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THE IMPACT OF MIGRATION PROCESSES ON THE POST-WAR RECOVERY OF UKRAINE AND THE MIGRATION POLICIES OF THE EU AND EAP COUNTRIES



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The present study focuses on the current processes of forced emigration, with respect to the Eastern Partnership (EaP) as an initiative aimed at developing civilised migration processes with the EU countries. Russia's full-scale aggression has created new challenges and threats for Ukraine itself, for the EU countries as providers of temporary asylum to Ukrainians fleeing the war, and for other countries hosting Ukrainian refugees. The latter include the EaP countries – Moldova, Georgia, Armenia, Azerbaijan, and Belarus.

The most important challenge facing Ukraine today is emigration, a huge flow of forced migrants to the EU. The ongoing war may provoke further relocation of Ukrainians abroad, although its intensity and direction will depend on many factors. The intensification of migration processes in Europe is a geopolitical challenge for both member states and the European Union as a whole. Effective management of migration flows is in the common interest of all individual participants and the EU as a union. Migration regulation has become one of the most dynamic and controversial areas of the EU's home affairs and justice.

Therefore, this study is an interdisciplinary one, aimed at addressing complex problems, the relevance of which is due to a number of interrelated issues. The study consists of four sections and appendices. The present study focuses on the current processes of forced emigration, with respect to the Eastern Partnership (EaP) as an initiative aimed at developing civilised migration processes with the EU countries. Russia's full-scale aggression has created new challenges and threats for Ukraine itself, for the EU countries as providers of temporary asylum to Ukrainians fleeing the war, and for other countries hosting Ukrainian refugees. The latter include the EaP countries – Moldova, Georgia, Armenia, Azerbaijan, and Belarus.

Section 1 presents the general overview of migration and mobility in the EaP format and EU-Ukraine cooperation in the field of migration, highlighting the main areas of the EU migration policy and the tasks of Ukraine and the EU in the national security sector, of which migration is one of components.

New external and internal challenges and threats have emerged with the outbreak of a large-scale war in Ukraine, evoking the crisis in the Eastern Partnership and uncertainty about its future prospects. The migration issue has led to a revision of the approaches underlying the EaP initiative and the European Neighbourhood Policy. The emigration crisis has further revealed a number of limitations for the initiative's development, achievement of its main goals and adaptation to new challenges in politics, economy, security and migration. In these settings, the EU also needs to actively seek new strategies and new approaches to cooperation.

Despite the EaP's achievements, there are still limitations to the further development of the initiative, achievement of its main goals and adaptation. As of today, the EU's eastern policy has several problematic aspects, namely:

- ✓ The European Union still has no consolidated position on the development of relations with the Eastern European region;
- ✓ The European Union lacks effective instruments for implementing its eastern policy; Eastern European countries do not have a common vision for implementing foreign policy and conducting domestic reforms.
- ✓ Most importantly, the programme did not eliminate any of the security problems of the six countries located on the EU's eastern borders and did not contribute to the resolution of their territorial disputes.

The weakest segments of the EaP initiative are security and the lack of consensus within the EU on the ultimate goal of building relations with neighbouring countries. The EaP's declared goal of strengthening the resilience of the institutions and societies of the six participating countries has been put on hold. For the EU, this situation raises the issue of developing effective tools for implementing its eastern policy in line with current realities, and, accordingly, a flexible and differentiated approach to the Eastern Partnership.

In terms of migration and mobility, the EaP initiative was mainly related to the EU's security, focusing on the prevention and fight against illegal



migration, readmission, visas, border management and labour migration. The EU's external cooperation in the field of migration has been developing mainly in Eastern Europe.

The basic principles of EU-Ukraine cooperation in the field of migration are set forth in Title III of the Association Agreement, but they only define general areas and principles of cooperation. Meanwhile, partner countries would like to see a greater emphasis on their own specific interests and needs, such as access to additional legal migration opportunities or additional migration and development initiatives. However, so far, the stated goals have not been fully achieved. One of the reasons is that the relations between the EU and third countries within migration regulation can be described as asymmetric interdependence, where the EU holds a stronger position. In most cases, the EU offered financial contributions rather than opportunities for labour migration and mobility, which was the main interest of partner countries. At the same time, Ukraine's national security objectives have not been fully achieved in the framework of EU-Ukraine cooperation in the field of migration.

The main instruments of EU's interaction with countries of origin (migration donors) have traditionally been cooperation in the field of mobility and circular migration. Moreover, promotion of circular or return migration, that is, temporary repeated departures with periodic returns to the home country, was arranged as a separate area of cooperation. This migration movement model was beneficial for both countries of origin and destination, as the former did not lose their population, and the latter did not spend efforts and money on integration of migrants. At the same time, countries of destination received the labour force they needed, and countries of origin received remittances earned by their citizens abroad – an important source of foreign exchange earnings for development. Achieving circularity was intended, among other things, to prevent damage to developing countries caused by the brain drain.

In the meantime, the EU is actively developing initiatives aimed at addressing the shortage of skilled labour in the Union and strengthening migration cooperation with partner countries through recruiting, including from Ukraine (*Talent Partnerships*,¹ *New Avenues for Legal Labour Migration*, etc.)

¹ Talent partnerships, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/talent-partnerships_en.

This raises the question of how best to take into account the interests of partner countries within the migration cooperation mechanism.

Section 2 contains a general analysis of migration processes in the EaP countries, an overview of the specifics of migration processes in Ukraine, and the factors affecting migration trends. In addition, it discusses the changes in the EU's migration paradigm as a result of Russian large-scale aggression against Ukraine and the measures taken by EU countries to support forced emigrants from Ukraine.

Ukraine, like most low-income countries with inconsistent reforms, has experienced significant waves of migration since the late 1990s. Predominantly it was voluntary labour migration, with heterogeneous migration waves. In 2004–2006, the country was even considered a migrant-receiving country, but since 2014, the migration situation in Ukraine has been changing radically. The country has gained the status of one of the largest labour donors in Europe among the EaP countries and has been included in the list of leading labour suppliers, especially for neighbouring countries.

Most migrants from the EaP countries are characterised by circular migration, which involves working in an unskilled cluster as temporary labour migrants. Migrants from Ukraine differ from their counterparts from elsewhere in the world by their qualifications. A characteristic feature is the distribution of migrants from the EaP countries in less skilled sectors and professions, despite the fact that they are usually younger and better educated than other migrant groups. A large share of migrants from Ukraine had technical and engineering degrees, but only a small proportion worked in high-skilled sectors (financial services in the UK or IT in Poland).

Migration flows from Ukraine to the EU grew rapidly with the outbreak of hostilities in the Donbas. The dynamics of the number of Ukrainian asylum applicants showed a sharp increase since 2013, peaking in 2015. Despite the high rate of residence permits granted from 2014 to 2022, the level of recognised asylum applications was extremely low. The broad demographic profile of asylum seekers suggests that citizens from the EaP countries have in fact used the EU asylum system to improve their socio-economic situation. The observed mixed flows of forced and voluntary migration from the EaP countries have actually called into question the effectiveness of the EU asylum and international protection system.



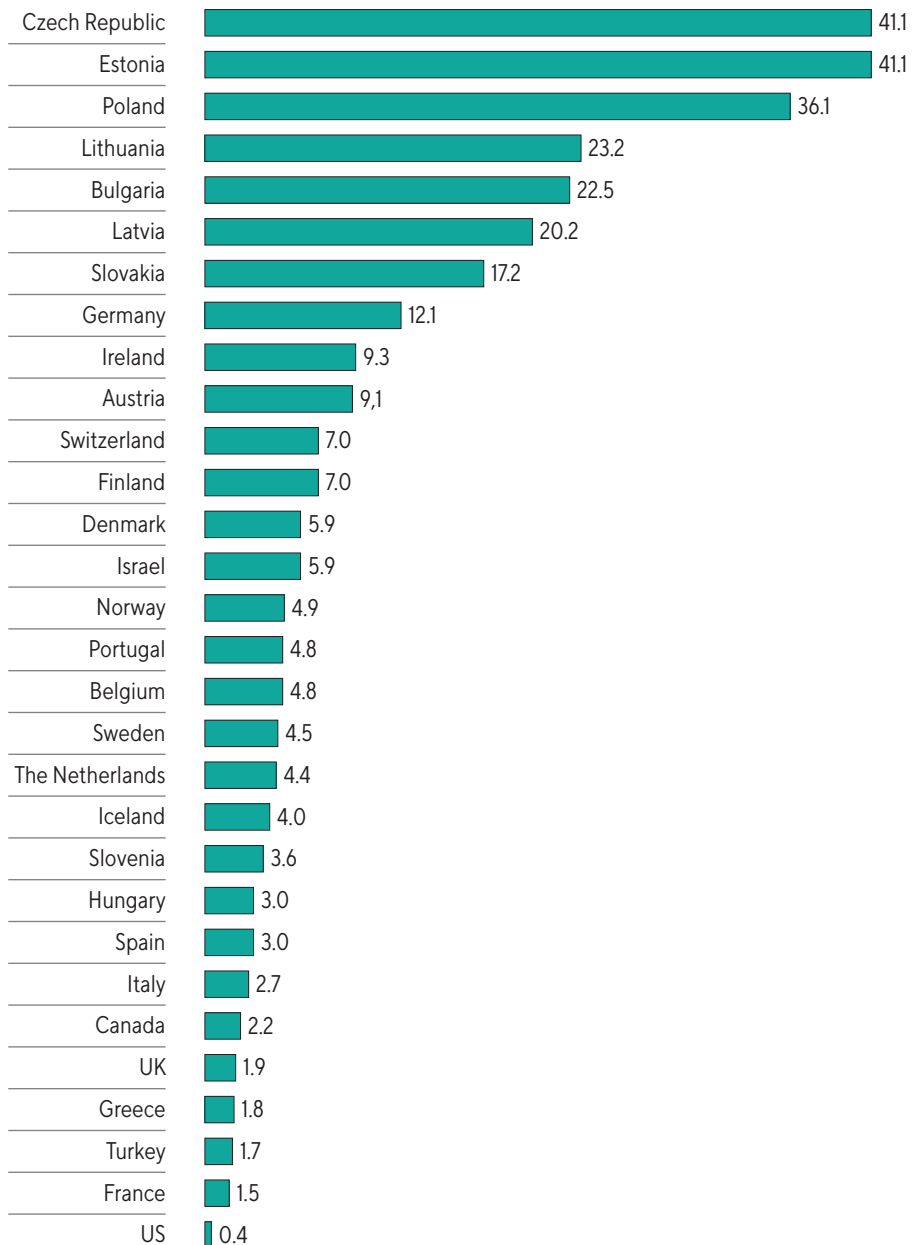
Starting from 24 February 2022, the emigration of Ukrainian citizens abroad has changed from labour to forced migration, which is directly related to the onset of a full-scale war and combat action in Ukraine. The reasons for migration from Ukraine have changed fundamentally, with the main reasons for Ukrainians to leave the country being hostilities and security issues.

Naturally, the key factors and decision-making in forced migration are markedly different from those in voluntary migration. The latter category travels on its own free will, in an organised manner and preparing for a short- or long-term search for education, work, or business abroad. In the meantime, displaced persons and refugees are forced to leave the country as a result of the use of force, violence, persecution or war.

The scale and speed of response to the migration flow from Ukraine is one of the features that the European Union perceives as a distinguishing factor from previous migration waves. Ukrainian war refugees were immediately able to directly benefit from temporary protection status, which provides protection comparable to refugee status. Currently, Ukrainian nationals account for 98% of all temporary protection recipients in the EU. By exercising this right, refugees do not have to apply for asylum until their temporary protection status is terminated. Therefore, until they formally apply for international protection, they shall not be considered asylum seekers in the strict sense of the word. Not only the EU, but also the EaP countries, including Moldova, Georgia, Armenia, and Azerbaijan, are actively involved in providing temporary protection.

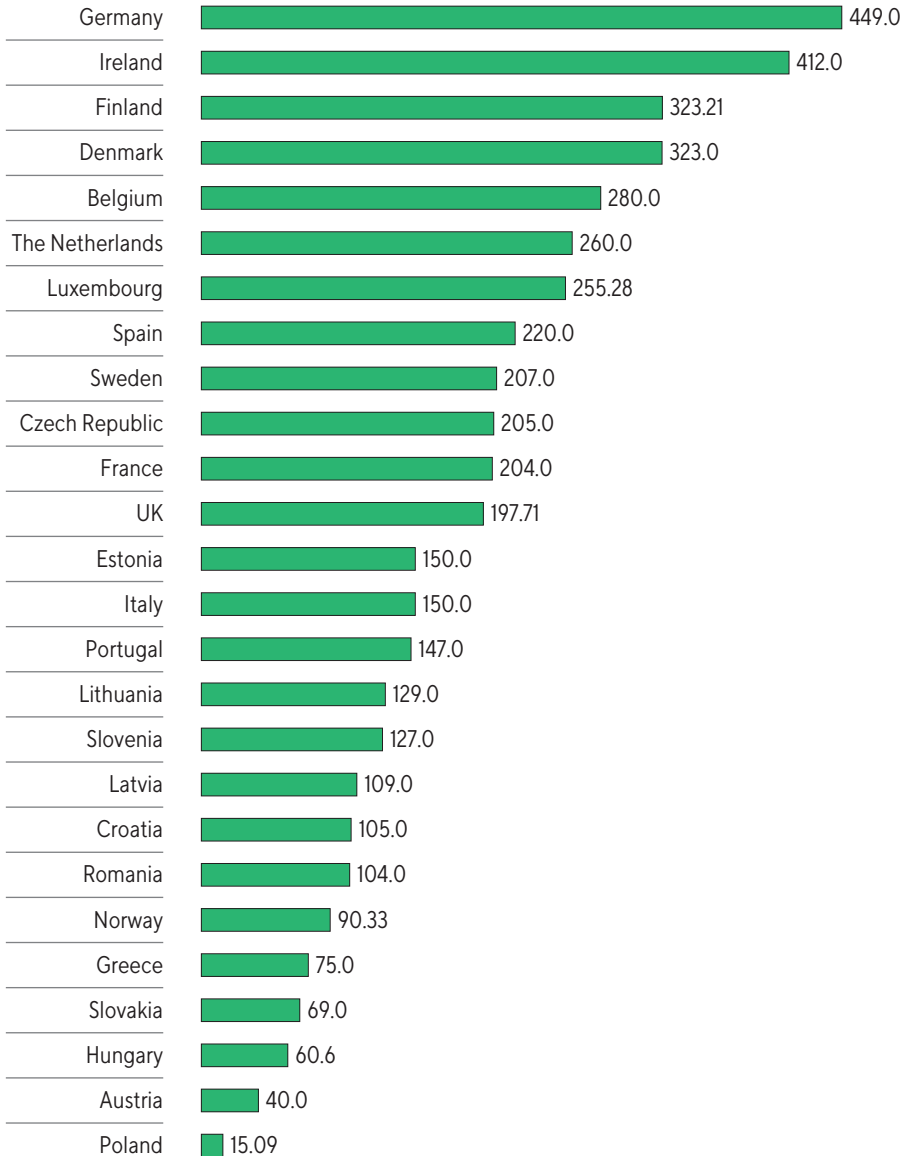
It is important that, in the context of disagreements on European migration policy, temporary protection for Ukrainian citizens makes it possible to establish a balance in terms of equal distribution between states: asylum seekers will be able to move freely within the EU. Therefore, the Dublin Convention, which assigns responsibility for processing asylum applications to the first country of entry of an asylum seeker, is not applied in relation to migrants from Ukraine.

Nevertheless, refugees are unevenly distributed across the EU. As of the end of March 2023, the average number of temporary protection recipients from Ukraine was 8.7 per thousand people, with the highest rates observed in the Czech Republic (41.1 per 1,000 population), Estonia (41.1), Poland (36.1), Lithuania (23.2) and Bulgaria (22.5).

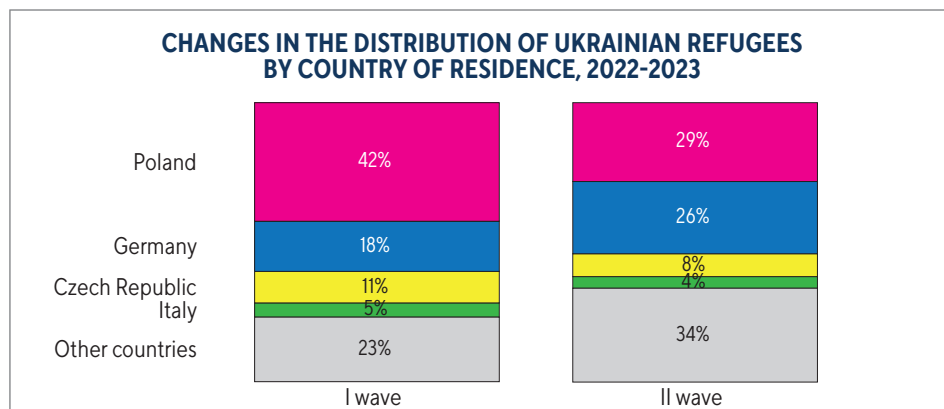
**NUMBER OF UKRAINIAN REFUGEES PER THOUSAND INHABITANTS
IN OECD COUNTRIES AS OF MID-SEPTEMBER 2022**



FINANCIAL SUPPORT FOR A SINGLE UKRAINIAN REFUGEE IN ACCOMMODATION PER MONTH IN EUROPE AS OF JUNE 2022, BY SELECTED COUNTRY (IN EUROS)



As of September 2023, Germany hosted the largest number of Ukrainian migrants, overtaking Poland. Thus, there are about 1.1 million Ukrainians in Germany and 990,000 in Poland.



In addition to the temporary protection mechanism for Ukrainian citizens, on 27 April 2022, the European Commission proposed to simplify legal migration to the EU,² in particular, by allowing application not only from the territory of an EU member state where a person wants to work, but also from the person's country of residence. The initiative includes a pilot project for Ukrainians who left because of the Russian invasion.³

The temporary protection mechanism also includes the possibility of employment. At the same time, the EU's attitude towards war refugees from Ukraine is fundamentally different from that to refugees from other countries. Probably, one of the key reasons for the Europe's positive attitude towards refugees from Ukraine is the fact that asylum seekers from the Middle East face more serious obstacles in terms of socio-cultural integration into European society. In particular, German experts believe that compared to refugees who arrived in their country in 2015 and whose integration required enormous government efforts to implement a wide range of training,

² Legal migration: Attracting skills and talent to the EU. https://ec.europa.eu/commission/presscorner/detail/en/ip_22_2654.

³ Rapid Response by EU+ Countries to Address the Needs of Displaced People from Ukraine. EUAA, 4.03.22. https://euaa.europa.eu/sites/default/files/publications/2022-03/2022_situational_update_9_Ukraine_EN_1.pdf.



orientation and professional development measures, Ukrainian citizens are more likely to be suitable for the local labour market due to higher level of their education.⁴

In Europe, there are significant differences in the integration of Ukrainian refugees in labour markets of various countries, which leads to different adaptations of Ukrainians. For example, in Germany, 12% to 20% of Ukrainian refugees are currently employed (according to various estimates),⁵ while in Slovenia this figure is only 6%. In Poland and the Czech Republic, around two-thirds of Ukrainian refugees have jobs.⁶ In particular, as many as 98,000 out of 339,000 Ukrainians with a temporary residence permit in the Czech Republic have permanent jobs. In Estonia, about 11,000 out of 35,000 Ukrainians have found work. Similarly, in Lithuania, 17,000 out of 68,000 Ukrainian refugees are officially employed. One of the main reasons for Ukrainian refugees' low employment rate in Germany is the relative generosity of financial aid, which can be several times higher than in poorer countries (up to €200 in Poland and the Czech Republic vs over €500 in Germany). Another reason is Germany's cumbersome bureaucracy.

The current debate on the future of temporary protection for displaced Ukrainians revolves around the «dual intent» concept, which on the one hand supports the development of skills that allow an individual to participate in the host society's economic life, while enhancing the prospects for successful return and reintegration at home for Ukraine's rapid recovery. The search for such long-term solutions continues in 2023.

The European Commission is currently proposing to extend temporary protection for Ukrainians who have left for the EU due to Russian aggression from 4 March 2024 through 3 March 2025. Moreover, the European Parliament plans to consider a Directive amending and establishing common rules for obtaining permanent residence status in the EU for third-country nationals «to

⁴ «Refugees from Ukraine face considerable uncertainty about their future». – IAB Forum, <https://www.iab-forum.de/en/refugees-from-ukraine-face-considerable-uncertainty-about-their-future/>.

⁵ 80% of Ukrainian refugees in Germany jobless – Die Welt, <https://www.azerbaycan24.com/en/80-of-ukrainian-refugees-in-germany-jobless-die-welt/>.

⁶ Ibid.

boost their integration».⁷ However, the conditions for extending the protection status are at the discretion of each country. Such steps may indicate the EU's intention to compensate for its depopulation at the expense of Ukrainians, especially since millions are already in Europe and are socialising, learning the language, and educating their children.

On the other hand, there are already signs of weakening resilience of the countries hosting displaced persons from Ukraine. Due to budgetary constraints, Eastern European countries are cutting funding on assistance programmes for Ukrainian refugees. In particular, Poland, the Czech Republic, and Slovakia have already taken such measures. Specifically, they will reduce expenditures on emergency housing and cancel the «solidarity contributions» for homeowners who have taken in Ukrainians. This is also due to the fact that a significant number of Ukrainian refugees have found jobs, and the need to support them has decreased.

Section 3 reviews the impact of migration on the economic development of countries that receive and supply migrants. In particular, it analyses the structural changes in the European economy that are forcing most EU countries to significantly liberalise migration legislation and introduce new instruments for attracting labour from other regions. The section also analyses the impact of emigration on Ukraine's recovery, in particular the role of human capital as the most important factor in the country's socio-economic revival.

Depopulation trends are mounting in Ukraine, which is a serious threat to the country that needs to be addressed immediately. In order to accelerate economic growth and restore the country, it is necessary to significantly increase its population, including economically active part. It is the increase in the population, especially the working age population, that plays a key role in economic growth. After all, the consumer component accounts for about 70% of the GDP structure.

According to the Ministry of Economy, Ukraine needs to attract 3.1 to 4.5 million people to the labour force by 2032 in order to grow at a rate of 7% per annum, and this is only «as of now». While many Ukrainian refugees

⁷ Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning the status of third-country nationals who are long-term residents (recast) OM/2022/650 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0650>.



are still working remotely for their Ukrainian employers, some are returning. But once these ties are severed, the staff shortage could increase significantly. According to preliminary estimates, Ukraine's post-war recovery will require at least USD 411 billion,⁸ which is about 2.5 times higher than the country's pre-war GDP.

Therefore, emigration from Ukraine has a direct impact on national security, especially its economic and social components, as it raises the question of «who will rebuild the country after the war». This requires addressing the issue of returning Ukrainian citizens who fled the war, especially given that the emigration of Ukrainians provides for adequate social protection and legal support that guarantees the right to settle, work, and study in the EU. The right to employment is readily enjoyed by many Ukrainian migrants, as most of them are women of working age.

On the other hand, migration is becoming an instrument for EU's long-term growth. Despite the significant costs of receiving migrants, it offers impressive economic benefits to host countries, which, amidst the growing shortage of skilled labour, becomes one of the main factors for attracting migrants, especially young and skilled ones.

Section 4 analyses emigration challenges, in particular, the motives and factors of return/non-return of Ukrainian emigrants, including economic ones. Also, the section proposes approaches and ways to influence migration behaviour.

So, bringing its citizens back home is the main task of Ukraine recovery policy. Unfortunately, it is still difficult to tell what the return of Ukrainians will look like, and one should be very careful even in making predictions. The decision of individuals and families on whether to return to the country they fled or stay in the host country is the result of a complex combination of factors and unique situations of every refugee.

⁸ Ukraine's recovery and reconstruction needs seen reaching \$411 bln – World Bank, https://finance.yahoo.com/news/ukraines-recovery-reconstruction-needs-seen-113001550.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cucmJjLnVhLw&guce_referrer_sig=AQAAADNw71j03xws_Rc0R4V5YEqe0NL9yFN-R_07U2jp8Z6C6oB_tcCobu4gE-A5dtkUCNCV16rAh04kF38eReNAWIJzB8o_V9vZ0Lcm5xGjzksjSjPHYCBouCVMPEy42U2cg5DuhVYVWJLB9QgF6stFGckrCOt6h5tfExVt.

In particular, decisions will be made based on:

- ✓ the duration of hostilities, both in Ukraine as a whole and in the regions from which citizens have left, as well as the level of destruction (the incentives to return weaken with an extended duration and significant destruction);
- ✓ the economic dynamics in the government-controlled territories, including in terms of construction of housing and social infrastructure (slow recovery with no attention to living standards significantly reduces the attractiveness of such regions);
- ✓ the status of Ukrainians in European countries, rules and regulations for the employment of migrants (a long stay in a «new» country along with employment opportunities significantly increase incentives to stay, provided that there are appropriate legal conditions);
- ✓ the state and prospects of socio-economic dynamics in the host country (sustainable balanced growth, stable employment, satisfactory purchasing power with low inflation are additional factors that influence the decision to return to Ukraine).

At present, there are arguments both for and against the return.

The following factors can be attributed to the motives for return:

The emotional difficulty of living in another country and homesickness are powerful incentives to return.

Also, most returnees are those who have had problems finding jobs and housing abroad, as well as those who have old relatives back home.

Language barrier is another obstacle that prevents many Ukrainians from getting skilled jobs in their field of study. In the EU, they mostly offer unskilled work in the service sector. At the same time, the vast majority of both women and men from Ukraine have higher education and are reluctant to accept any job. Those who were motivated as labour migrants had already found a suitable job before the outbreak of large-scale war.

A truly powerful incentive for return is the fact that the doors to Ukraine will be wide open. Unlike many refugees in the world today, Ukrainians have not fled dictatorship or internal conflict.

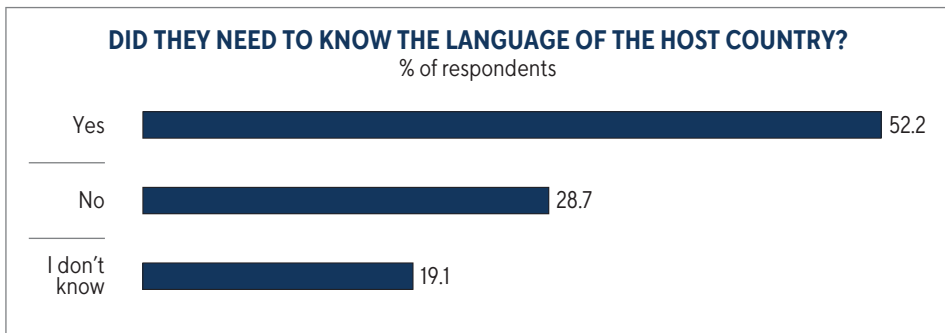
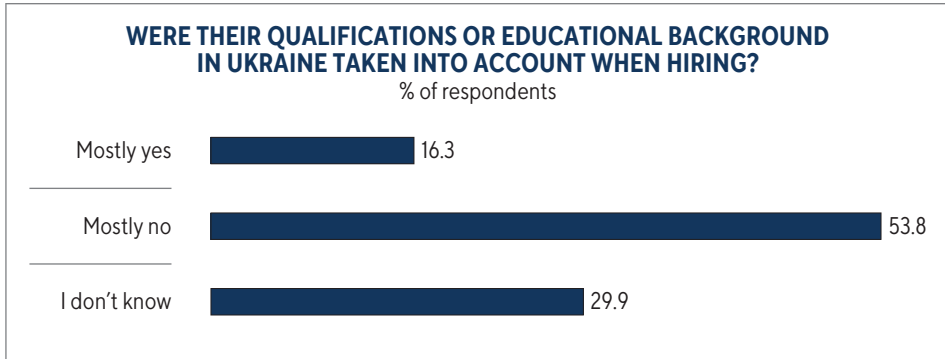


Public Opinion

| IF YOU HAVE RETURNED HOME FROM ABROAD, WHAT ARE THE REASONS FOR YOUR RETURN?⁹ of respondents | |
|---|------|
| Missing home and emotional difficulty of living in a foreign country | 48.8 |
| Lack of own financial resources | 18.0 |
| Shelling of your settlement have reduced or stopped | 17.1 |
| Difficulties in communication, lack of knowledge of the language abroad | 16.7 |
| You returned from abroad for some time and plan to leave again | 14.4 |
| Lack of affordable housing | 13.8 |
| Difficulties with finding a job that matches your qualification | 12.6 |
| Ideological reasons: it is every Ukrainian's duty to be with his / her Homeland at such times | 12.3 |
| Hostilities in or near your settlement have ceased | 10.7 |
| An opportunity to find or resume work in Ukraine | 10.7 |
| The need to care for parents / children / close relatives | 7.2 |
| Social benefits abroad have been cancelled | 5.3 |
| Temporary asylum in the host country has expired | 4.5 |
| The need to find employment abroad | 3.8 |
| Inability to work remotely | 3.3 |
| The infrastructure of your permanent place or residence has been restored | 1.6 |
| Your settlement has been liberated or de-occupied | 0.0 |
| None of the above | 0.8 |
| Other | 2.8 |
| Hard to say | 5.6 |

⁹ The face-to-face survey was conducted by the Razumkov centre's sociological service on 3-10 August 2023 in Vinnytsya, Volyn, Dnipropetrovsk, Zhytomyr, Zakarpattia, Zaporizhzhya, Ivano-Frankivsk, Kyiv, Kirovohrad, Lviv, Mykolaiv, Odesa, Poltava, Rivne, Sumy, Ternopil, Kharkiv, Kherson, Khmelnytskyi, Cherkasy, Chernihiv, Chernivtsi oblasts and the city of Kyiv (survey in Zaporizhzhia, Mykolaiv, Kharkiv and Kherson regions was only carried out in government-controlled areas not subject to hostilities).

A total of 2,016 respondents aged 18+ were interviewed. The theoretical sampling error does not exceed 2.3%.



The sociological study has shown that the factors that will facilitate the refugees' return to Ukraine include the creation of employment or professional development opportunities (mentioned by 89% of experts). The opinion that people will return feeling an inner call to participate in Ukraine's recovery was significantly less popular (41% of experts agreed with this, while 37% disagreed).

Reasons (motives) for no return include the following:

Multiple latest studies show that the motivation for further emigration is not yet decreasing, and as the war continues, the number of refugees not willing to return to Ukraine may even increase.

The formalisation of the status of Ukrainians in the EU essentially reduces the likelihood of their return home for permanent residence. Each year,



the prolongation of hostilities¹⁰ adjusts the refugees' life plans towards «ingrowth» in a new social reality.

Given the qualifications and average age of forced migrants from Ukraine and better attitude towards them compared to, for example, Syrian migrants, it is reasonable to assume that EU countries are interested in integrating migrants after temporary protection ends. The determining factors include conditions in the country of asylum and the level of integration of refugees. Simplification of residence permits may be another argument in favour of staying in Europe even after the war.

The extension of temporary protection mechanisms by EU countries can be seen as an additional argument for Ukrainian refugees to stay in Europe. After all, the return will depend not only on the security situation in Ukraine, but also on economic conditions.

Uncertainty and inability of most of those who have left to fulfil themselves «plays» against their return. Before the war, Ukraine's economy had a complex structure and was characterised by a higher level of division of labour than it will certainly have immediately after the war. The structure of the economy and, accordingly, the skills that will be in demand after the conflict is over are also unknown.

The prospects for return are directly linked to successes of the post-war recovery. Reduced funding for education and healthcare can hardly give reasons for optimistic forecasts. The issue of urban amenities, the level of healthcare and education for children is also of major importance.

Another significant factor is the large-scale destruction, especially in the east of the country. According to preliminary estimates, at least 140,000 residential buildings have been destroyed, including about 18,000 multi-storey buildings. Eastern towns and villages with tens of thousands of residents have been almost completely or totally wiped out. In addition to the housing stock, the social infrastructure has also suffered critical damage.

¹⁰ According to the latest extended medium-term macroeconomic forecast of the National Bank of Ukraine, active hostilities will continue until mid-2024. See Inflation Report, July 2023 – NBU, <https://bank.gov.ua/ua/news/all/inflyatsiyniy-zvit-lipen-2023-roku>.

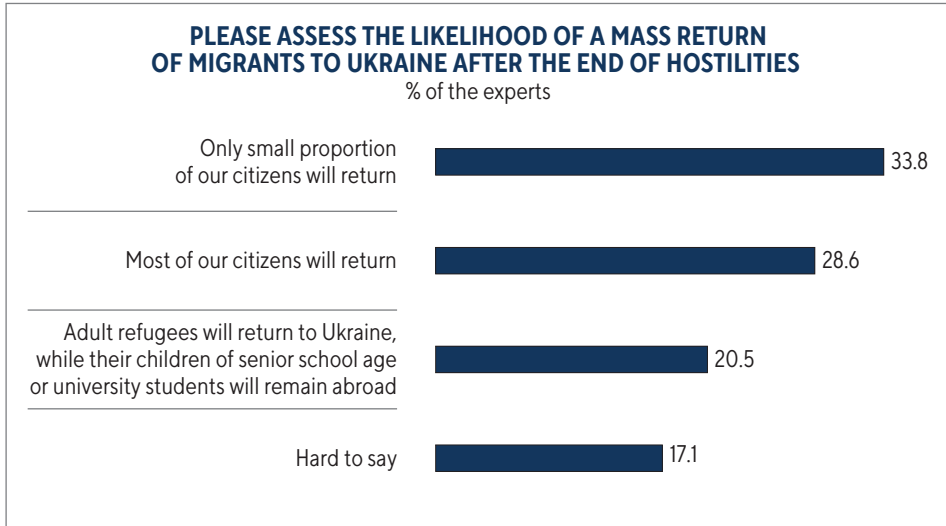


The breakup of marriages as a result of living apart for a long time is another important factor. Before the war, as many as 60% of marriages in the country broke up, but after the onset of the war, this figure further increased in families where one of the spouses (usually a woman) went abroad. Over the past year, the service of «remote divorce» has become particularly popular, with the number of divorces increasing by 33%. And if women no longer want to return home to restore their families but form the new ones abroad, the chances of their return to Ukraine are close to zero.

These assumptions are confirmed by the results of the Razumkov Centre's sociological studies. In particular, the overwhelming majority of experts (85%)¹¹ believe that the longer the hostilities last, the less likely refugees are to return to their hometowns. 85% of experts share the opinion that Ukrainians who received social assistance at home and left Ukraine after 24 February 2022 for countries with higher social protection standards are less likely to return as long as they receive assistance and benefits in these countries. 83% of experts agree that people who have worked abroad seasonally or permanently will have more opportunities to stay in these countries and bring their families with them.

Other negative factors include the uncertainty of the security situation – it can change quickly as there is a possibility of intensification or resumption of hostilities (83% of experts mentioned this factor), and no work (76% of experts said that not all refugees will be able to immediately find work upon return). Some vulnerable categories may also face problems with return: 78% of experts think that people with disabilities and limited mobility may find it more difficult to return to where they lived before 24 February 2022, and 61% feel that members of discriminated against groups in Ukraine are likely to stay longer elsewhere, where the level of discrimination is lower than in Ukraine.

¹¹ The expert survey was conducted by the Razumkov Centre's sociological service in August 2023. A total of 54 experts (representatives of state authorities, civil society and volunteer organisations, academics) were interviewed.



CONCLUSIONS AND POLITICAL RECOMMENDATIONS

It can be generally stated that regional migration in 2023 currently depends on many factors and has very uncertain prospects of returning to pre-2022 or pre-pandemic patterns. The war in Ukraine is already evolving into a protracted conflict that will threaten both the economic situation of millions of people and the hopes of displaced Ukrainians to return home soon. It also means that large-scale displacement will remain one of key features of the region for years to come. In view of this, displaced Ukrainians, their host countries in Europe and the Ukrainian government alike will have to deal with the new circumstances, adapting temporary modalities to longer-term solutions.

Having summarised the various proposals, one can formulate three main directions of Ukraine's policy on the return of forced migrants:

- ✓ *Ensuring analytical work and communication*, which should become the foundation for the process of voluntary return. Ukraine has to cooperate with other countries and establish effective communication with migrants in order to realise its own interests in the return of citizens.

- ✓ *Meeting basic needs*, which includes restoring housing and social infrastructure, addressing employment issues and creating jobs with decent pay.
- ✓ *Introducing incentives*, including for investment and business, and working with the diaspora.

Political Recommendations for the government of Ukraine

The return of Ukrainian forced migrants to their homeland should be considered solely as a duty (constitutional obligation), rather than a «right», «manifestation of goodwill» or «desire» of the Ukrainian state as such.

The Ukrainian state, primarily in the person of its supreme authorities, officials and civil servants, is directly responsible for the fact that millions of Ukrainians became **forced emigrants** after the onset of Russia's full-scale military invasion of Ukraine on 24 February 2022, because in the first days/weeks of invasion, the state was actually not ready to protect its citizens from aggression, to defend their lives and health, as well as to properly ensure other human and civil rights and freedoms guaranteed by the Constitution of Ukraine.

On the other hand, Article 3 of the Constitution clearly states that an individual, his / her life and health, honour and dignity, inviolability and security are recognised in Ukraine as the highest social value; human rights and freedoms and guarantees thereof determine the essence and course of activities of the state; affirming and ensuring human rights and freedoms is the main duty of the state. At the same time, the state is answerable to an individual for its activities. In this regard:

1. Ukraine, as a state, needs to develop and adopt a document that would regulate the basic issues of proper organisation by the state of the voluntary return of all forced migrants to Ukraine.

2. By its intrinsic nature and socio-political essence, such a document should be of a regulatory (generally binding) nature with an appropriate level of legitimacy. The title (official name) of a document could be the «National Plan for the Return to the Homeland of Ukrainian Migrants Forced to Leave by the Russian War in Ukraine» (the National Plan).



3. The draft National Plan should be prepared by the head of state (President of Ukraine) in close cooperation with the government (Cabinet of Ministers of Ukraine) and submitted to the parliament (Verkhovna Rada of Ukraine) for approval. After all, it is the President of Ukraine who is the guarantor of human and citizen rights and freedoms (part 2, Article 102 of the Constitution of Ukraine); the Cabinet of Ministers is directly obliged to «take measures to ensure human and citizen rights and freedoms» (part 2, Article 116 of the Constitution of Ukraine); and the Verkhovna Rada has the exclusive right to approve national programmes for economic and social development of the country (clause 6, part 1, Article 85 of the Constitution of Ukraine).

4. The Verkhovna Rada of Ukraine should approve the National Plan as a separate / special law, since it is «exclusively the laws of Ukraine that determine», in particular, «human and citizen rights and freedoms, the guarantees of these rights and freedoms; the main duties of a citizen <....> the fundamentals of social protection, the forms and types of pension provision; the principles of the regulation of labour and employment, marriage, family, the protection of childhood, motherhood, fatherhood; upbringing, education, culture and health care; ecological safety <....> the principles of demographic and migration processes regulation» (clauses 1, 6, 10, part 1, Article 92 of the Constitution of Ukraine).

5. Passing / adoption of the law approving the National Plan by the Verkhovna Rada of Ukraine will mean a) guaranteeing the stability of the National Plan's provisions as they can only be amended through the appropriate legislative procedure; b) implementing the National Plan as provisions and prescriptions of an ordinary law by all subjects of state legal relations across Ukraine; c) ensuring the existence of legally enshrined obligations of the government, other state executive bodies, as well as local self-governments and their officials to implement the National Plan.

6. The structure of the National Plan could include (if necessary) several «national programmes», for example, the National Programme of Housing for Ukrainian Forced Migrants Who Returned to their Homeland, the National Programme of Employment for Ukrainian Forced Migrants Who Returned to their Homeland, the National Programme of Entrepreneurship for Ukrainian Forced Migrants Who Returned to their Homeland, etc.

7. The National Plan should be considered as an integral part of the implementation of Ukraine's European and Euro-Atlantic course (part 5 of the Preamble to the Constitution of Ukraine), part of practical measures on the path to Ukraine's full membership in the European Union.

Political Recommendations for the EU

1. The unprecedented migration flows of Ukrainians to the EU countries require significant adjustments to the European Neighbourhood Policy, the Eastern Partnership, and the principles of economic, security, and humanitarian assistance to Ukraine. Ukraine's cooperation with the EU in the field of migration should primarily aim at achieving Ukraine's national security objectives.

2. The current situation points at the need of developing ideological foundations and effective tools for implementing the eastern policy in line with current realities. It is primarily about recognising the new status of Ukraine as an EU candidate and as an eastern outpost in defending Europe's democratic values. That is why the EaP format in EU-Ukraine relations should be replaced by a policy of accelerated integration along with economic, infrastructural, and humanitarian modernisation of Ukraine, which will not only become a tool for deepening humanitarian and sectoral cooperation with the EU but will also address controversial issues and processes in the field of migration, including the task of facilitating the return of Ukrainian migrants and displaced persons to post-war Ukraine.

3. Unlike other migration cases, Ukraine has consistently expressed interest in returning its citizens after the end of the war, emphasising their role in recovery and reconstruction. Therefore, integration measures for Ukrainian recipients of temporary protection should pursue a «dual intent» and contribute to the development of skills that would allow an individual to economically participate in host society, while enhancing his/her prospects for successful return. After all, the available options after exiting temporary protection include return, another type of international protection, or transition to other categories of residence. A timely debate on the best ways for «dual intent» would better inform EU planning, but most importantly, provide a clearer perspective for the millions of Ukrainians who have been forced to leave their country or may do so over the next year.



4. Updated EU initiatives and programmes to support the return of migrants and Ukraine's reintegration programmes should build on close cooperation between state authorities, local governments, and all other stakeholders, including civil society, both in Ukraine and the EU. In international practice, such cooperation is considered an imperative to avoid gaps and duplications of assistance in the countries of origin and host countries. At the same time, it is advisable to use the best international practice, introduce common harmonised funding standards, and establish effective interaction and information exchange between the participants in the process.

5. It is expedient to actively apply measures of the so-called *return migration policy*, aimed at providing a different vector for migration movements and designed to influence potential migrants. The return may be voluntary or not. In this case, it is about re-emigration, which is carried out through voluntary repatriation. In international practice, return migration mechanisms may include indirect incentives. In this case, special state programmes are either absent or temporary, but replaced by measures to support return migrants, including certain socio-cultural or professional groups.

6. Availability of affordable housing, especially in regions destroyed or damaged by the invader, as well as appropriate social infrastructure are important factors affecting migrants' decisions to return to Ukraine. The EU has considerable experience in accelerated construction of social housing, and this can be particularly useful for Ukraine. Such construction in Ukraine will obviously require additional resources, including labour. However, Europe announcing the intent to involve displaced Ukrainians in erecting new EU-funded towns, and in fact in building housing for themselves (which also includes employment in the newly formed service sector), would send a powerful signal to displaced people to return.

7. A sharp reduction in political and security risks could be achieved by the EU banking system providing guarantees for bank loans for investment projects (purchase of equipment, technology, management know-how) that would allow the integration of Ukrainian businesses into value chains in European markets after the war. The expansion of investment that would include insurance guarantees from European banks could increase demand

for qualifications in competitive areas that are considered as requiring special training, including through retraining. It would be appropriate for the EU to develop and finance retraining courses for Ukrainians in relatively safe regions of Ukraine. This would contribute to both the adaptability of workers to return and a better response to the needs of the Ukrainian economy, and thus to faster practical realisation of recovery projects.

8. The fullest possible opening of the EU labour market to Ukrainians after the war has a high potential for migrants' return to Ukraine. By doing so, Europe would give confidence to Ukrainians who initially left for the EU due to the war that their later return to the EU will be unimpeded (rather than linked to the right to temporary residence), and thus increase their inclination to return (at least temporarily) to Ukraine.

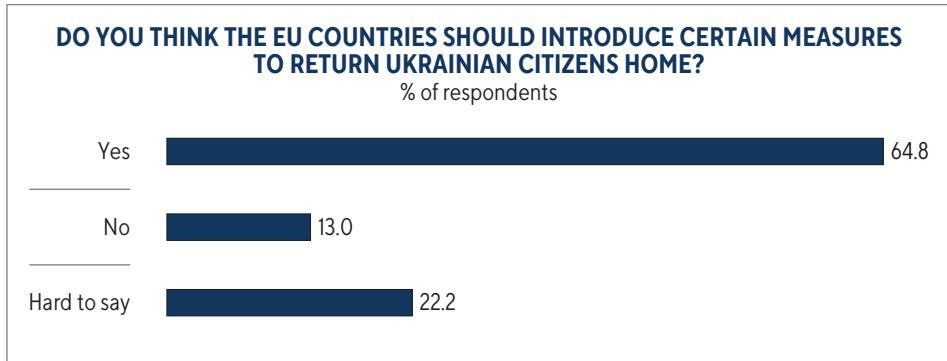
9. The task of maintaining intellectual potential is becoming increasingly urgent. Many scientists who have left the country have proven their qualifications and already joined research and applied programmes and projects. It is advisable to expand scientific and research programmes, in particular, based on the experience of the Horizon 2020 – the largest transnational research and innovation support programme in history with a budget of about €95.5 billion for 2021-2027.

In the meantime, it should be borne in mind that foreign aid alone cannot solve the problems of economic underdevelopment, unemployment and emigration, but it can create conditions for the necessary social changes. The emigration issue can only be addressed by the country exporting its population. If such a country fails to take economic measures to restore a decent standard of living, the effect of aid will be temporary.

The direct effect of foreign investment becomes effective only if it creates jobs, primarily in domestic companies and sectors. The indirect effect is achieved through stimulating growth and modernisation of the entire economy, introducing new technologies, organisational and managerial know-how, improving the skills of the workforce and facilitating access to global markets.



Public Opinion



WHAT MEASURES SHOULD BE TAKEN BY EU COUNTRIES TO ENCOURAGE THE RETURN OF UKRAINIAN CITIZENS HOME?
of respondents

| | |
|--|------|
| European governments should launch a legal process of mass return through repatriation or deportation mechanisms | 14.8 |
| EU countries should introduce financial incentives for refugees to return home | 46.3 |
| Opportunities should be created for Ukrainians to return to the EU (if they wish), such as opening the EU labour market, so that Ukrainian refugees do not fear that by leaving for Ukraine they will lose the opportunity to return to the EU | 57.4 |
| Other measures | 5.6 |
| EU countries should take no measures in this direction | 14.8 |
| Hard to say | 3.7 |