**Political Issues of International Systems and Global Development**

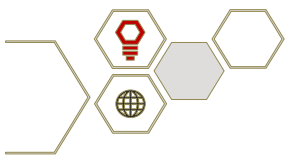
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DOI <https://doi.org/10.5281/zenodo.20067405>**Comparative analysis of strategies for adapting migration legislation in Spain and the United States to the needs of Ukrainian refugees****Nataliia Fursenko,**

Candidate of Legal Sciences, Associate Professor of the Department of Constitutional, International and Criminal Law, Vasyl' Stus Donetsk National University, Vinnytsia, Ukraine, <https://orcid.org/0009-0007-2595-2621>

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Abstract. The relevance of the study is due to the unprecedented scale of forced migration of Ukrainian citizens caused by Russian armed aggression, which has necessitated the rapid transformation of legal mechanisms for regulating migration processes. Under these conditions, particular importance is attached to examining the effectiveness of different legal response models capable of ensuring a balance between the prompt provision of protection, respect for human rights, and opportunities for the socio-economic integration of displaced persons. The aim of the article is to identify and scientifically generalize the differences in strategies for adapting migration legislation in Spain (within the legal framework of the European Union) and the United States of America to the needs of Ukrainian refugees, as well as to assess their effectiveness from the perspective of ensuring legal protection and integration. The methodological basis of the research consists of general scientific and specialized legal methods, including formal-legal, comparative-legal, system-structural, and normative-analytical methods. The application of these methods enabled the examination of the content and interrelation of legal acts, the



determination of the legal nature of the relevant legal instruments, and the comparison of their functions. The study establishes that the European model, implemented through the temporary protection mechanism, provides for the centralized introduction of a unified legal status that integrates key socio-economic rights and ensures a rapid response to the mass influx of displaced persons. In contrast, the American model is based on the application of a set of autonomous immigration instruments, including asylum, refugee status, temporary protection, and humanitarian parole, which results in an individualized determination of legal status and a differentiated scope of rights. It is substantiated that the key criteria distinguishing the legal strategies for adapting migration legislation in Spain (within the framework of the European Union) and the United States of America include the legal nature of the status of Ukrainian refugees, the level of procedural formalization, the degree of administrative discretion, and the nature of their social integration. It is proven that the European approach has a clearly defined socio-integration orientation and ensures unified access to fundamental rights for Ukrainian refugees, whereas the American model is focused on immigration control and individualized regulation of the legal status of displaced persons.

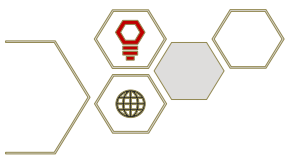
Keywords: temporary protection, asylum, immigration status, legal regime, refugees, international protection, migration policy.

Порівняльний аналіз стратегій адаптації міграційного законодавства Іспанії та США до потреб українських біженців

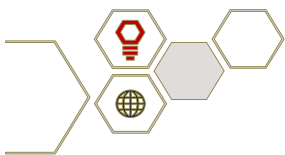
Фурсенко Наталія Сергіївна,

кандидат юридичних наук, доцент кафедри конституційного,
міжнародного та кримінального права, Донецький національний університет
імені Василя Стуса, м. Вінниця, Україна,
<https://orcid.org/0009-0007-2595-2621>

Анотація. Актуальність дослідження зумовлена безпрецедентними



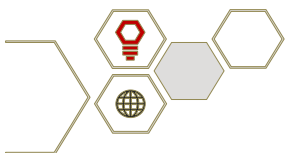
масштабами вимушеної міграції громадян України внаслідок російської збройної агресії, що поставило перед державами необхідність оперативно трансформувати правові механізми регулювання міграційних процесів. У цих умовах особливого значення набуває дослідження ефективності різних моделей правового реагування, здатних забезпечити баланс між швидкістю надання захисту, дотриманням прав людини та можливостями соціально-економічної інтеграції переміщених осіб. Метою статті є виявлення та наукове узагальнення відмінностей у правових стратегіях адаптації міграційного законодавства Іспанії (у межах правової системи Європейського Союзу) та Сполучених Штатів Америки до потреб українських біженців, а також оцінка їх ефективності з позицій правового забезпечення захисту та інтеграції. Методологічну основу дослідження становлять загальнонаукові та спеціально-юридичні методи, зокрема формально-правовий, порівняльно-правовий, системно-структурний та метод нормативного аналізу. Застосування зазначених методів дозволило дослідити зміст і взаємозв'язок нормативно-правових актів, визначити юридичну природу відповідних правових інструментів та здійснити їх функціональне зіставлення. У результаті дослідження встановлено, що європейська модель, реалізована через механізм тимчасового захисту, передбачає централізоване запровадження уніфікованого правового статусу, який інтегрує ключові соціально-економічні права та забезпечує швидке реагування на масовий наплив переміщених осіб. Натомість американська модель ґрунтується на застосуванні сукупності автономних імміграційних інструментів, зокрема притулку, статусу біженця, тимчасового захисту та гуманітарного пароллю, що зумовлює індивідуалізований характер визначення правового статусу та диференційований обсяг прав. Обґрунтовано, що ключовими критеріями відмінності між правовими стратегіями адаптації міграційного законодавства Іспанії (у межах Європейського Союзу) та Сполучених Штатів Америки виступають юридична природа правового статусу українських біженців,



рівень процедурної формалізації, ступінь адміністративної дискреції та характер їх соціальної інтеграції. Доведено, що європейський підхід має виразно соціально-інтеграційне спрямування і забезпечує уніфікований доступ до базових прав українських біженців, тоді як американська модель орієнтована на імміграційно-правовий контроль та індивідуалізоване регулювання правового становища переміщених осіб.

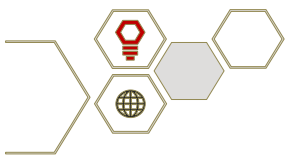
Ключові слова: тимчасовий захист, притулок, імміграційний статус, правовий режим, біженці, міжнародний захист, міграційна політика.

Problem statement. Russia's armed aggression against Ukraine has caused large-scale migration processes that have become systemic and have posed new challenges for host states in the field of legal regulation of the movement of persons. In these conditions, the ability of national legal systems to ensure the prompt granting of legal status, access to basic rights and guarantees, and the effective integration of displaced persons into the socio-economic environment is of particular importance [1, p. 38]. At the same time, different jurisdictions apply different approaches to solving these problems, due to the peculiarities of their legal systems, institutional organization and migration policies. The legal system of the European Union (EU), within which Spain operates, provides for the application of a special mechanism of temporary protection that allows for a unified approach to granting legal status in the event of a mass influx of displaced persons [2]. In contrast, in the United States of America (USA), legal regulation of migration processes is carried out within a centralized immigration system that determines legal status on an individual basis through separate immigration instruments [3, p. 193]. Such a difference necessitates a scientific understanding and comparison of relevant legal strategies to identify their advantages, limitations, and practical consequences for Ukrainian refugees. The relevance of the study is enhanced by the fact that, in the context of a prolonged migration crisis, the effectiveness of legal mechanisms for the protection and integration of displaced persons acquires not only humanitarian



but also strategic significance. That is why a comparative analysis of different models of legal response enables the determination of optimal approaches to formulating migration policy and improving regulatory and legal frameworks in this area.

Analysis of recent research and publications. The study of the issues of legal regulation of migration processes and refugee protection has become particularly relevant in the conditions of a full-scale war in Ukraine. In the works of O. Ali et al. It has been established that the process of acquiring stable legal status for refugees is long, uneven and depends on the host country's institutional and procedural mechanisms, confirming the complexity of the legal integration of displaced persons [4]. Y. Bondarenko's study substantiates that the EU legal system, in particular through the instruments of the Common European Asylum System and the Directive on Temporary Protection, provides a unified approach to providing protection in accordance with international standards [5]. This position is developed by T. Kortukova and Y. Yemets, who argue that Directive 2001/55/EC is a key instrument for coordinating Member States' actions in situations of mass population displacement [1]. At the same time, E. Küçük draws attention to the limitations of such a mechanism, in particular in terms of solidarity between states and the need to improve the distribution of responsibility, which indicates the presence of internal imbalances within the European model [6]. In this context, O. Kuzmenko et al. highlight the fundamental difference between the institution of temporary protection and refugee status, with the former being collective in nature and its granting subject to a simplified procedure [7]. A separate area of research concerns the socio-economic aspects of the integration of displaced persons. Thus, N. Khotynska establishes that the effectiveness of social support in the USA is limited by administrative barriers and unequal access to resources, which affect integration processes [8]. In turn, Y. Kravchuk substantiates [9; 10] that digital technologies and artificial intelligence can increase the effectiveness of volunteer and social initiatives, thereby optimizing assistance to vulnerable categories of the population,

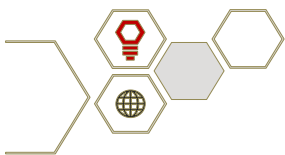


including refugees. The macroeconomic dimension of migration processes is highlighted in the work of N. Kantsedal et al., who establish that the war caused significant financial imbalances that indirectly affect the scale of migration and the need for its legal regulation [11]. The study by T. Sajjad emphasizes that the USA policy on the reception of Ukrainian refugees is shaped by geopolitical factors and is differentiated, thereby confirming the status-oriented model of the American approach [3]. A prospective dimension of migration processes is presented in the work of O. Udovyk and R. M-Domènech, who argue that refugee return scenarios depend on a complex of socio-economic and institutional factors and also require consideration of the experience of the displaced persons themselves [2]. At the same time, R. Čief and A. Boháč emphasize the long-term nature of migration flows and the need to form strategic approaches to their management [12]. The study by K. Bozorgmehr and E. Díaz confirms the high level of coordination among EU states in responding to the migration crisis, indicating the effectiveness of supranational mechanisms [13]. At the same time, A. Karaçay notes that temporary protection regimes can be pragmatic and deviate from classical international law standards, indicating a transformation in approaches to refugee protection [14]. This block is completed by K. Amit et al., who established that the decision to migrate is determined by a complex of factors, including proximity and social environment, which affect the choice of the host country and further integration [15].

Thus, modern scientific approaches confirm the multi-level nature of legal regulation of migration, the combination of collective and individual protection mechanisms, and the dependence of the effectiveness of refugee integration on institutional, socio-economic, and political-legal factors.

Identification of previously unresolved parts of the general problem.

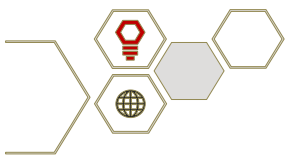
Despite significant research in the field of migration law and refugee protection, a number of key aspects remain underexplored. First of all, there is no comprehensive comparative legal analysis of strategies for adapting EU and USA migration legislation to respond to the mass movement of Ukrainian refugees. The available



scientific literature mainly focuses either on the temporary protection mechanism in the EU or on individual instruments of USA immigration law, which does not allow for a comprehensive assessment of their effectiveness and differences. The issue of the correlation of legal instruments within each model, in particular the interaction of temporary protection and asylum in the EU, as well as the combination of asylum, Temporary Protected Status, refugee resettlement and humanitarian parole in the US, is also insufficiently explored. The fragmentary nature of such research makes it difficult to understand the impact of these mechanisms on the formation of the legal status of displaced persons and the realization of their rights. These gaps are of fundamental importance for understanding the effectiveness of states' legal responses to mass migration processes, as they allow identifying the impact of various regulatory structures on the speed of legalization of stay, the scope of legal status, and the conditions for the integration of displaced persons. That is why a comprehensive study comparing different legal approaches and their practical consequences across specific jurisdictions is urgent.

Formulation of the objectives of the article. The aim of the article is to identify and scientifically generalize the differences in the legal strategies for adapting the migration legislation of Spain (within the EU legal system) and the USA to the needs of Ukrainian refugees by analyzing their regulatory framework, implementation mechanisms and impact on the formation of the legal status and the level of socio-economic integration of displaced persons.

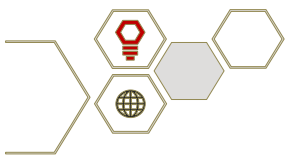
Presentation of the main material of the study. Migration processes caused by the Russian armed aggression against Ukraine are characterized by high intensity, scale and geographical diversification, which necessitates their systematic legal regulation at the international and national levels. The dynamics of Ukrainian citizens' movement indicate the sustainable nature of migration flows, as confirmed by significant volumes of state border crossings during 2022–2024 and their concentration in EU countries under temporary protection provisions. According to Eurostat, as of the beginning of 2025, more than 4.2 million people who left the



territory of Ukraine are in EU countries under temporary protection [16], which indicates the scale of the application of the relevant legal mechanism. The spatial distribution of these persons demonstrates the uneven burden on the national systems of the Member States; in particular, the largest number of beneficiaries is concentrated in Germany, Poland and Spain, which underscores the need for coordination of legal and administrative decisions at the supranational level.

At the same time, migration processes cover not only the European space but also other jurisdictions, in particular the USA, where a separate segment of the Ukrainian diaspora is forming. According to the U.S. Census Bureau [17], the largest concentration of people of Ukrainian origin is observed in the states of New York (189,134 people), California (176,111 people), Pennsylvania (127,911 people), Florida (93,272 people), New Jersey (84,578 people), Illinois (78,580 people) and Washington (77,408 people). However, in a number of states (Montana, Wyoming and Arkansas), the number of Ukrainians remains insignificant, indicating territorial asymmetry in settlement. The functioning of numerous Ukrainian public organizations, numbering over 70, as well as a developed network of cultural, educational and scientific institutions, creates an additional social environment for the integration of displaced persons. In particular, the activities of such organizations as the Ukrainian Congressional Committee of America, the Ukrainian-American Coordinating Council, United Help Ukraine, and Nova Ukraine are aimed at providing humanitarian, legal, and financial assistance, which partially compensates for the limited state social guarantees within the framework of the USA immigration and status model [17].

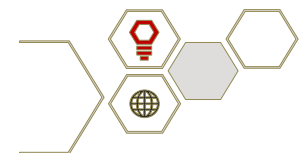
The above-mentioned quantitative and structural characteristics of migration processes necessitate regulatory measures, as the absence of clearly defined legal mechanisms results in increased administrative burden, legal uncertainty, and social tension. In this context, legal regulation is a key tool for ensuring the legalization of stay, access to basic rights and guarantees, and the integration of displaced persons into host societies. That is why it is advisable to focus further analysis on the



regulatory mechanisms used in various jurisdictions to govern these processes. First of all, let's consider the legal model in Spain, which operates within the EU legal system (table 1).

Table 1**Legal regulation of temporary protection and asylum in Spain**

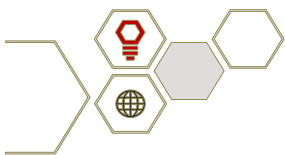
Regulatory act	Key provisions of the legal regulation	Legal effect (legal consequences)	Significance for law enforcement
EU			
Directive 2001/55/EC	Establishment of the temporary protection regime, procedure for its introduction (art. 1, 5), determination of the term (art. 4, 6), relationship with the institution of asylum (art. 3, 17), regulation of rights: residence (art. 8), work (art. 12), social protection (art. 13), education (art. 14), family reunification (art. 15)	Formation of a single collective legal status without individual consideration, consolidation of minimum standards of rights and guarantees	Ensures the unified application of the legal regime, simplifies procedures and creates legal certainty for beneficiaries
Implementation decision Council (EU) 2022/382	Recognition of the fact of mass influx (art. 1), definition of the circle of beneficiaries and their family members (art. 2), possibility of expanding categories of persons, coordination of actions of states (art. 3)	Activation of the temporary protection mechanism and specification of the subject composition of legal relations	Acts as a legal trigger for the application of the directive and ensures consistency of actions of the Member States
Regulation (EU) No. 604/2013	Determination of the state responsible for examining an asylum application, the principle of non-refoulement, and the priority of protection of the rights of the child	Ensuring jurisdictional certainty and prevention of multiple applications, guarantees of human rights	Regulates asylum procedures and limits the discretion of states in matters of return
Law 12/2009 on the Right of Asylum and Subsidiary Protection	Regulation of the procedure for granting asylum, determining refugee status and subsidiary protection	Formation of an individualized mechanism for international protection	Ensures the implementation of the right to asylum in the national legal system
Spain			
Royal Decree 1325/2003	Implementation of the provisions of EU law on temporary protection, determining the procedure for its application	Introduction of a collective legal status at the national level	Adapts supranational norms to the domestic legal order
Order	Establishment of a simplified	Shortening the	Ensures the



Regulatory act	Key provisions of the legal regulation	Legal effect (legal consequences)	Significance for law enforcement
PCM/169/2022	procedure for access to temporary protection	terms of consideration and minimizing administrative barriers	efficiency of granting legal status
Order PCM/170/2022	Expanding the circle of persons entitled to temporary protection	Expanding the subject composition of legal relations	Increases the flexibility and adaptability of the legal regime

Source: created according to [18–21]

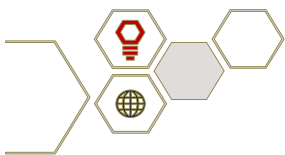
The adaptation of Spanish migration legislation to the needs of Ukrainian refugees is carried out within the legal framework of the temporary protection mechanism provided for by EU law, with subsequent implementation at the national level. The normative basis for this approach is the provisions of Directive 2001/55/EC [20]. Article 1 of this Directive establishes minimum standards for granting temporary protection, and Article 5 defines a centralized mechanism for its activation by the EU Council. The implementation of the specified mechanism in connection with the mass movement of persons from Ukraine took place through the adoption of Council Implementing Decision (EU) 2022/382 [19], which, according to Articles 1–2, established the fact of a mass influx and defined the circle of beneficiaries, thereby providing a legal basis for the application of a collective legal regime. The legal structure of temporary protection, enshrined in Directive 2001/55/EC [20], departs from the individualized procedure for considering applications characteristic of the institution of asylum and establishes a mechanism for automatically granting legal status to certain categories of persons. In particular, Article 8 guarantees the right to residence, Article 12 – access to the labor market, Article 13 – social protection, including housing and healthcare, and Articles 14 and 15 – access to education and family reunification. The combination of these norms creates a holistic legal status in which key rights are realized without the need for additional administrative procedures. In contrast, the classic system of international protection, enshrined in Regulation (EU) No. 604/2013 [18], is based on the individual assessment of an asylum application and the determination of the state



responsible for its examination. This approach involves a significant procedural burden and time costs, making it impossible to apply it effectively in conditions of a mass influx. That is why the introduction of the temporary protection regime allowed Spain to avoid overloading the national asylum system and ensure the immediate legalization of the stay of displaced persons.

At the national level, the provisions of Directive 2001/55/EC [20] are implemented through Royal Decree 1325/2003, which determines the procedure for applying the temporary protection regime in the Spanish legal order. Further adaptation to the specific crisis situation was ensured through the adoption of special administrative acts. Thus, Order PCM/169/2022 establishes a simplified procedure for granting temporary protection, which minimizes formal requirements and shortens the consideration periods, while Order PCM/170/2022, taking into account the provisions of Article 7 of Directive 2001/55/EC, expands the circle of persons entitled to obtain the relevant status. This indicates that Spain uses discretionary adaptation mechanisms within the limits set by EU law. At the same time, the Spanish legal system maintains the asylum institution, enshrined in Law 12/2009 [21], which provides for an individualized procedure for granting refugee status or subsidiary protection. According to Articles 3 and 17 of Directive 2001/55/EC provide that temporary protection does not preclude the possibility of applying for asylum, thereby ensuring alternative legal regimes and an additional level of guarantees for persons who meet the criteria for international protection. Thus, within the Spanish model, temporary protection serves as a primary response mechanism, while the asylum institution provides a long-term legal settlement of status.

A systematic analysis of the above normative acts allows defining the Spanish model as a multi-level legal construction, within which supranational norms of direct action and national acts of implementation and procedural specification are combined. Its characteristic feature is a unified approach to determining legal status through a mechanism of collective protection, which ensures the simultaneous



granting of rights to a large number of persons, as well as the normatively enshrined possibility of flexible expansion of the subject composition and simplification of procedures.

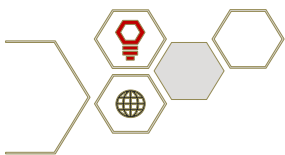
At the same time, the absence of a single unified regime of collective protection in USA law necessitates the use of an alternative legal construction based on a combination of separate immigration institutions, each with its own regulatory basis and procedural features (table 2).

Table 2

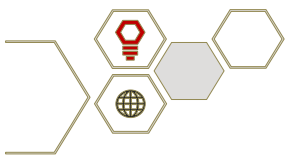
Legal regulation of the protection of Ukrainian displaced persons in the USA

Regulatory / program act	Main provisions of legal regulation	Legal effect (legal consequences)
<i>Federal legislative level</i>		
Immigration and Nationality Act, INA	Definition of basic concepts of immigration law (INA §101), authority (INA §103), refugee admission procedures (INA §207), asylum (INA §208), protection from deportation (INA §241), temporary protection (INA §244)	Formation of a holistic immigration status system, within which each type of protection has a separate legal basis and application procedure
Refugee Act of 1980	Definition of the concept of refugee in accordance with international standards, regulation of resettlement procedures, creation of the Office of Refugee Resettlement and integration programs (INA §§411–414)	Institutionalization of the admission and integration system for refugees on a permanent basis
<i>Special administrative level</i>		
Extension of the Designation of Ukraine for Temporary Protected Status, Federal Register, 17.01.2025, 90 FR 5936	Continuation of TPS for citizens of Ukraine, establishment of re-registration procedures and requirements for beneficiaries, and ensuring access to employment authorization (EAD)	Maintaining legal status subject to compliance with procedural requirements, temporary legalization of stay and access to the labor market
<i>Administrative and programmatic level</i>		
Uniting for Ukraine, USCIS program	Introducing the humanitarian password mechanism for citizens of Ukraine with a sponsor, simplifying entry procedures	Providing temporary admission to the United States without obtaining classic immigration status
<i>Administrative level</i>		
USCIS Immigration Relief in Emergencies or Unforeseen Circumstances	Provides the possibility of individual procedural relaxations: acceleration of consideration, restoration of documents, extension of terms	Expanding the discretionary powers of administrative bodies in crisis conditions

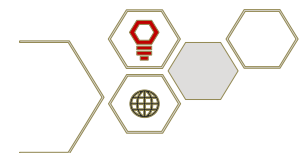
Source: constructed according to [22–25]



The USA strategy for legal responses to the movement of Ukrainian citizens is formulated within the framework of a centralized federal system of immigration law, the regulatory basis of which is the Immigration and Nationality Act [25]. The specified act defines both the basic categories of immigration law (INA §101/8 U.S.C. §1101) and the competence of executive authorities (INA §103/8 U.S.C. §1103), thereby ensuring the concentration of powers in the field of migration administration at the federal level. Unlike the European model, the American system does not contain a universal mechanism for the mass granting of legal status but operates through a set of separate immigration institutions, each with its own autonomous legal status, grounds for application and procedural requirements. The main element of this system is the institution of asylum, enshrined in §208 of the Immigration and Nationality Act (8 U.S.C. §1158), which provides for individualized consideration of an application based on proof of persecution or a well-founded fear of persecution on certain grounds under the Convention. The application of this mechanism is accompanied by a full-fledged administrative procedure, which includes an assessment of the evidence, individual legal qualification of the circumstances and decision-making by the competent authority. This approach creates a high level of proceduralization, making it impossible to use it as a rapid-response tool in conditions of mass population displacement. In parallel, there is a refugee admission mechanism institutionalized under the Refugee Act of 1980 [24], which is integrated into the structure of the Immigration and Nationality Act (in particular, INA §207/8 U.S.C. §1157 and §§411–414/8 U.S.C. §§1521–1524). The aforementioned regulatory act establishes a planned model for refugee admission, which provides for the annual determination of quantitative admission indicators, consultations between authorities, and the creation of an institutional infrastructure for integration, including the activities of the Office of Refugee Resettlement. Within this model, a set of socio-economic support measures is provided, but its application is constrained by predefined quotas and resettlement procedures, which distinguishes it from rapid-response mechanisms.



In the context of armed aggression against Ukraine, the institution of temporary protection, provided for in INA §244 (8 U.S.C. §1254a), has become increasingly important. Under this provision, the US Department of Homeland Security has the authority to determine which states may grant temporary protection in response to armed conflict, natural disasters, or other extraordinary circumstances. Granting such status does not require proof of individual persecution; rather, it requires compliance with established procedural conditions, in particular registration and re-registration. The practical implementation of this mechanism with respect to Ukraine was specified in the notice published in the Federal Register on January 17, 2025 (90 FR 5936) [23], which extended the temporary protection status for Ukraine and determined the procedure for re-registration of beneficiaries. The legal consequences of applying for TPS include temporary legalization of stay, protection from deportation and the possibility of obtaining a work permit (work permit document), which ensures basic economic integration. An additional adaptation tool is the administrative program «Unity for Ukraine», implemented on the basis of the authority for the humanitarian parole (INA §212(d)(5)). It provides a simplified procedure for the entry of citizens of Ukraine, provided that sponsorship support is available in the United States. The specified mechanism allows prompt access to the territory of the state without applying asylum or refugee resettlement procedures, but is time-limited and does not create an independent immigration status, underscoring its auxiliary role in the legal regulatory system. In addition, within the framework of administrative practice, the provisions of USCIS [22] on granting immigration relief in extraordinary circumstances are applied, which provide for the possibility of resolving procedural issues on an individual basis, including the extension of deadlines, the acceleration of consideration of applications, and the restoration of documents. Therefore, the American model can be characterized as a centralized, status-oriented, and procedurally formalized system, within which a person's legal status is determined through the individual's acquisition of the appropriate immigration status.

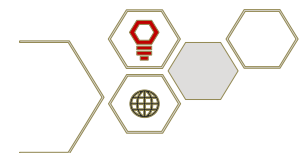


In view of the above, there is a need for a systematic comparison of the two legal models in order to identify their structural differences, functional priorities and legal consequences for Ukrainian refugees (table 3).

Table 3

Comparative analysis of strategies for adapting migration legislation in Spain and the USA to the needs of Ukrainian refugees

Criteria	Spain / EU	USA	Main differences
Conceptual model	Collective temporary protection as an extraordinary legal regime	Individualized immigration-status approach	The European model is of a public-legal nature, the American one is procedural-individual
Normative architecture	Multi-level system: EU law and national legislation	Centralized system of federal immigration law	The EU implements multi-level legal integration, and the USA has a unified regulatory model
Trigger mechanism	Centralized decision of the EU institutions in the event of a mass influx of persons	Administrative decisions of federal bodies or individual applications	The European model is based on a collective trigger; the American one is procedural
Legal nature of protection	A single special legal regime of temporary protection	A set of separate immigration statuses (TPS, asylum, humanitarian parole)	The European approach ensures unification; the American approach is characterized by differentiation
Subject composition	Determined by group criteria	Determined individually or through the administrative definition of categories	Group identification dominates in the EU, individual in the USA
The role of the asylum institution	Performs a supporting function	It is a central instrument of legal protection	The American system retains the classic asylum model
Administrative procedure	Simplified and minimized	Formalized and multi-level	The European model is focused on deregulation, and the American model is focused on procedural detail
Degree of discretion of authorities	Limited by EU law	High level of discretion of administrative authorities	In the USA, greater flexibility, but lower predictability
Right to residence	Granted automatically within the protection regime	Depends on the acquired immigration status	The European model provides stability, and the American model provides conditionality
The right to work	Integrated into the legal status	Implemented through a separate permit	Direct access is provided in the EU, indirect access in the

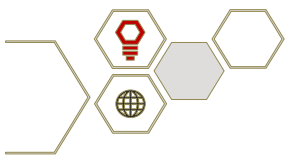


Criteria	Spain / EU	USA	Main differences
		procedure	US
Social component	Complex provision (housing, medical and educational services)	Limited scope, depending on the status of the person	The European model is focused on social integration, and the American model is focused on economic adaptation
Family policy	Systemically regulated	Has a fragmented nature	The European approach is more socially oriented
Protection of vulnerable groups	Special guarantees are provided for certain categories	Guarantees exist, but are not systemic	The EU implements a comprehensive approach
Institutional coordination	Provided by EU institutions and national authorities	Implemented by federal executive bodies	The European model is network-based, and the American model is centralized
Goal of legal regulation	Social stabilization and burden sharing between states	Control of migration flows and temporary legalization	Difference in strategic priorities
Legal result	A single legal status with a set of rights	The presence of different statuses with a differentiated scope of rights	A unified result is provided in the EU, a differentiated result in the USA

Source: constructed by the author

Comparative analysis shows that the legal strategies for adapting migration legislation in Spain (within the EU legal system) and the USA are grounded in different conceptual approaches to determining the legal status of displaced persons and the mechanisms for obtaining it. The European model is characterized by the dominance of a collective approach, in which legal status is determined by a person's belonging to a specific category, thereby ensuring the simultaneity and uniformity of legal regulation. This leads to the simplification of administrative procedures, minimization of individual consideration and the rapid granting of legal status. Within this model, key rights – to residence, work, and social security – are integrated into the very content of legal status, which serves as the prerequisites for the operational socio-economic integration of displaced persons. At the same time, the level of discretion of administrative bodies is limited, which ensures higher predictability of law enforcement.

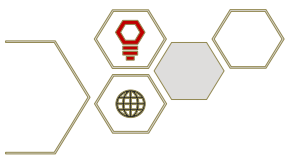
The American model, on the contrary, is based on an individualized approach, in which a person's legal status is determined by acquiring one of the available



immigration statuses. This approach involves a multi-level, formalized administrative procedure, which leads to a longer duration for legalization of stay and to the dependence of the outcome on the discretionary powers of the competent authorities. Access to basic rights, in particular the right to work and social guarantees, is derivative and implemented through additional procedural mechanisms, thereby strengthening the conditionality of legal status. Significant differences are also observed in the functional purpose of legal strategies. The European model is focused on social stabilization and an even distribution of the burden among states, while the American approach is aimed at controlling migration flows and regulating the legal status of individuals. This determines the different nature of integration: in the first case, it is socially oriented, in the second, it is mainly economic and adaptive. In addition, differences in approaches to determining the subject composition and the role of the asylum institution result in different levels of accessibility to legal protection. In the European model, asylum serves a supporting role, whereas in the USA, it remains a key tool that shapes the entire protection system. This, in turn, affects the degree of differentiation of legal status and the variability of legal consequences for displaced persons.

Therefore, the differences between the studied models are manifested not only in the form of legal regulation, but also in their substantive content, which determines different mechanisms for the implementation of rights, the level of administrative burden and the nature of the integration of Ukrainian refugees in host countries.

Conclusions. The study established that the adaptation of migration legislation in Spain and the USA to the needs of Ukrainian refugees is carried out on the basis of fundamentally different legal models, as enshrined in the relevant regulatory legal acts. The European model of adaptation of migration legislation has a social and integration focus, aiming to ensure quick access to rights and the inclusion of displaced persons in the socio-economic environment. The American model, in turn, is immigration-control-based and relies on an individualized



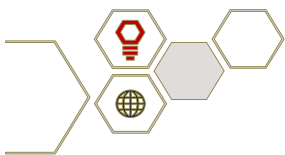
definition of legal status, which provides flexibility in legal regulation but is accompanied by fragmentation of rights and increased administrative procedures.

The practical significance of the results lies in the possibility of drawing on the EU's experience in introducing unified mechanisms of collective protection to enhance the effectiveness of responses to mass migration challenges. At the same time, the American approach underscores the importance of procedural flexibility and the use of alternative legal regulatory instruments, which should be taken into account when improving national migration policy models.

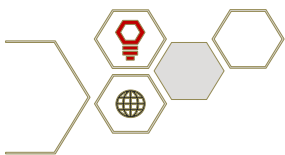
Prospects for further research lie in an in-depth analysis of the effectiveness of law enforcement of the studied models, in particular, assessing their impact on the level of socio-economic integration of refugees.

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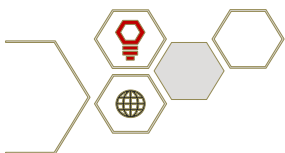
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