



THE UKRAINE CRISIS AND THE IMPLEMENTATION OF THE DIRECTIVE 55/2001 ON TEMPORARY PROTECTION: PREFERENTIAL TREATMENT AND *DOUBLE STANDARDS*

Russia's military escalation in Ukraine has forced huge numbers of people to flee their country and to seek protection. According to the UNHCR, more than 7.8 million of refugees from Ukraine have crossed borders into neighbouring countries since 24 February 2022. This situation led the Council to adopt, for the first time in its history, the Temporary Protection Directive (Council Implementing Decision 2022/382 of 4 March 2022).

The EU Institutions concluded that the activation Temporary protection was the most appropriate instrument, given the extraordinary and exceptional situation, to manage the mass influx of displaced persons. The introduction of Temporary protection was, also, a benefit to the Member States, as it limited the need for displaced persons to immediately seek international protection and thus the risk of overwhelming the asylum systems.

In accordance with Directive 2001/55/EC, the duration of temporary protection is for an initial period of one year renewable for a maximum of three year. In particular, the Directive applies to the: Ukrainian nationals residing in Ukraine before 24 February 2022 (a), stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 (b) and, family members of the persons of the above two categories (c).

The objective of this Article is to reflect on the application of the Temporary protection Directive (1) in order to highlight *double standards* of EU asylum policy and the different treatment realized to the Ukrainian refugees than other recent flows of forced migrants as well as between the same people fleeing Ukraine (2). A final consideration concerns the potential effects of the application of Directive 55/2001 on the reform of the Common European Asylum System (3).