

UNHCR recommendations on extending temporary protection and transitioning to sustainable statuses

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EXPLAINER

UNHCR recommends that host countries extend temporary protection for displaced persons from Ukraine for at least 12 months beyond March 2026, and in parallel prepare a gradual transition to longer-term residence statuses. The aim is to ensure legal certainty and avoid overburdening asylum systems, while consistently upholding the principle of non-refoulement and providing specific safeguards for vulnerable groups.

The Office of the United Nations High Commissioner for Refugees (UNHCR) has published recommendations highlighting the need to continue temporary protection as a response to the influx of displaced persons from Ukraine, while setting out guiding principles for transitioning from this status to longer-term solutions. Although the document is primarily intended for EU Member States applying the Temporary Protection Directive, UNHCR notes that these recommendations are also relevant for other European host states that have aligned their practice with that of the EU.

UNHCR's core position is that, due to the ongoing armed conflict, the conditions for safe and sustainable return to Ukraine have not yet been met. It therefore recommends extending temporary protection for at least 12 months after the anticipated end date (March 2026), applicable to all beneficiaries regardless of their region of origin or other personal characteristics. In parallel, it is necessary to urgently plan a transition to other legal statuses in order to prevent legal insecurity.

Why were the recommendations issued?

- UNHCR highlights several key reasons for this approach:
- The security situation in Ukraine remains adverse, with continued civilian casualties and destruction of infrastructure, which currently prevents safe and sustainable return.



"Since temporary protection is, by its nature, time-limited, it is necessary to begin preparing a gradual and sustainable transition from this status now in order to avoid legal uncertainty.

- Most displaced persons state that they cannot return at present due to the unstable security situation, as well as lack of access to basic services and housing.
- There is a risk that an abrupt end to temporary protection, without prepared alternatives, would overwhelm national asylum systems with a large number of applications from those who cannot return to Ukraine.

Key elements of the recommendations

1. Extension of temporary protection

It is recommended that the duration of temporary protection be extended for all beneficiaries, without distinctions based on region of origin or individual circumstances, for a period of at least 12 months beyond March 2026 (in the EU context).

2. Inclusive transition to other residence statuses

States are encouraged to develop alternative options for transitioning to long-term residence permits that are not exclusively linked to employment or income level. Examples are highlighted from countries such as Poland, Latvia, and Estonia, which are considering or applying three-year residence permits based on the length of stay under temporary protection. UNHCR advises simplifying procedures, removing high fees, and eliminating travel document requirements that may pose barriers to further integration.

3. Flexibility within the existing Directive

EU Member States are urged to make use of provisions of the Temporary Protection Directive that allow rights to be extended in certain circumstances (e.g., for children completing a school year or persons participating in voluntary return programmes).

4. Preparing for return and short-term visits

UNHCR emphasizes that the decision to return must be voluntary and based on timely and objective information. States should also enable short visits to Ukraine (under three months) to assess the situation, without loss of legal status in the host country.

5. Financial assistance for reintegration

UNHCR recommends support for voluntary return, but advises avoiding large cash payments so as not to undermine social cohesion with the population that has remained in the country. Instead, resources



"Temporary protection should be extended regardless of any potential declaration of a ceasefire, given the time needed to assess the security situation and the feasibility of sustainable return."

should be directed toward reconstruction and development of entire communities.

6. Special safeguards for vulnerable categories

One of the key priorities of the recommendations is the protection of the most vulnerable groups: older persons, persons with disabilities, and those with serious health conditions. UNHCR warns that transition plans relying solely on economic criteria (employment) may leave these vulnerable groups without adequate protection. States must ensure that they are not "left behind" and that they have access to alternative forms of residence or humanitarian statuses.

Why are these recommendations important?

This document reinforces the view that temporary protection, although initially designed as a short-term measure, has in the context of the Ukraine crisis become an instrument requiring longer-term planning. For civil society organizations and legal professionals, the recommendations are important because they:

- Insist on predictability of status, which is crucial for the integration of displaced persons from Ukraine.
- Warn of the risk of premature return, especially of vulnerable groups, due to loss of rights in the host country, which could lead to new migration movements and violations of the principle of non-refoulement.
- Establish a standard that the transition must be coordinated and gradual, in order to avoid overburdening asylum systems and to ensure safe and sustainable return when it becomes possible.

UNHCR recommendations, while not legally binding, represent a relevant framework for improving asylum and migration systems, particularly in the area of protecting persons in need of international protection. For Serbia, this document serves as a key guide for preventing a legal vacuum that could arise upon the expiry of current temporary protection decisions, directing competent authorities toward longer-term solutions aligned with domestic legislation.

Of particular importance is the recommendation to introduce flexible residence solutions independent of the asylum procedure, with a focus on vulnerable categories and persons who do not meet the requirements for work permits. This approach is key to preventing system overload, as it prevents a mass influx of asylum applications from those who have no other option. In addition, the model of short-term visits offers a pragmatic framework that enables beneficiaries to visit their country of origin in order to make a voluntary decision about return, without risking the loss of their acquired status.

IDEAS is an independent organization, based in Serbia, operating at the intersection of public policy development, strengthening institutional capacities, and support to vulnerable groups. This text was prepared as part of IDEAS' work in the field of asylum and migration, with the aim of contributing to an informed public debate, and is intended for decision-makers and the professional community.



UN High Commissioner for Refugees (UNHCR), *UNHCR Recommendations on the continued use of Temporary Protection arrangements and Guiding Principles for Transition in relation to the Ukraine Refugee Situation*, May 2025, <https://www.refworld.org/policy/countrypos/unhcr/2025/en/150064> [accessed 07 February 2026]