



FEANTSA

POLICY PAPER

STANDARDS FOR RECEPTION CONDITIONS UNDER THE TEMPORARY PROTECTION DIRECTIVE

CHALLENGES AND NEEDS IN ACCESSING ADEQUATE ACCOMMODATION



Cover photo: Entrance to the Przystanek Grochowa temporary shelter set up by FEANTSA member Saint Brother Albert's Aid Society in Wrocław, Poland, October 2022.

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KEY POINTS

- The right to accommodation under the TPD has been **transposed differently across member states** while a **lack of monitoring and redress mechanisms** in this area continues to impact the standards of accommodation and the access to housing among beneficiaries of temporary protection.
- The **freedom of movement** made possible for beneficiaries of the TPD also meant that MS could share more equally the responsibility to support individuals - including in ensuring their access to accommodation.
- **Accessing adequate and affordable accommodation under the TPD, however, remains problematic and Member States face challenges in identifying such options for all beneficiaries of temporary protection.**
- An **overreliance on private hosting** continues to be the norm across Member States for reception accommodation, which in many cases has become a medium-term solution without necessarily complying with established standards.
- Reinforcing support to improve access to adequate accommodation with a focus on the **transition to medium/long term housing** remains a major point to be addressed by MS.
- **Reception standards** under the TPD (as well as generally in the reception of asylum seekers in the EU) require more intervention to be aligned with established standards under European and international frameworks.
- An **elevated risk of homelessness is identified** in the case of people fleeing the war in Ukraine in some countries, while many **currently live in situations that amount to homelessness under the [European Typology of Homelessness and Housing Exclusion](#)** (including experiencing episodes of street homelessness).
- While research points to **rising rates of individual renting** (45% of UNHCR January 2023 study respondents), Ukrainian families increasingly report having exhausted their savings - likely leading to a surge in the **number of families at risk of eviction** due to their inability to pay rent and spiralling utility costs.
- Despite being entitled to accommodation and housing support under the temporary protection directive, certain groups/communities have had a harder time to access this right on **accounts of racism or discrimination**.
- Recommendations and guidance from the European Commission, e.g., the Safe Homes initiative and attached measures remain insufficiently known and **lack structural and comprehensive** measures for meeting the existing accommodation needs for people fleeing the war in Ukraine.

1. INTRODUCTION

On the 4th of March 2022, in response to the unprovoked Russian invasion of Ukraine the European Commission proposed the activation of the Council Directive 2001/55/EC, known as the Temporary Protection Directive (TPD).¹ Council implementing decision (EU) 2022/382 established the existence of a mass influx of displaced persons arriving from Ukraine and had the effect of activating, for the first time since its adoption, the temporary protection.² This unprecedented measure was adopted within one week after the war started and facilitated entry and travel within the EU for millions of displaced persons. It also entitled them, at least in theory, to immediate access to the labour market, education and vocational training, healthcare, and accommodation in the country where they had established.

Despite the advancements under the TPD and additional support measures in the area of reception (including a focus on accommodation), access to adequate accommodation (or to financial support for housing) remains one of the most problematic areas in the European asylum system, including for beneficiaries of temporary protection.

In the situation where over eight million people entered the EU, out of whom almost five million registered for temporary protection, it was clear from the outset that ensuring adequate accommodation for everyone was going to be difficult. This aspect has been recognised by the EC in its March 2023 Communication on ‘Temporary protection for those fleeing Russia’s war of aggression against Ukraine: one year on’ which mentions that “*Hosting millions of persons displaced in a short period of time has proven one of the major challenges in the implementation of the Temporary Protection Directive.*”³

Europe was already confronted with a crisis of affordable and adequate housing. In the past years, Member States have repeatedly failed to fulfil the accommodation needs of applicants for international protection in the EU,⁴ way too often relegating individuals to inadequate living conditions. In some countries, such as Greece, Belgium, the Netherlands, and Ireland, the lack of political will combined with overwhelmed reception systems meant that asylum seekers experienced sleeping rough recurrently.

While the war in Ukraine added a new layer of pressure on the reception systems, as well as in general on housing systems in receiving countries, this type of destitution has been for the most part avoided for those fleeing the war to Europe from Ukraine. Much credit for this should go to the unprecedented wave of solidarity shown by European citizens, combined with the straightforward and swift reception facilitated by the TPD. More than one year after the war started, however, the situation with accommodation for beneficiaries of temporary protection remains difficult across Member States.

FEANTSA raises awareness on the continuous need to invest in and to develop targeted and long-term strategies to ensure that reception conditions for people in search of protection are compliant with fundamental human rights and in line with established minimum standards. To this end, the aim of this paper is to analyse what have been the reception conditions under the Temporary Protection Directive, with a focus on accommodation. We also aim to shed light on situations where reception standards failed to be met and explore the primary existing challenges in accessing adequate accommodation.

1 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 available at <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:32001L0055>

2 <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF>

3 EC, *Temporary protection for those fleeing Russia’s war of aggression against Ukraine: one year on*, 08 March 2023.

4 FEANTSA 2021, *Exiled and Homeless: New Asylum Crisis in Europe, Same Lack of Responses?* And European Commission, *January Infringements package: key decisions*, 26 January 2023, Brussels.

Recommendations are also put forward with the objective to contribute to improving reception conditions for all people who request protection in the EU, with a safe and efficient transition to independent, adequate housing. This analysis and recommendations are based on continuous consultations with FEANTSA members supporting people in search of protection in Europe and on contributions collected between February and June 2023, combined with desktop research.

2. RECEPTION STANDARDS

What is adequate accommodation?

Member states are responsible for securing accommodation for applicants to international protection as soon as a claim has been submitted. The Reception Conditions Directive 2013/33/EU establishes minimum entitlements for applicants to 'material reception conditions'. As per Article 17(2) of the Directive 2013/33/EU, MS should ensure that the reception conditions meet 'an adequate standard of living for applicants, which guarantees their subsistence and protects their physical and mental health'. Further, Article 18(1) applies when housing is provided in kind, specifying that it must be in the form of 'premises used for the purpose of housing applicants during the examination of an application for international protection made at the border or in transit zones', 'accommodation centres which guarantee an adequate standard of living', and/or 'private houses, flats, hotels or other premises adapted for housing the applicants'.⁵

To provide support to Member States in the implementation of the key provisions of the Reception Conditions Directive 2013/33/EU (RCD), the European Union Asylum Agency (EUAA, former EASO) published in 2016 a 'Guidance on reception conditions: operational standards and indicators'.⁶ One of the sections in the guidance lays down the standards and indicators for housing that national reception authorities can use in planning and in running of reception facilities. A total of 20 standards were established, each with detailed indicators. The standards approach different aspects of housing: location, allocation, infrastructure of housing facilities, security of housing facilities, common areas within, sanitation maintenance, and communication equipment and services, as follows:

- **Location:** Standard 1 discusses the geographic position of housing which must allow for adequate access to relevant services; this includes the case of people with special needs, where the required arrangements should be made to access such services within the housing or within reasonable distance.⁷
- The **Allocation** section clarifies respecting family units under Standard number 2⁸ and the individual situation of an applicant under Standard 4⁹ while determining the best housing offer, as well as special needs when (re-)allocating particular housing to an applicant are clarified under Standard 3.¹⁰

5 [Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection \(recast\)](#), Official Journal of the European Union, L 180/96.

6 [EASO Guidance on reception conditions: operational standards and indicators \(2016\)](#).

7 [Standard 1: Ensure effective geographic access to relevant services, such as public services, school, health care, social and legal assistance, a shop for daily needs, laundry and leisure activities.](#)

8 [Standard number 2 sets to Ensure that the principle of family unity is respected.](#)

9 [Standard 4: Ensure that specific and objective reasons linked to the individual situation of the applicant are taken into account when allocating housing to an applicant.](#)

10 [Standard 3: refers to ensuring special needs are taken into account when \(re-\)allocating particular housing to an applicant.](#)

- Five standards are set out for establishing the minimum requirements in terms of **Infrastructure** detailing on the number of metres to be made available for each applicant in the accommodation offer, including details such as room height or furniture (Standard 5).¹¹ In respect to **privacy**, the maximum number of applicants to be placed in one bedroom is established (six single applicants), and the consideration of issues of gender, special needs, or privacy when meeting with legal aid, a social worker, or other relevant actors (Standard 6).¹² Standard 7 goes into details about how much and what type of **furniture** is needed and how safety and privacy can be ensured in relation to personal belongings.¹³
- **Sanitary infrastructure** is detailed under Standard 8, which addresses shared housing for applicants who are not family members: in this situation, arrangements should be put in place to ensure that applicants may access the facilities safely and that the privacy of the applicants is at all times respected.¹⁴ Standard 9 clarifies that all housing options should be in compliance with national and local regulations, including in terms of temperature, light and fresh air, as well as excessive environmental noise.¹⁵ Standard 10 sets indicators to be considered in terms of infrastructure for applicants with reduced mobility, from location of housing unit to needed doorways, passageways or grab rails.¹⁶
- In terms of **security**, Standard 11 requires carrying regular risk assessments, followed up by adequate measures as well as making sure that reporting mechanisms are made available when needed.¹⁷
- The EUAA guidance also approaches the **common areas** concerning spaces designated for eating (Standard 12)¹⁸ and the existence of suitable space for leisure activities (Standard 13).¹⁹
- Standards and indicators are set for **sanitation** into private and common areas (Standard 14),²⁰ for kitchen and sanitary areas (Standard 15),²¹ and for ensuring access to regular laundry (Standard 16).²²
- **Regular maintenance** is required (Standard 17) to conserve the original condition of the housing as much as possible and for as long as possible.²³
- The existence of **communication equipment and services** is also clarified as having adequate access to a telephone (Standard 18),²⁴ to internet (Standard 19),²⁵ and to charging communication devices (Standard 20).²⁶

11 Standard 5: Ensure sufficient space in the bedroom in collective housing.

12 Standard 6: Ensure respect for the privacy of the applicants in collective housing.

13 Standard 7: Ensure that the housing is sufficiently furnished.

14 Standard 8: Ensure sufficient, adequate, and functioning sanitary infrastructure in the housing.

15 Standard 9: Ensure compliance of the housing with relevant national and local regulations.

16 Standard 10: Ensure that the inside and outside infrastructure of housing designated to accommodate applicants with reduced mobility is adapted to their needs.

17 Standard 11: Ensure sufficient security measures.

18 Standard 12: Ensure that applicants have sufficient space to eat.

19 Standards 13: Ensure that applicants have sufficient space for leisure and group activities.

20 Standard 14: Ensure that private and common areas are kept clean.

21 Standard 15: Ensure that the kitchen and sanitary areas are kept clean.

22 Standard 16: Ensure that the applicants are able to do their laundry or have it done on a regular basis.

23 Standard 17 aims to Ensure the safety and proper functioning of the housing facilities through regular maintenance.

24 Standard 18: Ensure that applicants have adequate access to a telephone to make calls concerning procedural, legal, medical and educational issues.

25 Standard 19: Ensure that applicants have adequate access to the internet.

26 Standard 20: Ensure applicants have the possibility to charge their communication devices.

Accommodation standards have also been set in relation to European and international legislation. According to the European Court of Human Rights, the right to accommodation must be considered as one of the most basic needs of people in search of international protection, while making sure that the solutions offered are satisfied through state-financed facilities and by adapting these responses to specific needs (for example, in the case of children, unaccompanied minors, or people with disabilities).²⁷ The European Committee of Social Rights (ECSR) has further clarified what adequate accommodation should look like, referring to requirements for safety, health and hygiene, access to clean water, sufficient lighting and heating, appropriately sized housing for families of satisfactory quality, and adapting to people in vulnerable situations. Several times the Committee has also established that ‘the temporary nature of accommodation, even if considered “decent” cannot be accepted as a satisfactory solution and that adequate living conditions should be prioritised.’²⁸

Despite these provisions and standards, no common definition has been agreed as to what ‘adequate’ or ‘suitable’ accommodation should entail in the EU asylum system. This issue has also been maintained under the EC ‘New Pact on Migration and Asylum’ where it is clarified that accommodation of asylum seekers must meet certain minimum requirements. However, these requirements are not formulated under the New Pact, they are meant to be established at a later stage by an EU agency.²⁹ Furthermore, the minimum reception standards established by the RCD, and detailed in the EUAA guidance are also subject to transposition at national level leading to variations between Member States. This remains problematic since in practice we can see that requesting MS to ensure adequate reception without defining what this should look like and without enforcing suitable rules for achieving this leads to a variety of accommodation options being set up across Europe, which are in many cases inadequate. As the EUAA reports show, all EU+ countries rely to some extent on collective accommodation to provide material reception conditions while small-scale or individual accommodation, which would have better chances to ensure a safe and adapted environment, seems to be usually reserved for applicants with special needs and vulnerabilities, or for later stages of the reception path.³⁰ Additionally, some countries rely heavily on leased units, such as hotels and, more recently, ships for their reception capacity. Often, these solutions do not respect the reception standards set up by the EUAA.

Under the TPD, no further details are provided for defining ‘adequate accommodation’. This contributes, together with other factors, to Article 13, establishing the right to accommodation under TP status being implemented differently across member states.³¹ Furthermore, as shown by ECRE in their legal note on the right to accommodation under the TPD, the directive has never been recast since its adoption in 2000; subsequently, it was not possible to align its provisions with the Reception Conditions Directive (RCD) regarding material reception conditions.³² Despite this, the right to accommodation under the TPD should be understood in coordination with the primary EU law and CEAS as a whole – including the RCD established material reception conditions.³³

27 ECtHR as summarised in ECRE Legal Note 14: [The right to accommodation under the TPD](#), 28th April 2023

28 The European Committee of Social Rights as summarised in ECRE Legal Note 14: [The right to accommodation under the TPD](#), April 2023

29 European Parliamentary Research Service, ‘[The European Commission’s New Pact on Migration and Asylum](#)’ Horizontal substitute impact assessment, August 2021.

30 EUAA situational update, [Overview of the organisation of reception systems in EU+ countries](#), Issue No 8, 13 January 2022.

31 ECRE Legal Note 14: [The right to accommodation under the TPD](#), 28th April 2023.

32 ECRE Legal Note 14: [The right to accommodation under the TPD](#), 28th April 2023.

33 ECRE Legal Note 14: [The right to accommodation under the TPD](#), 28th April 2023.

European response to strengthen access to accommodation under the TPD

Directive 2001/55/EC on temporary protection has as its purpose to establish minimum standards for temporary protection in the event of a large number of displaced people searching for safety in the EU. In doing so, the Directive sets the responsibility of Member States to ensure accommodation for people obtaining temporary protection status. Article 13, paragraph 1 establishes that **“The Member States shall ensure that persons enjoying temporary protection have access to suitable accommodation or, if necessary, receive the means to obtain housing.”**³⁴ This is complemented by Article 16 which refers to the situation of temporary protection for unaccompanied minors providing that they should be placed (c) *in reception centres with special provisions for minors, or in other accommodation suitable for minors.*

For the Ukrainian refugees the swift referral to a municipality offers a sense of stability in knowing that they are assigned to a location in Sweden that is responsible to house them. In essence, that they have a “home” in Sweden.

(Crossroads, Sweden)

Following the activation of the TPD, the European Commission and its agencies working on migration and asylum prepared technical guidance to support member states in the implementation of the Directive. More flexibility was also introduced in EU funding opportunities.³⁵ Several of those measures focused on access to accommodation, a major area where support was recognised as needed. On the 28th of March 2022 the EC published a 10-Point Plan³⁶ for a stronger European coordination on welcoming people fleeing the Russian aggression against Ukraine, wherein point 3 makes several specifications aimed to ‘Enhance reception systems and ensure continuity of care and suitable accommodation.’ Measures involving the Solidarity Platform³⁷ and the European Union Agency for Asylum are also foreseen in the plan to ensure that reception capacity between Member States is matched in such a way that those MS under most pressure are supported. The Solidarity Platform and the EUAA were also made responsible with developing measures and offering technical support aimed at protecting children through ensuring swift accommodation and by preventing human trafficking in relation to housing offers.³⁸

As part of their Practical Guide Series, in May 2022 the EUAA developed ‘Practical recommendations on the provision of emergency placement in private accommodation for persons displaced from Ukraine.’³⁹ The EUAA aimed to guide relevant stakeholders (national, regional, and local authorities, as well as civil society organisations) in matching displaced persons with available private accommodation. These practical aimed to ensure that safeguards for persons in need of emergency shelter and for those providing such accommodation are put in place in a coordinated, safe, effective, and systematic manner. In its communication from March 2022 “Welcoming those fleeing war in Ukraine - readying Europe to meet the needs,”⁴⁰ the Commission announced the “Safe Homes” initiative with a focus on housing, under which the

34 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, Official Journal of the European Communities, L 212/12, 7.8.2001.

35 Displacement from Ukraine: the EU’s financial response, Policy Note, PICUM and ECRE, October 2022.

36 European Commission, The 10-Point Plan: For stronger European coordination on welcoming people fleeing the war from Ukraine, 28 March 2022.

37 The Solidarity Platform, bringing together Member States, the Commission and EU agencies, is collecting and examining needs identified by Member States, and coordinating the operational follow-up. Through a regular exchange of information, the Platform will provide a comprehensive overview of reception capacities in Member States. It will match the offers of those who can provide help to those who need support, as well as help to organise the transfers from Member States under most pressure to those with suitable reception capacity.

38 European Commission, The 10-Point Plan: For stronger European coordination on welcoming people fleeing the war from Ukraine, 28 March 2022.

39 EUAA Practical Guide Series, Private accommodation for persons displaced from Ukraine, May 2022.

40 EC communication: Welcoming those fleeing war in Ukraine - readying Europe to meet the needs, 23 March 2022.

“Safe Homes Guidance”⁴¹ was published in July 2022. The Guidance aims to ensure that private hosting is suitable and safe, whilst foreseeing support for private individuals across the EU who were hosting displaced people. More recently, as part of the Safe Homes initiative a new project was awarded to the International Red Cross aimed at testing and operationalising the Safe Homes Guidance.⁴² The Safe Homes programme is a one year-long project with a budget of €5.5 million and it incorporates an operational and a lessons-learned module and covers activities related to private hosting by National Red Cross Societies in 10 EU Member States.⁴³

These actions and responses aim to improve coordination among MS and to distribute responsibility, which was also a goal of the newly established Solidarity Platform. Here, representatives of Member States meet regularly with the EC and international organisations to exchange information on challenges and needs. As part of its responsibilities, the Solidarity Platform had to coordinate around assisting people with accommodation and housing, ‘a key determinant of how Member States can help share the effort of welcoming people.’⁴⁴

When we discuss accommodation and housing for people fleeing the war in Ukraine, we must also recognise the huge solidarity shown by private individuals and the role of the civil society organisations. They have developed new types of partnerships and innovative tools such as matching and vetting platforms for Europeans who wanted to make their homes available for Ukrainian refugees. Member States have reported that the figures of displaced people accommodated by private hosts at the beginning of the war went up to 90% in some countries. The European Commission has called this movement ‘an unprecedented show of solidarity, marking a new reality for EU reception and crisis management systems.’⁴⁵

Despite the huge mobilisation at both EU and national level, the support implemented so far remains fragmented. Greater communication, monitoring, and coordination is needed to ensure that existing guidance and instruments, including financial ones, are properly implemented. While the Safe Homes initiative has been published in a relatively short time, it has arrived nevertheless after the initial stage of the war when support was seriously needed in receiving countries. After its initial dissemination it has been pointed out that the initiative was not known sufficiently by stakeholders at national governmental level, thus not fully reaching its audience target. Furthermore, the initiative does not bring additional resources or practical added value for Member States, public authorities, or stakeholders on the ground. The current form of the Safe Homes Guidance is a mere collection of good practices implemented previously and guidance in the form of recommendations. The level of commitment and responsibility remains to be decided by Member States. Furthermore, the initiative does not foresee monitoring activities or follow up in cases where Member States do not fulfil the standards set by the Safe Homes Guidance. Similarly, the Red Cross awarded project is said to engage with the testing and operationalising of the Safe Homes Guidance, while the focus will continue to be on private hosting. It is questionable to what extent further testing is valuable at this point where many member states have been running large scale hosting programmes for almost a year and a half. While this support is important in strengthening the implementation of the Safe Homes initiative, a more structural and comprehensive strategy is required. This should consider the needs of all different groups, providing targeted and integrated support as opposed to fragmented answers and testing solutions, as it is currently the case.

41 [EC Safe Homes guidance](#), 6 July 2022.

42 [Stand with Ukraine: EC awards €5.5 million to ensure safe homes for those fleeing Ukraine](#), 30 November 2022.

43 [Red Cross EU Office, Annual Report 2022](#), REF. RCEU 04/2023 – 002, April 2023.

44 [EC communication: Welcoming those fleeing war in Ukraine - readying Europe to meet the needs](#), 23 March 2022.

45 [EC Safe Homes guidance](#), 6 July 2022.

The EU funds have been important in reinforcing support to MS, however understanding how much money was actually available was difficult due to the lack of reporting and monitoring in this area.⁴⁶ Additionally, most funds have been recycled and moved around by MS from pre-existing unspent EU money, while issues with transparency and access for civil society organisations to such funding were reported. The work of the Solidarity Platform facilitated coordination among Member States, the European Commission as well as representatives of the Ukrainian government. However, there is limited knowledge about the data that the Platform can collect and how this is being used, while a general lack of transparency and communication with civil society has characterised its work so far.

3. EXISTING CHALLENGES WITH ACCOMMODATION

With over 8 million individuals looking for protection in Europe - the largest displacement of people in the continent since World War II – ensuring access to adequate and safe accommodation was going to be inherently challenging. The immediate and proactive response of private citizens has made the difference in administering a crisis that could otherwise have had immense negative consequences on people's lives. Even after the activation of the TPD and after the temporary protection status had been obtained, the European response for accommodating people fleeing the war in Ukraine has, in practice, been heavily reliant on solidarity shown by private individuals, and therefore on organising private hosting programmes.

Currently the main problem is housing-solutions for the still rising number of Ukrainian refugees arriving in Denmark. Finding affordable and suitable housing can be a significant challenge, especially because the cost of living in Denmark is relatively high, and housing prices can be expensive in urban areas.

(Project Outside, Denmark)

The UNHCR survey from November 2022 conducted with 34,145 participants showed that 34% of the respondents were residing in hosting and 32% rented accommodation, 14% were staying at collective sites, 9% were living in reception centres, 4% in planned sites, and 3% in transit centres.⁴⁷ The Fundamental Rights Agency survey from 2022 shows that 6 out of 10 respondents⁴⁸ lived in a private apartment or house out of which half paid for this accommodation, either fully or partially. Though the third data collection by UNHCR showed that as of January 2023 the percentage of those renting has increased to 45%, an important 29% of individuals remained in private hosting (13% by relatives and 16% by others).⁴⁹ As reported by the European Migration Network in November 2022, for the accommodation of beneficiaries of TP, most Member States established new reception centres while also in some cases using the centres for international protection applicants. Member States often used hotels/hostels as emergency accommodation, during registration and before a more permanent solution could be found. Other forms of emergency or temporary accommodation were tents or campsites, sports halls, schools, cultural centres, temporary modular housing, and other governmental or municipal facilities, industrial and office buildings, social housing, and monasteries as well as ships.⁵⁰

46 PICUM and ECRE Policy Note, Displacement from Ukraine: the EU's financial response, October 2022.

47 Regional Protection Profiling and Monitoring Factsheet. Profiles, Needs and Intentions of Refugees from Ukraine. UNHCR, November 2022.

48 FRA Survey FLEEING UKRAINE DISPLACED PEOPLE'S EXPERIENCES IN THE EU 2022 was an open online survey carried out in 10 EU countries that share a land border with Ukraine (Hungary, Poland, Romania and Slovakia); or had the largest numbers of people displaced from Ukraine when FRA chose the countries for the survey (Bulgaria, Czechia, Germany, Italy and Spain); or had a large population of people displaced from Ukraine relative to their total population (Estonia). Almost all respondents applied for temporary protection. About one third applied for asylum.

49 UNHCR, DISPLACEMENT PATTERNS, PROTECTION RISKS AND NEEDS OF REFUGEES FROM UKRAINE, Regional Protection Analysis #2, Hungary, Poland, Republic of Moldova, Romania and Slovakia, April 2023.

50 European Migration Network (2022). Access to accommodation and housing for beneficiaries of temporary protection - EMN Inform. Brussels: European Migration Network.

Despite advancements allowed by the TPD in terms of facilitated entry, free movement, the right to work and sharing of responsibility among MS, as well as unprecedented citizen-led initiatives, access to adequate accommodation under the TPD did not happen without challenges. MS have been confronted for a long time with an overall accommodation and housing shortage, both at the reception stage as well as for transferring people to a medium-term accommodation. The housing sector was already overwhelmed and access to affordable housing in general was difficult way before the war started. This made it hard to identify adequate housing solutions for people fleeing the war in Ukraine and challenges are ongoing in this area.

General challenges

Private hosting, which was the main concrete solution put forward so far for accommodating Ukrainians, including under the EC Safe Homes initiative, has multiple limitations, especially as a long-term solution. As the conflict in Ukraine continues, signs of fatigue and frustration have started to appear in the private hosting schemes, as they lack sustainability. A decrease of interest and possibilities in accommodating refugees from private citizens has been noticed, particularly in the context of the cost of living and energy crisis.⁵¹ The financial frameworks aimed at supporting private hosting were not always functioning well, uncertainty being reported around the possibility to access financial support as well as a lack of information on how and when this would be available. Insecurity concerning accommodation has been confirmed by the UNHCR study published in October 2022 when participants to focus groups declared confusion regarding host state subsidies for accommodation in the longer term. At that time, 34% of respondents were living in hosted accommodation and 32% were renting.⁵² The long-term limitations of private hosting, which has been the main response for accommodation, are also recognised in the report of the Lodewijk Asscher, Special Adviser for Ukraine to the Commission: *“Housing through private solutions and hospitality has helped to provide initial accommodation but cannot be a permanent solution.”*⁵³

The existing lack of predictability and continuity of private accommodation is seen as potentially stressful for displaced persons who had to move to a reception centre when the private host would terminate the accommodation offer. UNHCR has identified several risks related to gender-based violence and sexual exploitation and abuse in relation with private accommodation in their latest survey from February 2023. In Hungary and Poland, respondents reported both a sense of obligation and tacit expectation to ‘give back’ to landlords hosting them in private accommodation, ranging from expectations of care-work to romantic or sexual exchanges. UNHCR notes that overall, a lack of vetting and monitoring systems for private hosts and/or landlords, contributed to violence risks, as well as fear among refugees.⁵⁴

(N)ot all asylum locations are managed in the same way. We have locations where Ukrainians just get a place to sleep and basic needs. As compared to other locations where the mood of the Ukrainians is monitored by regular personal conversations and actions are implemented to minimize depressions, or loneliness feelings or other problems. What could be done better is the implementation of such a training program for employees managing the asylum locations on a national level.

(Tussenvoorziening, The Netherlands)

51 European Migration Network (2022). Access to accommodation and housing for beneficiaries of temporary protection - EMN Inform. Brussels: European Migration Network.

52 UNHCR, Displacement Patterns, Protection Risks and Needs of Refugees from Ukraine study conducted in Belarus, Bulgaria, Hungary, Republic of Moldova, Poland, Romania & Slovakia, October 2022.

53 Integration of People Fleeing Ukraine in the EU Note to European Commission, Lodewijk Asscher, Special Adviser for Ukraine, May 2023.

54 UNHCR, DISPLACEMENT PATTERNS, PROTECTION RISKS AND NEEDS OF REFUGEES FROM UKRAINE, Regional Protection Analysis #2, Hungary, Poland, Republic of Moldova, Romania and Slovakia, April 2023.

Other challenges in the process of identifying accommodation options have been the unclear distribution of competences (especially across the federal states); particular interests of involved accommodation providers, organisations and provincial governments; or the lack of offers beyond mere accommodation (e.g., language courses, food services). Complicated bureaucratic processes and long processing delays in access to basic social support schemes have also been an issue, which further impacted the financial situation of people and the accessibility of medical services. Meeting the expectations of individuals has been challenging and in some cases accommodation offers have been refused - the majority of individuals requested accommodation in main urban areas, or rejected the offer due to a lack of accessibility or unfounded concerns (e.g. refusing accommodation with non-Ukrainian asylum seekers).

Challenges with securing accommodation appeared at different levels, including when people tried to rent independently. Difficulties were faced with ensuring a deposit or finding a short-term rental, since landlords request usually signing a contract for a minimum period, generally one year. In the context of the war, people find it hard to plan for a longer term. Similarly, renting possibilities have also been reduced as rents have doubled, the example of some cities in Poland. As reported in September 2022, rent for studio flats in Warsaw increased by as much as 50% over a year while a flat in Kraków has increased by an average of 47%, in Poznań by 23.6%, and in Wrocław and Gdańsk by approximately 37%⁵⁵. In February 2023, UNHCR identified that Ukrainian families increasingly reported exhausting their savings, which will likely lead to a surge in the number of families at risk of eviction due to their inability to pay rent and spiralling utility costs.⁵⁶

As a percentage of the people continue to live in spaces designed for temporary living, there are often overcrowding issues. FRA reported that adults and children have been sharing the common spaces even if they were not related: around a quarter of the respondents declared sharing a kitchen and bathroom with strangers to be a problem (28% and 24% respectively).⁵⁷ A lack of coordination with efficient social assistance and basic resources had been reported in some of these locations.⁵⁸ In collective centres conditions are even worse, noise and the lack of privacy becoming even more prominent. Uncertainty was registered in terms of the period for which people could live in these types of housing as well.

FRA survey from 2023 shows that the most often encountered problem within the different types of accommodation they surveyed was the lack of privacy and the need to share a kitchen or bathroom with strangers. Many adult respondents with dependent children were living in housing where the children had no access to a quiet or separate room where they could study.⁵⁹ 18% of the adult respondents to the FRA survey who were asked about payment mentioned doing housework or caring for children or older people in exchange for housing.

(...) the next major issue for Ukrainian refugees in Sweden is the low level of monetary support offered to asylum seekers in Sweden. An adult person is offered only 71 kronor (~ 6 EUR) per day, a reimbursement level that has not changed since the early nineties.

(Crossroads, Sweden)

55 Prime Real Estate and Investment Poland, [Huge increases in rental prices for apartments in Poland](#), 16 September 2022.

56 UNHCR, [DISPLACEMENT PATTERNS, PROTECTION RISKS AND NEEDS OF REFUGEES FROM UKRAINE](#), Regional Protection Analysis #2, Hungary, Poland, Republic of Moldova, Romania and Slovakia, April 2023.

57 European Union Agency for Fundamental Rights, [FLEEING UKRAINE. DISPLACED PEOPLE'S EXPERIENCES IN THE EU UKRAINIAN SURVEY 2022](#), Published in 2023.

58 Habitat for Humanity International, [Long-term Housing of Ukrainian Refugees in Europe](#), February 2023.

59 European Union Agency for Fundamental Rights, [FLEEING UKRAINE. DISPLACED PEOPLE'S EXPERIENCES IN THE EU UKRAINIAN SURVEY 2022](#), Published in 2023.

Discrimination, abuse, and racism in connection to accommodation

Certain groups among those fleeing the war in Ukraine face multiple challenges as they experience risks of abuse, discrimination, and racism in connection to accommodation. Among these are Ukrainian Roma and stateless Roma from Ukraine, LGBT individuals, women and young girls, and people with disabilities or elderly persons.

Numerous reports show that private hosts who offered their homes to people fleeing to safety have refused to extend their generosity to people of Roma origin or from the LGBTI communities coming from Ukraine. The European Roma Rights Centre (ERRC) report from February 2023 shows that Ukrainian Roma have experienced rejection across Europe, from the reception point to being placed into segregated facilities with worse conditions, and even being asked to arrange their own accommodation before applying to TP.⁶⁰ Segregation and mistreatment of Roma is confirmed also in Chisinau in the sports room Manej transformed in an accommodation centre, where Roma are to be escorted to by police.⁶¹ In Romania, at the Bucharest train station, Ukrainian Roma women and children were separated from the non-Roma Ukrainians and were denied food while waiting.⁶² Roma in the Czech Republic were told they need to wait for their registration permit and were abandoned in homelessness without any social support.⁶³ The ERRC reports that the unwelcoming reception of Roma from Ukraine has left people in despair and determined many to return to war torn Ukraine for lack of other options. UNHCR also shows that ending free accommodation programmes will affect Roma highly, due to large numbers residing in collective shelters and the inability of community members to afford rent, and due to discrimination within the housing market.⁶⁴

We are not aware of anyone of other nationalities than Ukrainian who have fled war in Ukraine having experienced street homelessness. However, people of other nationalities are being treated differently from Ukrainians, when it comes to receiving temporary protection and if the person's country of origin is considered safe, at least some have not been granted temporary protection.

(Finland, Kotimajoituksen tuki ry)

LGBTI+ Ukrainians also face specific challenges and discrimination when arriving in neighbouring countries and/or while trying to escape the war. This has been confirmed by UN Independent Expert on protection from violence and discrimination based on sexual orientation and gender identity in a statement: 'exposure to dangers faced by people who seek protection during this time is greatly exacerbated for those who identify as LGBTI+ and/or gender-diverse.'⁶⁵ Even after managing to surpass difficulties and mistreatment by Ukrainian authorities at border crossings,⁶⁶ safety cannot be guaranteed in neighbouring countries where societies do not hold friendly attitudes, to say the least, towards LGBTI+ people. Aware of the dangers that may appear, activists in the area have organised themselves and have set up actions to ensure that LGBTI+ people have access to safe shelter. They do this by arranging accommodation, either with private resources or by matching people with LGBTQ+ friendly homes. Organisations also work with grants to rent housing specifically for LGBTQ+ refugees.⁶⁷

60 The European Roma Rights Centre, Roma Rights Under Siege: Monitoring Reports from One Year of War in Ukraine, February 2023.

61 Information provided by Livia Otal, volunteer working in an improvised accommodation centre in Chisinau, Moldova.

62 <https://romania.europalibera.org/a/refugiati-ucraineni-romi-romania/31871917.html>

63 Romea.cz, Destitute, homeless Romani refugees from Ukraine in Czech Republic's second-largest city dependent on volunteers, visit by city official and police prompts fears that children and mothers will be separated, 09 June 2022.

64 UNHCR, Displacement Patterns, Protection Risks and Needs of Refugees from Ukraine study conducted in Belarus, Bulgaria, Hungary, Republic of Moldova, Poland, Romania & Slovakia, October 2022.

65 United Nations, Ukraine: Protection of LGBTI and gender-diverse refugees remains critical – UN expert, 22 March 2022.

66 The New Humanitarian, How LGBTQI+ to LGBTQI+ support is helping Ukrainian refugees find safety in the EU, 8 June 2022.

67 Madeleine Carlisle in Time, After Fleeing Ukraine, LGBTQ Refugees Search for Safety in Countries Hostile to Their Rights, March 10, 2022.

People with disabilities also faced difficulties in accessing adequate, adapted accommodation, many declaring for the UNHCR in September 2022 that along with access to cash, accommodation was one of the major challenges they faced.⁶⁸ These respondents were more likely to reside in collective accommodation, or transit/reception centres rather than rented or hosted accommodation. According to UNHCR this may indicate lower levels of financial means or support networks in host countries, which consequently places individuals in even more vulnerable situations. Furthermore, these types of accommodation are often not adapted to the special needs that people may have, making it even more difficult for them to manage independently.⁶⁹ Prejudice against persons with cognitive disabilities is additionally cited as a barrier for families searching for housing.⁷⁰

Women and young girls remain at a high risk in connection to housing. Risks of gender-based violence and sexual exploitation and abuse were identified by UNHCR in both private and collective accommodation. Identifying homes for the elderly has also been found difficult in some countries while older persons are more likely to reside in collective sites (25%) or be hosted by relatives (28%) and less likely to be renting their own accommodation than average, likely a reflection of the higher level of economic vulnerability of such households.⁷¹



Photo from the 'Ukraine House' in Wrocław, October 2022.

As of October 2022, only a few Member States granted temporary protection to third country nationals and stateless persons who did not hold an international protection status or were not holding permanent residence in Ukraine.⁷² Spain, Portugal, Germany and Finland have extended the temporary protection to a broader range of third country nationals who were residing regularly in Ukraine, for example for those who were there on a short-term basis, if they cannot return to their countries of origin. However, these states are the exception not the rule, since the majority do not grant temporary protection to third country nationals and stateless persons who did not hold an international protection status or were not holding permanent residence in Ukraine. This leaves a considerable number of third country nationals and stateless persons fleeing Ukraine out of the Temporary Protection Directive's scope, including without the rights to accessing housing.

68 UNHCR, *Ukraine Situation: Regional Refugee Response Plan - January-December 2023*, 15 February 2023.

69 *The impact of the Russian invasion of Ukraine: what the homeless sector can learn from the disability sector* by Milan Šveřpa, Director, Inclusion Europe, in FEANTSA Magazine *Homeless in Europe Summer 2022: The war in Ukraine and its consequences on homelessness*.

70 UNHCR, *Displacement Patterns, Protection Risks and Needs of Refugees from Ukraine study conducted in Belarus, Bulgaria, Hungary, Republic of Moldova, Poland, Romania & Slovakia*, October 2022.

71 UNHCR, *Displacement Patterns, Protection Risks and Needs of Refugees from Ukraine study conducted in Belarus, Bulgaria, Hungary, Republic of Moldova, Poland, Romania & Slovakia*, October 2022.

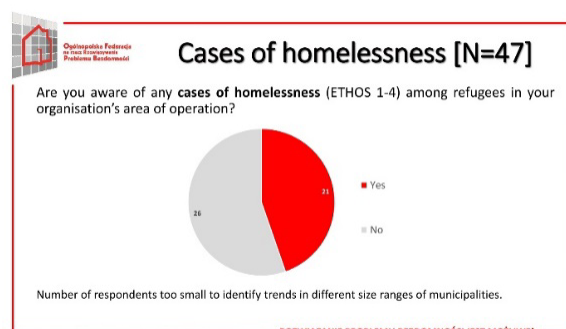
72 Meltem Ineli Ciger, Jean Monnet Fellow, European University Institute / Associate Professor, Suleyman Demirel University Faculty of Law, *'Reasons for the Activation of the Temporary Protection Directive in 2022: A Tale of Double Standards'* available at.

Homelessness and the war in Ukraine

The connection between the war in Ukraine and homelessness is very strong. The war has destroyed hundreds of thousands of homes within the country. As of fall 2022, more than 2.4 million Ukrainians have had their homes damaged or destroyed.⁷³ According to Dmytro Lubinets, the Ukrainian Parliament's Commissioner for Human Rights, within Ukraine a number of 14 million people were made homeless by the war.⁷⁴

Across EU member states, the TPD has generally prevented destitution among its beneficiaries and street homelessness has not been widely experienced; nonetheless, while comprehensive data is lacking, reports of a high risk in this direction emerge from several countries. Currently, a combination of the challenges presented above together with generally overwhelmed asylum reception and housing systems, has led to repeated episodes of homelessness, including sleeping rough among people fleeing the war in Ukraine.⁷⁵ In November 2022, for example, Brussels media reported dozens of Ukrainians having to spend the night on the benches of the Brussels Midi train station.⁷⁶ Samusocial Brussels reports supporting almost 3,000 Ukrainian refugees during the one year of war.⁷⁷ In Brno, the Czech Republic, Roma families from Ukraine were left destitute and homeless after being relocated from the railway station onto a fenced plot of land.⁷⁸ In Ireland the government was scrambling for solutions after recurrent episodes of Ukrainians sleeping rough were witnessed during the past winter.⁷⁹ In Germany, as of 31st of January 2023, 130,000 individuals fleeing the war in Ukraine were recorded in the statistics of the total people who were accommodated by municipalities and institutions because of homelessness.⁸⁰

In Poland, a third of respondents surveyed by the Polish National Federation for Solving the Problem of Homelessness indicate that they know of more than five cases of homelessness among refugees in their municipalities.⁸¹ Specific groups affected are refugees from countries other than Ukraine (fleeing war or persecution in countries other than Ukraine), refugees from Ukraine with citizenship other than Ukrainian and those of Roma origin.⁸² The same research identifies the risk of homelessness among Ukrainians fleeing the war recognised by almost half (22 out of 47) of the organisations surveyed. An estimated total of nearly 100 cases of homelessness among refugees were identified in this survey which only scratches the surface and raises awareness of the need to investigate the issue further. The main causes of the risk to homelessness as identified by the Polish National Federation were the high housing rental prices, the lack of municipal and social housing, and the lack of support programmes for vulnerable groups (e.g., disabled, elderly, mothers with multiple children). A difficult situation on the labour market is also an issue which impacts in turn the available financial resources of individuals.



73 Politico, March 2023 <https://www.politico.eu/article/ukraine-irpin-slowly-rebuild-their-burned-out-homes/>

74 <https://kyivindependent.com/ombudsman-russias-war-has-killed-nearly-8-000-civilians-in-ukraine-including-430-children/>

75 Homelessness as understood under the European Typology of Homelessness and Housing Exclusion (ETHOS) - <https://www.feantsa.org/download/ethos2484215748748239888.pdf>

76 The Brussels Times, Belgium's reception crisis: Ukrainian refugees now also sleeping rough, Friday, 18 November 2022.

77 Samusocial Brussels, Crise Ukraine, un an après : près de 3000 réfugié-e-s hébergé-e-s par le Samusocial, 06 March 2023.

78 Romea.cz, Destitute, homeless Romani refugees from Ukraine in Czech Republic's second-largest city dependent on volunteers, visit by city official and police prompts fears that children and mothers will be separated, 09 June 2022.

79 <https://www.irishmirror.ie/news/irish-news/politics/minister-admits-88-ukrainian-refugees-28885911> and The Irish Time, Homeless warning for arriving refugees as Government scrambles to create capacity, Jan 20 2023.

80 https://www.destatis.de/DE/Presse/Pressemitteilungen/2023/08/PD23_305_229.html

81 Understood as living in public spaces, non-residential places or using accommodation facilities for people in crisis of homelessness – i.e. ETHOS 1-4

82 Report from an ad hoc survey on risk of homelessness among refugees from Ukraine, Polish National Federation for Solving the Problem of Homelessness, June 2023 available at <https://sites.google.com/view/bezdomnosc-pl/news>.

Though the TPD does not apply in the UK case, we do underline that homelessness⁸³ among Ukrainians fleeing the war has been an important issue in the past year under the schemes adopted by the UK government.⁸⁴ According to data published by the UK government about experiences of homelessness in general among Ukrainian nationals, in England between the 24th of February 2022 to the 19th of May 2023 a number of 5,995 Ukrainian households have been assessed by a local government agency as experiencing homelessness or being at risk of homelessness in the next 56 days.⁸⁵ This represents a 46% increase compared to data reported earlier in the year when between the 24th of February 2022 and the 27th of January 2023 the number of such households was of 4,295.

The main drivers of homelessness among Ukrainians seeking refuge in the UK reflect those registered in the EU member states. These are related to the design and implementation of funding available for the three visa-based schemes⁸⁶ introduced to support Ukrainians which has left some refugees outside of the scope of support – putting living arrangements in jeopardy and leaving them at risk of homelessness. The short-term focus of the schemes (initially for a period of 6 months), the absence of financial support for Ukrainians under the Family Scheme or the lack of flexibility under the Homes for Ukraine scheme, which for example, excludes lodging arrangements and allocates payments to refugees that are fixed, regardless of the size of the recipient family sponsored. Adding to this, the wider cost-of-living crisis and the lack of affordable housing has severely compounded people's ability to move on from sponsorship and into their own homes. With record-high rents and the need for deposits and guarantors, people are struggling to access privately rented accommodation if their sponsorship or living arrangements have ended or broken down. This reflects the wider pressures of the housing crisis across the country, with many struggling to make ends meet as prices and living costs continue to rise.⁸⁷

Recommendations for the Westminster Government:

Harmonise funding across schemes: The most glaring omission in funding announcements is the absence of financial provision for arrivals under the Family Scheme or their family members hosting them in the UK. As they face the same if not more acute financial pressures to those on other schemes, this continued exclusion risks pushing more people into destitution and homelessness.

Increased flexibility in funding for hosts: For example, providing increased payments for those hosting larger families and allowing payments to continue for hosts where sponsorship arrangements have been sustained and developed into lodging arrangements. Currently, this is leaving some hosts outside the scope of the Homes for Ukraine funding.

Recommendations formulated by the All-Party Parliamentary Group on Ending Homelessness (APPGEH), February 2023.

83 The UK data was provided by FEANTSA member Crisis and draws more on the experiences of Ukrainian refugees facing any form of homelessness as the scale of street homelessness is not captured by existing information.

84 The Guardian, [Ukraine refugees homeless in UK after falling out with hosts, say community groups](#), 17 May 2022.

85 Research and analysis [Homelessness management information - Ukrainian nationals: England](#), January 2023, as quoted by Crisis in FEANTSA consultation.

86 The Ukraine Family Scheme, Homes for Ukraine, and UES Ukraine Extension Scheme.

87 <https://www.crisis.org.uk/about-us/media-centre/cross-party-mps-urge-uk-government-to-act-as-homelessness-amongst-ukrainian-refugees-increases-sixfold-in-a-year/>

The role of the homelessness sector

The involvement of the homelessness sector in supporting people in search of protection in Europe is not something new. In some countries where migrants, asylum seekers and even refugees face homelessness they often reach out to the homelessness services. Similarly, in this ongoing crisis, homelessness service providers have proven to have a crucial role in welcoming people in search of protection and in guiding them in settling down.

FEANTSA members service providers have been present at the borders with Ukraine in neighbouring countries, or at the train stations receiving people fleeing the war, informing and counselling them, including in regard to accommodation options. Their primary role typically goes beyond offering housing or accommodation directly; it involves coordination, collecting and distributing in-kind donations, looking up accommodation options, sharing information, offering translation in hubs, and organising recreational and schooling activities with the help of volunteers, etc. In addition, NGOs in all countries provide social support and enable access to health services.

Some stakeholders in the homelessness sector have taken on projects for refurbishing previously uninhabitable premises or administering apartments provided by private persons. New shelters were opened as well to host refugees from Ukraine. Some continue to be running to this day, despite being designed for short term emergency accommodation. Transforming night shelters for people experiencing homelessness to accommodate families and children or working with pledged accommodation in partnership with local authorities was also realised.⁸⁸

This type of work will continue to be needed as the war is ongoing and as gaps in accommodating people in the longer term persist and take on different forms - including pushing people into street homelessness. Unless more structural and coordinated measures are implemented, the sector will continue to face pressure and will be in need of additional resources to be able to develop their services.

4. CONCLUSIONS AND RECOMMENDATIONS

The activation of the Temporary Protection Directive has been referred to as a 'historic move', as it was activated for the first time since its adoption more than 20 years ago. The TPD has also brought an important change in the way that EU migration and asylum policies were implemented previously. As opposed to the rule that applies to asylum seekers from outside Europe, Ukrainian individuals had the possibility to swiftly enter the EU neighbouring countries; they could also benefit of free movement between MS, even when they had applied for TP already in one country, as well as the right to work. This is in high contrast to the restrictions introduced by the Dublin system⁸⁹ and the strict punishments that asylum seekers receive when they engage with onward movements between member states.

The available **freedom of movement** allowed through the TPD also meant that MS could share the responsibility to support beneficiaries of temporary protection more equally. Despite big numbers of individuals remaining in neighbouring countries, such as Poland, important moves happened to other countries, for example, Germany. This had consequences in the reception systems in terms of accommodation and in the housing sector. Being able to move where people

88 For more details on the involvement of homelessness organisations in receiving and supporting people fleeing the war in Ukraine you can consult FEANTSA magazine Homeless in Europe Magazine Summer 2022: [The war in Ukraine and its consequences on homelessness](#), July 2022.

89 https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation_en

had larger networks meant that a bigger support was made available from diaspora, allowing for the neighbouring countries to have more space in receiving newcomers from Ukraine. This has also been important to avoid that people fall into destitution and are left in street homelessness in the event of overcrowded and overwhelmed reception system. The **right to work**, which was conferred to beneficiaries of temporary protection as soon as they registered in the host country has made a significant difference in the level of independence and the financial prospects of individuals. In the case of asylum seekers, they are often not allowed to work while waiting for an answer to their asylum claim; this results in the need for more support and guidance as well as a precarious financial situation when they should transit to an independent living as beneficiaries of international protection.

Despite these advancements, achieving **adequate and affordable accommodation remains problematic** and we underline that there is still scope for improvement of reception standards under the TPD (as well as generally in the reception of asylum seekers in the EU). The accommodation of beneficiaries of TP is often not in compliance with the EU or international standards due to the lack of privacy, lack of security, inadaptability to needs of people with disabilities and reduced mobility, failing to address racism and xenophobia or by allowing for temporary accommodation to become medium term without adequate conditions in place.

Furthermore, for both reception and medium-term accommodation an **over-reliance on private hosting** has been the norm in the European response to welcome people from Ukraine. Though reception centres have functioned swiftly, and accommodation offers were made available fast, often times through the extraordinary solidarity wave from private citizens, this type of accommodation comes with limitations. As shown above, decisions of ending the contracts by hosts or unexpected conflicts leave beneficiaries of such measures at risk of immediate homelessness. ‘Solidarity fatigue’ has also been increasingly observed in the context of inflation and the cost-of-living crisis. This type of a response is also problematic when it comes to **racism or ethnic and LGBT discrimination**, as refusals in hosting Roma or LGBT people were registered. For these communities, problems were also registered when trying to access state reception centres or renting apartments/houses. Private hosting has presented risks in the case of Ukrainian women and young girls fleeing the war, as they were more at risk of sexual abuse and trafficking.

In general, and at first – yes! It was and is a standard, that was and is wished for other refugees too. It did lead however to a segregation between refugees. Ukrainians are being seen as the better refugees, also from the general austrian society. Other communities like Afghans, Syrians, Somalis, a.s.o. feel themselves as refugees of a second class, as some told me.”

(Tom Adrian, Caritas Vienna)

For these communities, problems were also registered when trying to access state reception centres or renting apartments/houses. Private hosting has presented risks in the case of Ukrainian women and young girls fleeing the war, as they were more at risk of sexual abuse and trafficking.

A major point that remains to be addressed by the EU and its Member States is the **transition to medium/long term housing**. It has been widely and openly recognised that if Europe has been spared a humanitarian crisis in the context where over 8 million people arrived on its territory in a matter of months, it was because of the enormous mobilisation of civil society. But this response is not sustainable for the long term, therefore authorities must assume their responsibility in making sure that a long-term strategy is developed and implemented with allocated financial resources. Such a strategy must take into consideration the challenges that have been identified to this point in access to affordable and adequate accommodation and the complex needs of different groups, as well as the general affordable housing crisis that has been taking place in Europe.

Finally, the need for **monitoring the implementation of the TPD**, particularly in terms of how the right to accommodation has been realised remains to be addressed. With full recognition to the advancements that the TPD had brought, we underline that gaps have appeared in its implementation, particularly as it continues to be transposed differently across member states.

Combined with continuous pressure on accommodation and housing systems at national level, this allows for increasing risks of homelessness among people arriving from Ukraine. These types of situations must be monitored and addressed by the European Commission.

FEANTSA recommendations:

- **The EC must strengthen monitoring, communication, and financial and operational support for MS to improve accommodation reception standards under the TPD, by:**
 - a) Establishing a **monitoring mechanism on the transposition and implementation of the TPD**, particularly with regards to Article 13 on access to suitable accommodation.
 - b) **Strengthening the scope, content, and communication around the Safe Homes initiative of the Commission** (and attached measures) by assigning additional resources of practical added value for Member States, public authorities, or stakeholders on the ground. The Commission should also establish which actions it can take when MS do not provide accommodation and housing at the standards set by the Safe Homes Guidance.
 - c) **Supporting MS with capacity building in how to ensure safety in private hosting schemes and to improve transparency and a fast communication regarding the financial support that hosts can receive from the Government or the EU.** Such types of support must address safety risks, including in terms of mental wellbeing, and the risks of exploitation in connection to housing which remain pertinent due to the nature of the refugee flow as well as the cost-of-living crisis.
 - d) **Private hosting initiatives must be explored further and integrated as part of the solution** by recognising community involvement as a resource and the important role that NGOs have as equal partners in administering and implementing accommodation and housing programmes. This needs to be reflected when allocating funding and operational support (e.g.: increased transparency of financial schemes).
 - e) **The EU should set up targeted practical guidance for better access to relevant EU funds** (ERDF+, ESF+, Cohesion Fund) with the countries where big number of refugees have established.
- **The European Commission and the EU member states should design a long-term housing strategy for all refugees to ensure a sustainable and safe transition from the temporary emergency accommodation or hosting programmes** which must be coordinated by governments and public authorities. Several measures can be considered under this strategy:
 - a) Improve access to rental market by using Social Rental Agencies as a solution to facilitate access to affordable housing for refugees.
 - b) Designing a long-term housing strategy with a regional focus, bringing together relevant stakeholders such as the EU, the OSCE, the UNHCR, the Council of Europe Development Bank, governments of neighbouring countries as well as other concerned countries – to set up a multi-donor initiative on housing.⁹⁰
 - c) In countries where a housing strategy exists, such as Ireland, local authorities must produce ‘need and demand’⁹¹ assessments of housing, taking account of drivers like migration. This type of tools is needed for responding to unmet housing needs, including those of Ukrainians fleeing the war and all refugees.

90 For further information on recommendations for accommodation of people fleeing the war in Ukraine please consult the research report on [Long-term Housing of Ukrainian Refugees in Europe](#) commissioned by Habitat for Humanity International, February 2023.

91 Department of Housing, Local Government and Heritage Ireland, [Housing Need and Demand Assessment \(HNDA\)](#), Last updated on 20 October 2021.

- Efforts must be made to **adapt solutions to complex needs of people in vulnerable situations** by including specific regulations in policies or measures. Intersecting discrimination, gender, and age specific solutions need to be considered as well, while involving members of the communities in all stages (both refugees themselves and the host communities). Solutions must also include targeted support measures for groups with protected characteristics (i.e., address racism against Roma and other racialised people fleeing Ukraine, safety risks for women, or discrimination against LGBT communities).
- A **definition of what is 'adequate' or 'suitable' accommodation** under the European asylum system must be established; to move towards achieving that all individuals searching for international or temporary protection can access accommodation that is safe and which answers to specific and complex needs; a harmonised definition of what is adequate/suitable accommodation needs to be adopted across the EU.
- The lessons learnt from the response to the war in Ukraine must be used to set the new standards in the European asylum system. While negotiations to finalise the 'Asylum and Migration Pact' are getting closer to completion, going forward the EU must ensure that **differential treatment between people in need of protection, on the basis of their country of origin, should not be allowed in the EU** and everyone should have access to the same type of support (examples of measures for this could be a stronger reform of the Dublin Regulation or securing the right to work for asylum seekers).
- As a general need, the EU and Member States must move forward with **improving the available stock of affordable housing**: there is a need to develop a mechanism for the transition to middle/long term housing to deal with the housing affordability crisis, which is something that pre-existed the Ukraine war or the COVID19 crisis.⁹²

FEANTSA is grateful for the continuous inputs provided by its members concerning the challenges faced in their work for supporting people in exile, and in particular for this paper we would like to acknowledge the contributions of the following organisations: Crisis UK, Tussenvoorziening the Netherlands, Crossroads Stadsmision Sweden, Project Outside Denmark, Kotimajoituksen tuki ry – Home Accommodation Support Association and Vailla vakinaista asuntoa ry – No Fixed Abode NGO Finland, Cites Caritas France, Social welfare office Graz, Caritas Vienna, Volkshilfe Vienna, Geschäftsführung BAW and fio.PSD Italy.

⁹² For further information on available housing solutions please consult Housing Solutions Platform, '50 Out-of-the-Box Housing Solutions to Homelessness and Housing Exclusion'.



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