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Ukraine

The Wrong Lever: Europe, Ukraine, and the Refugee Question

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EU leaders are moving towards removal of asylum rights for Ukrainian men aged 23-60, to improve conscription and functioning of essential services in the fifth year of Ukraine's fight against Russian imperialist aggression. The Zelenskiy government asked for this change. But that does not make the policy right.

On 26 June 2026, the European Commission proposed extending the EU's Temporary Protection Directive (TPD) to March 2028, while excluding newly arriving Ukrainian men aged 23 to 60. [\[1\]](#)

The TPD confers rights: immediate residence in any EU country, labour-market access, healthcare and schooling, without the backlogs, possible detention and restricted permits that characterise standard asylum processing. The proposal removes these rights for new male arrivals, redirecting them into the slow, uncertain, individually assessed procedures that govern everyone else who seeks asylum in the EU.

About 4.4 million people displaced from Ukraine have temporary protection status in the EU. Most are women and children: adult men account for 27%. The proposal targets only those who have crossed the border irregularly since the restrictions came into force — fewer than 1,000 persons a month according to Frontex.

This is not the only pressure being applied. Several member states have been systematically reducing the social support that makes temporary protection much better than asylum seeker status. Germany has moved new beneficiaries from the standard citizen's benefit level down to the lower asylum-seeker payment rate. Ireland has cut weekly cash payments and capped state accommodation stays at 30 days. Norway has restricted payments to those in state dormitories. Poland has tied child payments to verified school attendance. Czechia removes benefits if Ukrainians don't find work within 150 days. Not easy when most adult arrivals are women accompanied by children or vulnerable dependents.

Czech journalist Saša Uhlová has documented the effects of this erosion over four years of reporting. Lawyers and doctors working unqualified jobs; elderly and chronically ill beneficiaries excluded from public support; social workers burning out as state provision shrinks. And unregulated landlords proposing accommodation in exchange for domestic and sexual services.

The Council of Europe Commissioner for Human Rights, Michael O'Flaherty, released an observations paper on the same day as the EC proposal warning that "policies promoting premature returns" and "reductions in social support" are undermining protection for displaced Ukrainians, noting that civilian casualties in 2025 reached their highest levels since 2022 and that "the current realities on the ground in Ukraine do not meet the conditions for a safe and dignified return."

Conscription is Ukraine's decision; refugee law is not the instrument to enforce it

According to EU Migration Commissioner Magnus Brunner, "this is what Ukraine has asked us to do, and this is what we are doing."

Ukraine has the right to decide its own mobilisation policy. But using the TPD — a mechanism of international protection — to enforce Ukrainian conscription on those already outside the country is a different matter.

The class dimension of who actually evades conscription is documented by Sotsialnyi Rukh, the Ukrainian socialist organisation: a medical exemption costs \$US 37,000; two Kyiv Oblast enlistment officers were detained in August 2024 having accumulated over \$1.2 million in bribes. Those crossing the Carpathians on foot or wading across the Tisza into Romania are not, in the main, those who had \$37,000 available. Ukraine's oligarchs continue to move freely as they hide their cash and make their deals. For them, European doors are always open.

Not all EU member states have agreed to the exclusion. Slovakia and Hungary — both with large Ukrainian migrant populations, and almost no refugees and asylum seekers from Africa or Asia — oppose it. France, whose National Court of Asylum has recognised conscientious objection as a possible ground for refugee status, is also opposed.

The Commission's proposal requires a qualified majority of 15 of 27 states representing 65% of EU population; it is not yet adopted.

What deportation produces: the documented record on Russian asylum seekers

The human and political failure of EU asylum policy is most clearly visible not in the treatment of Ukrainian men but in the systematic rejection of Russian asylum seekers fleeing the war.

Germany has rejected 95% of applications from Russian men of military age since 2022. Germany's Federal Migration Office cites Putin's 2022 claim that mobilisation is "complete" — a claim that was false when applied and is false now: Russia's Criminal Code amendments of late 2025 removed judicial discretion over suspended sentences for deserters who left the country, meaning returned failed asylum seekers face near-certain imprisonment.

The Baltic states have adopted blanket restrictions. Finland now turns away asylum seekers, from any country, on its land border with Russia. Estonia refuses entry to anyone with prior Russian military service, regardless of desertion status.

The United States has provided a concrete demonstration of what deportation in these conditions produces. In December 2025, 64 Russian nationals were deported on a single flight to Moscow. All the men on board were handed military summonses on arrival; two were arrested at the airport — one anti-war activist charged with "justifying terrorism," one deserter charged with abandonment of his unit. The deportation lists had been submitted in advance to the Russian consulate. Near-monthly deportation flights have continued since.

Meanwhile, over 1,800 people are imprisoned in Russia on politically motivated charges, and more than 1,288 face criminal prosecution specifically for anti-war activities. [OVD-Info](#), the organisation that monitors these cases, was designated "extremist" by Russian authorities on 4 June 2026, meaning anyone inside Russia who supports it now faces criminal prosecution. It continues to operate in exile, maintaining the monitoring database that forms the evidential basis for most asylum cases.

The organisations doing what governments will not

The European Network for Solidarity with Ukraine (ENSU) demands "the right to asylum for Russian and Belarusian refugees, and asylum seekers from other conflict zones"; and opposes "reductions in the social benefits for Ukrainians under temporary protection [while ensuring] a fair and equal system of social benefit."

[Connection e.V.](#) and [Pro Asyl](#) in Germany have built the legal framework for conscientious objector and deserter protection. Connection e.V. is currently seeking church sanctuary for Nikita Zvezdov, a 19-year-old Russian deserter

at risk of deportation.

[Idite Lesom \(Get Lost\)](#) operates through an anonymous Telegram bot to advise men inside Russia on avoiding conscription and to help deserters reach safety. Around 60% of those it helps remain inside Russia in hiding, unable to obtain the international passports needed to cross borders.

A Farewell to Arms (Proshchai Oruzhie), based in France and founded by Russian deserters, supports those who have reached Europe. Russie-Libertés in Paris works with deserters stranded in Kazakhstan and Armenia who cannot obtain EU entry visas.

The [deserters.org](#) network calls for recognition of desertion as an asylum ground across all EU member states, and for laissez-passer documents for those without passports — covering both Russian and Ukrainian deserters.

What the policy should be

Temporary protection status should be maintained for all beneficiaries from Ukraine. The benefit reductions that are compressing that protection into a degraded form should be reversed rather than extended. Maintaining temporary protection for Ukrainian men does not weaken Ukraine; it maintains a population of qualified workers, carers and professionals in host countries who contribute to those economies and whose connections to Ukraine will matter for reconstruction.

The same collective, fast-track instrument should apply to Palestinians displaced by Israeli bombardment. There is, across European publics, significant sympathy for Palestinians and real anger at governments' half-hearted reduction of cooperation with a regime whose conduct the International Court of Justice is examining for genocide. That political sentiment has not translated into policy. No EU government has activated the TPD for Palestinians, no mainstream politician is calling for it.

Russian and Belarusian nationals fleeing the war — deserters, anti-war activists, conscientious objectors — should be granted asylum, based on the documented reality of what Russia does to those it gets back.

Granting protection to Russian war refusers is directly damaging to Putin's war machine. Making Europe a genuinely hostile environment for the Russian war effort means taking in those who refuse to be part of it.

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Source: [ESSF](#)

PS:

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[1] The Temporary Protection Directive (TPD), activated in March 2022 under Council Directive 2001/55/EC, grants immediate collective protection to displaced persons without requiring individual asylum assessment. "Refugee" in international law refers specifically to a person granted

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protection under the 1951 Refugee Convention following individual determination; "asylum seeker" refers to a person whose claim is pending.