# Safeguarding Mobility:

## Key takeaways and emerging good practices on pendular movements for beneficiaries of temporary protection from Ukraine





OSCE ODIHR

# Safeguarding Mobility: Key takeaways and emerging good practices on pendular movements for beneficiaries of temporary protection from Ukraine

## Acknowledgements

ODIHR would like to thank Iryna Ulasiuk for the research and drafting that went towards developing this publication.

*Safeguarding Mobility: Key takeaways and emerging good practices on pendular movements for beneficiaries of temporary protection from Ukraine*

Published by the OSCE Office for Democratic Institutions and Human Rights (ODIHR)

Miodowa 10
00-251 Warsaw
Poland
www.odihr.osce.org

© OSCE/ODIHR 2026

All rights reserved.

The contents of this publication may be freely used and copied for educational and other non-commercial purposes, provided that any such reproduction is accompanied by an acknowledgement of the OSCE/ODIHR as the source.

ISBN: 978-92-9271-592-2

Designed by: Zofia Konarska

All footnote hyperlinks last accessed on 3 November 2026.

# Contents

**Executive Summary / 6**

**1. Introduction / 9**

**2. The legal and policy context / 12**

**3. The benefits of pendular movements / 15**

a. For beneficiaries / 16
b. For host countries / 17
c. For Ukraine / 18

**4. Emerging good practices on pendular movements and key takeaways / 19**

1. Clear distinction between short visits and voluntary return / 20
2. Safeguards against automatic withdrawal of status / 23
3. Flexible administrative mechanisms: de-activation versus de-registration / 24
4. Gender-sensitive and family-oriented approaches / 26
5. From pendular movements to informed choices: the exploratory function of mobility / 28
6. The recognition of pendular mobility in long-term residence pathways / 29

**5. Looking ahead: transitions from temporary protection / 32**

**6. Recommendations / 35**

## List of Abbreviations

| | |
|---|---|
| **ECRE** | European Council on Refugees and Exiles |
| **EUAA** | European Union Agency for Asylum |
| **EU** | European Union |
| **IOM** | International Organization for Migration |
| **IDPs** | Internally Displaced Persons |
| **ODIHR** | Office for Democratic Institutions and Human Rights |
| **OECD** | Organisation for Economic Co-operation and Development |
| **OSCE** | Organization for Security and Co-operation in Europe |
| **pSs** | participating States |
| **TPD** | Temporary Protection Directive |
| **UNHCR** | United Nations High Commissioner for Refugees |

# Executive Summary

The Russian Federation's invasion of Ukraine in February 2022 has led to one of the largest displacement situations in the OSCE, with over 5.7 million refugees from Ukraine recorded globally as of April 2026. Of these, approximately 5.2 million are hosted in European countries,[1] with most of the remainder hosted in North America.[2] Throughout this period, displacement from Ukraine has become increasingly non-linear. Large numbers of beneficiaries make pendular movements — short-term, non-permanent travel between their host countries and Ukraine — driven by family responsibilities, care giving, property management, work or exploratory visits linked to potential return. International Organization for Migration (IOM) survey data from 4Q2024 confirms that 94 per cent of crossings into Ukraine were pendular in nature, with only 2 per cent of

1 Germany hosts the highest total number of temporary protection beneficiaries in Europe (around 1.3 million), followed by Poland (around 982,000), Czechia (388,000), Spain (271,000) and the United Kingdom (270,000). Moldova hosts the highest figure of Ukrainian refugees per capita in the OSCE region, with Moldova's displaced population amounting to around five per cent of its total population. Ukraine Refugee Situation website, UNHCR.

2 Canada has welcomed approximately 300,000 Ukrainians under the Canada-Ukraine Authorization for Emergency Travel programme, while the United States has admitted over 220,000 Ukrainians since 2022.

those entering intending to stay permanently; the remaining 4 per cent were undecided.

Pendular mobility serves an important function for all stakeholders. For individuals, it supports gradual decision-making, for example, about family and caregiving responsibilities, and reduces uncertainty about return. For host countries, it reduces unnecessary disruption to status, thereby lowering administrative workload. For Ukraine, it helps maintain transnational ties with the Ukrainian diaspora, enables skills' circulation and supports informed and phased return processes, thus contributing to long-term recovery and reconstruction.

While approaches vary considerably across OSCE participating States (pSs), reflecting differences in legal frameworks and administrative traditions, a number of emerging good practices point towards more coherent and protection-sensitive responses to pendular mobility. These range from flexible absence thresholds and safeguards against automatic status withdrawal, to gender-sensitive approaches to mobility related to care giving and support for exploratory visits as a tool for informed return decisions.

This report reviews the legal and policy context, the benefits of pendular movements and emerging good practices from across the OSCE region and beyond. It identifies six key areas, with key takeaways on each:

1. Clear distinctions between short visits and voluntary return
2. Safeguards against the automatic withdrawal of status
3. Flexible de-activation rather than de-registration of benefits
4. Gender-sensitive and family-oriented approaches
5. Support for exploratory mobility
6. The recognition of pendular mobility in long-term residence pathways

Looking ahead, the report aims to support OSCE pSs in preparing for the transition from temporary protection regimes, particularly in light of anticipated changes to European Union and parallel frameworks. It seeks to inform future legal frameworks that preserve pendular mobility, for example, if beneficiaries transition to national residence statuses, responding to the need for greater clarity, legal certainty and policy coherence.

The report is addressed to OSCE pSs, Partners for Co-operation, civil society organizations and international and intergovernmental actors engaged in displacement and migration governance.

# 1

# Introduction

OSCE participating States (pSs) have long recognized freedom of movement and the protection of migrants and their families as integral to human security, committing across successive documents to uphold these rights in co-operation with countries of origin and host states.[3] The Russian Federation's invasion of Ukraine in 2022 and the ensuing war has brought these commitments into action, triggering one of the largest displacement crises in recent European history. By April 2026, more than 5.7 million refugees from Ukraine were recorded globally, including 5.2 million hosted across Europe.[4] Since 2022, OSCE pSs and Partners for Co-operation have responded by introducing temporary protection regimes, such as the European Union (EU) Temporary Protection Directive (TPD) and comparable non-EU national frameworks, to provide immediate safety and access to rights such as residence, employment, health care and education.

3 Helsinki Final Act, Conference on Security and Co-operation in Europe (CSCE), Helsinki, 1 August 1975; Concluding Document of the Third Follow-up Meeting, CSCE, Vienna, 19 January 1989; OSCE Istanbul Document, OSCE, 19 November 1999; OSCE Ministerial Council Decision No. 4/03, Maastricht, 2 December 2003; and OSCE Ministerial Council Decision No. 2/05, Ljubljana 6 December 2005; and OSCE Ministerial Council Decision No. 3/16, Hamburg, 9 December 2016. These documents are discussed in more detail in Chapter 2 "Legal and policy context".

4 Ukraine Refugee Situation website, UNHCR; see also more statistics across the EU in Latest Asylum Trends 2025, EUAA, March 2026.

As the war continues, protection frameworks need to keep pace with the realities faced by displaced persons.[5] This report starts from the premise that pendular mobility should be safeguarded within, not at the expense of, robust protection standards for refugees.

This report uses the term pendular movements to refer to short-term, non-permanent travel by the beneficiaries of temporary protection between their host countries and Ukraine.[6] These movements may be driven by family responsibilities, property management, work or exploratory visits.

For many beneficiaries, displacement has not been linear. Pendular movements between host countries and Ukraine have become a significant feature of their displacement experience. A survey by the EU Agency for Asylum (between February 2023 and November 2024) found that around 40 per cent of beneficiaries engaged in back-and-forth movements, while a further 20 per cent were planning to do so. More women than men reported temporarily returning to Ukraine (52 per cent vs. 14 per cent).[7]

Pendular mobility challenges traditional distinctions between 'stay' and 'return', and highlights the need for flexible approaches that reflect displacement realities rather than treating mobility as exceptional. Safeguarding such mobility can support informed decision-making, maintain social and economic ties, be beneficial for host countries and contribute to Ukraine's recovery.

5 The Council of Europe Commissioner for Human Rights called on Member States to ensure that protection frameworks reflect the ongoing intensity of the war and are not prematurely wound down. Safeguarding Ukrainians displaced across Europe, Council of Europe, Commissioner for Human Rights, 12 May 2026.

6 The term is also used, *inter alia*, in the following publications: Movement to and from Ukraine, European Council on Refugees and Exiles (ECRE), Policy Note #43, 2023; IOM Global Data Institute Displacement Tracking Matrix, Crossing Back to Ukraine Survey.

7 EUAA Surveys with Arriving Migrants from Ukraine: Movements and Returns, Thematic Report, EUAA, 3 December 2024, p. 1.

Against this background, this report reviews emerging practices and key takeaways from across the OSCE region and beyond, focusing on how mobility can be preserved while ensuring legal clarity and administrative consistency. It also aims to inform future policy development as temporary protection regimes evolve.

This report was developed as part of the ODIHR project, "Supporting the Human Dimension of Security in Ukraine in Times of Crisis", launched in January 2025 to enhance the human dimension of security in response to the war in Ukraine, in line with OSCE commitments and international standards. It responds specifically to the need for analysis of good practices related to the freedom of movement of beneficiaries of temporary protection, drawing on ODIHR's expertise across human dimension areas relevant to Ukraine's needs.

# 2

## The legal and policy context

OSCE commitments provide a normative framework for mobility and protection, rooted in the Helsinki Final Act (1975), which links human rights, including freedom of movement, to comprehensive security.[8] The Vienna Concluding Document (1989) reaffirmed the right to leave and return to one's country and committed to facilitating contacts.[9] Later instruments, such as Istanbul (1999),[10] Maastricht (2003),[11] Ljubljana (2005)[12] and Hamburg (2016),[13] further linked migration and mobility to human security, dignity at borders and the protection of refugees and migrants in the context of large-scale movements.

8 CSCE, Helsinki Final Act. In particular, the "Declaration on Principles Guiding Relations between Participating States, Principle VII" and "Co-operation in Humanitarian and Other Fields - Human Contacts".

9 CSCE, Concluding Document of the Third Follow-up Meeting, paras. 20 and 13(7) and "Co-operation in Humanitarian and Other Fields - Human Contacts".

10 OSCE, Istanbul Document, para. 22.

11 OSCE Ministerial Council Decision No. 4/03.

12 OSCE Ministerial Council Decision No. 2/05.

13 OSCE Ministerial Council Decision No. 3/16.

Within this framework, temporary protection has become the central response to displacement from Ukraine. In the EU, the TPD,[14] as activated by the Council Implementing Decision,[15] provides immediate protection in response to displacement from Ukraine, while non-EU OSCE pSs have introduced parallel humanitarian or temporary residence regimes with similar objectives: i.e., rapid access to legal stay and basic rights without the need to claim asylum.

Although legal bases differ, regimes distinguish between short-term visits to Ukraine and voluntary return, which is the free, informed and fully voluntary return of displaced persons to Ukraine.[16] For example, the European Commission explicitly differentiates between the two: temporary travel for family visits, document collection or similar purposes should not justify revocation of residence permits or cessation of associated rights, and no provision of the Schengen *acquis* automatically extinguishes a residence permit on the basis of absence alone.[17] The Commission specifies that individuals who return to Ukraine should encounter no problems re-entering the EU, and recommends that Member States give favourable consideration to requests to resume temporary protection.[18]

14 Council Directive 2001/55/EC, 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" ("Temporary Protection Directive"), European Union, 20 July 2001.

15 European Union, Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. See also EU Commission Operational Guidelines for the implementation of Council implementing Decision 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection.

16 UNHCR Position on Voluntary Return to Ukraine, UNHCR, June 2023; According to the IOM, over one million individuals have returned to Ukraine from abroad. 325,000 Ukrainian Returnees Risk Displacement Again as Winter Energy Crisis Deepens, IOM Chief, IOM, 2026.

17 Frequently asked questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382, European Commission, 2022, pp. 6-8.

18 Frequently asked questions on going home to Ukraine on a voluntary basis in the context of the Temporary Protection Directive, European Commission, 2022, p. 1.

Beyond the EU, non-EU OSCE pSs with humanitarian or temporary residence regimes for Ukrainians have similarly sought to distinguish temporary visits from permanent return. Although approaches vary (see Chapter 4), some explicitly preserve status throughout the validity of the residence permit regardless of travel, while others rely on case-by-case assessments or notification requirements.

One key challenge is that pendular mobility is often not clearly regulated. OSCE pSs diverge significantly on, *inter alia*:

i. the permitted duration of absence;

ii. the criteria by which travel may be classified as voluntary return;

iii. the impact on benefits and services;

iv. notification and registration requirements for absences; and

v. how pendular movements may affect residence continuity for the purposes of renewal or transition to long-term status.

This divergence can create legal uncertainty, discourage reporting, increase the risk of unintended loss of status and deter short-term visits to Ukraine that are essential for maintaining ties and supporting the country's recovery. Clear rules on absence and re-entry are therefore increasingly important for ensuring stability in the post-temporary protection phase, whenever that may start. Coherent legal and policy frameworks are thus essential to ensure that pendular mobility does not lead to fragmented or diminished protection, particularly for the most vulnerable, and that its potential benefits are fully recognized.

# 3

## The benefits of pendular movements[19]

United Nations High Commissioner for Refugees (UNHCR) data confirms that pendular movements are structurally embedded in the displacement dynamics of Ukrainians abroad. Monthly border crossings in and out of Ukraine exceeded one million throughout 2023.[20] In 2025, a total of 29.2 million border crossings were recorded, an increase of 1.1 million compared to 2024.[21] According to the latest available UNHCR data, the share of displaced persons from Ukraine in Europe who have visited Ukraine at least once since first leaving the country rose from 52 per cent in 2024 to 57 per cent (around 3 million people) in 2025, with 37 percent having made such visits more than once.[22] Among people interviewed

19 This section draws on: Ukraine Population Movements Factsheet 1, UNHCR, February 2024, pp. 1-2; Ukraine Population Movements Factsheet 2, UNHCR, February 2025; Ukrainians and third-country nationals crossing back to Ukraine. Regional Analysis: Special focus on Quarter 4 2023, IOM, March 2024; Ukrainians crossing back to Ukraine. Regional Analysis July-December 2024, IOM, April 2025; Ukraine Returns Report: General Population Survey, IOM, May 2026; Ukraine's Strategic Response to the Displacement Crisis: Return, Reintegrate, Reconnect, OECD, 2026; EUAA Surveys with Arriving Migrants from Ukraine: Movements and Returns, Thematic Report, EUAA, 3 December 2024; Movement to and from Ukraine under the Temporary Protection Directive, European Council on Refugees and Exiles, Policy Note 43, 13 January 2023.

20 Ukraine Population Movements Factsheet 1, UNHCR, February 2024, p. 1.

21 UNHCR, Border Monitoring – Annual report: 2025, 2026, p. 1.

22 UNHCR, Ukraine Population Movements Factsheet 2, p. 2; Ukraine Population Movements Factsheet 3, p. 2; UNHCR, Lives on Hold #7, July 2026.

by UNHCR while leaving Ukraine, the proportion who had already left the country at least once before rose steadily: 60 per cent in 2023, 73 per cent in 2024 and 78 per cent in 2025.[23]

According to 2025 survey data from the Ukrainian Parliament Commissioner for Human Rights, among those who visited Ukraine, the most common purposes were visiting family and friends (32 per cent), accessing medical services (26 per cent), collecting documents (24 per cent) and maintaining a sense of home (22 per cent).[24]

As displacement becomes protracted, pendular movements can function as a coping and bridging strategy between protection and longer-term solutions, generating benefits for beneficiaries, host countries and Ukraine alike.

## a. For beneficiaries

Pendular mobility serves several important functions for beneficiaries of temporary protection.

- Pendular mobility enables gradual, informed decision-making, allowing beneficiaries to assess security conditions, housing, schooling and livelihood prospects before deciding whether, when and where to return.
- Visits help to maintain family unity and enable caregiving responsibilities across borders.
- Temporary visits allow beneficiaries to manage housing, property, documentation and other administrative matters.

23 Ukraine Population Movements Factsheet 3, p. 2; Border Monitoring – Annual report: 2025.

24 Forced Displacement Abroad, Ombudsman of Ukraine, Kyiv, 2025, pp. 73-74.

- Pendular mobility supports economic engagement with the country, including making and managing investments, business activities and other financial commitments.
- Clear rules on mobility reduce legal uncertainty, including the risk of inadvertent status loss, and allow beneficiaries to plan a gradual return rather than face an all-or-nothing choice between permanent stay and permanent return.

## b. For host countries

Well-managed pendular mobility generates important benefits for host countries.

- It supports labour market continuity, allowing beneficiaries to maintain employment relationships, return to jobs after temporary absences and remain engaged in training or education.
- Distinguishing temporary visits from voluntary return reduces the administrative burden on authorities, avoiding unnecessary de-registration and re-registration processes.
- Flexible approaches to mobility during the protection period support smoother transitions to other statuses once temporary protection schemes end, reducing the risk that pendular movements are retrospectively treated as interruptions to residence continuity and affect eligibility for longer-term legal status.
- By allowing visits to Ukraine, pendular mobility helps to preserve beneficiaries' ties to home and should, therefore, facilitate voluntary, sustainable return when conditions allow.

## c. For Ukraine

Pendular mobility contributes to Ukraine's resilience and recovery by maintaining ties with displaced populations.

- It supports skills' circulation and professional engagement, allowing displaced Ukrainians to contribute to recovery efforts while maintaining their lives abroad.
- Continued remittances, household and caregiving support and maintenance of housing and property help to sustain families and communities in Ukraine during prolonged displacement.
- Short-term visits should support better-prepared return dynamics. By enabling exploratory visits, authorities can gain more realistic feedback on conditions and needs, supporting evidence-based planning not only for phased, voluntary, safe, dignified returns, but also on maintaining transnational connections with the Ukrainian population outside the country, under a broader 'return-reintegrate-reconnect' approach.[25]

All of these benefits depend upon predictability. Beneficiaries must be able to travel without risking their legal status, while authorities require clear criteria for distinguishing temporary visits from return.

The following chapter examines how OSCE pSs address pendular mobility realities and challenges through legal and administrative approaches.

25 OECD, Ukraine's Strategic Response to the Displacement Crisis.

# 4

## Emerging good practices on pendular movements and key takeaways

Across the OSCE region, approaches to pendular movements vary, reflecting differences in legal and administrative frameworks. Nevertheless, some emerging good practices can be identified to support legal certainty, continuity of protection and safe mobility for those displaced from Ukraine. These include:

1. Ensuring a clear distinction between short visits and voluntary return
2. Safeguards against automatic withdrawal of status
3. Flexible temporary de-activation rather than de-registration of benefits
4. Gender-sensitive and family-oriented approaches
5. Support for exploratory mobility
6. The recognition of pendular mobility in long-term residence pathways

The following subsections examine each of these areas in turn, drawing on practice from across the OSCE region and beyond.[26] The country examples are illustrative and are not an exhaustive survey of OSCE pSs' approaches.

## 1. Clear distinction between short visits and voluntary return

Establishing clear criteria to distinguish temporary visits from voluntary return is essential for legal certainty and helps reduce the risk of unintended loss of legal status.

Across the OSCE region, pSs apply different duration thresholds and administrative approaches to determine when travel to Ukraine remains temporary in nature. Estonia,[27] Finland,[28] Luxembourg[29] and Romania[30] allow temporary travel without fixed maximum durations, maintaining protection status for the duration of the residence permit. The Canada-Ukraine Authorization for Emergency Travel scheme similarly imposes no fixed absence threshold, allowing multiple entries and exits during the validity of the permit without affecting legal status.[31] Denmark allows temporary travel without a fixed time threshold, although extended absences without justification may affect residence permit validity.[32] Likewise, Bulgaria,[33]

26 This section draws on Ukraine is Home, a UNHCR-supported digital platform providing refugees and internally displaced Ukrainians with information about their rights and continued stay in and travel to/from 20 host countries. Where possible this information is supplemented with sources from countries' official websites.
27 Estonia, Ukraine is home.
28 Frequently asked questions about Russia's attack on Ukraine webpage, Finnish Immigration Service.
29 FAQ - Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees webpage, the Luxembourg Government.
30 Romania, Ukraine is home.
31 Immigration measures and support for Ukrainians and their families, Government of Canada.
32 New to Denmark, the Danish Immigration Service.
33 Bulgaria, Ukraine is home.

Croatia,[34] Estonia,[35] Greece,[36] Italy,[37] Montenegro[38] and Sweden[39] provide that short visits do not affect temporary protection status and that beneficiaries may continue to benefit from protection upon return for as long as their residence permit remains valid. In January 2026, Moldova removed the previous cumulative absence limit of 45 days and permits beneficiaries to retain their temporary protection status if Moldova remains their place of residence and return is intended.[40]

With regards to Ukraine specifically, the UNHCR has recommended that visits of less than three months duration should generally be treated as short-term and should not affect temporary protection status or related rights.[41] Belgium[42] and Iceland[43] also apply a three-month benchmark, while Portugal[44] permits absences of up to 90 days within a 180-day period without affecting protection status (calculated against total time spent outside the host country, not solely in Ukraine). Ireland[45] also applies a 90-day threshold, but calculated on a cumulative basis within a calendar year. Under the Ukraine Permission Extension Scheme, the United Kingdom defines a temporary period as an absence from the UK, either in Ukraine or in third countries, of less than 12 months, calculated on a continuous or cumulative basis throughout the protection period.[46]

34 Croatia, Ukraine is home.
35 Estonia, Ukraine is home.
36 Greece, Ukraine is home.
37 Italy, Ukraine is home.
38 Montenegro, Ukraine is home.
39 Ви маєте дозвіл на проживання відповідно до Директиви про тимчасовий захист та бажаєте поїхати за кордон або переїхати зі Швеції (You are traveling abroad or moving from Sweden – Temporary Protection Directive), Swedish Migration Agency.
40 Moldova, Ukraine is home.
41 UNHCR Position on Voluntary Return to Ukraine, June 2023, para. 17.
42 Temporary Protection, IBZ Immigration Office, Belgium.
43 Iceland, Ukraine is home.
44 Portugal, Ukraine is home.
45 Ireland, Ukraine is home.
46 Home Office UK, Ukraine Permission Extension Scheme, June 2026, p.32; Ukraine Permission Extension Scheme, Work Rights Centre website, (no date).

Some OSCE pSs apply shorter thresholds or attach legal consequences to longer absences. Germany distinguishes between short-term visits (up to 21 days) and longer absences (up to six months), with different legal implications for each category.[47] Poland generally treats absences of more than 30 days as resulting in withdrawal of temporary protection status, although reinstatement remains possible.[48] The Netherlands links absences exceeding 28 days to possible suspension of accommodation and benefits,[49] while Switzerland treats absences of more than 15 days as potentially affecting protection status unless justified by compelling reasons or authorized in advance.[50]

The European Commission has explicitly cautioned against unreasonable absence thresholds or reporting obligations that could discourage beneficiaries from travelling to Ukraine or lead to automatic loss of benefits.[51] While fixed thresholds can improve predictability and administrative clarity, overly rigid cut-offs may fail to reflect the dynamic and uncertain context of home visits and the temporary nature of pendular mobility.

**Key takeaway:** Clear and transparent rules distinguishing short visits from voluntary return can strengthen legal certainty. When coupled with context-sensitive approaches, such as permitting longer visits when justified by compelling reasons, they help to respond to the realities of displacement-related mobility.

47 Travelling to Ukraine, Germany Federal Office for Migration and Refugees.
48 Temporary Protection, Government of Poland Foreigners' Office.
49 Temporary Protection Directive Ukraine, Netherlands Immigration and Naturalisation Service.
50 Questions and answers for refugees from Ukraine, State Secretariat for Migration of Switzerland.
51 European Commission, Frequently asked questions on going home to Ukraine, p. 3.

## 2. Safeguards against automatic withdrawal of status

Protection status should not be automatically withdrawn solely because of temporary travel to Ukraine. Beneficiaries should, in principle, retain the possibility to re-enter the host state, particularly given the fluid security situation in Ukraine and the temporary nature of pendular movements.

Several OSCE pSs reflect this principle by combining retention of status with notification or review mechanisms rather than automatic withdrawal. Croatia,[52] Slovakia[53] and Slovenia[54] require notification of prolonged absences, while Norway[55] and Switzerland[56] rely on individualized assessments that take into account humanitarian circumstances and procedural safeguards. In the United States, temporary protection beneficiaries may need to notify and apply for 'advance parole', which allows authorized travel abroad for up to 90 days, including multiple entries and exits, without loss of status.[57]

Some systems also preserve reversibility through reinstatement or re-entry procedures. Poland permits the reinstatement of temporary protection following longer absences,[58] while Austria[59] and Ireland[60] allow beneficiaries who voluntarily terminated protection after return to Ukraine to reapply if displacement recurs. By contrast, Georgia[61] and Malta[62] withdraw protection irrespective of the duration or purpose of travel.

52 Croatia, Ukraine is home.
53 Slovakia, Ukraine is home.
54 Slovenia, Ukraine is home.
55 I want to leave Norway, Norwegian Directorate of Immigration.
56 Questions and answers for refugees from Ukraine, State Secretariat for Migration of Switzerland.
57 Re-Parole Process for Certain Ukrainian Citizens and Their Immediate Family Members, U.S. Citizenship and Immigration Services.
58 Temporary Protection, Government of Poland Foreigners' Office.
59 Austria, Ukraine is home.
60 Ireland, Ukraine is home.
61 Georgia, Ukraine is home.
62 Temporary Protection, International Protection Agency, Malta.

**Key takeaway:** Temporary or exploratory travel should not automatically lead to loss of temporary protection status, particularly while displacement-related risks persist and temporary protection schemes remain in force.

## 3. Flexible administrative mechanisms: de-activation versus de-registration

Emerging practice demonstrates the importance of distinguishing between the continuation of temporary protection status and the suspension of associated benefits or services during periods of absence. This distinction operates on two levels:

i. for beneficiaries who travel temporarily to Ukraine while intending to return to the host country; and

ii. for those who return more permanently but may need to leave again given the security situation.

The UNHCR, the European Commission and civil society actors all emphasize the need for flexible administrative responses to pendular movements. For visits to Ukraine of longer than three months, the UNHCR recommends relying on temporary deactivation rather than withdrawal or deregistration to ensure rapid renewed access to protection.[63] The European Commission similarly encourages Member States to mark beneficiary profiles as 'inactive' rather than to deregister them, and to avoid revoking residence permits upon departure.[64] The European Council on Refugees and Exiles (ECRE) likewise stresses that movements characterized as voluntary return

63 UNHCR Position on Voluntary Return to Ukraine, June 2023, para. 17.
64 European Commission, Frequently asked questions on going home to Ukraine, p. 2.

should trigger only temporary deactivation or suspension of benefits, recognizing that individuals may need protection again if conditions in Ukraine deteriorate.[65]

At the most flexible end of the spectrum, several OSCE pSs maintain temporary protection status for the full validity of the residence permit, even where beneficiaries are considered to have returned to Ukraine on a more permanent basis. For example, Bulgaria,[66] Croatia,[67] Montenegro[68] and Sweden[69] do not revoke temporary protection when a beneficiary is considered to have returned permanently to Ukraine, allowing their protection status to continue until the residence permit expires. Similarly, Finland allows beneficiaries to remain abroad without a fixed time limit, discontinuing reception assistance only where return becomes permanent.[70]

Rather than de-registering beneficiaries, several other OSCE pSs rely on temporary suspension or de-activation of specific benefits while maintaining legal status. The Netherlands permits beneficiaries to retain temporary protection during visits to Ukraine, while municipalities may suspend living allowances or accommodation during longer absences.[71] Latvia maintains temporary protection status while allowing social benefits to resume upon return.[72] Croatia[73] and Slovenia[74] combine retention of status with notification-based systems, under which prolonged absences may affect accommodation or financial assistance without automatically

65 ECRE, Movement to and from Ukraine under the Temporary Protection Directive, p.3.
66 Bulgaria, Ukraine is home.
67 Croatia, Ukraine is home.
68 Montenegro, Ukraine is home.
69 Sweden, Ukraine is home.
70 Frequeantly asked questions about Russia's attack on Ukraine webpage, Finnish Immigration Service.
71 Temporary Protection Directive Ukraine, Netherlands Immigration and Naturalisation Service.
72 Latvia, Ukraine is home.
73 Croatia, Ukraine is home.
74 Slovenia, Ukraine is home.

terminating protection status. Czechia distinguishes between legal status and access to certain entitlements, noting that extended absences may affect accommodation, schooling, health insurance participation or humanitarian benefits.[75]

**Key takeaway:** Temporary de-activation of benefits, rather than full de-registration of status, is often more proportionate and protection-sensitive, both for beneficiaries on short visits and for those returning more permanently, given that deteriorating conditions in Ukraine may require them to seek protection once again. It also generates administrative efficiencies for host countries, as reactivating an existing profile is significantly cheaper and less time-consuming than initiating a new registration process.

## 4. Gender-sensitive and family-oriented approaches

Pendular movements are frequently linked to women's caregiving responsibilities, family reunification, housing concerns and the need to maintain transnational family ties. Protection responses should therefore adopt inclusive and women- and family-oriented approaches.

This gendered dimension is particularly pronounced in the Ukrainian context. As men of military age are generally not permitted to leave Ukraine, the burden of cross-border caregiving and other responsibilities — including child care, care for elderly relatives and other family, or financial-related

75 Frequently Asked Questions, Official Information Portal for Foreigners of the Ministry of the Interior of the Czech Republic.

obligations that extend across borders — falls disproportionately on women who, consequently, make up the large majority of pendular movements.

Many OSCE pSs explicitly accommodate these realities. Latvia[76] and Lithuania,[77] for example, ensure that short-term returns for family care or emergency support do not trigger withdrawal of temporary protection. Norway[78] and Switzerland[79] provide exceptions for compelling family reasons, including serious illness or the death of a close relative, allowing travel through case-by-case arrangements. Croatia[80] and Slovenia[81] support mobility through notification-based systems, enabling beneficiaries to inform authorities about family-related travel without jeopardizing their status.

**Key takeaway:** Gender-sensitive and family-oriented safeguards are essential to ensuring that pendular mobility related to care giving is recognized and accommodated within temporary protection systems without undermining legal security or access to rights.

76 Latvia, Ukraine is home.
77 Lithuania, Ukraine is home.
78 I want to leave Norway, Norwegian Directorate of Immigration.
79 Questions and answers for refugees from Ukraine, State Secretariat for Migration of Switzerland.
80 Croatia, Ukraine is home.
81 Slovenia, Ukraine is home.

# 5. From pendular movements to informed choices: the exploratory function of mobility

Pendular movements can play an important exploratory role, allowing displaced individuals to find out, first-hand, about conditions in their country of origin to inform their decisions on return. Article 21 of the TPD explicitly permits EU Member States to provide for exploratory visits, offering a direct legal basis for structured mechanisms that allow temporary travel without affecting protection status.[82]

This is particularly relevant in Ukraine where the war continues to cause widespread civilian casualties and damage to homes, hospitals, schools and energy infrastructure, making conditions across regions volatile and return decisions sensitive and complex.[83] Pendular mobility can play a critical role in enabling people to assess the conditions for return, as well as in maintaining ties to the country, including decisions about property, investments and related matters.

Exploratory visits have been institutionalized as 'go-and-see' and 'come-and-tell' mechanisms in other displacement contexts.[84] While some of these mechanisms are outside the OSCE region, they are valuable good practices that OSCE pSs can draw upon. In Somalia, UNHCR-supported visits for Somali refugees hosted in Kenya enabled them to assess conditions in their areas of origin, while returnees shared experiences with displaced communities, helping to reduce uncertainty.[85] Similarly, in Türkiye, a 2025 scheme for Syrians under temporary protection allowed short visits to

82 European Commission, Frequently asked questions on going home to Ukraine, p. 1.

83 Civilian casualties and suffering significantly intensify as war in Ukraine enters 5th year, OSCE human rights office says, OSCE/ODIHR, 24 February 2026.

84 Some visits, such as those to Ukraine, are self-organized. In other situations, visits were organized or supported by host states, countries of origin, or international organizations, including for example Bosnian refugees in Denmark and Sweden. From Exile to Return: Rebuilding Lives and States after Conflict, MPI, April 2026.

85 OECD, Ukraine's Strategic Response to the Displacement Crisis, Annex 5 B.

Syria with guaranteed re-entry and without affecting their protection status, framed as a confidence-building measure.[86]

**Key takeaway:** Pendular mobility can function as an exploratory mechanism that reduces uncertainty and supports informed, voluntary return decisions without affecting protection status. Applied to Ukraine, it can support more informed return decisions and improve communication between displaced persons, internally displaced persons and authorities, while informing reintegration planning.

## 6. The recognition of pendular mobility in long-term residence pathways

When temporary protection for people displaced from Ukraine is phased out, access to stable residence statuses becomes increasingly important. Pendular mobility during the temporary protection period should not penalize access to longer-term residence or future regularization pathways.

When temporary protection regimes move towards their anticipated phase-out, the question of how pendular mobility is treated in transitions to longer-term residence becomes increasingly pressing. Beneficiaries who have engaged in pendular movements for family, caregiving, housing or property-related reasons while maintaining strong ties to the host country should not find that such movements are treated as interruptions in residence continuity.

86 *Ibid.*; Informing Return: Lessons from go-and-see visits of Syrian refugees in Türkiye, Upinion, 2 September 2025. Similarly, tens of thousands of Syrian refugees were permitted to visit Syria temporarily for the Islamic Eid al-Adha holiday in July 2021. Such visits did not have a cessation effect on the protection status those persons in Türkiye: ECRE, Movement to and from Ukraine under the Temporary Protection Directive.

EU-level discussions on the recast Long-Term Residents Directive[87] emphasize that lawful residence should not be undermined by temporary absences, fragmented mobility or administrative discontinuities. Proposed reforms aim to make residence periods more flexible across EU Member States, ensuring that mobility does not interrupt eligibility for long-term residence. Ongoing discussions have raised the possibility of reducing the required residence period from five to three years and extending the permitted absence threshold to 24 months. Both are directly relevant for beneficiaries of pendular mobility.[88] Similar discussions are also ongoing in non-EU OSCE pSs.[89] Some commentators have further called for a bridging residence permit between post-temporary protection and longer-term residence, potentially linked to Ukraine's reconstruction efforts, characterizing long-term resident status as a natural transition mechanism following the phase-out of temporary protection.[90]

87 Proposal for a Directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents (recast), European Union, 27 April 2022.

88 Draft report on the proposal for a directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents (recast), European Parliament Committee on Civil Liberties, Justice and Home Affairs, 21 November 2022; see also Comment on what will happen when the temporary protection scheme for refugees from the war in Ukraine ends, Meijers Committee, July 2023.

89 For example, in early 2026 the United Kingdom was considering the future position of Ukraine. In Moldova, Temporary Protection was extended until 1 March 2027. In Switzerland, after an initial five-year period of temporary protection, holders are eligible for a B residence permit, followed by a C permanent residence permit after 10 years. See: Permission Extension Scheme UK Parliament, Written statements - Written questions, answers and statements, February 2026 ; Moldova Extends Temporary Protection For Displaced Persons From Ukraine Until 1 March 2027 | Government REPUBLIC OF MOLDOVA and State Secretariat for Migration, Questions and answers for refugees from Ukraine.

90 ECRE, Movement to and from Ukraine under the Temporary Protection Directive, p. 3; see also Transitioning out of the Temporary Protection Directive: ECRE's analysis of the main options available to ensure a smooth transition out of the TPD regime for people displaced from Ukraine, European Council on Refugees and Exiles, Policy Paper 13, February 2024; Katrien Luyten, When EU temporary protection for displaced people from Ukraine ends. Possible scenarios, European Parliament Research Service, May 2024.

**Key takeaway:** Pendular mobility should be treated as compatible with residence continuity, ensuring that temporary and justified movements during the protection period do not hinder access to long-term residence or regularization pathways.

# 5

## Looking ahead: transitions from temporary protection

As temporary protection regimes for displaced persons from Ukraine move towards their anticipated phase-out in the EU in 2027, and as non-EU OSCE pSs are likely to act in parallel, questions surrounding legal continuity and status transitions are becoming increasingly urgent. The shift from emergency protection to longer-term residence frameworks or voluntary return requires careful management to avoid gaps in protection and disruptions to lawful residence.

The OECD has advocated for a dual-intent integration approach, designed to prepare displaced persons simultaneously for both potential indefinite stay and eventual return, while minimizing barriers to reintegration. This framing is particularly relevant for pendular mobility, which embodies precisely that dual orientation, namely maintaining ties to the host country while keeping return viable.[91]

One key challenge will be ensuring that periods spent under temporary protection, including time outside host countries, are appropriately

91 OECD, Ukraine's Strategic Response to the Displacement Crisis, p. 105.

recognized in transitions to national or EU long-term residence statuses. Without clear safeguards, temporary absences or cross-border travel risk being misinterpreted as interruptions in residence continuity, potentially affecting eligibility for longer-term legal status.

Evidence suggests that return intentions remain highly contingent. According to data cited by the Cabinet of Ministers of Ukraine, as of January 2024, 52.5 per cent of respondents planned to return to Ukraine, 23.1 per cent did not plan to and 24.5 per cent were undecided. The same assessment estimates that between 1.3 and 3.3 million Ukrainians may, ultimately, remain abroad, depending on the evolution of the war. The main reasons for non-return include security concerns (47 per cent), lack of employment and livelihoods (31 per cent), limited access to essential services (22 per cent) and concerns about children's education (15 per cent).[92] These findings indicate that return will be gradual and shaped by structural conditions rather than an immediate process. Beneficiaries themselves report having no clear understanding of what would happen to their status if the war ended or temporary protection was terminated — a source of significant anxiety that undermines their ability to plan for the future.[93]

Against this backdrop, the transition period is likely to involve a diversification of legal pathways across the OSCE region, including national residence permits, work-based statuses and other forms of regularization.[94] In this context, predictable rules on re-entry, continuity of residence and treatment of temporary absences will be essential to ensure that beneficiaries are not penalized for pendular movements that were tolerated under temporary protection frameworks. As discussed above, ongoing reforms to the EU's Long-Term Residents Directive offer a potential post-temporary protection

92 Strategy for the Demographic Development of Ukraine for the period up to 2040, Cabinet of Ministers Resolution No.9222024p, 30 September 2024; see more on reasons informing the return and the non-return to Ukraine in Ombudsman of Ukraine, Forced Displacement Abroad, pp. 58-70.

93 Ombudsman of Ukraine, Forced Displacement Abroad, pp. 15-16.

94 Ukrainians Abroad: Access to Public Services in the Context of Temporary Protection Status and Expected Return, Ombudsman of Ukraine, Kyiv, December 2025, p. 13.

pathway in OSCE pSs that are also members of the EU; although the full impact will depend on how pendular mobility is treated in determining residence continuity.

For OSCE pSs, these developments point to the importance of ensuring that pendular mobility does not penalize access to longer-term status, and that transition frameworks reflect the diversity of beneficiary circumstances, are developed through co-ordinated approaches, and put the perspectives of displaced persons and Ukraine at their centre.

Ensuring coherence between temporary protection regimes and post-protection residence systems will therefore be central to maintaining legal certainty and supporting sustainable long-term solutions for displaced persons from Ukraine.

# 6

# Recommendations

Based on the analysis above, the following considerations may support more coherent and protection-sensitive approaches to pendular mobility:

- **Clarify rules on temporary absences:** Establish clear, transparent thresholds or guiding principles distinguishing short-term visits from voluntary return, while avoiding overly rigid cut-offs and applying a context-sensitive approach that allows for longer absences when justified by compelling reasons.
- **Prevent automatic loss of status:** Ensure that temporary or exploratory travel to Ukraine does not automatically result in withdrawal of protection, particularly while temporary protection frameworks remain in force.
- **Avoid legal limbo in transition:** Ensure that the phase-out of temporary protection does not create periods of irregular residence. Transition pathways should be in place before temporary protection ends, with sufficient lead time for beneficiaries to regularize their status.
- **Recognize continuity of protection despite return:** Pendular movement should not be treated as evidence of the end of protection needs. In line with refugee law principles, return to the country of origin does not in itself end protection status, which continues until a durable solution is reached.

- **Differentiate status from benefits:** Separate legal status from access to assistance by allowing, based on individual assessments, temporary suspension or adjustment of benefits without de-registration from protection schemes.
- **Recognize the role of women in care giving and family mobility:** Explicitly accommodate family-related and caregiving travel through flexible administrative arrangements, including notification-based systems or justified exceptions.
- **Adopt a dual-intent approach:** Design integration measures that support participation in host-country life while avoiding barriers to future return, recognizing pendular mobility as an important expression of this dual orientation.
- **Support exploratory mobility:** Consider structured mechanisms that allow safe, temporary visits to Ukraine to support informed decision-making, provided that protection status and re-entry rights are safeguarded.
- **Ensure continuity in transition phases:** When moving towards post-temporary protection regimes, ensure that past lawful residence, including periods involving pendular mobility, is recognized for long-term residence and regularization pathways.
- **Put beneficiary perspectives at the centre of transition planning:** Transition frameworks should reflect the diversity of beneficiary circumstances and take into account the perspectives of displaced persons and Ukraine.
- **Strengthen administrative clarity and communication:** Improve guidance and information to beneficiaries to reduce uncertainty and prevent inadvertent loss of status.

Overall, policies should aim to balance mobility, protection and legal certainty, ensuring that pendular movements are managed as part of displacement realities rather than treated as exceptional or problematic behaviour.




Office for Democratic Institutions and Human Rights
OSCE
ODIHR