refugee challenge in the coming months.

¹ Resolution of the UN General Assembly of 2 March 2022, demanding that Russia immediately, completely and unconditionally withdraw all of its military forces from Ukraine.

² Three successive sanctions packages were agreed between 23 February and 2 March 2022.

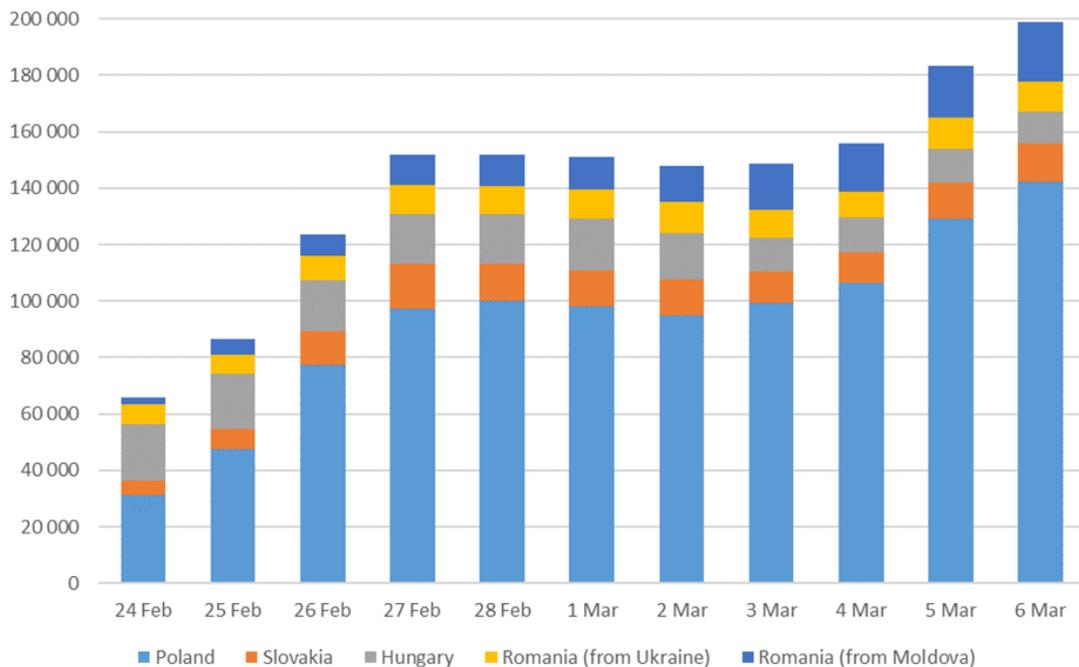
³ The term "refugee" is used in this Communication in a broad political sense rather than as defined in the Geneva Convention and the EU asylum acquis.

⁴ A list of organisations active in providing humanitarian relief in Ukraine can be found through the following link: https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/eu-solidarity-ukraine_en

THE SITUATION TODAY

- By 6 March 2022, 1.8 million people had fled the war in Ukraine.
- Poland, Hungary, Slovakia and Romania have seen huge numbers of arrivals, day by day.

Arrivals in Poland, Hungary, Slovakia and Romania



- In addition to the arrivals in Ukraine's direct neighbours, people are **moving on to other Member States**: some Member States have given estimates (such as Czechia 100 000, over 40 000 to Bulgaria, over 17 000 to Italy), and these numbers change still further as people continue to transit to other Member States.
- Ukrainians represent at least four-fifths of people fleeing from the war in Ukraine. Alongside returning EU citizens, other **nationalities** include Indian, Nigerian, and Turkish.
- There are daily fluctuations and occasional congestion **at the Ukraine/EU border**, with Frontex reporting delays on the EU side of around one hour in most border crossings points (6 March). More substantial if reduced delays are still reported on the Ukrainian side.
- **Reception capacity** is at present adequate, given that many arriving move on swiftly to join family or friends. Poland, Romania, Hungary and Slovakia continue to report available capacity.
- From **28 February to 6 March** Ukrainian nationals lodged **8 467 asylum applications in EU+ countries**⁵. 39% of the applications were registered in the four Member States neighbouring Ukraine.

⁵ Due to delays in registration and reporting, the total number may be higher.

2. HUMANITARIAN SUPPORT

The scale of the humanitarian catastrophe in Ukraine is still unfolding. Europe is witnessing destruction and displacement on a scale not seen since the darkest days of the last century. The EU is mounting a huge effort to bring emergency humanitarian aid, working hand in hand with Member States, aid agencies and allies in the international community. At least €500 million from the EU budget is being directed to deal with the humanitarian consequences of this tragic war, both inside Ukraine and beyond.

The EU is providing large-scale support to Ukraine itself to help it withstand the crisis, including emergency macro-financial assistance of €1.2 billion in the form of loans, and an additional €120 million to Ukraine in budget support. In addition, the European Investment Bank has, with the agreement of the European Commission, announced the immediate repurposing of €668 million of loans as liquidity support for the Ukrainian authorities. Support continues to key civil society partners in Ukraine.

Humanitarian catastrophe in Ukraine....

Civilian casualties are mounting in Ukraine day by day. Even for those sheltering from attack, the damage to housing, water supply and electricity leave many at real risk. The hostilities are making the supply of food increasingly difficult. Critical hospital services face constant power outages and there is a risk of ambulances and health workers being caught in the crossfire. Aid agencies are finding it more and more difficult to bring supplies to the people in need, with this problem becoming more acute as the war spreads.

....calls for humanitarian access

The war must not be allowed to prevent help reaching those in need. Desperately needed humanitarian aid must be able to reach all parts of Ukraine. Civilians, irrespective of their nationality, must also be allowed to escape cities under siege. Ensuring humanitarian access, including through the establishment of humanitarian corridors, is therefore an urgent priority. Allowing safe and unimpeded access for humanitarian workers and supplies is a legal obligation under international humanitarian law. The EU will continue working with international organisations and partners to ensure access and make humanitarian corridors operational as soon as possible.

Support is arriving from the first EU packages.....

The immediate EU humanitarian funding package of €85 million for those affected by the war in Ukraine is underway to provide food, water, medicines, healthcare capacity, shelter and protection. The EU also supports refugees in Moldova with €5 million to cover basic needs. In parallel, 27 countries are working to deliver over €100 million worth of supplies through the Union Civil Protection Mechanism (UCPM). First deliveries have already reached those in need in Ukraine, with over 4 million items including vehicles, medical kits, tents, blankets, and sleeping bags. Specialist medical equipment is now on its way including respirators and oxygen from *rescEU* strategic medical reserve.

....and the challenge of delivery

The EU works with the United Nations, Red Cross and international non-governmental organisations to ensure the most rapid delivery possible of humanitarian support. The Commission is in constant contact with the Ukrainian authorities to help cargo cross the border to Ukraine. Through the UCPM, the Commission is expediting delivery of assistance to Ukraine through hubs set up in Poland, Slovakia and Romania.

Supporting the Member States under most pressure

A series of on-site visits from the Commission⁶ have been able to see first-hand the very substantial support programmes set up by Poland, Slovakia, Hungary and Romania, as well as the efforts of neighbouring Moldova, for the refugees arriving at their borders. The combination of this work with the generosity and compassion of their people has brought immediate comfort to refugees and displaced persons facing the trauma of fleeing their homes.

....with direct help for the solidarity effort

This work needs every possible support from the EU. Poland and Slovakia have activated the UCPM and are starting to receive shelter and medical assistance. Arrivals in such numbers mean specific health challenges and basic health checks should be provided on arrival. Those arriving may be wounded, or may have chronic conditions in need of immediate medical care. COVID-19 remains an additional challenge. The Commission and its agencies are working intensively with Member States to ensure access to healthcare and medicines, identify needs and match operational help including for hospital beds, surgical capacities to treat burns, and transport patients in need.

In this situation where Member States may need to provide shelter, supplies and services very rapidly, the rules foreseen for urgent public procurement can be used as during the migration crisis of 2015-2016 and the COVID-19 pandemic⁷.

EU funding is immediately available to Member States through their national 2014-2020 Home Affairs programmes, which may still be used to offer financial support to cover elements such as shelter, food, and healthcare, including through extra staffing. The Commission will do its utmost to ensure existing funds are easily and rapidly available, and can be fully spent. The Commission is proposing to prolong the implementation period of these instruments⁸ to give Member States additional flexibility: swift adoption by the European Parliament and the Council would release around €420 million in additional support. In parallel, supporting the impacted Member States will be a priority for the available emergency funding under the 2021-2027 Asylum, Migration and Integration Fund.

3. THE CHALLENGE AT THE BORDER

The crisis is putting extreme pressure on the EU border with Ukraine. The people arriving need to be registered, helped with their immediate needs and directed safely to their next place of shelter. This process needs to happen quickly, while keeping order and allowing essential security checks. The EU has a common responsibility to help its common border by supporting Member States facing these extra pressures.

⁶ Visits by President von der Leyen, HRVP Borrell, Vice-President Schinas, Vice-President Šuica, Commissioner Johansson, Commissioner Lenarčič, Commissioner Várhelyi and Commissioner Kyriakides.

⁷ Communications of 9 September 2015 (COM(2015) 454) and 1 April 2020 (C(2020) 2078).

⁸ The Asylum, Migration and Integration Fund and the Internal Security Fund.

Supporting border management in Ukraine

A first constraint is congestion on the Ukrainian side of the border. Ukrainian border authorities have to implement their rules in the face of a lack of staff, problems with IT systems and the large number of abandoned cars. Ukraine has been trying to manage the flows effectively by redirecting people and simplifying procedures. Member States and the EU are working with the Ukrainian authorities to help tackle bottlenecks. It is particularly important to work to keep free passage for aid supplies into Ukraine.

Most of those arriving at the borders between Ukraine and Member States are Ukrainian nationals, who, if they hold biometric passports, enjoy visa-free entry to the EU for a period of 90 days and can even pass through use electronic entry points rather than border guards. Many are rejoining family and friends, and some will move on from the country of first entry to rejoin contacts in other Member States. It is important that border crossings between Member States allow such movements to happen as smoothly as possible. But there are many different categories of entrants. These include returning EU citizens, those granted international protection by Ukraine, including many Belarusians who had fled the Lukashenko regime, and students and workers from countries worldwide. It is of paramount importance that those fleeing from Russia's aggression in Ukraine, without exception, are treated with full respect and care.

....to keep safe flows moving...

All these people need particular treatment and Member States have faced the challenge of huge numbers of arrivals, with some 100 000 arrivals a day at the Polish frontier alone. Member States have responded with reinforced staffing and streamlined procedures. It is essential to ensure an orderly entry into the EU based on common standards, keeping the border open for people who have fled areas of armed conflict and may need access to the EU on humanitarian grounds or international protection. The Commission has already issued operational guidelines⁹ to help Member States' border guards manage arrivals efficiently, while maintaining a high level of security. These guidelines set out how tools such as emergency support lanes can help speed up support for the vulnerable and how some procedures can be streamlined, including simplified customs procedures.

....through financial support and EU agencies

The EU is also stepping up financial support for Member States under the Border Management and Visa Instrument, to help border management such as identification of arrivals, as well as first reception and medical care.

EU agencies are also providing extra manpower and expertise to support Member States. The first group of 49 Frontex staff deployed at EU-Ukraine borders and the border with Moldova is being supplemented by 162 staff being deployed to Romania. Frontex stands ready to step up support to over 2 600 officers for EU-Ukraine borders. The EU Asylum Agency EUAA is ready to support screening, registration, information provision and asylum processing with up to 130 experts. Europol is providing essential situational support, including on the possible presence of foreign fighters or other known security threats. Europol is present on the ground in Slovakia and Poland and is planned to soon be in Romania and Hungary. Other EU

⁹ C(2022) 1404 FINAL of 2 March 2022.

agencies such as eu-LISA¹⁰ and the Fundamental Rights Agency¹¹ have also quickly redirected their work to support Member States.

...and support to neighbouring countries

Moldova has had to manage over 368 000 arrivals since 24 February . The immediate assistance package and support through UCPM to Moldova will be accompanied by further action to address the evolving situation, including €15 million to help manage the refugee crisis.

The Commission will provide support for safe passage and repatriation of third country nationals to their countries of origin from neighbouring countries through a new action offering operational support and capacity building. The Commission will rapidly assess whether current projects in Moldova need to be scaled up and will provide support including through EU agencies as appropriate.

4. THE EU WELCOME TO REFUGEES AND DISPLACED PERSONS

The current refugee crisis will require the EU to draw on all its capacities to act swiftly and decisively to help to meet the challenge. This challenge will be felt across the EU, and all Member States will need to harness their capabilities to support the new arrivals. This must include financial support but also bringing together groups at all levels who can help from civil society and diaspora communities. We must also engage with partners worldwide in a common effort. The EU is swiftly putting systems in place including in coordination with partners, to offer stable and welcoming settings for those fleeing the war and to help national administrations maintain essential work under massive strain. Particular attention should be paid to the needs of the most vulnerable, those who risk being marginalised, but also those at greatest risk. Women, unaccompanied minors and other children make up a major proportion of arrivals. Ensuring appropriate information and accommodation, preventing gender-based exploitation, supporting childcare and ensuring swift access to education will be among the immediate priorities.

A clear legal status

Responding to the enormous numbers fleeing Russian military aggression, the EU is making an unprecedented offer of temporary protection, bringing clarity and security to people in great need¹². This will ensure that Ukrainians and their families have a secure status which will apply across the EU, including after visa-free status runs out after 90 days. It also applies to many other third country nationals fleeing the war, including those granted international protection in Ukraine and those unable to return safely to their country of origin. All those fleeing the war are welcome in Europe: those not covered by temporary protection will receive protection and shelter, and then helped to find a safe way home¹³. Ways to help third country nationals returning home are being developed for the most vulnerable cases. Some

¹⁰ eu-LISA supports Member States' work on registration and checks through IT systems such as Eurodac and the Schengen Information System.

¹¹ The Fundamental Rights Agency is visiting Border Crossing Points and reception centres of Member States under pressure.

¹² Council Implementing Decision 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, of 4 March 2022.

¹³ Temporary protection does not affect the right to apply for international protection in the Union.

third countries have already worked with Member States to support repatriation of their nationals¹⁴, and particular attention should be paid to the most vulnerable.

Central to the approach is also solidarity between Member States: a Solidarity Platform will share information on reception capacity, the numbers of people enjoying temporary protection on their territory, and other needs for additional support. The Commission together with the EU Asylum Agency will coordinate the operational response needed, including the transfer of persons across the Member States within the EU and to third countries. Temporary protection will in the first instance last one year, and could automatically be renewed twice for six months each time.

This status will offer protection including a residence permit, welfare support and health care, access to education and to the labour market¹⁵. It is a proof of welcome from the EU and Europeans which will allow refugees to play an important role in our communities. It will also help to prevent Member States' asylum systems from being overwhelmed, and help Member States manage reception of these new arrivals in a harmonised, organised and predictable way. The priority will now be a swift, appropriate and co-ordinated implementation of temporary protection. The Commission will rapidly present guidance to help Member States, and with EU agencies, will assist with facing these new challenges.

Longer-term support for Member States....

Public services, including health services and education as well as housing and social protection, will need to be in a position to respond to the new demands of people fleeing Ukraine, with an increasing proportion of refugees unlikely to have family in the EU on which to depend. Many public services are already under severe strain from the pandemic. Europe needs to harness all available tools, but also the compassion and welcome of its citizens, to ensure that the promise of welcome to refugees is met.

.....through harnessing EU funding

Cohesion policy already contributes to Member States' work to address migration challenges under the European Regional Development Fund (ERDF) and the European Social Fund (ESF), both of which can finance reception capacity and support services. The scale of the challenge calls for new steps to ensure effective access to support. This is why the Commission is proposing to make the use of the ERDF, ESF and the Fund for European Aid to the most Deprived (FEAD), more flexible under the initiative "Cohesion's Action for Refugees in Europe" (CARE). This will allow parts of the remaining funding in the 2014-2020 cohesion programmes to be retargeted to address the challenges arising since the start of the war in Ukraine. To further support Member States, the exceptional 100% co-financing rate applied in response to the pandemic will be extended by a year. In addition, around €10 billion from the 2022 Recovery Assistance for Cohesion and the Territories of Europe ('REACT-EU') funds can also be used to address these new demands within the overall aim of post-pandemic recovery.

The new generation of Home Affairs funds for 2021-27 opens the door to significant extra resources for Member States to ensure effective reception facilities including specialised support to vulnerable persons, and to manage asylum procedures. This will be essential in order to respond to the new challenges as they evolve, including through the implementation

¹⁴ This includes India, Morocco, Tunisia and Egypt.

¹⁵ Legal status will also provide access to other services like banking. For example, the Payments Accounts Directive (2014/92/EU) provides for access to a basic bank account for all legal residents of the EU.

of temporary protection. This can also be used to support civil society support to refugees. Member States are finalising their 2021-2027 national programmes to kick-start support¹⁶. The rapid deployment of existing and new national programmes will provide substantial resources, and the Commission will also help Member States to recalibrate plans and to deploy emergency assistance if required. The Commission also intends to facilitate the reinforcement of solidarity between Member States by proposing the possibility of Member States' voluntary contributions to the AMIF 2021-2027 envelope.

... and through catalysing a whole of society response....

Thousands of citizens, businesses and private sector organizations are demonstrating unprecedented solidarity and readiness to act in support of those fleeing the war. The Commission will support Member States, and stakeholders at the national and local level to channel assistance and target action to match emerging needs.

5. MEETING THE CHALLENGE

The full scale of the challenge ahead of us is still to emerge, but UNHCR currently estimates up to as many as 8 million people fleeing Ukraine. The EU and partners worldwide are being tested and must show to those who wish to see us divided or weak, that we are united. Our principles and values must be our touchstone as we face the challenge of helping those in need.

We need to show ourselves equal to the task of hosting what may be many more millions fleeing war in our neighbourhood. At the same time, we will continue to strongly advocate the respect of international humanitarian law and effective access for humanitarian actors inside Ukraine. Our determination to meet the needs, and protect the rights, freedoms, and well-being of those who seek our help will require a major effort of preparation and a long-term focus on delivery in all Member States. Our united approach, drawing on all the tools and mutual support available through the EU, is essential. We can draw on our many strengths: our humanity, our resilience, and our ingenuity, to make sure that we meet this challenge with all necessary means.

¹⁶ In any event, the underlying expenditure is eligible retroactively already as of the start of 2021.