

FFVT/IMIS Panel debate

“Stay or Return? Options, Interests and Policy Responses”

Monday 27 Nov, 17.15–18.45 CET (18.15–19.45 Kyiv time)

Summary

Panellists

Dariia Andryunina (Ukrainian Ministry of Economy)
Hans-Ulrich Benra (German Ministry of Interior)
Martin Wagner (International Centre for Migration Policy Development)
Ave Lauren (Organization for Economic Cooperation and Development)
Nataliya Pryhornytska (Alliance of Ukrainian Organisations, Germany)

Introduction

On 27 November 2023 we held an online panel debate with representatives from the Ukrainian and German government, two international organisations and an umbrella organisation of the Ukrainian diaspora in Germany. The aim was to carve out the key trends and challenges and current affairs, as perceived by these actors, for forced migration and its management due to the Russian war against Ukraine. The debate was structured by two rounds of questions to the panellists followed by a discussion.

First round: Focus on current situation, reception and residence

Ms Dariia Andryunina commenced the debate by emphasising that even before the war Ukraine faced a labour shortage, this situation has been aggravated due to the war because another 1.5 mio. workers were lost due to forced migration to the European Union (EU). As a consequence, Ukraine now is in need of 4-5 million workers. She the loss of children due to forced migration, the future generation, is no less severe. This results in a loss in economic growth and tax revenues. Forced migration is understood as a major migration crisis for the country of origin. **Mr Hans-Ulrich Benra** explained that Ukrainians continue arriving in Germany in significant numbers, that net migration is thus still positive and not offset by return migration. He reiterated that Germany not only continues welcoming displaced persons but is also committed to continue supporting Ukraine for as long *as the war* lasts, clarifying that the end of the war is the decisive threshold. He argued that Ukrainians should be integrated during this period but suggests that the political debate on what to do after the war and whether or not permitting people to stay on is still ongoing. **Ms Nataliya Pryhornytska** believed that the longer the war takes, the less likely it is that people will want to return. Return, she argued, depends on the outcome of the war and the level of destruction and suggested that returnees should be supported in accessing employment and housing. Further to this she called for new mobility options. **Mr Martin Wagner** recalled that once the Temporary Protection Directive (TPD) expires alternative arrangements will become necessary. He summarised that proving Ukrainians with a refugee status is less likely while revealing that converting temporary protection into a residence status has its challenges. These lie in the fact that usually residence rights are derived from a purpose such as employment, education or family reunion; often, these are based on high thresholds. A residence status would therefore usually entail fewer social or employment rights. Some

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member states still already offer status transition, such as Poland [also Canada]. Finally, applying the EU long-term residence status after a 5-year legal stay is currently not an option as Ukrainians stay shorter. Nothing is yet decided but the clock is ticking, he insisted. **Ms Ave Lauren** added that the migration decision is an individual matter, believed that currently uncertainty is still too high and is generally sceptical with regards to the power of states to influence this decision. In any case, she believed that host countries are unlikely to openly prevent nor facilitate return; also, according to her, spontaneous return is less probable because of the evident demand for labour though there won't be employment opportunities for everybody. Finally, she argued that it is rather the broader economic and demographic trends that determine future migration to and from Ukraine.

Second round: focus on return and reconstruction and on future policy challenges

Ms Lauren argued that integration in host countries must not be delayed and that investing in human capital is appropriate, notably with regards to skills required for reconstruction as to not waste the latter. She did not think of integration in host countries as return barriers but to use staying in the host countries wisely while maintaining return pathways, minimising return barriers, and facilitating reintegration and develop policies so that return remains an option. Therefore, OECD promotes a [dual intent approach](#) simultaneously facilitating integration, skills development and return. After all, it is important to talk to Ukraine about what the country needs. **Ms Pryhornytska** suggested that the potential contribution of the diaspora to reconstruction is underrated while it is in fact an important facilitator. She pleaded (a) for strengthening the networks between Ukraine and, for example, Germany, specifically between cities and municipalities, (b) to supporting reconstruction notably by providing Ukraine with building material and (c) promoting foreign direct investments. **Mr Wagner**, too, promoted what he denoted connectivity and argued that the more liberal a mobility regime is, the more likely return becomes. **Mr Benra** suggested that initially Ukraine's expectation was that its citizens would return, he reinforced that the German aim is to help Ukraine as a country, and implied that Ukrainians may be torn apart between the drivers of stay and return. He clarified that there are no formal migration negotiations between Ukraine and Germany regarding migration and return. In any case, he stated that Germany wishes to provide a legal framework for Ukrainians to stay whilst also facilitating return. He reiterated that return depends on the end of the war whereas staying depends on the legal status of Ukrainians but insisted that it is too early to decide. **Ms Andryunina** closed the debate by calling for a comprehensive set of policies, she mentioned the draft [Ukraine Facility](#) of the EU. In any case she argued not to prescribe ("force") whether people stay or return but to create appropriate conditions such as micro-grants, mortgages and in particular economically empower women.

Discussion

Mr Benra lined out that German has to find a way for people to legally stay longer as well as realistically being able to return. **Mr Wagner** summarised that the longer people stay, the more rights they typically accumulate, also the EU membership perspective is likely to rather expand Ukrainians' rights. **Ms Lauren** recalled that, as in the case of Bosnia, large-scale return also impacts on the IDPs in the country potentially aggravating their situation which requires sensitive dealing with the matter. On the other hand, **Ms Pryhornytska** argued that migration policies require a development strategy whereas **Ms Lauren** elicited that the precedence of Eastern Europe shows that with development long term return has been increasing. **Ms Andryunina** agreed that the reduction in the workforce is due to a combination of emigration, mobilisation, loss of human life in the war. She implied that the place of family reunification either in Ukraine or abroad is another looming challenge and acknowledged that within Ukraine the debate on labour immigration as an alternative is ongoing though in Ukraine this is a very sensitive issue.