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Proposal for a

COUNCIL IMPLEMENTING DECISION

**extending temporary protection, as introduced by Implementing Decision (EU)
2022/382, until 4 March 2027**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

On 4 March 2022, the Council adopted implementing Decision 2022/382¹ and activated Council Directive 2001/55/EC of 20 July 2001 (the ‘Temporary Protection Directive’)² for certain categories³ of people displaced on or after 24 February 2022, as a result of the military invasion of Ukraine by Russian armed forces that began on that date. Pursuant to Article 4(1) of the Temporary Protection Directive, the initial duration of temporary protection is one year, which may be extended automatically by six monthly periods for a maximum of one year. Temporary protection was automatically extended by one year, until 4 March 2024.

Pursuant to Article 4(2) of the Temporary Protection Directive, where reasons for temporary protection persist, the Council may decide to extend temporary protection by up to one year, by qualified majority and on a proposal from the Commission, which shall also examine any request by a Member State that it submit a proposal to the Council. Temporary protection was extended by further periods of one year each, first until 4 March 2025⁴ and later until 4 March 2026.

The objective of this proposal is to extend further by a period of one year temporary protection as introduced by Council Implementing Decision 2022/382. This will have the effect of continuing temporary protection in respect of the categories of persons identified in Council Implementing Decision 2022/382, for the period from 5 March 2026 to 4 March 2027.

As of March 2025, almost 4.3 million persons displaced from Ukraine⁵, of whom one third are children, enjoy temporary protection in the EU⁶. The number of beneficiaries of temporary protection in the EU Member States has remained stable at around 4.3 million, with a slight constant upward trend (from 4.15 million in September 2023 to 4.21 million in April 2024 to 4.26 million in March 2025). Germany, Poland and Czechia remain the Member States hosting the highest number of beneficiaries of temporary protection (slightly less than 1.2 million in Germany, almost 1 million in Poland, and around 365 000 in Czechia). Since the

¹ 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.

² 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.

³ Article 2 of the Council Implementing Decision 2022/382 provides that temporary protection applies to (a) Ukrainian nationals residing in Ukraine before 24 February 2022; (b) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022; and, (c) family members of the persons referred to in points (a) and (b). Member States shall apply either this Decision or adequate protection under their national law, in respect of stateless persons, and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who are unable to return in safe and durable conditions to their country or region of origin.

⁴ Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382 (europa.eu).

⁵ Over 4.4 million, including EU Member States, Iceland, Liechtenstein, Norway, Switzerland.

⁶ Unless otherwise specified, all figures on temporary and international protection are sourced from Eurostat (Database -Eurostat).

activation of the Temporary Protection Directive, Member States have made significant efforts to support people displaced from Ukraine to facilitate their integration into host societies, including in education and training systems, and the labour market. They have also continued efforts to increase reception capacity and contingency planning. The EU's response to the Russian aggression against Ukraine remains characterised by a strong solidarity component, firstly towards Ukraine and its people, as reflected in the efforts of Member States and their citizens hosting displaced persons, and secondly among Member States.

The Temporary Protection Directive implies that a person can benefit from the rights attached to the status only in one Member State at a time; therefore, beneficiaries of temporary protection who move to another Member State to enjoy temporary protection should not benefit from social assistance in two Member States simultaneously. At the same time, to ensure that the rights attached to temporary protection are enjoyed in only one Member State at the time, and to avoid multiple registrations for temporary protection, Member States should reject residence permit requests made on the basis of Article 8(1) of Directive 2001/55 when it is apparent that the person concerned has already obtained a residence permit on that basis in another Member State and therefore is enjoying the rights attached to temporary protection therein (see in this regard point 30 of the judgment of the Court (Tenth Chamber), case C-753/23 [Krasiliva], 27 February 2025).

The Temporary Protection Registration Platform has been operative since 31 May 2022, with the purpose to allow the Member States to exchange information to ensure that people enjoying temporary protection or adequate protection under national law can effectively benefit from their rights in the host Member State, while limiting possible abuse. To ensure the Platform's proper functioning, it remains important to regularly upload data, including figures of inactive registrations, and to carry out a swift follow up, where needed, in case of double registrations. It will continue to perform its operations as long as temporary protection is in place. In this regard, no change to the Platform's functioning is required for the prolongation of temporary protection.

While Eurostat prepares the official European statistics on temporary protection, ensuring a timely situational picture for operational purposes, coherent administration and oversight of the issuance of residence permits requires Member States to regularly upload accurate and timely data in the Temporary Protection Registration Platform, including figures regarding inactive registrations.

The need to continue providing protection, coupled with the possibility for beneficiaries of temporary protection to enjoy temporary protection in the Member State of their choice, has impacted the reception system of Member States, especially those hosting large numbers of persons benefitting from temporary protection, combined also with the impact of having to cope simultaneously with a large number of applicants for international protection or with housing shortages. In this regard, going forward, it is important to continue working towards ensuring a greater balance of efforts among Member States.

Ensuring the self-reliance of displaced persons and their transition to long-term accommodation remains a priority.

In this context, ensuring long-term and sustainable solutions remains key for the future. While, given the uncertainty surrounding the situation in Ukraine, displaced persons should continue to be protected, it is important, in parallel, to pave the way for a smooth transition out of temporary protection, which better reflects the situation and caters for the needs of those residing in the EU, and takes into account the capacity and reconstruction needs of Ukraine. This strategic and gradual approach would allow displaced persons, Member States, and Ukraine to be collectively prepared for when the situation in Ukraine will be conducive to

returns in safe and durable conditions and no reasons for continuing temporary protection persist. Alongside providing beneficiaries of temporary protection access to a set of harmonised rights, the activation of the Temporary Protection Directive continues to mitigate the risk that the Member States' asylum systems would be unable to process the inflow without adverse effects for their efficient operation. Between February 2022 and February 2025, around 72 600 applications for international protection (compared to 52 000 between February 2022 and June 2024) were lodged by Ukrainian nationals in the EU. In January and February 2025, Applications for international protection lodged by Ukrainian nationals increased by 86% compared to the January-February period in 2024, with France and Poland ranking first and second, respectively, as the main receiving countries of these applications. Nevertheless, the limited overall numbers continue to show that temporary protection has delivered on its purpose, including preventing Member States' asylum systems from being overwhelmed.

According to the United Nations High Commissioner for Refugees (UNHCR) intentions survey of November 2024⁷, the proportion of displaced persons planning or hoping to return to Ukraine in the future has decreased compared to six months before (from 59 % to 57 %), while the share of those who are undecided about returning has increased (24 % to 27 %), as well as those who report no hope to return (11 % to 12 %). The International Organization for Migration (IOM) reports⁸ a large majority of persons it has surveyed (70 %) intending to return to Ukraine if and when it is safe.

Furthermore, according to the survey⁹ of the European Union Agency for Asylum (EUAA), about one in three (20%) respondents in 2024 were determined to return or leaning (14%) towards returning, which is a significant drop from one in two respondents in 2023.

These surveys confirm that the majority of displaced persons from Ukraine consider that they are still unable to return to Ukraine in safe and durable conditions.

In Ukraine, Russia's war of aggression continues unabated. Russia persists in its deliberate and systematic targeting of civilian infrastructure and populated areas. According to the United Nations Human Rights Monitoring Mission in Ukraine, the number of civilian casualties in March 2025 rose by 70% compared to the same month in 2024. This represents a significant escalation and underscores the sustained toll of the war on civilians.

Unpredictable air and drone strikes by Russian forces continue to pose a serious threat across the country, reaching regions far beyond the front lines. These attacks highlight the broad geographical scope and indiscriminate nature of the ongoing aggression. The air attacks also affect the energy infrastructure leaving millions of people without electricity, water, and/or heating. In the energy sector, there has been a 93% increase in damaged or destroyed assets in 2024, including power generation, transmission, and distribution infrastructure.

As of April 2025, the IOM estimates that there are 3 757 000 internally displaced persons (IDPs)¹⁰ in Ukraine. Two-thirds (66%) of IDPs had been displaced for over two years, and 79% had been displaced for over a year. The share of IDPs who had been displaced for more than two years was highest among IDPs who resided in the West of the country. According to the information provided in the fourth Rapid Damage and Needs Assessment (RDNA4)

⁷ Lives on hold: Intentions and Perspectives of Refugees, Refugee Returnees and IDPs from Ukraine, November 2024.

⁸ Ukraine Regional Response: Needs, Intentions, and Border Crossings | Displacement Tracking Matrix

⁹ Surveys of Arriving Migrants from Ukraine: Movements and Returns Report (December 2024).

¹⁰ Ukraine - Conditions of Return Assessment Factsheet - Round 9 (December 2024).

report¹¹, 4 642 735 people were officially registered as internally displaced persons by the Ministry of Social Policy. Poverty and food insecurity are reported to have further increased in 2024. The impacts of war remains uneven, with the greatest effects felt by women, including on employment and in households' critical needs, persons with disabilities, children and youth, IDPs, and the elderly. Over 12 000 people have been killed, more than 28 000 have been injured, and millions have lost their homes.

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates in January 2025 that over 12.7 million people in the country are in need of urgent humanitarian assistance in 2025¹².

The volatile situation, combined with the difficult humanitarian situation in Ukraine, could also lead to further arrivals at scale into the Union resulting in the need to provide protection to an additional number of displaced persons.

The current uncertainty and volatility of the situation within Ukraine shows that conditions currently do not allow for the termination of temporary protection for beneficiaries of temporary protection currently present in the EU Member States and for those who might still be in need. These persons need to continue being protected within the Union. By the same token, were temporary protection to cease soon and all these persons to request international protection at the same time, the risk posed to the efficient operation of the national asylum systems remains.

Given the developments above, the Commission considers that currently the reasons for temporary protection persist and that temporary protection should therefore be prolonged as a necessary and appropriate response to the current situation. The prolongation should be adopted as soon as possible and for another year, i.e. for the period from 5 March 2026 to 4 March 2027, in accordance with Article 4(2) of the Temporary Protection Directive. This is to ensure that persons displaced from Ukraine and hosted in the EU Member States are provided with as much stability and prospects as possible under the current circumstances.

This is in line with the Union's commitment to provide support to Ukraine and its people for as long as it takes and its support for a comprehensive, just and lasting peace, based on the principles of the Charter of the United Nations and international law. If circumstances would evolve such that a sustainable ceasefire could be observed before 4 March 2027, the European Commission may in such a case submit to the Council a proposal pursuant to Article 6 of the Temporary Protection Directive. This provision allows the Council to bring temporary protection to an end by a Decision adopted by a qualified majority on a proposal from the Commission, which must also examine any request by a Member State that it submit a proposal to the Council. Such a Council Decision would have to be based on the establishment of the fact that the situation in the country of origin is such as to permit the safe and durable return of those granted temporary protection, with due respect for human rights and fundamental freedoms and Member States' obligations regarding *non-refoulement*.

Furthermore, Member States should be given the possibility to undertake in a timely manner the necessary administrative and legal steps (such as renewal of residence permits) to prepare for the prolongation of temporary protection.

¹¹ Ukraine - Fourth Rapid Damage and Needs Assessment (RDNA4) : February 2022 - December 2024.

¹² Ukraine Humanitarian Needs and Response Plan 2025 (April 2025) [EN/UK] - Ukraine | ReliefWeb.

- **Consistency with existing policy provisions in the policy area**

This proposal is fully consistent with the EU asylum *acquis*, as the Temporary Protection Directive forms an integral part of the Common European Asylum System and was foreseen to face an extraordinary situation of mass influx of displaced persons, as is still currently the case due to the full-scale invasion of Ukraine by Russia. It is also fully consistent with the European Union's objective of establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the European Union.

The elements of the proposal are also consistent with the legal acts composing the Pact on Migration and Asylum adopted in May 2024. The Parliament and the Council have agreed to preserve the Temporary Protection Directive as part of the toolbox available to the EU for situations of mass arrivals. The Temporary Protection Directive has proven to be an essential instrument to provide immediate protection in the EU. At this stage, it continues to be the most appropriate instrument to address the displacement caused by the Russian war of aggression against Ukraine.

- **Consistency with other Union policies**

This proposal is fully consistent with the need to allow Member States to process potential applications for international protection in an orderly manner without overwhelming their asylum systems and to continue providing for the necessary measures in case of a mass influx of displaced persons from Ukraine that would avoid the overwhelming of the Member States' asylum systems. It is also consistent with the Union's external actions. This proposal is also in line with EU restrictive measures and other actions adopted also in response to the Russian aggression against Ukraine. This proposal is part of a comprehensive set of EU actions responding to the Russian war of aggression against Ukraine.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis for the proposal is Article 4(2) of 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, considering that the reasons for temporary protection persist. That provision provides that where reasons for temporary protection persist, the Council may decide by qualified majority, on a proposal from the Commission, to extend that temporary protection by up to one year.

- **Subsidiarity (for non-exclusive competence)**

Title V of the TFEU on the Area of Freedom, Security and Justice confers certain powers on these matters on the European Union. These powers must be exercised in accordance with Article 5 of the Treaty on the European Union, i.e. if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States alone and can, therefore, by reason of the scale or effects of the proposed action, be better achieved by the European Union.

The situation in Ukraine as a result of the Russian war of aggression continues to impact the EU as a whole. It has been met with an unprecedented and unified response by the European Union. This shows that it still requires EU solutions and EU support, as well as strong coordination at EU level, as there is a continuous need for all Member States to effectively respond to the situation together and to ensure the same standards and a harmonised set of rights are applied across the Union for the 4.3 million people currently hosted in the Union. In

addition to the existing mass influx that remains, further arrivals at scale cannot be excluded because of the ongoing volatility of the situation in Ukraine. It is clear that actions taken by individual Member States cannot satisfactorily address the need for a common EU approach to what clearly constitutes a challenge common to the whole of the EU.

Such a common approach cannot be sufficiently achieved by the Member States individually and can, by reason of the scale and effects of this proposed Council Implementing Decision, be better achieved and coordinated at Union level, as also indicated by Member States themselves. The Union must therefore act and may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5(3) of the Treaty on European Union.

- **Proportionality**

In accordance with the principle of proportionality, as set out in Article 5(4) of the Treaty on the European Union, the proposed Council Implementing Decision provides for an extension of temporary protection for a limited period of time, i.e. for one year for the specific group of persons to whom it already applies.

The proposed measure is limited to what is necessary, given the scale and gravity of the situation in Ukraine, as a result of which around 4.3 million displaced persons currently present in the EU Member States are not able to return to Ukraine in safe and durable conditions. In addition, this extension also constitutes a proportionate response in view of the current situation, as temporary protection has protected the asylum system of the Member States from being overwhelmed by a significant number of applications from persons arriving to the EU Member States.

- **Choice of the instrument**

Article 4(2) of the Temporary Protection Directive requires a Council Implementing Decision to extend temporary protection by up to one year where reasons for temporary protection persist.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Evidence-based policy making**

The EU Migration Preparedness and Crisis Blueprint Network with a focus on Ukraine and the Solidarity Platform Ukraine¹³ continue their operations with the aim to provide, respectively, a common situational awareness of the migratory implications of the Russian full-scale invasion of Ukraine and the EU's and Member States' preparedness and coordinated response to the crisis through regular exchanges. In this context, increasing the overall preparedness at EU level, including contingency planning, has been discussed in both fora. Information and data on the current situation and on the movements of people are constantly being collected. The parties continue discussing in the Temporary Protection Registration Platform meetings on an ad-hoc basis how to better ensure the proper exchange of information on beneficiaries of temporary protection and of adequate protection available under national law among Member States, while detecting double registrations within the same Member State and across EU Member States. In light of the significant number of

¹³ The Platform was set up by the Commission with a view to coordinating the operational response among Member States as per Article 3(2) of the Council Decision 2022/382. Among others, it collects information and examines the needs identified in the Member States and coordinate the operational follow-up in response to these needs.

displaced children and young people, these efforts increasingly take into account data on integration in education and training systems.

In addition, the European Commission, organisations such as the World Bank and the United Nations, as well as the Government of Ukraine, are regularly assessing the situation in Ukraine. The World Bank publishes reports on the Ukraine Rapid Damage and Needs Assessment¹⁴.

Since the outbreak of the war, the IOM has worked to provide a better understanding of the situation of displaced persons and to track internal displacement in Ukraine and mobility flows, in addition to monitoring through surveys the intentions of those fleeing the war and of those crossing the border back to Ukraine, and the assessment of conditions of return. The UNHCR has been regularly publishing information on intentions and perspectives of (also internally) displaced persons from Ukraine. Surveys and papers from the abovementioned international organisations indicate that the current situation is still volatile and uncertain, therefore not allowing for return under safe and durable conditions. As of April 2025, UNHCR estimates that 6.9 million persons fleeing Ukraine are recorded worldwide¹⁵.

- **Stakeholder consultations and collection and use of expertise**

To gather evidence-based information, the Commission regularly consulted, through the Migration Preparedness and Crisis Management Network and the Solidarity Platform, Member States' authorities, the European External Action Service, and relevant EU Agencies, Ukrainian authorities and international organisations, while maintaining exchanges with non-governmental and civil society organisations.

The Commission, in cooperation with the rotating presidencies of the Council of the European Union consulted Member States on the future of temporary protection beyond March 2025 at Ministerial level, as well as through a series of meetings in April 2025 in the Council's Working Party on Integration, Migration and Expulsion (IMEX), Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) and Asylum Working Party, where the Member States underlined the need for temporary protection to be prolonged as soon as possible for an additional year to maintain a common European response. In the latest SCIFA meeting in April 2024, Member States acknowledged that the current volatile situation does not allow for a change of the scope of application of temporary protection. However, should a situation be conducive in the future, and with a view to ensure consistency with a gradual and coordinated transition out of temporary protection, further discussions would be held on the scope of temporary protection.

Parallel and complementary discussions took place in the Solidarity Platform, where Member States unanimously expressed the need to extend temporary protection for an additional year to maintain a common European response, provide clarity to beneficiaries and enable Member States to undertake the necessary administrative and legal steps at national level (such as renewal of residence permits). In parallel, the Commission held regular contacts with the Ukrainian authorities to gather information on the situation on the ground. At the same time, exchanges and reflections in the abovementioned fora took place on the need to provide, in parallel to a further extension, the conditions to ensure a smooth transition out of temporary protection that would ensure flexibility to be able to better respond to the volatile situation

¹⁴ World Bank Group, "Ukraine Fourth Rapid Damage and Needs Assessment (RDNA4) (February 2022 – December 2024).

¹⁵ Ukraine Refugee Situation.

and to better reflect the situation of displaced persons in the EU and those in Ukraine. In addition, in accordance with Article 3 of the Temporary Protection Directive, the Commission specifically consulted the UNHCR, which has been assessing the situation and provided relevant input, and conducting surveys on the intentions of displaced persons. In March 2025, 109 civil society organisations have published a joint statement¹⁶ on the situation of displaced persons from Ukraine respectively, calling, among others, on the Commission to propose the further extension of temporary protection.

- **Fundamental rights**

This proposal respects fundamental rights and observes the principles recognised, in particular, by the Charter of Fundamental Rights of the European Union, as well as the obligations stemming from international law, including the Geneva Convention of 28 July 1951 on the status of refugees, as amended by the New York Protocol of 31 January 1967.

4. BUDGETARY IMPLICATIONS

Since the start of the Russian war of aggression against Ukraine, funding needs linked to the application of the Temporary Protection Directive have been accommodated within the budget of the existing EU funding instruments under the period 2014-2020 and 2021-2027, in particular under the relevant HOME Affairs and Cohesion Policy¹⁷.

5. OTHER ELEMENTS

- **Detailed explanation of the specific provisions of the proposal**

Article 1 establishes the extension of temporary protection for one year (from 5 March 2026 to 4 March 2027) for displaced persons referred to in Article 2 of Council Implementing Decision 2022/382.

Article 2 establishes the date of the entry into force of this Decision.

¹⁶ Joint statement signed by 109 humanitarian and civil society organisations for long-term solutions for displaced Ukrainians.

¹⁷ Cohesion's Action for Refugees in Europe, the so called 'CARE' package (CARE, CARE-plus and Fast-CARE).

Proposal for a

COUNCIL IMPLEMENTING DECISION

extending temporary protection, as introduced by Implementing Decision (EU) 2022/382, until 4 March 2027

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 thereof¹⁸, and in particular Article 4(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 4 March 2022, the Council adopted Implementing Decision (EU) 2022/382¹⁹ establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC with the effect of introducing temporary protection.
- (2) In accordance with Article 4(1) of Directive 2001/55/EC, temporary protection first applied for an initial period of one year, until 4 March 2023, and was then automatically extended for one additional year until 4 March 2024.
- (3) On 19 October 2023, the Council adopted Implementing Decision (EU) 2023/2409²⁰ extending the temporary protection as introduced by Implementing Decision (EU) 2022/382 until 4 March 2025. On 11 June 2024, the Council adopted Implementing Decision (EU) 2024/1836²¹ extending the temporary protection as introduced by Implementing Decision (EU) 2022/382 until 4 March 2026.
- (4) In the context of the activation of Directive 2001/55/EC, Member States agreed unanimously in a statement²² not to apply Article 11 of that Directive {Directive 2001/55/EC} in relation to persons who enjoy temporary protection in a given Member State in accordance with Implementing Decision (EU) 2022/382, and moving

¹⁸ OJ L 212, 7.8.2001, p.12, ELI : <http://data.europa.eu/eli/dir/2001/55/oj>.

¹⁹ 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 (OJ L 71, 4.3.2022, p. 1, ELI: http://data.europa.eu/eli/dec_impl/2022/382/oj).

²⁰ Council Implementing Decision (EU) 2023/2409 of 19 October 2023 extending temporary protection as introduced by Implementing Decision (EU) 2022/382 (OJ L, 2023/2409, 24.10.2023, ELI: http://data.europa.eu/eli/dec_impl/2023/2409/oj).

²¹ Council Implementing Decision (EU) 2024/1836 of 25 June 2024 extending temporary protection as introduced by Implementing Decision (EU) 2022/382 (OJ L, 2024/1836, 3.7.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1836/oj).

²² Statement of the Member States.

to another Member State without authorisation, unless on a bilateral basis Member States agree otherwise.

- (5) Given that a person can benefit from the rights attached to temporary protection in only one Member State at a time, to ensure that this is the case, and to avoid multiple registrations for temporary protection, Member States should reject residence permit requests made on the basis of Article 8(1) of Directive 2001/55/EC when it is apparent that the person concerned has already obtained a residence permit on that basis in another Member State and therefore is enjoying the rights attached to temporary protection therein, including social assistance. This would be coherent with the judgment of the Court of Justice of the European Union in case C-753/23 and in particular its paragraph 30.
- (6) To ensure a timely situational picture for operational purposes, coherent administration and oversight of the issuance of residence permits, Member States should regularly upload accurate and timely data in the Temporary Protection Registration Platform, including figures regarding inactive registrations.
- (7) There are almost 4.3 million displaced persons from Ukraine currently benefitting from temporary protection in the Union. The overall number of registrations of persons enjoying temporary protection has remained stable at around 4.3 million, with a slight constant upward trend and with few persons reporting going home back to Ukraine on a permanent basis. The situation in Ukraine does not allow for the majority of displaced people's return to Ukraine in safe and durable conditions. The International Organization for Migration estimates that, as of April 2025, 3 757 000 people are internally displaced within Ukraine. Two-thirds (66%) of internally displaced persons had been displaced for over two years, and 79% had been displaced for over a year. The share of internally displaced persons who had been displaced for more than two years was highest among internally displaced persons who resided in the West of the country (78%). The United Nations Office for the Coordination of Humanitarian Affairs estimated that over 12.7 million people in Ukraine are in need of urgent humanitarian assistance in 2025.
- (8) Moreover, further arrivals at scale cannot be excluded due to the difficult humanitarian conditions, broader volatility and the uncertainty of the situation in Ukraine as a result of Russia's war of aggression, including intensified repeated air attacks across the country against civilians. The risk of escalation remains. At the same time, the risk to the efficient operation of the national asylum systems remains if temporary protection were to cease soon with all beneficiaries applying for international protection at the same time.
- (9) Since the high number of displaced persons in the Union benefitting from temporary protection is not likely to decrease as long as the war against Ukraine continues, extending temporary protection is necessary to address the situation of persons currently benefitting from temporary protection in the Union or who will need such protection as from 5 March 2026, as it provides for immediate protection and access to a harmonised set of rights, while reducing formalities to a minimum in a situation of mass influx to the Union. Extending temporary protection should also help in ensuring that the asylum systems of the Member States are not overwhelmed by a significant increase in the number of applications for international protection that could be lodged by persons benefitting from temporary protection until 4 March 2026, were temporary protection to cease by then, or by persons fleeing the war in Ukraine and arriving in the Union after that date and before 4 March 2027.

- (10) Therefore, considering that the reasons for temporary protection persist, temporary protection for the categories of displaced persons referred to in Implementing Decision (EU) 2022/382 should be extended until 4 March 2027.
- (11) This Decision respects fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union.
- (12) The Council reconfirms its commitment to providing support to Ukraine and its people as long as it takes and reiterates its support for a comprehensive, just and lasting peace, based on the principles of the UN Charter and international law and in the event of a sustainable ceasefire, the Council stands ready to act in accordance with Article 6(1)(b) of Directive 2001/55/EC.
- (13) Ireland is bound by Directive 2001/55/EC and is therefore taking part in the adoption and application of this Decision.
- (14) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Implementing Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The temporary protection given to persons displaced from Ukraine referred to in Article 2 of Implementing Decision (EU) 2022/382 and extended by Implementing Decisions (EU) 2023/2409 and (EU) 2024/1836 shall be extended for a further period of one year until 4 March 2027.

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

*For the Council
The President*