



TEMPORARY PROTECTION FOR PERSONS FLEEING UKRAINE

On 4th March the European Union activated the Temporary Protection Directive (2001/55/EC).

WHO ELIGIBLE?

IS | The Directive applies to the following categories of **persons displaced from Ukraine on or after 24th February 2022**:

- a) **Ukrainian nationals** residing in Ukraine before 24th February 2022;
- b) **stateless persons**, and **nationals of third countries** other than Ukraine, **who benefited from international protection or equivalent national protection in Ukraine** before 24th February 2022; and
- c) **family members** of the persons referred to in points (a) and (b).

The following persons shall be considered part of a family, insofar as the family was already present and residing in Ukraine before 24 February 2022:

- 1. the **spouse** of a person referred to in point (a) or (b), or the **unmarried partner** in a stable relationship;
- 2. the **minor unmarried children** of a person referred to in point (a) or (b), or of his or her spouse;
- 3. other **close relatives** who lived together as part of the family unit at the time of the mass influx of displaced persons, and who are dependent on a person referred to in point (a) or (b) at the time.

Temporary Protection shall also be granted to stateless persons, and non-Ukrainian nationals of third countries, who can prove they were legally residing in Ukraine before 24th February 2022 and who are unable to return to their country or region of origin.

In case the persons concerned are unable to submit evidence that they fall under the target groups listed above they will not be granted Temporary Protection.

If you do not fall within the categories above, there is the possibility to apply for International Protection¹ with the International Protection Agency (IPA)².

¹ See FACTSHEET NO 12: THE ASYLUM PROCEDURE: https://aditus.org.mt/Publications/factsheet12_asylumprocedure.pdf.

²² See FACTSHEET NO 12: THE ASYLUM PROCEDURE: https://aditus.org.mt/Publications/factsheet12_asylumprocedure.pdf.



WHAT ARE THE RIGHTS OF TEMPORARY PROTECTION HOLDERS?

Holders of the Temporary Protection status will be entitled to:

- residence permit;
- access to the labour market and accommodation;
- social and welfare assistance³;
- medical care (including, as a minimum essential emergency care and essential treatment of illness); and
- access to education for children and teenagers⁴.

In terms of social and welfare assistance, TP holders are being treated as beneficiaries of subsidiary protection. This means that they may apply for social welfare benefits from any of the [servizz.gov offices](https://www.servizz.gov.mt), where officials will assist them to apply. If considered eligible, TP holders will receive [Social Assistance](#)⁵.

Applicants paying rent will receive 100% of the benefit amount whilst applicants not paying rent, such as for example a spouse, will receive 75% of the benefit amount.

HOW LONG WILL THIS STATUS LAST?

You will be issued with a permit until **4th March 2023**. If the situation remains the same your status may be renewed for another two consecutive periods of 6 months each, i.e., until 4th March 2024.

CAN THIS STATUS BE ENJOYED TOGETHER WITH ANOTHER STATUS?

No. Temporary Protection cannot be enjoyed while also having applied for international protection, i.e. asylum-seeker.

In case you apply for International Protection⁶, your application will be assessed accordingly⁷, and a decision will be taken by the IPA. IMP: International Protection status determination process is independent from the granting of Temporary Protection.

IS TEMPORARY PROTECTION 'AUTOMATIC'?

No. Requests for Temporary Protection need to be submitted to the IPA. You need to make an appointment with the IPA by writing to frontoffice@ipa.gov.mt.

³ Please note that the situation is relatively new, information relating to entitlements is still being ironed out. Follow the Malta Refugee Council website for updated information: <https://maltarefugeecouncil.org.mt/News>.

⁴ See Malta Refugee Council: Ukraine Info: Registering children at the Migrant Learners' Unit <https://maltarefugeecouncil.org.mt/Ukraine-Info-Registering-children-at-the-Migrant-Learners-Unit>.

⁵ [https://www.servizz.gov.mt/en/Pages/Inclusion -Equality-and-Social-Welfare/Social-Solidarity/Benefits-and-Services/WEB649/default.aspx](https://www.servizz.gov.mt/en/Pages/Inclusion-Equality-and-Social-Welfare/Social-Solidarity/Benefits-and-Services/WEB649/default.aspx).

⁶ See FACTSHEET NO 12: THE ASYLUM PROCEDURE: https://aditus.org.mt/Publications/factsheet12_asylumprocedure.pdf.

⁷ See FACTSHEET NO 17: THE ASYLUM PROCEDURE IN PICTURES: https://aditus.org.mt/Publications/factsheet17_asylumprocedurepictures.pdf.





You need to take the following documents to the appointment:

1. original identification documents (passport, identity card, etc.);
2. travel documents that show their travel route;
3. original or printed copies of birth certificates of minor children;
4. printed copies of:
 - the first page of your passport or identity card (including the personal detail information/ biodata page) and;
 - of the page(s) including the stamp related to entry in the EU and/or the pages containing the VISA issued by an EU country.

**HOW CAN I
APPLY FOR A
RESIDENCE
PERMIT WITH
ID MALTA?**

After obtaining Temporary Protection, you need to visit the office of Identity Malta in Hal Far with the following documentation:

- Identity Malta Form ID 1A (filled)⁸;
- Identity Malta Form CEA (filled). Available as above;
- Lease agreement;
- Rental declaration form (filled by the lessor). Available as above;
- IPA certificate;
- IPA decision letter;
- Payment of €27.50 per person (including children);
- Deed of purchase of the property (if landlord is not a Maltese national).

An appointment needs to be made with Identity Malta by writing to noneu.ima@gov.mt. Once the appointment is made, documents must be taken and presented to the clerk. If all is in order, photos and fingerprints will be taken, and you will need to pay the fee.

Further to this, you will be given a receipt with the official residence permit number. This document may be used for services such as health, education, etc.

You will then receive a letter from Identity Malta informing you that the residence permit is ready to be collected.

Visit the latest news from Malta Refugee Council website | <https://maltarefugeecouncil.org.mt/News>

Need more info? Or contact aditus on +356 2010 6295 | www.aditus.org.mt | info@aditus.org.mt

⁸ This is downloadable from the Identity Malta site: <https://www.identitymalta.com/unit/expatriates-unit/>.