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Article

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Abstract

The Russian invasion of Ukraine in February 2022 triggered a major displacement crisis. In an unprecedented move, the European Union activated the 2001 Temporary Protection Directive to give those fleeing the conflict temporary protection, marking the first use of the directive in 20 years. Meanwhile, Canada announced its readiness to accept an unlimited number of Ukrainians and launched the Canada–Ukraine Authorization of Emergency Travel to fast-track their arrival. This article compares the policy responses of the EU and Canada to the crisis in Ukraine, focusing on the two temporary protection schemes and differentiating between their overarching goals, policy instruments, and settings. While the policies may seem similar at first, we show that a closer examination reveals underlying disparities, contradictions, and complexities, particularly when analyzing the precise policy instruments and settings. Considering that contemporary policy trajectories are informed by the past, we suggest that while the two programs build on the respective regions' historical and political contexts, crises also create opportunities for change, raising questions about the future direction of immigration policy in both regions.

Issue

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1. Introduction

In February 2022, the Russian invasion of Ukraine triggered a massive displacement crisis, with over eight million people fleeing the ongoing war recorded across Europe, making it the largest displacement in Europe since the Second World War (United Nations High Commissioner for Refugees, 2023). In response, the EU activated provisions of the 2001 Temporary Protection Directive (TPD; Council directive 2001/55/EC of 20 July 2001, 2001), giving those fleeing the war in Ukraine the right to temporary protection (Carrera & Ineli-Ciger, 2023; Carrera et al., 2022; Motte-Baumvol et al., 2022). Following the call of the Justice and Home Affairs minis-

ters, the European Commission proposed activating the TPD on March 2, 2022, and provided operational guidelines for member states, including simplified border controls, flexible entry conditions, and humanitarian assistance (European Commission, 2022b). On March 4, 2022, the Council of the EU unanimously adopted the decision, triggering obligations of member states towards persons enjoying temporary protection: the right to live, work, and access healthcare, housing, and education for up to three years. This was the first time the EU had ever used the two-decade-old TPD, which was created in the aftermath of the conflicts in the former Yugoslavia and had almost been considered obsolete (Genç & Şirin Öner, 2019; Ineli-Ciger, 2015). At the end of 2022, a total of

4.8 million people were registered for temporary protection either in the EU or in similar national programs (Bird & Noumon, 2022). However, in the past decades, the EU has struggled to present a united front among member states in handling previous refugee "crises," even raising more fundamental questions about European integration (Bauböck, 2018; Nicolosi, 2021; Owen, 2019).

The large number of people fleeing Ukraine has primarily been absorbed by European countries, but other states have also created pathways to protection, resulting in the rapid expansion of various protection programs around the globe, ranging from New Zealand to the US (Katsiaficas & Matos, 2022). One interesting example is Canada, which rapidly announced that it was willing to accept an "unlimited number" of Ukrainians fleeing the war (Tasker, 2022). On March 17, 2022, Canada launched the Canada–Ukraine Authorization for Emergency Travel (CUAET), which enables Ukrainians and their immediate family members to enter Canada with minimal and free-of-charge visa requirements and allows them to stay for up to three years. In addition to their fast-tracked arrival, Ukrainians can simultaneously apply for a study permit or an open work permit. By March 2023, approximately 190,970 Ukrainian citizens or Canadian permanent residents of Ukrainian origin had already arrived or returned, and 949,418 CUAET applications had been received, with 617,726 applications approved (Government of Canada, 2023b). The program was initially set to expire one year after its launch—at the end of March 2023—but has been extended to July 15, 2023. Canada's response is notable; the CUAET is a temporary admission scheme, whereas Canada has traditionally favored offering permanent resettlement to individuals fleeing conflict zones through one of its humanitarian immigration streams.

Although it is certainly not the first mass displacement crisis faced by either Canada or the EU, the Ukrainian crisis has been called "a migration crisis like no other" (Martín, 2022), necessitating rapid and unprecedented international military and humanitarian responses (Katsiaficas & Matos, 2022; Motte-Baumvol et al., 2022). This article compares the EU's and Canada's policy responses to the crisis in Ukraine, with a focus on their temporary protection schemes. Although one could interpret Canada's and the EU's responses to the exodus of millions of Ukrainians as an instance of policy convergence in times of crisis (Hernes, 2018; Knill, 2005), we show that their choices and approaches are in fact quite different. Considering that contemporary policy trajectories are informed by the past, we suggest that while the two programs build on the respective regions' historical and political contexts, crises also open windows for change, raising profound questions about the future direction of immigration policy in both regions. The remainder of the article is organized as follows: The next section opens with a comment on our methodology before moving on to a discussion about policymaking in times of crisis. The second part of the article contains the comparison. To analyze the two temporary protection policies, we build on Hall's (1993, p. 278) typology by differentiating between "the overarching goals that guide policy in a particular field, the techniques or policy instruments used to attain those goals, and the precise settings of these instruments." In the conclusion, we briefly reflect on what makes the EU's and Canada's policy responses to this crisis unique and what this uniqueness might mean for the future of immigration policymaking in the two regions.

2. Comparing and Understanding Immigration Policy Responses in Times of Crisis

This study compares the policy responses of the EU and Canada to the Ukrainian crisis using a paired comparison strategy (Tarrow, 2010). On the one hand, Canada, a classic "settler" society, has traditionally pursued a welcoming yet highly selective approach when it comes to admitting newcomers (Kelley & Trebilcock, 1998). This approach has been referred to as "Canadian exceptionalism" because it is characterized by steadily increasing immigration levels, political parties that do not openly oppose immigration, and positive public attitudes towards immigration and multiculturalism (Triadafilopoulos, 2021). On the other hand, the EU also exhibits a form of "European exceptionalism," as it represents the first instance of a group of democracies that pooled sovereignty to manage and control the flow of people (Luedtke, 2018, p. 23). However, many EU member states—despite colonial ties and "guestworker" schemes—have not traditionally viewed themselves as immigration countries until more recently. Furthermore, the EU has encountered numerous challenges in managing external migration, adopting a more securitized approach, facing strong anti-immigration movements and delays in uniting member states in the development of a cohesive immigration and asylum system (Huysmans, 2000; Scipioni, 2018).

Despite their divergences, comparing the EU's and Canada's immigration policies and systems offers valuable insights. As strategic partners, the EU and Canada are interested in learning from one another. In particular, "Canada's long experience in asylum, immigration, integration, citizenship and multiculturalism is well-known and frequently requested by European partners" (Government of Canada, 2023a). In the literature, researchers have previously explored several similarities and interactions between these two regions' immigration policies (e.g., Carrera et al., 2014; Desiderio & Hooper, 2016; Smith, 2020; Soennecken, 2014). For example, Canada has been actively working on exporting its private refugee sponsorship model to Europe since 2016 (Smith, 2020). Influence also exists in the opposite direction. Canada has adopted several of the more restrictive asylum policy measures already practiced in Europe, leading Soennecken (2014) to argue that this shift in Canada's refugee policy represents a

"European turn," with Canada serving as both a follower and an adaptor, rather than a leader. Yet, beyond such exchanges of knowledge and ideas, political will and historically constructed policy choices play a key role in this policy dialogue across the Atlantic. Contemporary policy trajectories are fundamentally conditioned by past policy choices and—once institutionalized—remain remarkably stable, as change occurs only gradually unless disrupted by events unsettling the equilibrium (Thelen, 1999). For this reason, we focus on comparing policy choices during times of crisis.

Immigration policy is said to be driven by large, slow-moving processes, ranging from economic considerations to demographic challenges, and by domestic "clients," ranging from employers to ethnic advocacy groups, and civil and human rights organizations (Freeman, 1995, p. 888). Yet, crises also play a crucial role in shaping immigration policy. Crises can create "critical junctures" that lead to changes in policy that may previously not have been deemed possible, by potentially generating a sense of urgency, setting the agenda, or opening political windows of opportunity (e.g., Birkland, 1997; Keeler, 1993; Pierson, 2004). Disruptions to societal routines and expectations create opportunities for actors within and outside of government to propose policy innovations and organizational reforms, redefine issues, gain popularity, and attack opponents (Boin et al., 2009, p. 82). The Ukrainian conflict constitutes a major exogenous shock and exhibits some distinct characteristics compared to previous refugee-generating conflicts. First, it is the first inter-state war on European soil since the Second World War, making it highly symbolic and geo-politically pressing for Western nations. Second, with an estimated eight million internally and another eight million externally displaced Ukrainians across Europe (United Nations High Commissioner for Refugees, 2023), together with the "phenomenal" speed of their exit ("More than 1.2 million refugees flee Ukraine," 2022), the scale of this crisis dwarfs previous mass exoduses. Third, the belief that Ukrainians will eventually return home is stronger in public discourse compared to other displacement crises, like Afghanistan and Syria (De Coninck, 2022). Fourth, the flow of displaced people is predominantly composed of women (70% or more of the adults) and children (over one-third; OECD, 2022, p. 99). Lastly, the fast decision-making and unanimous support for aid offered by Canada and the EU are also exceptional.

3. Comparing the European Union's and Canada's Temporary Protection Policies: An Exploration of Differences in Goals, Instruments, and Settings

Comparing policies requires differentiating between "the overarching goals that guide policy in a particular field, the techniques or policy instruments used to attain those goals, and the precise settings of these instruments" (Hall, 1993, p. 278). To understand the contemporary tempo-

rary protection policies in the EU and Canada, it is necessary to consider the broader framework within which these policies were made. While both the EU and Canada grapple with the liberal paradox of wanting to control migration while at the same time wanting to encourage it (Hollifield et al., 2022, p. 3), their respective histories shape their divergent immigration paradigms—meaning the framework of ideas and standards within which policymakers customarily work (Hall, 1993)—impacting their policy goals, instruments, and settings.

3.1. Immigration and Past Policy Choices in the European Union and Canada

Canada has a long tradition of humanitarianism, but also of immigration control and deterrence (Dauvergne, 2005). It has an equally long history of distinguishing between individuals whom it wants to admit permanently to Canadian society and those to whom it permits entry only conditionally (e.g., after being approved for a visa) or temporarily (Goldring & Landolt, 2013). Prior to Canada finally signing the 1951 Geneva Convention and 1967 Protocol in 1969, significant numbers of refugees (or, more broadly, individuals in need of protection) were admitted to Canada on an ad hoc basis, through orders-in-council issued by the cabinet, bypassing parliament, with the intent of offering them a permanent home (Dirks, 1977)—notably, approximately 37,000 Hungarians in 1957, 12,000 Czechs in 1968, and 8,000 Ugandan Asians in 1972. The now-defunct Designated Class system, created with the passing of the 1976 Immigration Act, which was aimed at large-scale Indochinese resettlement, facilitated fast and flexible admission of individuals and even groups in need of protection directly from overseas (Casasola, 2016). This system was faster because it entailed less paperwork. One reason for this was that, legally, it presumed that all individuals in the class were prima facie refugees (Batarseh, 2016, p. 57), skipping individual refugee status determinations. It was also more flexible in that it allowed for the admission of eligible individuals who did not meet the narrow criteria for obtaining refugee status as laid out in the Geneva Convention; this included, for instance, those who were still in their own country (Labman, 2019; Mangat, 1995, p. 22). While the Designated Class system was abolished in 2011, Canada has retained the commitment to admitting groups in need of protection on a discretionary basis—that is, sometimes in addition to or outside of its annual resettlement and inland asylum determination system intakes—always with the goal of permanent residence. For example, in 2017, Canada announced it would resettle 1,200 Yazidis and other Daesh survivors through a mixture of private and government sponsorships, in addition to Canada's targets that year (Immigration, Refugees and Citizenship Canada [IRCC], 2017).

It is notable that contemporary Canadian immigration law, the Immigration and Refugee Protection Act,

contains no separate class for temporary humanitarian admissions. The Immigration and Refugee Protection Act distinguishes between four temporary resident classes: visitors, students, workers, and other special/discretionary permit holders (temporary resident permit or minister's permit). Although temporary resident permits are occasionally issued to victims of human trafficking, most of them are issued to individuals who would otherwise be inadmissible because of criminality or on health grounds (IRCC, 2020, p. 32). These temporary resident permits are distinct from the permission granted to individuals who are allowed to remain in Canada because of a temporary suspension (or an administrative deferral) of the removal order (Canadian Border Services Agency, 2021). Individuals on removal order suspensions are allowed to work and go to school and become eligible to apply for a pathway to permanent status (e.g., Humanitarian and Compassionate Applications) if the suspension is later lifted. The absence of temporary protection programs in Canadian immigration history makes the creation of such a program for Ukrainians even more interesting, especially given that previous calls for similarly swift action—for example for Afghanis fleeing the Taliban takeover—remained unheeded, notwithstanding the various pathways to permanence that Canada *did* create for both Afghanis and Syrians (IRCC, 2022). At the same time, the CUAET only provides temporary protection, reportedly in line with the wishes of the Ukrainian community (Tasker, 2022).

On the other side of the Atlantic, EU member states have a long history of accepting refugees and asylum seekers (Orchard, 2018), pre-dating the Geneva Convention and the creation of the EU. Today, all EU member states are parties to the 1951 Convention and its 1967 Protocol. While not all immigration areas are regulated by the EU, asylum policies have at least been partially communitarized since 1999, with power extended to EU institutions to adopt legislation on asylum and steps taken to create a Common European Asylum System (CEAS). The CEAS operates on the principle of minimum standards, meaning member states can have higher standards than those required, but must at least meet the lowest standards established (Guild, 2014, p. 239). Yet, over the years, the rhetoric of "burden'' and "responsibility" has contributed to a lack of agreement among member states and an overall reluctance to accept migrants. This is reflected in the continuing diversity of asylum policies among member states, despite nearly two decades of EU harmonization efforts (Zaun, 2018) and multiple reforms of the CEAS. The Syrian refugee crisis of 2015 further revealed significant shortcomings in EU asylum policies, from the lack of solidarity among member states to the human rights and legal issues in the implementation of such policies. In response, the European Commission proposed a New Pact on Migration and Asylum in 2020 to improve procedures throughout the asylum and migration system, balance the principles of fair sharing of responsibility and solidarity, and "rebuild trust between member states and confidence in the capacity of the European Union to manage migration" (European Commission, 2020a). However, member states have yet to break the political impasse and adopt the New Pact. Even though the European Parliament and the rotating Council presidencies agreed on a joint roadmap in September 2022, and to make it a top priority and conclude negotiations before the end of the 2019–2024 legislature (European Commission, 2023, p. 16), some experts have expressed doubts regarding the prospect of its adoption in the foreseeable future (Thym, 2022).

The TPD (Council directive 2001/55/EC of 20 July 2001, 2001) is particularly reflective of the EU's struggle to not only develop but also implement a common policy for managing mass influxes of displaced persons. The TPD was adopted in 2001 in response to the displacement caused by the conflicts in the former Yugoslavia in the late 1990s, in parallel to the first steps to create the CEAS. During the Kosovo crisis, member states offered temporary protection under a Humanitarian Evacuation Programme proposed by the United Nations High Commissioner for Refugees (Nicolosi, 2021, p. 21). Searching for a common and ready-to-use solution in the EU, member states designed the TPD to cope with a future "mass influx of displaced persons" (Ineli-Ciger, 2018, p. 149). While further analysis of this legal instrument goes beyond the scope of this article, the rationale of the TPD is to temporarily protect displaced persons from non-EU countries who do not necessarily qualify for refugee status. Although the directive has been transposed into national legislation by member states (with varying scopes and mechanisms; Noll & Gunneflo, 2006), its activation requires a Council decision adopted by a qualified majority on a proposal from the Commission (see Article 5 of the TPD; Carrera et al., 2022, p. 11; Council directive 2001/55/EC of 20 July 2001, 2001), which, despite several attempts, had never actually been accomplished. The TPD was invoked in 2011 in response to the NATO intervention in Libya: Malta and Italy requested its activation, but such requests were not followed (European Commission, 2011; Luyten, 2022). In 2015, the European Parliament adopted a resolution regarding the recent tragedies in the Mediterranean, pointing out that "the Council should seriously consider the possibility of triggering" the TPD (European Parliament, 2015). Once again, justice and home affairs ministers rejected the proposal due to opposition from several member states, particularly those in Central and Eastern Europe, who feared that the use of the TPD would create an unfair burden, act as a "pull factor," or not address the root causes of the problem (Bosse, 2022; Ineli-Ciger, 2015, 2022). The Commission even proposed the repeal of the TPD in 2020, as it was viewed as a "potentially lengthy and cumbersome procedure" that "no longer responds to member states' current reality" (European Commission, 2020b, p. 64). The unanimous activation of the TPD for Ukrainians

in a mere two days was therefore seen as a surprise (Ineli-Ciger, 2022).

3.2. Comparison of the European Union's and Canada's Temporary Protection Schemes: Disparities, Contradictions, and Complexities

Immigration paradigms vary. Canada defines itself as a settler society with an extensive humanitarian tradition and continues to recruit large numbers of immigrants annually, while the EU continues to exhibit a reluctance towards permanently welcoming new immigrants, including on humanitarian grounds. For the EU, humanitarian protection remains an obligation or a "burden" that needs to be shared among member states, rather than viewing it as only one component of a larger immigration intake, as in Canada. Although both have opted for externalization when it comes to controlling unwanted asylum-seeking and "irregular" migrants (FitzGerald, 2019), Canada remains one of the top refugee resettlement countries in the world, while the EU—despite over 20 years of being governed by a "policy core" (CEAS)—continues to exhibit "strong power asymmetries" (Geddes & Hadj-Abdou, 2022, pp. 684, 700) and hesitates to expand humanitarian migration except in the case of Ukraine. Therefore, the implementation of temporary protection policies is noteworthy in both cases, but for different reasons. Moreover, while the two policies may seem similar at first, a closer examination reveals underlying disparities, contradictions, and complexities, particularly when analyzing the precise policy settings and instruments. While the EU and Canada share the goal of protecting people fleeing the war in Ukraine, the instruments they used—temporary protection schemes—differ in their settings, as demonstrated by the systematic comparison presented in Table 1.

The key variation that jumps out in this comparison is the visa requirement. In Canada, Ukrainians continue to require a pre-authorized visa for entry from abroad, unlike EU citizens who are exempt from a visa and only require an electronic travel authorization for entry. What is more, this requirement has remained in place, despite calls from all opposition parties to allow visa-free travel for Ukrainians, with some directly recommending solutions like those in the EU Schengen Area or Ireland (Falconer, 2022). While Canada's Minister of Immigration, Refugees and Citizenship Sean Fraser stated that removing the visa requirements altogether would take too long (Tasker, 2022), Liberal MPs and other government officials repeatedly cited national security as the main reason for keeping the visa requirement in place in parliamentary committee hearings (House of Commons, 2022). But because the CUAET did not require parliamentary approval to be created, the visa requirement has remained in place, showcasing the executive's control over immigration in Canada. In contrast, Ukrainian citizens with biometric passports do not need a visa to enter the EU and, even before the war, could travel freely to EU member states in Schengen for 90 days in any 180-day period (Carrera et al., 2022; Regulation of the European Parliament and of the Council of 17 May 2017, 2017). In 2017, the visa liberalization agreement between the EU and Ukraine came into force, which officially aimed to strengthen the economies, security, and friendship between the two entities (European Union External Action Service, 2017). This agreement is a major factor to consider when understanding the EU's response, as visas, of course, also function as "remote control" instruments (FitzGerald, 2019; Guiraudon, 2022). Compared to other displacement situations, this potentially limited the scope of action as the decision to activate the TPD would determine whether individuals would become undocumented if they overstayed, offered access to the asylum process, or be granted temporary status to remain and work legally (Benton & Selee, 2022).

The second key element that stands out in Table 1 is the absence of the asylum instrument. Although Ukrainians are being called "refugees" in both popular and political discourse, unlike Syrians in the past, neither the EU nor Canada has thus far formally raised the question of granting asylum to them. Instead, EU media and government sources speak of the asylum system as already "overburdened" and are discussing other pathways to permanence for Ukrainian nationals. While most of the focus has been on the preferential treatment of Ukrainians on both sides of the Atlantic (e.g., Bosse, 2022; Chishti & Bolter, 2022; De Coninck, 2022; Garnier et al., 2022; Pardy, 2023; Venturi & Vallianatou, 2022), the current situation in Canada and the EU also raises questions regarding the coexistence or complementarity of distinctive policy instruments, especially temporary protection and asylum. Moreover, not all Ukrainians fleeing the war in their country may qualify as refugees (Storey, 2023). As underlined by Benton and Selee (2022), the conflict in Ukraine could be a tipping point for refugee protection:

> The real test will come several years down the road if people covered by temporary protection need to transition to a more permanent status. Rather than accessing asylum systems, many Ukrainians may eventually opt for labor pathways to stay in European countries or resettle outside the European Union, given their skills and the real needs of labor markets in Europe and countries such as Canada, the United States, and Australia. But there is a real risk too that some will not be able to access these options and could fall outside the protection regime as well. It will be an ongoing challenge to balance pragmatic ways of integrating people with protection needs into host countries in the most efficient ways possible without depriving them of their right to international protection if they need it.

While temporary protection policies are nothing new in the practice of refugee law (Fitzpatrick, 2000), this is the

Table 1. Comparison of settings of temporary protection instruments: TPD and CUAET.

Settings	European Union: TPD	Canada: CUAET
1. Date of activation	March 4, 2022	March 17, 2022
2. Eligibility	Ukrainian citizens and their family members (residing in Ukraine before February 24); Ukrainian temporary residents. Variation among member states regarding the scope (e.g., which Ukrainian residents and dependents are considered eligible).	Ukrainian citizens and their family members (regardless of nationality).
3. Visa policy	None; 90 days to ask for a residence permit in the country in which they want to settle ("free-choice" policy), but temporary protection is automatic.	Expedited and minimal visa requirements, application from abroad (processing time within 14 days of receipt of a complete application). Visa and travel requirements include background checks (including biometrics) and security screening.
4. Length	Limited to one to three years (Article 4), with no renewal after three years (Article 6a). In principle, cease to apply after March 4, 2024.	Limited to three-year stay (renewal possible for up to three years).
5. Work or study	Right to work (Article 12). People under 18 have the right to study in the same conditions as students from the welcoming state (Article 14).	Option to apply for an open work or study permit (application is free and renewable).
6. Settlement and integration	Member states' responsibility; varies accordingly.	Access to federal support from the Settlement Program, normally only available to permanent residents, for a period of one year. Role of provinces in providing supplementary measures.
7. Cap	No cap, although each member state is considered to have a specific "reception capacity" (Article 25). The Commission has created a solidarity platform where member states can share information on reception capacity.	No cap (unlike traditional refugee resettlement applications and permanent residence streams, no limit to the number of visa, work, or study permits granted).
8. Long-term access to residence	Through regular routes to residence in the member states (return and measures after temporary protection has ended: Articles 20–23).	Temporary to permanent residence: IRCC's regular immigration programs and streams. Prioritizes family reunification via a sponsorship program; for Ukrainians with family members in Canada, there is the option of "fast-track" to permanent residence.
9. Financial aid	Right to suitable housing (Article 13.1) and access to social assistance, medical assistance, and means of subsistence (Article 13.2).	One-time payment of $3,000 per adult plus $1,500 per child. Additional income support from the province/territory. Access to public health care depends on the province/territory.
10. Costs/fees	Free or minimal costs (Article 8.3).	Fee waiver. Exempt from immigration medical exam overseas. May be required within 90 days of arrival (paid; certain provinces provide additional support).

first time that such temporary protection schemes have been used so widely and simultaneously in both Canada and the EU. As the conflict drags on, both the EU and Canada face another set of challenges related to transitioning to longer-term protection (Rasche, 2022): There are important questions about the transition to another status should Ukrainians choose not to return home. Therefore, this comparison could also provide valuable insights for policy learning and policymakers' search for more permanent solutions, such as family reunification via a sponsorship program in Canada.

Third, both cases are strongly influenced by multilevel governance dynamics, resulting in variations. Scholars studying the EU have shown the enduring tension between the EU and national governments regarding their degree of discretion in interpreting and implementing directives, resulting in heterogenous reception and asylum policies across member states (Caponio & Ponzo, 2022; Schmidtke, 2006; Scholten & Penninx, 2016; Zaun, 2018). Interestingly, with respect to the TPD, as well as EU-wide efforts to enact related guidelines and coordinate action, this reactive protection instrument is in fact more proactive and collective than ever before (van Selm, 2023, p. 377). Nonetheless, member states differ in their application of temporary protection in several aspects. For instance, the definition of which Ukrainian residents and which dependents are considered to be eligible varies (Setting 2). Furthermore, member states have substantial autonomy in organizing and offering essential settlement services (Settings 6 and 9). In Canada, the multi-level governance of immigration has intensified in recent decades (Gunn, 2020; Paquet, 2019; Vineberg, 2012), with provinces playing an increasingly significant role (Paquet & Xhardez, 2020). In the case of Ukrainians, multiple provinces have taken additional measures beyond those offered to other newcomers, such as reimbursing immigration medical exam fees (Setting 10), providing income support, and offering accelerated access to physical and mental health checkups and services (Setting 9). An analysis of other provincial actions reveals further variation. For example, several provinces, including Saskatchewan, Newfoundland and Labrador, and New Brunswick, have organized charter flights to bring Ukrainians to their respective territories. To gain a comprehensive understanding of temporary protection schemes, it would be essential to conduct a more in-depth analysis of variations. This is particularly important since divergent outputs resulting from these variations may lead to contrasting outcomes over time.

Finally, immigration policy is frequently driven not just by external factors, such as humanitarian crises, but by internal dynamics as well. As Freeman (1995, p. 888) famously argued, immigration politics in liberal democracies are shaped by the relative costs and benefits of immigration for its clients, such as "employers, ethnic advocacy groups, and civil and human rights organizations," who, he contends, are largely in favor of admitting newcomers. Canada, home to the second largest

Ukrainian diaspora after Russia, even before the conflict (Falconer, 2022, pp. 2, 5), has a long history of admitting Ukrainians—especially those displaced by war (Luciuk, 2000; Stick & Hou, 2022). The Ukrainian community, chiefly represented by the Ukrainian Canadian Congress, has been instrumental in advocating for mobility pathways for displaced Ukrainians and convincing the government to opt for a temporary protection scheme in 2022, and to extend it in 2023 (Tasker, 2022; Ukrainian Canadian Congress, 2022, 2023). The Canadian Government cited the wishes of the Ukrainian community as a reason for temporary protection, stating that "many of the Ukrainians coming to Canada will want to return home when it's safe to do so" (Ibrahim, 2022). Additionally, the Ukrainian community is well represented among Canadian political elites, with Deputy Prime Minister and Minister of Finance Chrystia Freeland at the forefront, recognized as "an influential advocate and ally for Ukraine as it battles Russia's invasion" (Moss & Nash, 2023). Within the EU, Ukrainians have become one of the largest groups of third-country nationals, with a significant increase in Ukrainian migrants since Russia's "illegal annexation of Crimea" in 2014 (European Commission, 2022a). The largest number of Ukrainians reside in "Poland and then followed by Germany, Czech Republic, Hungary, Spain, and Italy" (Dimitriadi & Lehmann, 2022). The EU has recognized the role of the diaspora upon the activation of the TPD as well as its value for integration (Council implementing decision of 4 March 2022, 2022). As the European Commission (2022a) put it: "Ukrainians with pre-existing contacts, family or friends already present in the EU will find it easier to navigate the bureaucracy of a new country, find accommodation, employment and education opportunities." The geographic distribution of their diasporic networks may explain the swift distribution of Ukrainians across Europe (Lehman & Dimitriadi, 2023, p. 273). While we should be cautious not to overemphasize the role of diasporas, it would be worthwhile examining how Ukrainian dynamics, political influence, and activism have shaped contemporary migration policy trajectories (Dyczok, 2000; Isajiw et al., 1992; Luciuk, 2000), specifically in advocating for protection schemes and additional paths to residency.

4. Conclusion: Discussion and Outlook

It is worth emphasizing again that while the "dynamics and outcomes of crisis episodes are hard to predict" (Boin et al., 2009, p. 81), for migration scholars, it is important to continue paying attention to the Ukrainian crisis, not only because of the many lives that are being uprooted but because of the unprecedented use of temporary protection schemes in Canada and the EU, as well as in other parts of the world. Although crises can create opportunities for change, a thorough understanding of long-term dynamics is crucial for understanding its direction. The EU's swift and unanimous decision

to use temporary protection during the Ukrainian crisis was remarkable (Bosse, 2022, p. 532), given the history of obstruction and division among member states. Despite previous debates on the legal and political challenges hindering the use of temporary protection, this episode emphasized the importance of political will in making progress in crafting a cohesive and common international protection system in the EU (Ineli-Ciger, 2022). In Canada, the absence of a history of temporary humanitarian protection raises different questions, ranging from worries about the potential dilution of permanent refugee protection to creating further precedents for the preferential and expedient treatment of some groups of protection-seekers over others. It also echoes a steady trend towards temporariness in Canada's immigration regime, especially regarding labor migration. For the first time, in 2007, Canada welcomed more individuals on a temporary than on a permanent basis (Nakache & Kinoshita, 2010, p. 3). While temporariness was not intended in Canadian humanitarian schemes, this current episode stands out. Will the use of temporary protection in both Canada and the EU result in a shift of their larger immigration policy paradigms—the frameworks of ideas and standards within which policymakers customarily work (Hall, 1993)? While it is certainly too early to decide, this comparison sheds light on immigration policy development in times of crisis and creates avenues for further study on both sides of the Atlantic. While questions have been raised about why previous displacement crises—such as the Syrian crisis in Europe and the Afghan crisis in Canada—did not elicit comparable responses, one may wonder whether future displacement flows will lead to the use of similar temporary protection schemes, marking a turning point.

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Conflict of Interests

The authors declare no conflict of interests.

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