



HIAS

Welcome the stranger.
Protect the refugee.

At Risk and in Need

Recommendations to Help
the Most Vulnerable People
Displaced from Ukraine

June 2022

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EXECUTIVE SUMMARY

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The war in Ukraine has led to the largest refugee crisis in Europe since World War II, and one of the fastest large-scale population displacements in history.¹ **In response, the international community provided a swift outpouring of support to people fleeing Ukraine.** EU Member States and many governments worldwide have provided temporary status to people displaced from Ukraine. Donor governments have committed billions of dollars to humanitarian relief.



Civilians flee the city of Irpin, Kyiv, Ukraine, during heavy bombardment by the Russian Army, March 5, 2022. **Photo:** AG for HIAS.

Despite this response, **there are significant gaps leading vulnerable populations to experience serious protection risks**, including gender-based violence, trafficking, and barriers to safe shelter and medical and mental health services. Women and children—most of those fleeing Ukraine—are particularly at risk. LGBTQ individuals, stateless persons, and non-Ukrainian asylum seekers also face discrimination and challenges crossing borders and accessing support. People with disabilities and older people are also extremely vulnerable.

This report provides policy recommendations informed by HIAS’ decades of expertise in Ukraine assisting highly vulnerable individuals, and our work globally to ensure refugees and other forcibly displaced populations access legal protection and refugee resettlement, gender-based violence response services, mental health and psychosocial support, and economic inclusion. It reflects HIAS’ work with partners in the region and in the U.S. to advance refugee rights and protection and seeks to elevate the concerns of the most vulnerable populations fleeing Ukraine.

The global response to the Ukraine refugee crisis shows that:

- **A human rights-based response to large-scale displacement is possible.** States have provided rapid humanitarian assistance, immediate protection, and temporary legal status to people fleeing war and persecution with support from multilateral organizations.
- Despite this rapid and comprehensive response, **vulnerable people continue to face significant protection gaps**, limiting their ability to secure stable housing, dignified work, appropriate medical and mental health care, and long-term legal status. The needs of the most vulnerable must—and can be—addressed.

- **Local organizations offering specialized care require increased recognition and resources.** Women-led, LGBTQ, disability rights, faith-based, and other civil society organizations are on the frontlines supporting those fleeing Ukraine. With greater technical and financial resources, these groups can expand their impact. Their expertise should inform interagency humanitarian response plans.
- At the same time, **governments must not relinquish their primary role in refugee protection.** Across Europe, volunteers led the response to people fleeing Ukraine, and the U.S. strategy to welcome Ukrainians relies on sponsors. While governments should encourage civil society responses, they must play a primary role preventing exploitation and providing comprehensive support and legal status to refugees.



BACKGROUND

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In 2014, the Russian Federation invaded and annexed the Crimea, a historically strategic peninsula in Ukraine. It also supported separatists who proclaimed independence in the Ukrainian regions of Donetsk and Luhansk.² By December 2021, there were 734,000 internally displaced Ukrainians, and more than 1.6 million conflict-affected persons.³

On February 24, 2022, the Russian Federation launched another military invasion of Ukraine. The UN General Assembly (UNGA) condemned the invasion as a violation of the UN Charter and called for Russian forces to withdraw from Ukraine unconditionally and completely.⁴

By early June 2022, close to seven million people had fled from Ukraine to neighboring countries, with almost four million to Poland alone,⁵ stretching housing and other services to capacity.⁶ Many had already been displaced by the 2014 invasion. Two-thirds of Ukrainian children have had to flee their homes.⁷ Of the internally displaced people (IDPs) in Ukraine, 27% described themselves as somewhat or completely unsafe.⁸

Governments and multilateral organizations—as well as NGOs, the private sector, and diaspora communities across Europe—have provided immediate, temporary protection and funding to people displaced from Ukraine. The EU adopted the **Temporary Protection Directive (TPD)**, allowing those fleeing Ukraine the right to access work, housing, education, and healthcare in EU member states.⁹ The TPD is a binding instrument that must be transposed into national law by states. While this process grants some discretion to states to interpret the TPD,¹⁰ some, including Poland and Hungary, have implemented laws that violate the TPD¹¹ by excluding third country nationals, stateless people, and asylum seekers.¹²

Meantime, **civil society actors**, including women-led organizations, Ukrainian diaspora communities, LGBTQ groups, disability advocates, and faith-based communities, have provided immediate and specialized support to those fleeing the conflict.¹³ But many have exhausted the few resources they have and are unable to access funding required to respond to the overwhelming need.¹⁴

Significant **multilateral support** has come from the UN Refugee Agency (UNHCR), which is delivering aid and identifying vulnerable refugees,¹⁵ and the UN Migration Agency (IOM), which assists with relocation and returns¹⁶ and provides counseling on trafficking risks.¹⁷ UNICEF has established Blue Dots—hubs for refugee families to receive counseling and referrals to other services—and has played a vital role in identifying unaccompanied children.¹⁸ To reach the most vulnerable, multilaterals benefit from implementing partnerships with local organizations.



Staff members from HIAS Ukrainian partner organization Right to Protection (R2P) walk, February 23, 2022, near a rehabilitation center that was shelled in 2014 at the beginning of the war in Slavyansk, East Ukraine. **Photo:** AG for HIAS.

Like other countries outside Europe,¹⁹ the **United States** quickly granted temporary protected status (TPS) to Ukrainians,²⁰ and within a month of the invasion, introduced “Uniting for Ukraine” (U4U), a pathway for Ukrainian citizens with U.S.-based sponsors to stay for a temporary two-year parole period.²¹ In May, Congress passed legislation providing limited resettlement benefits to Ukrainians arriving in the U.S. under humanitarian parole.²² But without access to the U.S. Resettlement Program, HIAS and other refugee advocates are concerned that those fleeing the war do not have access to the benefits they require and those who do not have sponsors are left without safe options.²³



BEARING THE BRUNT OF THE WAR:
AT-RISK GROUPS

Despite the outpouring of support for those fleeing Ukraine, including from governments, multilateral organizations, and civil society organizations, the needs of certain at-risk groups are not being met. Women and girls, unaccompanied children, LGBTQ individuals, people with disabilities, and non-Ukrainian asylum seekers and stateless people are particularly vulnerable.²⁴ There are many groups at risk, including older people and Romani communities; this report focuses on five key groups based on HIAS' field experience and technical expertise.

WOMEN AND GIRLS

Since the onset of the war in Ukraine, at least 90% of those fleeing the country have been women and children, populations at particular risk in situations of displacement.²⁵ At the start of the conflict, volunteers across Europe offered an outpouring of support to refugees, including housing and other emergency relief, often without substantial government involvement or coordination.²⁶ While this level of support has waned in the months since the invasion, it exposed significant risks of violence, exploitation, and trafficking.²⁷ UN agencies have repeatedly warned of the significant risk of trafficking²⁸—the act of compelling adults or children to perform labor or engage in commercial sex—and the longer-term protection gaps associated with declining levels of humanitarian assistance.²⁹



Olga (65) and her daughter Svetlana cry after watching a Russian missile destroy their apartment in Podill district, Kyiv, Ukraine, March 18, 2022. **Photo:** AG for HIAS.

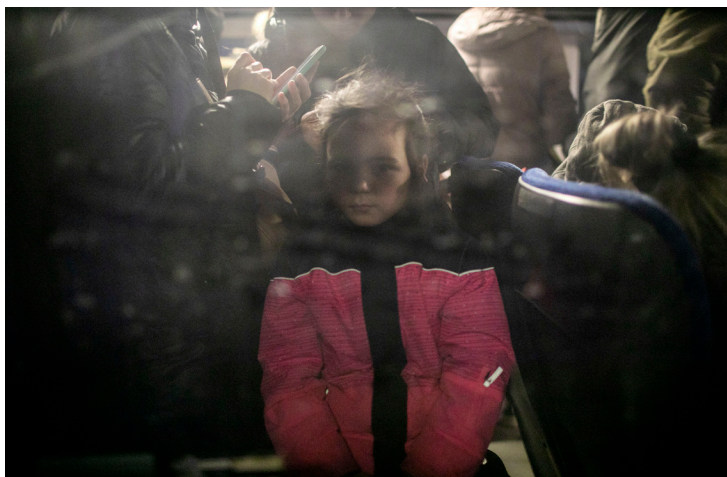
Women and girls have experienced conflict-related sexual violence inside Ukraine³⁰ and gender-based violence (GBV) both in the country and region. Both were common before the most recent invasion: a UN study in Ukraine, including in non-government controlled areas (NGCAs), from 2014 to 2017 found numerous reports of sexual violence in detention, in residential areas, and at checkpoints.³¹ One quarter of women reported physical or sexual violence from an intimate partner, a rate that doubled if the partner had fought in an armed conflict;³² half experienced sexual harassment.³³

HIAS' partnership with VOICE (an organization responding to women and girls affected by conflict around the world) on *When the Sky Closes: The Unprecedented Crisis Facing Women and Girls Fleeing Ukraine*,³⁴ a six-country qualitative assessment, further highlights the protection concerns facing women and girls in Ukraine and the region. Informed by 171 key informant interviews, including 22 group discussions held in March and April 2022, the

assessment brings to light the prevalence of sexual exploitation, trafficking, and domestic violence; limited services for survivors; barriers to reproductive health care; and lack of resources to women's rights organizations providing front line support to women and girls.

UNACCOMPANIED AND SEPARATED CHILDREN

Nearly two-thirds of Ukrainian children are displaced internally or outside Ukraine.³⁵ Many of them are unaccompanied or separated from their families, particularly those with physical or intellectual disabilities or those living in institutions, and are at risk of trafficking, exploitation, and abuse.³⁶ They face serious barriers safely reuniting with their families. Data shows children separated from their parents experience significant and potentially lifelong harm.³⁷



A young child waits for the train from Kyiv-Lviv to flee the country as the Russian Army continues to advance, Kyiv, Ukraine, March 6, 2022. **Photo:** AG for HIAS.

The EU's Temporary Protection Directive (TPD) provides children fleeing Ukraine access to education and includes special provisions for unaccompanied or separated children, including identification, accommodation, family reunification, and the prevention of premature adoption, consistent with the

best interests of the child.³⁸ In practice, however, unaccompanied children have faced challenges securing guardians, safe shelter, and education across Europe.³⁹

LGBTQ PEOPLE

Lesbian, gay, bisexual, transgender, and queer (LGBTQ) individuals are often vulnerable in crisis and disaster.⁴⁰ Conscription tends to exacerbate this vulnerability: with men ages 18-60 required to stay in Ukraine to serve in the military,⁴¹ transgender women and non-binary individuals with identity documents identifying them as men have reported that border authorities would not let them leave the country.⁴² Transgender men reported harassment if they refused to contribute to Ukrainian defense efforts.⁴³

The crisis in Ukraine also affects LGBTQ individuals with medical needs, including those taking medication as part of a gender transition and HIV-positive individuals. Lack of access to treatments increases the risks of abuse and exploitation.⁴⁴ Those who flee to neighboring countries

are also likely to encounter homophobia and transphobia, including in Poland and Hungary, where same-sex marriage is not recognized and discrimination is widespread.⁴⁵ LGBTQ organizations in bordering countries have connected LGBTQ individuals to appropriate services, but many LGBTQ refugees have sought protection in Western Europe.⁴⁶

PEOPLE WITH DISABILITIES

About 15% of the world's population lives with a disability.⁴⁷ In Ukraine, at the time of the invasion, 2.7 million people were registered as living with a long-term physical, mental, intellectual or sensory impairment that hinders their full and effective participation in society on an equal basis with others.⁴⁸ Reports indicate that people with disabilities have faced a wide variety of challenges due to the invasion.⁴⁹ These include being trapped in their homes, or institutions where many thousands of people with disabilities live in Ukraine, unable to evacuate or relocate internally or across borders.⁵⁰ Many have been unable to secure medications and other medical care, leading to further debilitation or degeneration.⁵¹ Women and girls with disabilities have been unable to access reproductive health services and are particularly vulnerable to conflict-related sexual violence and other forms gender-based violence. Many people living with disabilities have been separated from their family members and caregivers because of the invasion, leading to significant gaps in care.⁵² Older people living with disabilities face multiple levels of vulnerability, particularly those trapped in their homes.⁵³



Civilians cross a destroyed bridge as they flee the city of Irpin, Kyiv, Ukraine, during heavy bombardment by the Russian Army, March 5, 2022. Photo: AG for HIAS.

NON-UKRAINIAN REFUGEES, ASYLUM SEEKERS, AND STATELESS PEOPLE

For decades, HIAS has supported refugees, asylum seekers, and stateless people in Ukraine, both directly and through its partner Right to Protection (R2P). In December 2021, Ukraine hosted nearly 5,000 refugees and asylum seekers, largely from Afghanistan, the Middle East, and Somalia.⁵⁴ Many, particularly Black and Muslim asylum seekers, have faced significant discrimination, alongside a dysfunctional asylum system⁵⁵ that does not adequately protect against *refoulement*.⁵⁶ Moreover, almost 36,000 stateless people—mostly Romani and those whose nationality status was affected in the dissolution of the Soviet Union—lived in Ukraine before the 2022 invasion, usually without identity documents.⁵⁷ In addition, most children born in NGCAs do not have Ukrainian birth certificates, placing them at risk of statelessness.⁵⁸ In 2014, the situation worsened for refugees, asylum seekers, and stateless persons as resources were mobilized to assist Ukrainian IDPs.⁵⁹

Those concerns are now amplified. Identity and civil registration documents are critical in situations of forced displacement, including this crisis.⁶⁰ The EU requires an individual “to demonstrate his/her nationality, his/her international protection or equivalent protection status, residence in Ukraine or family link” to enter from Ukraine. Where a person lacks documents or the state doubts the authenticity of the documents, a member state may consult with Ukrainian authorities or to refer the individual to the asylum procedure.⁶¹ Asylum seekers, stateless people, and others who do not have identity documents or evidence of long-term residence in Ukraine have been turned away at the borders of the EU and have faced serious challenges securing legal status, safety, and protection once across. Moreover, months into the conflict, Ukraine continues to detain migrants and asylum seekers, placing them at significant risk.⁶²



Bunk beds for refugees at Arena Lviv, a transit area where many refugees gather before transiting to other parts of Ukraine or other countries, Lviv, Ukraine, April 1, 2022. **Photo:** AG for HIAS.

This response is unsurprising considering the EU did not offer temporary protection to refugees who arrived in Europe from Syria in 2015-2016 or Afghanistan in 2021.⁶³ Moreover, while welcoming Ukrainian citizens, member states are actively pushing back asylum seekers from other global crises,⁶⁴ have considerable asylum backlogs,⁶⁵ and are offering resettlement spots at historically low levels.⁶⁶



RECOMMENDATIONS

RECOMMENDATIONS



EUROPEAN UNION

1. Ensure **Full Implementation of the TPD** by Member States
2. Consult and Resource Local **Civil Society Organizations**
3. Combat **Trafficking** and **Exploitation**



UNITED STATES

1. Use the **U.S. Refugee Admissions Program**—Not Humanitarian Parole
2. Keep **Uniting for Ukraine** (U4U) Beneficiaries Safe and Informed
3. Consult and Resource Local **Civil Society Organizations**



UNHCR, IOM, AND UNICEF

1. Partner with Local **Civil Society Organizations**
2. Combat **Trafficking** and **Exploitation**
3. Provide all those Fleeing Ukraine **Equal Access to Protection** and **Durable Solutions**

EUROPEAN UNION

Ensure Full Implementation of the TPD by Member States

- **Monitor compliance by border authorities** to ensure they adopt flexibility in documentation requirements, particularly for non-Ukrainians seeking international protection, stateless persons, and LGBTQ individuals.
- **Ensure member states implement the TPD without discrimination** so all populations fleeing Ukraine, particularly the most vulnerable, can access rights and protection. Where necessary, use discretion under EU law to allow entry on humanitarian grounds.
- **Repeal and amend national laws that exclude third-country nationals** in violation of the TPD.
- **Improve data collection to identify movement between EU member states** and ensure appropriate resource allocation to hosting states.

Consult and Resource Local Civil Society Organizations

- Regularly **consult local civil society organizations (CSOs) in the development of national and regional response plans** to the Ukraine crisis, both in planning, implementation, and evaluation.
- **Increase resources for CSOs**, including women's rights and women-led organizations, LGBTQ alliances, disability rights groups, diaspora community groups, and faith-based organizations working to protect and welcome refugees, particularly the most vulnerable.
- **Engage women's rights and women-led organizations** to ensure access to survivor-centered services to address sexual exploitation, domestic violence, reproductive health needs, and conflict-related sexual violence.
- **Step up the identification of and support for unaccompanied and separated children**, ensuring the best interests of the child inform all decisions relating to safe housing, education, health and mental health care, and other forms of age-appropriate community support.
- **Coordinate and resource local LGBTQ organizations** to ensure at-risk LGBTQ individuals in Ukraine can safely leave the country and access safe and discrimination-free housing, education and employment, health and mental health care, and other forms support.
- **Support disability rights organizations** and the medical and mental health interventions they recommend to ensure people with disabilities can live in safety, free from exploitation and abuse, and can secure the care they require.
- **Fund refugee and stateless legal aid organizations** and partner with law firms offering pro bono legal assistance to help non-Ukrainian asylum seekers and stateless persons access legal status, rights, and protection in EU member states.

Combat Trafficking and Exploitation

- **Resource regional, national, and local initiatives to combat trafficking and exploitation**, involving multilateral, government, and civil society actors in planning and implementation.
- **Ensure robust trafficking awareness information in relevant languages is available** to those at risk of being trafficked.
- **Coordinate with local organizations** to ensure survivor-centered services are available to trafficking victims.

- **Establish systems to monitor service providers**, including those offering accommodation, to prevent trafficking, exploitation, and abuse, without limiting the rights or capacity of compliant organizations to provide services.

Reunite Families

- **Step up resources and coordination** of all agencies involved in the identification of unaccompanied and separated children, persons with disabilities, and older people separated from caregivers, and **facilitate expeditious family reunification**.

UNITED STATES

Use the U.S. Refugee Admissions Program—Not Humanitarian Parole

- **Bring in Ukrainians to the U.S. through the U.S. Refugee Admissions Program** as refugees, not under temporary humanitarian parole status. This will give them access to the stability and support to rebuild their lives in dignity.
- **Expedite the resettlement of applicants from Ukraine through the Lautenberg program** for religious minorities from the former Soviet Union and facilitate the ability of Lautenberg-eligible U4U parolees to apply for refugee status after they are inside the United States.
- **Congress must pass legislation** that will allow Ukrainians who enter the U.S. as humanitarian parolees to get on a pathway to permanent residence.

Keep Uniting for Ukraine (U4U) Beneficiaries Safe and Informed

- **Launch and implement robust monitoring mechanisms for U4U sponsors** to prevent and respond to allegations of trafficking, exploitation, and abuse.
- **Fund local resettlement agencies** and other immigrant service providers to assist potential U4U sponsors, and Ukrainian parolees who need support applying for work authorization, TPS, or asylum.
- **Ensure U4U does not impede Ukrainians legal right to seek asylum.**

Consult and Resource Local Civil Society Organizations

- **Increase funding for civil society organizations (CSOs)**, including women's rights and women-led organizations, LGBTQ alliances, disability rights groups, diaspora community groups, and faith-based organizations working to protect and welcome the most vulnerable populations fleeing Ukraine.
- **Require recipients of international humanitarian funding** to consult and fund local CSOs and **prioritize the needs of the most vulnerable**, including women and girls, unaccompanied and separated children, LGBTQ individuals, people with disabilities, and non-Ukrainian refugees, asylum seekers, and stateless persons.

UNHCR, IOM, AND UNICEF

Partner with Local Civil Society Organizations

- All three organizations should **partner with local civil society organizations** to respond to protection gaps facing the most vulnerable forcibly displaced populations.

Combat Trafficking and Exploitation

- IOM should expand support for government efforts to **prevent and address trafficking and exploitation**, given the vulnerability of many of the populations fleeing Ukraine and the uneven capacity of host governments to provide comprehensive protection.

Provide all those Fleeing Ukraine Equal Access to Protection and Durable Solutions

- Ensure **country-level strategies and funding** prioritize the protection concerns of vulnerable populations.
- UNHCR should **assist non-Ukrainians asylum seekers in detention in Ukraine to reach safety** and access protection.
- UNHCR should **seek resettlement quotas and begin to identify highly vulnerable individuals who express a desire for resettlement**, including non-Ukrainian asylum seekers, stateless persons, and LGBTQ individuals.
- IOM should continue to **support voluntary relocation** to other EU states.
- UNICEF should **continue efforts to identify unaccompanied and separated children**, ensure their protection, and support states to reunite children with their parents.



CONCLUSION

The **international community has provided an unprecedented level of support to people fleeing Ukraine**. The EU's Temporary Protection Directive has allowed Ukrainians to freely enter Europe and access housing, education, medical care, and employment. The U.S. and other countries outside Europe have generously provided Ukrainians with temporary status and developed programs to match citizen sponsors with Ukrainians seeking to relocate. Donor governments have contributed billions of dollars to humanitarian relief. And both private citizens and local organizations have provided a wide range of support, often on a volunteer basis.

Despite this response, **vulnerable populations are at risk**. For example, **women and girls** face sexual exploitation, trafficking, domestic violence, and barriers to reproductive health care, and the lack of resources available to women's rights organizations exacerbates limitations on services. **Unaccompanied and separated children**, particularly those living with disabilities, are extremely vulnerable to exploitation and abuse, often unable to reunite with their families. Some **LGBTQ individuals** have been blocked from leaving Ukraine without identity documents that match their gender, cannot access medication, and often face discrimination in housing, employment, and other services in host countries. **People with disabilities** have found themselves trapped in their homes, and those able to flee the country have reported challenges accessing safe housing, medical and mental health care, and other community support mechanisms. **Non-Ukrainian refugees, asylum seekers, and stateless persons** face discrimination at border crossings, barriers to services, and harassment in host countries.

But there are ways the EU, U.S., and UN agencies can address these gaps. Based on decades of work protecting vulnerable populations in Ukraine and internationally, **HIAS recommends** these bodies:

- **Fund local civil society organizations and engage them in the design of humanitarian responses for vulnerable populations.** Women-led, LGBTQ, disability rights, faith-based, and other civil society organizations are on the frontlines supporting those fleeing Ukraine. With greater technical and financial resources, these groups can expand their impact. Their expertise should inform interagency humanitarian response plans.
- **Increase efforts to combat trafficking, exploitation, and abuse.** Across Europe, volunteers led the response to people fleeing Ukraine, and the U.S. strategy to welcome Ukrainians relies on sponsors. While governments should encourage civil society responses, they must play a primary role preventing trafficking, exploitation, and abuse.
- **Prevent discrimination against LGBTQ, and non-Ukrainians asylum seekers and stateless persons.** These populations face discrimination at border crossings and in host countries. Frontline staff, whether in government or private institutions, should undergo training to use discretion when reviewing their identity documents and bring sensitivity to service provision. Those unable to benefit from temporary protection regimes should have access to legal assistance to secure status and stability.

- **Give people fleeing Ukraine access to the U.S. Refugee Admissions Program and other pathways to permanent residence, instead of parole and other forms of temporary protection.** Without access to more durable solutions, vulnerable people fleeing Ukraine can't access the support and stability they need, putting themselves at risk of exploitation and abuse. The USRAP and other resettlement programs can provide the protection these populations need to thrive and live in dignity.

HIAS has been on the frontlines providing people fleeing persecution durable solutions and protection and working with partners to deliver specialized services. We call on governments and multilateral organizations to join us in a comprehensive response that provides protection and support to the most vulnerable in this crisis.



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ACKNOWLEDGEMENTS

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ABOUT HIAS

HIAS is there for refugees when and where they need help most. We are a Jewish humanitarian organization that works in the United States and 15 other countries, providing vital services to refugees and asylum seekers of all faiths so they can rebuild their lives. With the Jewish community beside us, we also advocate for the rights of forcibly displaced people globally. We partner closely with domestic and international leadership, like the U.S. Department of State and the United Nations High Commissioner for Refugees, as well as refugee agencies and human rights groups.

We also engage in advocacy by educating, organizing, and mobilizing American Jews to put their values into action and fight for refugees. We work with grassroots advocates, opinion leaders, legislators, and other policymakers to protect and advance policies that promote fair and humane asylum laws, refugee resettlement, and integration. **Learn more at [HIAS.org](https://www.hias.org).**

Cover photos: AG for HIAS

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ENDNOTES

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