

4 July 2023

Temporary protection for Ukrainians in Moldova: Achievements and challenges

by [Violeta Wagner](#)

The Russian attempt at outright invasion of Ukraine has caused huge loss of life and led to levels of forced displacement unprecedented in recent history. Over six million people from Ukraine have sought protection abroad, with a significant proportion crossing into neighbouring Moldova. Currently hosting more Ukrainian refugees per capita than any other state, Moldova has shown remarkable resilience in accommodating Ukrainians, now hosted under a temporary protection regime.

Neighbouring Ukraine, the Republic of Moldova has been a crucial host and transit country for individuals fleeing Russian aggression. Moldova declared a state of emergency on 24 February 2022, immediately after Russia launched its full-scale war against Ukraine, with the Moldovan Government subsequently moving to develop a national temporary protection scheme for arrivals. [According to UNHCR](#), since the end of February 2022, approximately 850,000 displaced persons from Ukraine have crossed the border into Moldova – a country with [a population of only 2.6 million](#). As of June 2023, approximately 110,000 refugees (representing over 4.5% of the total population of Moldova) remain in the country – Moldova currently hosts [more Ukrainian refugees per capita](#) than any other country.

The influx of displaced persons initially overwhelmed the Moldovan asylum system, as the number of arrivals increased to tens of thousands within a matter of days. EU Member States provided support by implementing relocation schemes for displaced Ukrainians. Currently, UN agencies in country, in cooperation with the Government of Moldova and the European Union Agency for Asylum, are implementing the [EU+AirTransfer programme](#). This programme facilitates the organised, free-of-charge relocation of displaced persons from Ukraine to EU Member States if they have family members there or if they are vulnerable individuals with special needs.

Activation of temporary protection in Moldova

Despite all efforts to assist those displaced from Ukraine, no status-based solution was available in Moldova in 2022. However, the [Government periodically extended the state of emergency](#), which allowed displaced persons from Ukraine to enter Moldova with any available ID document and immediately gain access to the national job market. Following the

EU example, the Moldovan Government began preparations to activate temporary protection. The definition and main principles of the temporary protection status were already regulated in Moldova by the [2008 Law on Asylum](#), recognising temporary protection as one form of asylum in the Republic of Moldova, which can be activated by a government decision for a period of one year, with the possibility of extension for up to two years.

The provisions of the Law, including those related to exclusion from temporary protection, generally align with the 2001 EU [Temporary Protection Directive](#). However, the Law did not specify the content of the status nor the detailed procedure for granting it, which is necessary for practical implementation. These issues are addressed in the [Government Decision from 18 January 2023](#), which finally activated temporary protection in Moldova.

The delayed triggering of temporary protection could be connected to the initial policy, which already allowed for the provision of immediate protection for people from Ukraine. It may also have reflected the realistic calculation that a small country like Moldova would not be in the position to provide the necessary support for people from Ukraine in the longer term. Initially, this strategy seemed to work, as arrivals tended to move on to other EU Member States. However, with more Ukrainians deciding to stay in Moldova, closer to their home country, the activation of temporary protection became a vital factor for the Moldovan Government to provide a secure and stable status for Ukrainians, while properly managing inflows.

How temporary protection works in practice

The decision of the Government of Moldova establishes that temporary protection be granted to Ukrainian displaced persons for a period of one year, starting from 1 March 2023. In contrast to the 2022 EU Council [implementing decision](#) to activate temporary protection in the EU, the Moldovan Government extended temporary protection status to citizens of Ukraine who were in Moldova *before* 24 February 2022 (though some EU Member States do include a similar provision at the national level). This means that people who left Ukraine prior to the Russian invasion who cannot return home due to the ongoing conflict can also benefit from temporary protection in Moldova. The provisions for other groups eligible for temporary protection align with the minimum standards established by the EU Council implementing decision, and include a definition of family members.

From March 2023, individuals listed as beneficiaries of temporary protection in Moldova need to register via a specifically designed platform for a personal appointment at one of the territorial units of the [Inspectorate General for Migration \(IGM\)](#). After submitting their identity documents, applicants receive (free of charge) a document that allows them to stay in Moldova. [According to the IGM](#), between the activation of temporary protection and mid-June 2023, more than 8,400 people registered, with more than 4,500 beneficiaries already receiving their permission documents.

The Law on Asylum guarantees the right of temporary protection beneficiaries to apply for asylum. During the asylum procedure, temporary protection beneficiaries are considered asylum seekers. However, if asylum is not granted, the person can still remain in Moldova and continue to benefit from temporary protection status. Nonetheless, the 2023 Temporary Protection Decision addresses situations where an ordinary asylum procedure is initiated by the Moldovan State on behalf of the applicant. This occurs if there is good reason to believe that the temporary protection beneficiary falls under one of the exclusion clauses established by the Law. In such cases, temporary protection is terminated and an ordinary asylum procedure is initiated to ensure individual examination and potential application of the exclusion clauses.

Temporary protection beneficiaries in Moldova have access to social assistance measures and services financed by international organisations, as well as to the national education system. They can enter into employment in Moldova without a work permit and have the right to emergency and primary medical assistance, as well as medical examination, according to the procedure established by the Moldovan Ministry of Health. Accommodation in designated centres is provided only for vulnerable beneficiaries or individuals with special needs.

Exit from temporary protection

New regulations list several conditions under which temporary protection may be terminated. Some of these grounds have clear consequences, such as departure from Moldova (in the case of voluntary repatriation or resettlement to a third country) or a change in status (refugee status or non-protection-related residence). Further, temporary protection status in Moldova may be terminated if it is established that the beneficiary has left the territory of Moldova for a period of longer than 45 days cumulatively. However, the legal acts do not explain the legal status of such a person if they return to Moldova after the termination of temporary protection and/or when there is no possibility of resettling them to a third country.

Similar to the text of the EU Temporary Protection Directive, the legislation is also vague on what will happen to beneficiaries of temporary protection in Moldova once temporary protection reaches its maximum duration (two years). Although the legislation does not clearly state it, it can be assumed that the provisions of the [Law on the Status of Aliens](#) and/or the Law on Asylum will apply. This would mean that, once the overall duration of temporary protection expires, Ukrainian citizens who are still unable to return home due to security reasons will have to be integrated into other protection or residence frameworks. However, this may place a massive burden on the decision-making capacities of Moldovan institutions, primarily the IGM. In 2021, only [75 asylum applications](#) were submitted in Moldova. Assuming that at least half of the Ukrainians currently in Moldova will be unable to return to Ukraine after the end of temporary protection (approximately 50,000, based on currently available data), this will increase the burden on Moldova's asylum procedure by more than 600 times.

Another, very important, development that needs to be followed relates to the recent [decision of the Emergency Commission](#) from 10 May 2023 to reinforce a visa-free regime for Ukrainian citizens currently in Moldova. According to this decision, Ukrainian citizens who have neither applied for international or temporary protection nor been granted any other form of residence in Moldova have the right to stay in the country for 90 calendar days within a 180-day period. The decision came into force on 15 May 2023, which means that Ukrainian citizens can stay in Moldova without any registration until 15 August 2023.

However, it is not clear what will happen to those displaced persons who have not voluntarily left Moldova within the set time frame. It is obvious that, under current conditions, forced return to Ukraine is not possible. Even if Ukrainians who have overstayed return to Ukraine voluntarily, they will not have any other option than to ask for asylum in Moldova in the case the conflict in Ukraine intensifies once again. Thus, this situation might result in increased numbers of asylum applications in Moldova already at the end of August 2023.

The path travelled and the path ahead

The introduction of temporary protection in Moldova has played a crucial role in providing assistance and support to Ukrainians displaced by the Russian aggression. Moldova, as a neighbouring country of Ukraine, swiftly declared a state of emergency and developed a national temporary protection scheme to address the urgent needs of forcibly displaced individuals. This proactive approach demonstrates Moldova's commitment to assisting those in need and aligning with EU responses, in accordance with its EU membership aspirations. Clearly, the issue of long-term, durable integration remains challenging for Moldova; therefore, further assistance to the Moldovan Government, including humanitarian aid, will be critical to ensuring that all people in need are able to access the care they require.

Still, the exit strategy from temporary protection poses a considerable challenge. The termination conditions outlined in the legislation lack clarity on how the transition to another residence status will be managed once the maximum duration of temporary protection is reached. With an estimated 100,000 Ukrainian citizens currently in Moldova, the burden on Moldovan institutions, notably IGM, would be immense if a significant portion of the Ukrainian population registers for temporary protection and is unable to return home after it expires.

Additionally, uncertainties arise regarding the legal status of individuals who have exceeded the cumulative period of 45 days outside Moldova after the termination of temporary protection, as well as of those Ukrainians who overstay the 90 days permitted and do not apply for temporary protection, especially when there are no viable options for resettlement to a third country. These issues highlight the need for further guidance and comprehensive strategies to address the long-term integration and protection of displaced individuals once temporary protection expires.

As [noted in the EU context](#), given the multitude of considerations, the clock is already ticking when it comes to thinking about what comes after temporary protection. Similar to the EU context, also Moldova needs to consider its policy options, ranging from the further extension of temporary protection to the development of new long-term residence statuses. Close cooperation between Moldovan institutions, international organisations, and the international community will be vital to developing sustainable solutions and providing ongoing humanitarian aid to support the displaced population during the transitional phase.

[Violeta Wagner](#) is ICMPD Regional Portfolio Manager for [Eastern Europe and Central Asia](#). She coordinates the implementation of ongoing ICMPD projects and develops new initiatives in the region, including in Moldova and Ukraine.

The views expressed in this publication are those of the author/authors alone and do not necessarily represent the views of ICMPD as an organisation, ICMPD Member States, or ICMPD partners.

Contact Information

For more information please contact:

Policy Unit

International Centre for Migration Policy Development (ICMPD)
Gonzagagasse 1, 5th floor
1010 Vienna, Austria

Email: Policy_Unit@icmpd.org

ICMPD 2022. All rights reserved. Short sections, not to exceed two paragraphs, may be quoted in the original language without explicit permission provided that the source is acknowledged. Opinions expressed in this publication are those of the author(s) alone.