

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiches
July 2022

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Country fiche for Austria

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹ and Council Implementing Decision (EU) 2022/382²

Section 62 Asylum Act 2005 (Asylgesetz 2005): The Act on Asylum introduced by Federal Gazette I No. 100/2005, last amendment by No. 234/2021, Section 62 introduced by Federal Gazette I No. 87/2012, last amendment by No. 70/2015, former Section 76 *Niederlassungs- und Aufenthaltsgesetz* (Settlement and Residence Act), former Section 29 *Fremdengesetz* (Act on Foreigners); date of coming into force: 1 January 2014, last amendment 20 July 2015.

Asylum Act Implementing Ordinance 2005 (Asylgesetz-Durchführungsverordnung); Federal Gazette II No. 93/2022; date of coming into force: 11 March 2022.

Regulation on Displaced Persons (Vertriebenen-Verordnung) implementing the Temporary Protection Directive introduced by Federal Gazette II No. 92/2022; date of coming into force: 11 March 2022.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Administrative decree (Erlass) of the Federal Ministry of Labour (2022-0.178.109, not published): By this decree the Austrian labour market service authorities (AMS) have been assigned to issue to every holder of an identity card for displaced persons a working permit for all economic branches. Mandatory quota, e.g. in the touristic or agricultural sector, limiting the number of working permits per season, do not apply.

Social security:

Regulation on Displaced Persons (Vertriebenen-Verordnung) implementing the Temporary Protection Directive introduced by Federal Gazette II No. 92/2022; date of coming into force: 11 March 2022.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

General Social Insurance Act: According to Section 3 General Social Insurance Act, every person employed or self-employed in Austria is subject to Austrian mandatory social insurance, provided that the income exceeds the threshold of EUR 484,85 (*Geringfügigkeitsgrenze*) per month.

Regulation 104 on Amendment of the Implementation of Health Care Insurance regarding persons included into Health Care Insurance on the grounds of Section 9 General Social Insurance Act. All persons enjoying temporary (or adequate) protection, are – irrespective of whether they are employed or not – included into mandatory health care insurance.

Social welfare:

Agreement on the conditions for subsistence for persons who are in need of protection based on Article 15a Federal Constitution (*Bundes-Verfassungsgesetz*), laying down the principles of eligibility to social subsistence and the types of benefits in a coherent way for the Federal State (*Bund*) and all States (*Bundesländer*).

Due to constitutional reasons, the competence to provide subsistence and primary care for persons in need is divided between the State of Austria and the Federal States (*Bundesländer*). Therefore, the Austrian State and the Federal States concluded an agreement on the conditions for subsistence for persons who are in need of protection based on Article 15a Federal Constitution (*Bundes-Verfassungsgesetz*), laying down the principles of eligibility to social subsistence and the types of benefits in a coherent way for all Federal States. Article 15a B-VG; StF: [BGBl. I No. 80/2004](#). Based on this agreement the Austrian State as well as the Federal States introduced laws on subsistence for persons in need residing in Austria or the respective Federal State (*Grundversorgungsgesetze des Bundes sowie der Bundesländer Wien, Niederösterreich, Oberösterreich, Salzburg, Tirol, Vorarlberg, Kärnten, Steiermark und Burgenland*).

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes. According to Section 2 of the Regulation on Displaced Persons the following categories of persons may be considered family members of an Ukrainian national or third-country national or stateless person present or residing in the Ukraine before 24 February 2022 Spouse and registered partners Minor, unwedded children of the concerned person or his/her spouse or registered partner

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	Other close relatives who lived before the displacement in a common household and who were completely or mostly dependent from the beneficiary
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	No. According to official information, this group of persons has nevertheless the right to enter Austria and stay in Austria due to humanitarian reasons as long as the person concerned is unable to return in safe and durable conditions to his/her country or region of origin. The legal basis for the right to enter Austria due to humanitarian reasons might be seen in Article 6 Paragraph 5 letter c of the Regulation 2016/399. However, the national legal conditions for the right to stay on grounds of humanitarian reasons (Section 55 and Section 57 of the Act on Asylum) are defined in such a restrictive way that it is hardly conceivable that third-country nationals legally residing in Ukraine before the war will meet them.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No. According to official information, this group of persons has the right to enter Austria and stay in Austria due to humanitarian reasons as long as the person concerned is unable to return in safe and durable conditions to his/her country or region of origin. The legal basis for the right to enter Austria due to humanitarian reasons might be seen in Article 6 Paragraph 5 letter c of the Regulation 2016/399. However, the legal conditions for the right to stay on grounds of humanitarian reasons (Section 55 and Section 57 of the Act on Asylum) are defined in such a restrictive way that it is hardly conceivable that third country nationals legally residing in Ukraine before the war will meet them.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes. Ukrainian nationals who are legally residing in Austria but who do not fulfil any longer the criteria for an extension of the residence permit are entitled to temporary stay in Austria

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	provided that they are unable to return in safe and durable conditions to the Ukraine.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Federal Office for Immigration and Asylum For registration of entry and residence: police and respective competent municipal office	Bundesamt für Fremdenwesen und Asyl Polizei und Bezirksverwaltungsbehörde bzw Magistrat	https://www.bfa.gv.at/ in Vienna e.g.: https://start.wien.gv.at/ukraine
Employment rights	Labour Market Service/Service for Job Seekers	Arbeitsmarktservice: Service für Arbeitssuchende	https://www.ams.at
Social welfare and social security rights	Federal Agency for Reception and Support Service The Federal States of Austria	Bundesagentur für Betreuungs- und Unterstützungsleistungen GmbH Bundesländer	https://www.bbu.gv.at

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Yes, the Federal Office of the Chancellor (*Bundeskanzleramt*) assigned a specific administrative department for the coordination of the support for displaced persons from Ukraine ([Stabstelle Ukraine-Flüchtlingskoordination](#)). The task of this specific administrative department is to coordinate the support activities of the different national and federal authorities and NGOs, to organise sufficient housing possibilities and to report to the Austrian government. However, there are no specific legal competences assigned to the administrative department for the coordination of the support for displaced persons from Ukraine (*Stabstelle Ukraine-Flüchtlingskoordination*).

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Austria does not legislate other forms of adequate protection. Displaced persons from Ukraine can either apply for temporary protection, asylum or a right to stay due to humanitarian reasons.

According to the [Regulation on Displaced Persons](#) solely third-country nationals and stateless person who are beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022 are entitled to temporary stay in Austria until 3 March 2023 which will be automatically renewed for up to six months twice, unless it is declared ended. This entitlement to temporary stay is approved by the 'identity card for displaced persons'. Holders of this card have access to the Austrian labour market by a working permit, are included into health insurance and are entitled to primary care and subsistence (*Grundversorgung*) from the federal government or federal states, operated by the *Bundesagentur für Betreuungs- und Unterstützungsleistungen GmbH*.

All other categories of third-country nationals and stateless persons (e.g. legally residing in Ukraine according to Ukrainian national law) have the right to enter Austria due to humanitarian reasons, probably on the basis of Article 6 Paragraph 5 Letter c of Regulation (EU) 2016/399. However, Article 6 Paragraph 5 Letter c of the Regulation 2016/399 does not provide a stable legal basis for a right to stay or residence in Austria. For a right to stay the third-country national would have to apply for asylum or a right to stay due to humanitarian reasons according to national law (Section 55 and Section 57 of the [Act on Asylum](#)). Persons staying in Austria for humanitarian reasons furthermore do not have access to the Austrian labour market and are partially excluded from subsistence for persons in need. That is true for the subsistence systems of the Federal States of Lower Austria (*Niederösterreich*) and Styria (*Steiermark*), which exclude persons who are residing in the respective Federal State solely due to humanitarian reasons from social subsistence according to Section 55 of the [Act on Asylum](#).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Yes, the possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection to the single permit work, EU Blue Card, seasonal workers, seasonal workers and family reunification is possible during the temporary protection regime.

³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

The conditions set in the legislation to apply for such a status change while remaining in the country:

There are no specific rules referring to the specific situation of displaced persons from Ukraine trying to change their status. Therefore, the general rules regarding the change of status according to the [Settlement and Residence Act](#) (*Niederlassungs- und Aufenthaltsgesetz*) apply. According to Section 26 of the [Settlement and Residence Act](#), solely persons legally staying in Austria have the right to apply for a status change if they fulfil the respective criteria. However, this possibility is limited to applicants legally staying in Austria. That is the fact with regard to persons who benefit from temporary protection, but not with regard to third-country nationals or stateless persons who are not subject to the [Regulation on Displaced Persons](#). If the residence right already expired the person concerned cannot refer to Section 2 (12) of the [Settlement and Residence Act](#) (*Niederlassungs- und Aufenthaltsgesetz*).

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

The applicant must fulfil the respective criteria for the right to stay.

Any alteration of rights with respect to

residence: No

employment rights: No

social welfare and social security rights: No

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

None identified.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Austrian labour law is fully applicable to all persons who are employed in Austria on grounds of a working permit without difference of the status of stay or nationality. Every differentiation in labour conditions would be considered a discrimination on grounds of origin which is prohibited by the Equal Treatment Act (*Gleichbehandlungsgesetz*).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

According to the [Regulation on Displaced Persons](#) (*Vertriebenen-Verordnung*) solely Ukrainian nationals and third-country nationals and stateless persons who are beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022 are entitled to temporary stay in Austria until 3 March 2023 which will be automatically renewed for up to six months twice, unless it is declared ended. This entitlement to temporary stay is approved by the 'identity card for displaced persons'. Holders of this card have access to the Austrian labour market by a working permit, are included into health insurance and are entitled to primary care and subsistence (*Grundversorgung*) from the federal government or federal states, operated by the *Bundesagentur für Betreuungs- und Unterstützungsleistungen GmbH*.

II. Recognition of qualifications/diplomas

General rules on the recognition of qualifications/diplomas apply also to persons enjoying temporary protection. Specific rules for displaced persons from Ukraine do not exist. This leads – according to recent reports of the Austrian Labour Market Authority (AMS) – to the problem that displaced persons from Ukraine often work in low level jobs due to the fact that they do not apply for the recognition of qualifications or because the procedure takes too long.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

According to the decree of the Federal Ministry of Labour (2022-0.178.109, not published) the Austrian labour market service authorities are assigned to provide to persons from Ukraine holding an identity card for displaced person, assistance 'according to their specific needs', like e.g. German language courses

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

The Austrian labour market service provides information centres at the points of first contact for displaced persons of Ukraine. Especially for this target group language courses have been launched.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Inclusion into health care insurance, irrespective of whether displaced persons are employed or not, according to [Regulation 104 on Amendment of the Implementation of Health Care Insurance regarding persons included into Health Care Insurance on the grounds of Section 9 General Social Insurance Act](#).

Moreover, every person employed or self-employed in Austria is according to Section 3 General Social Insurance Act subject to Austrian mandatory social insurance, i.e. health care insurance, pension insurance, accident at work insurance and unemployment insurance, if their income exceeds the limit of EUR 485,85. If the income is lower than this threshold, they are only subject to accident at work insurance. That applies to Austrian citizens as well.

Social welfare:

The material scope of [Article 15a B-VG-Agreement](#) (*Grundversorgungsvereinbarung*) includes according to Article 6 the following benefits:

housing,

food,

pocket money in case of housing in an officially organised accommodation,

medical treatment,

payment of health care insurance contributions,

long-term care,

information and guidance by assistance of interpreters,

cost for transport,

cost for school transport,

clothing,

costs of the return to the home country.

II. Eligibility conditions**Social security:**

Ukrainian citizens and all other displaced persons who left Ukraine due to the war and who are temporarily staying in Austria are included into healthcare insurance, irrespective of whether they are employed or not in Austria. Inclusion into the other branches of the Austrian social security system is contingent upon employment in Austria. For conditions to be subject to mandatory social insurance, also see above.

Social welfare:

The personal scope of [Article 15a B-VG-Agreement](#) (*Grundversorgungsvereinbarung*) applies to persons who applied for asylum (Article 2) as well as to persons who are enjoying temporary (or adequate) protection according to the Temporary Protection Directive (Article 8).

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

With the [Federal Agency for Reception and Support Service](#) one single point of contact has been established for persons in need providing all necessary information.

Furthermore, especially in Vienna, [specific points of registration](#) have been established where all competent institutions are present providing support.

Country fiche for Belgium

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁴ and Council Implementing Decision (EU) 2022/382⁵

Law of 15 December 1980 regarding the entry, residence, settlement and removal of foreigners, as modified in particular by Law 2003-02-18/41, Article 8, which entered into force on 1 May 2003 (Original name in French: *Loi du 15 décembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers*).

The modification in 2003 added Chapter IIa in Title II of the law, i.e.: Beneficiaries of temporary protection, based on Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (Articles 57/29, 57/30, 57/31, 57/32, 57/33, 57/34, 57/35, 57/36) (Original name in French: *Bénéficiaires de la protection temporaire, sur la base de la directive 2001/55/CE du Conseil de l'Union européenne du 20 juillet 2001 relative à des normes minimales pour l'octroi d'une protection temporaire en cas d'afflux massif de personnes déplacées et à des mesures tendant à assurer un équilibre entre les efforts consentis par les Etats membres pour accueillir ces personnes et supporter les conséquences de cet accueil*).

This law contains the main provisions related to displaced persons.

Royal Decree of 8 october 1981 regarding the entry, residence, settlement and removal of foreigners, in particular its Article 80, as modified by Royal Decree 2007-04-27/56, art. 54, 1°, 030, which entered into force on 1 June 2007 (Original name in French: *Arrêté royal sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers*).

This article specifies the steps that a foreigner who has been granted temporary protection pursuant to Article 57/29 Law of 15 December 1980 and who has lodged a first application for asylum has to follow.

⁴ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁵ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Employment

[Law of 9 May 2018](#) on the occupation of foreign nationals in a special residence situation, in particular its Article 5.1, which entered into force on 24 December 2018 (Original name in French: *Loi relative à l'occupation de ressortissants étrangers se trouvant dans une situation particulière de séjour*).

[Royal Decree of 2 September 2018](#) implementing Law of 9 May 2018 on the occupation of foreign nationals in a special residence situation, in particular its article 10, 6°, added by Royal Decree 2022-03-29/05, Article 1, 005, which entered into force retroactively on 4 March 2022 (Original name in French: *Arrêté royal portant exécution de la loi du 9 mai 2018 relative à l'occupation de ressortissants étrangers se trouvant dans une situation particulière de séjour*).

These two acts ensure the equal treatment on the labour market as regards working conditions for foreign nationals in a particular residence situation. They specify the foreigners who are authorized to work, and this concept includes the persons authorised to stay as beneficiaries of temporary protection under Article 57/29 of the Law of 15 December 1980.

To notice: In Belgium, the regulation of foreign workers is the responsibility of the Regions. However, [the federal state](#) retains regulatory competence regarding the employment of foreign nationals in a particular residence situation (as temporary protection). These are foreigners whose main reason for coming to Belgium is not work and for whom the authorisation to work is a direct result of a special residence situation. In these cases, the federal state determines whether these people can work.

The use of a general principle of [equal treatment and non-discrimination in the workplace](#) is also important.

Three laws (as modified during the years) now form the legal basis for combating discrimination:

[Law of 10 May 2007](#) to combat certain forms of discrimination, which replaces the law of 25 February 2003, which entered into force on 9 June 2007 (Original name: *Loi tendant à lutter contre certaines formes de discrimination*);

[Law of 10 May 2007](#) to combat discrimination between men and women, which replaces the Act of 7 May 1999 on equal treatment between men and women, which entered into force on 9 June 2007 (Original name: *Loi tendant à lutter contre la discrimination entre les femmes et les hommes*);

[Law of 30 July 1981](#) to repress certain acts inspired by racism and xenophobia, which entered into force on: 18 August 1981 (Original name: *Loi tendant à réprimer certains actes inspirés par le racisme ou la xénophobie*).

Social security/welfare

Regarding social security, there is no specific legislation applicable to persons enjoying temporary protection from Ukraine. They enjoy their social security rights thanks to a [general principle of equal treatment and non-discrimination](#).

Given this principle, [Royal Decree of 25 November 1991](#) regulating unemployment (entered into force 1 June 1992 – Original name: *Arrêté royal portant réglementation du chômage*) is also applicable.

Regarding social welfare, [Law of 2 April 1965](#) on the assumption of responsibility for the services granted by the PCSWs (i.e. Public Centres for Social Welfare) should be taken into account (the relevant section entered into force on 10 January 2011 – Original name: *Loi relative à la prise en charge des secours accordés par les centres publics d'aide sociale*). Article 2 Paragraph 5 of the Law of 2 April 1965 specifies which PCSW is

competent to grant social assistance to a candidate refugee or a person benefiting from temporary protection in the context of a mass influx of displaced persons. This indirectly means that persons enjoying temporary protection from Ukraine are entitled to social assistance and social welfare.

Law of 2 April 1965 has been modified in June 2022 through [Law of 18 May 2022](#), i.e. Law to promote the integration of persons enjoying temporary protection (published on 15 June 2022 and entered into force retroactively on 4 March 2022 (*Loi visant à favoriser l'intégration des personnes bénéficiant de la protection temporaire*). According to this modification, between 4 March 2022 and 3 March 2024, a supplementary subsidy in the amount of the costs of financial social assistance paid by the State is payable to the public social action centre for each person who receives financial social assistance for the first time as a beneficiary of temporary protection. This additional subsidy amounts to 35 % of the amount of financial social assistance subsidised for the first four months of the granting of financial social assistance. From the fifth month of the granting of financial social assistance, the supplementary grant amounts to 25 % of the subsidised amount of financial social assistance. The Federal Public Service for Social Integration Programming has also published a [flyer](#) in which it clarifies to the PCSWs the practical application of this modification. Other information can also be found on the website of the Federal Public Service for Social Integration Programming (in its [FAQ](#) updated on 30 June 2022).

The [Federal Government's information website](#) clearly states that after receiving temporary protection and registering with the municipality such a person can work, register for the compulsory health insurance and claim social services from the PCSW of the municipality where he/she resides. The same information is available also on the [Federal Ombudsman website](#).

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes. The Immigration Office specifies that family members are: The spouse or the unmarried partner in a stable relationship in accordance with Belgian legislation for aliens (i.e. Law of 15 December 1980 on access to the territory, stay, establishment and removal of foreigners); The minor unmarried children, including those of a spouse, without distinction as to whether they were born in or out wedlock or adopted; Other close relatives that were living within the family unit at the time that circumstances surrounding the mass influx of

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	displaced persons unfolded and who were wholly or mainly dependent at the time.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Federal public service - Home Affairs (in particular: Immigration Office)	Service public federal – Intérieur (plus précisément : Office des Etrangers)	https://ibz.be/fr in particular: https://dofi.ibz.be/en
Employment rights	Federal public service – Employment, Labour and Social Dialogue Regarding the application for a professional card (self-employment permit) Flanders: Department of Work and Social Economy Wallonia: Public Service of Wallonia, Department of Employment and Vocational Training Brussels: Regional Public Service of Brussels - Brussels Economy and Employment Employment regional agencies Flanders: Flemish Service for Employment and Vocational Training Wallonia: Forem	Service public fédéral – Emploi, Travail et Concertation sociale Flanders: Departement Werk en Sociale Economie Wallonia: Service Public de Wallonie, Département de l'Emploi et de la Formation professionnelle Brussels: Service public régional de Bruxelles Flanders: Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding (VDAB) Wallonia: Forem	https://emploi.belgique.be/fr see in particular: https://emploi.belgique.be/fr/themes/international/travailleurs-etrangeurs Flanders: https://www.vlaanderen.be/beroepskaart-voor-buitenlandse-ondernemers#ffzqwye-0 Wallonia: https://emploi.wallonie.be/home/travailleurs-etrangeurs/carte-professionnelle.html Brussels: https://economie-emploi.brussels/carte-professionnelle Flanders: https://www.vdab.be/werken-als-nieuwkomer Wallonia: https://www.leforem.be/particuli

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Brussels: Actiris	Brussels: Actiris	ers/accompagnement-ressortissants-etrangers.html Brussels: https://www.actiris.brussels/en/citizens/
Social welfare and social security rights	Federal public service – Social Security Federal Public Service for Social Integration Programming	Service public fédéral – Sécurité sociale Service public fédéral de programmation intégration sociale (SPP IS)	https://socialsecurity.belgium.be/fr https://www.mi-is.be/fr

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

There are no specific issues or salient points identified for this question.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁶ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

There are no specific issues or salient points identified for this question. Belgium did not use the option to provide for any other forms of adequate protection. Displaced persons from Ukraine can either apply for temporary protection or international protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime

⁶ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

(e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

The status change “from temporary protection to other forms” is not regulated in the legislation. However, by reading some webpages it seems that during the temporary protection regime such a change is not possible or intended (e.g. based on the information on [this webpage](#) “*In-country change of status, for example from temporary protection to an employment-based permit, is not permitted*”). On the [Brussels Economic and Employment Website](#) it is specified that “*Ukrainian nationals residing in Belgium under temporary protection have unrestricted access to the labour market as employees. Consequently, their employers do not need to apply for a "single permit" from our administration*”; in other terms, websites on work refer directly to the option of persons with the temporary protection regime to carry out work. Moreover – regarding the change of status at the end of the temporary regime period – there is no indication that after expiry of the temporary status a new request to other types of permits cannot be requested. It seems that at the end of temporary protection, a person could apply to any other form of employment-based residence but under the same conditions as first time applicants as nothing particular has been agreed in case of change of status.

Regarding the status change “From other forms of adequate protection to other forms” this is considered not applicable as in Belgium the category adequate protection is not used.

c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to Article 57/30, § 2, of Law of 15 December 1980 regarding the entry, residence, settlement and removal of foreigners the Minister or his/her delegate may refuse a residence permit to the beneficiary of the temporary protection in the following cases:

when the application for a residence permit is submitted abroad and the number of persons benefiting from temporary protection in Belgium exceeds the reception capacity of Belgium indicated in the Council Decision;

when the foreign national is authorised to reside in another EU Member State that is required to apply the Council Decision.

In the event of refusal of a residence permit due to first case, the Minister or his/her delegate will ensure that the beneficiary of temporary protection is received as soon as possible in another EU Member State required to apply the Council Decision.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

The [Federal public service](#) (Employment, Labour and Social Dialogue) specifies clearly that the scope of the three fundamental laws on equal treatment and non-discrimination mentioned above (*please See section 1.1.1 – II*) includes the world of work in general and employment relations in particular, whether it concerns access to employment, working conditions or the termination of employment relations in both the public and private sectors.

The equal treatment on the labour market as regards working conditions for foreign nationals in a particular residence situation is ensured by [Law of 9 May 2018](#) (Article 5.1) and [Royal Decree of 2 September 2018](#) (Article 10, 6°).

According to Article 5.1 of [Law of 9 May 2018](#) on the occupation of foreign nationals in a special residence situation (entered into force on 24 December 2018 – Original name in French: *Loi relative à l'occupation de ressortissants étrangers se trouvant dans une situation particulière de séjour*), foreign nationals who are in a particular residence situation are foreign nationals whose main reason for coming to Belgium was not work, and whose authorisation to work is directly derived from a certain residence situation, which in most cases is limited, uncertain or temporary. The temporary protection is included in this definition.

According to Article 10, 6°, of and [Royal Decree of 2 September 2018](#) (as modified recently in March 2022): “Foreign nationals holding a certificate of registration in the register of foreigners, temporary stay, in accordance with the model in Annex 6 of the Royal Decree of 8 October 1981, are authorised to work, provided that this document is held by a person belonging to one of the following categories: (...) 6° persons authorised to reside as beneficiaries of the temporary protection referred to in Article 57/29 of the Law of 15 December 1980, as well as persons authorised to reside in application of Article 57/34 of the same Law, by the Minister responsible for access to the territory, residence, settlement and removal of foreign nationals or by his delegate”.

This means that as a beneficiary of the temporary protection status, the person gets an unlimited access to the labour market. This is specified also on the [dedicated government webpage](#) that provides information to Ukrainians. Nevertheless, the possibility to work is linked to the application for registration in the territory (see *below*). The situation is different for self-employees (see *below*).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

According to Article 57/30 of [Law of 15 December 1980](#) regarding the entry, residence, settlement and removal of foreigners the beneficiary of temporary protection who is authorised to stay shall be entered in the register of foreigners and issued with a residence permit as proof of this in accordance with the provisions of Article 12. According to Article 12 of the same Law, foreigners admitted or authorised to stay in Belgium for more than three months are entered in the register of foreigners by the municipal administration of their place of residence. The same Article specifies that the application for registration must be submitted by foreigners within eight working days of their entry into Belgium if they have obtained a residence permit or has been granted the right

of residence abroad (it must be submitted within eight working days of receipt of this authorisation or admission, if it has been obtained or recognised in Belgium).

As specified accordingly in the [dedicated government webpage](#), this means that the unlimited access to the labour market is possible only once the person who has been granted temporary protection has the residence permit requested to the municipal administration (so called Temporary A card). The [Immigration Office website](#) clearly states that “Persons authorized to stay as beneficiaries of temporary protection are authorized to work on the condition they are in possession of their residence permit” – which is the A-card or the Annex 15 while waiting for the A card to be issued.

Therefore, as explained on the [Federal Ombudsman website](#), practically speaking, applicants have first to register at [this website](#) (in UA, EN, FR, NL). They then receive a QR code and an appointment for the registration centre located in Palais 8 of Brussels Expo, Heysel. On the day of the appointment, they have to go to Palais 8 with the QR code and identity papers to register and apply for residence in Belgium (similar information about the Registration Centre and procedure can be found [here](#)). At the end of the procedure the A-card is issued. The [Immigration Office website](#) specifies that the A-card is valid for one year from the date of issue of temporary protection (i.e. from 4 March 2022 to 4 March 2023). It adds that the period of validity may be extended twice for six months unless the Council of the EU decides to end the temporary protection temporary protection prior to that date.

Regarding timing, **it depends on each municipality.**

The Brussels commune states in its [website](#) that, once received the temporary protection status, the person is invited to request the registration with the City of Brussels by e-mail (with attached: the certificate of the temporary protection, a copy of the passport and the address where the applicant lives). In anticipation of the housing inspection and/or issuing the A card, the person will then receive a provisional residence document (Annex 15) that is valid for 45 days and gives unlimited access to the labour market. If the residence investigation is positive the person will be given an appointment date to go to the Commune and apply for the official residence card; the official residence card (Card A) will be collected approximately 10 days after the application. The electronic foreigner Card A (limited stay) is valid for one year as from the date on which the temporary protection is implemented (until 4 March 2023). This Card A also contains the statement 'unrestricted access to the labour market'.

Similar information is also available on the [Flemish Region website](#).

Regarding **self-employees**, the situation is different. Ukrainian nationals, who reside in Belgium under temporary protection, have unlimited access to the labour market as workers. However, if they want to become self-employed they must always apply for a professional card (self-employed permit). Professional cards are a regional competence, therefore the competent authority differs if the activity takes places in [Flanders](#), [Wallonie](#) or [Brussels](#). Three conditions are required to grant the professional card:

having a right of residence;

compliance with regulatory obligations regarding access to the profession and regarding specific authorisations required to carry out the activity;

the interest of the project for the specific Belgian region.

II. Recognition of qualifications/diplomas

A recognition of qualifications and diplomas is needed for persons enjoying temporary protection from Ukraine. As explained [here](#), the recognition has to be asked if the person has studied abroad and wishes to:

study in higher education;

work in public sector job or regulated professions (e.g., doctors, nurses) or when employer explicitly asks for it,

set up as a self-employed person, follow a professional training course;

complete a secondary education.

For instance, on the [website](#) of the Federal Public Service of Public Health, Safety of the Food Chain and Environment it is specified that this recognition has to be requested to one of the Belgian Communities. In particular:

For Dutch-speaking applications, [NARIC Vlaanderen](#)

For French-speaking applicatios, [service Équivalences de la Fédération Wallonie-Bruxelles](#)

For German-speaking applications, [Communauté germanophone](#)

It should be reminded that on 6 April 2022 the Commission published a [recommendation](#) on the recognition of academic and professional qualifications for people fleeing Russia's invasion of Ukraine, asking for a "fast, flexible, and efficient recognition procedures for academic recognition by responsible institutions". [NARIC Vlaanderen](#), for instance, says that it should be taken into account that a displaced persons from Ukraine might not be able to submit all supporting documents. However, at least one piece of evidence is needed that proves completed education in Ukraine. Nevertheless, as for now, Belgium did not make any legislative changes (yet) in this direction.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Persons enjoying temporary protection are able to receive assistance for job seekers, given the principle of equal treatment. The procedures depend on each Community in Belgium (given that work is a regional competence). The [Federal Ombudsman website](#) suggests that displaced persons from Ukraine should register as jobseekers with the competent employment agency in the region in which they have their residence ([Actiris](#), for Brussels; [Forem](#), for Wallonia and [VDAB](#), for Flanders).

As an example, Actiris' activity can be analysed. Actiris is the Brussels Regional Employment Office. As a public service, it is the main actor and solution provider for employment in the Brussels-Capital Region. It is a service available to all jobseekers, Ukrainian persons enjoying temporary protection included. Actiris set up a [webpage](#) specific for Ukrainians in order to give them more specific information.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

There are no specific issues or salient points identified for this question. Persons enjoying temporary protection from Ukraine can take part in vocational training/educational opportunities under the same conditions as Belgium nationals, given the principle of equal treatment.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

The **social security benefits** granted to every person in Belgium, including those enjoying temporary protection from Ukraine, are:

Annual holidays

Family allowances

Incapacity for work

Occupational accidents

Occupational diseases

Pension

Social security contributions

Unemployment

In the [webpage of the Belgian social security](#) it is possible to check the specificities for each category. Most of these benefits are linked to employment or self-employment (*see below*).

Regarding **social welfare** in general, a [Brochure](#) prepared by the Federal Public Service for Social Integration Programming specifies the benefits that can be requested from the beneficiaries of the temporary protection from Ukraine; they are the following:

Help with housing: a financial assistance is granted by the PCSW to help with the purchase of furniture;

Financial aid: granting of a sum that varies between 729.20 EUR to 1,478.22 EUR per month depending of the situation of the person (single person, family with children, etc);

Psychosocial support;

Other types of assistance such as: basic needs (e.g. clothes), food aids, help for families in difficulty, energy assistance.

Regarding **medical healthcare**, the same Brochure specifies that while waiting for temporary protection status, it is possible to get emergency medical assistance from the PCSW for free. As clarified in the [dedicated webpage](#) set by the Government for Ukrainians, once the eligibility conditions for receiving medical healthcare are fulfilled (see *below*) the person can consult a general practitioner, dentist or another health care provider for medical care. The Federal Public Service for Social Integration Programming specifies in its [FAQ](#) that for persons with temporary protection status from Ukraine, membership fees and contributions paid to an insurer for health care and benefits insurance are reimbursed by the State. This includes basic supplementary insurance.

II. Eligibility conditions

Regarding **social security**, the eligibility conditions are different for each type of benefit granted. There are no specific provisions for persons enjoying temporary protection from Ukraine, given the principle of equal treatment and non-discrimination mentioned above. Therefore, they have to fulfil the eligibility conditions set for any worker/self-employed. In the [webpage](#) of the Belgian social security it is possible to check the specificities for each category.

As an example, regarding the unemployment benefits, the Federal Public Service for Social Integration Programming specifies in its [FAQ](#) that persons with temporary protection status from Ukraine have access to unemployment benefits if they meet all the conditions for entitlement and compensation. It adds that in the unemployment regulation there is no special category created for displaced persons from Ukraine and the normal rules of the unemployment regulation apply (i.e. [Royal Decree of 25 November 1991](#) regulating unemployment).

Regarding **social welfare** in general, the [Brochure](#) prepared by the Federal Public Service for Social Integration Programming specifies that any person legally residing in Belgium can apply for help from the PCSW, included the person who have been granted temporary protection. The PCSW has then 30 days to make a decision based on the application filed by the above-mentioned person and on social investigation. Within this deadline it will decide if the persons are eligible for assistance and what type of assistance are appropriate for them. Each kind of assistance has different eligibility conditions that will be checked by the PCSW. As mentioned above, [Law of 18 May 2022](#) added that in order for the PCSWs to be able to provide the necessary support and social assistance, an additional subsidy in the amount of the costs of the financial social assistance paid by the State is due to the PCSW for each person who receives financial social assistance for the first time as a beneficiary of the temporary protection (see section 1.1.1 II. above).

Regarding **medical healthcare**, as clarified by the [dedicated government page](#) for Ukrainians, after receiving temporary protection and registering with the municipality, the person has to register with a sickness fund (the choice for the fund is free). This registration is mandatory in order to have reimbursement for medical healthcare services.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The following public support instruments are available:

[Dedicated government webpage](#) providing info to Ukrainians regarding procedure for obtaining temporary protection and their rights: available in NL, FR, DE, EN, UA and RU;

Dedicated webpage from the [Immigration Office](#): available in UA, EN, FR, NL;

Employments agencies: The Flemish Service for Employment and Vocational Training ([VDAB](#)) is the employment service of Flanders. VDAB provides the matching with employers and professional sectors (for which 47 extra mediators were recruited to carry out this task). The VDAB established a [welcome page](#) where employers can announce their vacancies and where Ukrainians themselves can find suitable vacancies. The page will also refer to the support that employers and employees can call on during recruitment and employment. In addition, the VDAB provides language and vocational training courses. The agency can start up extra courses if there is a large demand, but the majority of the training must take place on the work floor. Also, [Actiris](#), the competent employment agency in the region of Brussels, set up a [webpage](#) specific for Ukrainians in order to give them more specific information. Finally, also [Forem](#), the competent employment agency of Wallonia, created a [dedicated webpage](#) for Ukrainians;

Housing and accommodation: Many municipalities in Belgium offer crisis accommodation. [Fedasil](#) helps displaced persons from Ukraine under the temporary protection regime to be redirected to one of their centers. In some cases, Fedasil provides emergency accommodation for one or two nights in Brussels. The [Red Cross](#) is also helping the authorities to welcome and guide Ukrainians by providing information, drinks and snacks and medical assistance;

Healthcare: the National Institute for Health and Disability Insurance created a [dedicated webpage](#) for Ukrainians beneficiaries of temporary protection in order to give relevant information regarding healthcare.

Brochure informative: the Federal Public Service for Social Integration Programming published an [online leaflet](#) on social assistance for beneficiaries of temporary protection status; available in FR, NL, DE, UK, UA and RU;

Family reunification: People who have lost contact with their families as a result of the situation in Ukraine, because they have fled, because they have taken shelter somewhere, or because they no longer have access to a telecommunications network, can contact the Red Cross, Restoring Family Links (in Flanders or Brussels, on [this webpage](#); in Wallonia or Brussels, by sending an email to: service.rf@croix-rouge.be). Moreover, on the [website of Missing children Europe](#), information can be found about: how to report a missing Ukrainian child across Europe; list of Ukrainian children currently reported missing and resources for support to missing children and their families fleeing Ukraine;

Unaccompanied minors: Information is provided via the email address: ukraine-agaj@cfwb.be. These minors have to be duly registered and reported to the Guardianship Service (*Service des tutelles*). More information about reporting an unaccompanied foreign minor can be found [here](#);

Federal Ombudsman: It helps displaced persons from Ukraine with problems with Federal Public Service (e.g., registration managed by the Foreigners Office; reception and accommodation provided by Fedasil; registration with a mutual insurance company; recognition of benefits (unemployment, disability); taxes;

Flemish Refugee Action (*Vluchtelingenwerk*) [Information line](#): The Infoline gives specific answers to questions about residence, reception, housing, access to education and labour, etc. Information is also provided in Dutch, English and Ukrainian.

Country fiche for Bulgaria

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁷ and Council Implementing Decision (EU) 2022/382⁸

Asylum and Refugees Act (ARA) of 2007 transposes Directive 2001/55/EC; **last amendment**, State Gazette No. 32 of 26 April 2022, in force from 26 April 2022.

Decision No. 144 (not promulgated): The Council of Ministers on 10 March 2022 adopted Decision No. 144, not promulgated providing temporary protection to displaced persons from Ukraine in accordance with the Decision for the implementation of the Council of the European Union (EU) 2022/382 establishing the existence of the mass entry of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and for the introduction of temporary protection.

Decision No. 180 of 30.03.2022 (not promulgated): On 30 March 2022 the Council of Ministers decided to **extend until 15 April** the possibility for people with foreign citizenship or stateless persons, who left Ukraine as a result of hostilities and who entered and remained on the territory of the Republic of Bulgaria, to receive temporary protection without their explicit will and registration of temporary protection.

Decision No. 318 (not promulgated): On 20 May 2022 the Council of Ministers decided to place displaced persons from Ukraine in rest centres and in centres for the prevention and rehabilitation, as of 1 June 2022.

The **Health Act (HA)** and the **Health Insurance Act (HIA)** were also amended in April 2022, promulgated in State Gazette No. 32 of 26 April 2022, in force from 26 April 2022. The purpose of these amendments was to reflect the need on regulating the health status of beneficiaries of temporary protection in Bulgaria (*see below Section 4.*).

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

⁷ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁸ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

The [Asylum and Refugees Act \(ARA\)](#) introduces the requirement of Article 12 of Council Directive 2001/55/EC on minimum standards for the granting of temporary protection that aliens enjoying temporary protection have the right to work and vocational training. It follows that displaced persons from Ukraine enjoying temporary protection can work in Bulgaria without a work permit, register as jobseekers at an employment office at their permanent or current address and benefit from employment services and vocational training.

The [Employment Promotion Act](#) was amended in June 2022, promulgated in State Gazette No. 41 of 3 June 2022, in force from 3 June 2022. The purpose of these amendments is to ensure the possibility for persons with temporary protection to register with the Employment Agency and receive assistance in finding a job, means of transport and accommodation for the duration of the procedure for the validation of professional qualifications.

The [Labour Migration and Labour Mobility Act](#) was amended in June 2022, promulgated in State Gazette No. 41 of 3 June 2022, in force from 3 June 2022. The purpose of these amendments is to ensure access to the labour market for displaced persons from Ukraine without a prior authorization procedure (Article 9, para. 5).

Social security:

[Law on Amendments and Supplements of the Health Insurance Act](#) was adopted in order to reflect the need on regulating the health status of beneficiaries of temporary protection in Bulgaria, promulgated in State Gazette No. 32 of 26 April 2022, in force from 26 April 2022. This law provides that foreigners granted temporary protection by Bulgarian authorities have rights to health insurance, affordable medical care and medical services under the terms and conditions for Bulgarian citizens, with the exception of medical care provided in accordance with the rules for coordination of social security systems within the meaning of Section 1, item 22 of the Additional provisions of the HIA (See Section 4 below).

[Decree № 69 of 05.05.2022](#) for health insurance of the persons with temporary protection under Art. 1a, para. 3 of the Asylum and Refugees Act and of the persons under Art. 39, para. 6, item 2 and Art. 40a, para. 3a of the Health Insurance Act, promulgated in State Gazette No. 35 of 10 May 2022.

Social welfare:

Foreigners who are beneficiaries of temporary protection have **the right to social assistance** (Article 39, para 1, item 4 of the ARA) and are included as a target group in **the Law on Social Assistance**. [Decisions No. 144 and 145 of the Council of Ministers](#) contain special provisions regarding social assistance and accommodation for displaced persons from Ukraine enjoying temporary protection.

[Decision on taking measures in connection with the war in Ukraine](#) was adopted on 4 May 2022 by the National Assembly (Parliament), promulgated in State Gazette No. 35 of 10 May 2022. This Decision gives mandate to the Council of Ministers to discuss and implement a package of measures related to the war in Ukraine and its consequences in the following areas: providing assistance to Ukraine - humanitarian, financial and military-technical, according to the capabilities of the Republic of Bulgaria - assistance to displaced persons from Ukraine fleeing the war (legislative and organizational measures to improve reception capacity and integration opportunities until conditions are in place for their lasting return to Ukraine); providing an opportunity for export of Ukrainian grain to Varna; continuing the delivery of humanitarian aid, in particular medicines, clothing and foodstuffs.

A new Program providing humanitarian assistance to people with temporary protection has been adopted. An Operational Coordination Group assists persons displaced from Ukraine to be accommodated in state, municipal and private rest centres, or in hotels at the expense of the state. The amount of funds has been reduced to BGN 15 (from BGN 40 until the end of May) per day for an overnight stay and three meals for

each person accommodated. [Information](#) on the implementation of the program is available in Ukrainian, Russian and English languages.

All the possibilities having an impact on the employment and social security of the displaced persons coming from Ukraine are pointed out in instructions of the Council of Ministers, the State Agency for Refugees, the General Labour Inspectorate, the Employment Agency and the Agency for Social Assistance. Most of them are published [here](#).

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes Under Article 1, item 3 of the Additional Provisions of the Asylum and Refugees Act (ARA) <i>'family members'</i> are: the spouse, the wife or person with whom he/she is in a proven stable and long-term relationship and their under-aged children who are unmarried; aged children who are not married and who are unable to provide their own maintenance for serious health reasons; the parents of each of the spouses who are unable to take care of themselves because of an advanced age or serious illness and have to live in the same household; the parents or guardian of the minor who is not married and to whom an international protection has been provided.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes By Decision No. 144 of 10 March 2022 of the Council of Ministers (see item 3), the Republic of Bulgaria agreed to grant temporary protection to foreigners who are not Ukrainian citizens and to stateless persons who resided legally in Ukraine until the outbreak of the war if they cannot return safely to their home countries. In order to receive temporary protection, these

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>categories of persons must be registered by 31 March 2022 in Bulgaria and declare a wish to use temporary protection. By Decision No. 180 of 30 March 2022, the Council of Ministers extended this period until 15 April 2021.</p> <p>By Decision No. 241 of 15 April 2022, the Council of Ministers adopted the Program for the Use of Humanitarian Aid to Persons Seeking Temporary Protection in the Republic of Bulgaria as a Result of the Military Actions of the Republic of Bulgaria to be applied to Bulgarian citizens in Ukraine and who were permanently established and residing on the territory of Ukraine before 24 February 2022 and do not have residential property on the territory of the Republic of Bulgaria.</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <p>stateless persons and</p> <p>nationals of third countries other than Ukraine,</p> <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>No</p> <p>However, based on the EU agreement with Ukraine on visa-free travel and more specifically on Regulation 2018/1806/EU, Ukrainian citizens who are holders of biometric passports can enter the territory of our country and stay for up to 90 days within 180 days. In addition, the Law on Foreigners in the Republic of Bulgaria in its Article 27, para 2 stipulates that the length of stay of persons who have entered the country under the visa waiver regime may be extended once by the services of administrative control of foreigners on humanitarian grounds related to exceptional circumstances or where public interest is present. Foreigners may submit in person an application before the expiry of the permitted term of stay, to which they shall attach: their passport or replacing travelling document; documents, evidencing present of extraordinary circumstances or humanitarian reasons; stable, valid, invisible and sufficient funds for maintenance, residence home; compulsory medical</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>insurance for the term of the applied extension of the visa and the stay in the country.</p> <p>The legal definitions concerning 'extraordinary circumstances', 'State interest' and 'Humanitarian reasons' are placed in Article 1 AP LFRB and state as follows:</p> <p>'Extraordinary circumstances' - elemental and natural calamities, breakdowns, accidents, robberies and circumstances, which have led to providing emergency medical care, as well as other events having occurred beyond the will of foreigners which they could not have been able to foresee or prevent.</p> <p>'State interest' exists when not allowing foreigners into the country or them not leaving it may seriously harm the international relations of the Republic of Bulgaria, and this to be confirmed in writing by the Minister of Foreign Affairs or by officials authorized by him/her.</p> <p>'Humanitarian reasons' exist when not allowing foreigners into the country or them not leaving the Republic of Bulgaria shall create a serious danger to their health or life due to objective circumstances, or to the integrity of their family, or the best interest of the family or of the child require their admission or stay in the country.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Council of Ministers Ministry of Foreign Affairs Ministry of Interior State Agency for	Министерски съвет Министерство на външните работи Министерство на вътрешните работи	https://www.government.bg https://www.mfa.bg/en https://www.mvr.bg/en/home https://www.aref.government.bg/en

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Refugees at the Council of Ministers	Държавна агенция за бежанците при Министерския съвет	
Employment rights	Ministry of Labour and Social Policy	Министерство на труда и социалната политика	https://www.mlsp.government.bg
	General Labour Inspectorate at the Ministry of Labour and Social Policy	Главна инспекция по труда при Министерството на труда и социалната политика	https://www.gli.government.bg
	Employment Agency at the Ministry of Labour and Social Policy	Агенция по заетостта при Министерството на труда и социалната политика	https://ukraine.gov.bg/access-to-the-labour-market-in-bulgaria-for-citizens-of-ukraine/
Social welfare and social security rights	Ministry of Health	Министерство на здравеопазването	https://www.mh.government.bg
	National Social Insurance Institute	Национален осигурителен институт	https://www.nssi.bg
	National Health Insurance Fund	Национална здравноосигурителна каса	https://www.nhif.bg
	Agency for Social Assistance at the Ministry of Labour and Social Policy	Агенция за социално подпомагане	https://asp.government.bg

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

In connection with the planning and organization of the actions of the state authorities for the evacuation and accommodation of persons arriving in Bulgaria from Ukraine an [Operational Coordination Group](#) has been established on 10 March 2022 (Prime Minister's Order). It consists of six working subgroups. In implementation of the state response plan, regional crisis centres have been established, where coordinated institutions and various civil and non-governmental organizations support the citizens of Ukraine.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

There is no specific status of 'adequate protection' under Bulgarian legislation. People who are beneficiaries of international protection (humanitarian or refugee status) and those granted temporary protection in Bulgaria within the meaning of TPD enjoy the same rights as it comes to employment, social assistance and health care.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Not applicable.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Not applicable.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

There are no such special measures.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Bulgarian employers who want to hire persons enjoying temporary protection from Ukraine should provide them with equal working conditions as for local nationals. Working conditions cannot be less favourable than the minimum set in the labour legislation (Article 8 Paragraph 3 of the Labour Code (LC)).

⁹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

The [Asylum and Refugees Act \(ARA\)](#) introduced the requirement of Article 12 of Temporary Protection Directive that aliens enjoying temporary protection have the right to work and vocational training. Displaced persons from Ukraine enjoying temporary protection can work in Bulgaria without a work permit, register as jobseekers at an employment office at their permanent or current address and benefit from employment services and vocational training. According to the specific rules, persons displaced from Ukraine can gain [access to the Bulgarian labour market](#) in order to work under the following simplified procedures:

Displaced persons from Ukraine *who have the necessary documents proving Bulgarian origin* (i.e. people of Bulgarian origin living in Ukraine whose ancestors are Bulgarian) can start working immediately (even before they have received a residence permit) only by registering with the Employment Agency. For this purpose, they must have an employment contract with a local employer for a period of at least six months. Additional information about the procedure can be found [here](#).

Displaced persons from Ukraine have the *right to seasonal work of up to 90 days in agriculture, forestry and fisheries, hotels and restaurants in Bulgaria without interruption for 12 months*. For this purpose, registration with the Employment Agency is required on the basis of a declaration submitted by the employer. Additional information about the procedure can be found [here](#).

Displaced persons from Ukraine *who have applied for international protection and the proceedings have not been completed within three months* of submitting the application for reasons beyond their control have the right to work in Bulgaria without a work permit until the procedure is completed. Declaring employment of such citizens to the [local directorates 'Labour Office'](#) shall be done by the local employer, who hired them under an employment contract. The information must be submitted within seven days. Additional information can be found [here](#).

Displaced persons from Ukraine and members of their families granted asylum or international protection in Bulgaria have the right to work in Bulgaria without a permit to access the labour market. People who have refugee or humanitarian status can register as jobseekers with the Labour Office at their permanent or current address.

A hotline of the Ministry of Labour and Social Policy at 0800 88 001 provides free consultations in Bulgarian, Russian and English to Ukrainian citizens on access to the labour market in Bulgaria and opportunities for social support for children and families.

Displaced persons from Ukraine who have acquired "temporary protection" (with ID) can be employed on fixed-term and permanent employment contracts. There is no legal obstacle to concluding with them also civil contracts. Information on jobs can be found on the [website](#) of the Employment Agency as well as in its [territorial divisions](#).

Necessary documents for persons enjoying temporary protection:

1. Identity document (temporary protection card and personal document from country of origin)

An identity document is mandatory at the beginning of each job, and after checking the identity data, the document must be returned.

2. Medical examination document (issued by a doctor, payment might be required)

But only if the person has the opportunity to present such a document and the employer requires it.

3. **Occupational license**

If this is the first job, the employment record is provided by the employer, at his expense, within five days after the declaration submitted by the person. If the person has an employment record book (document containing information about where the person has worked, in what position and the period of work) and it has been translated, the proven length of service for the position brings additional payment.

4. Document of completed education - higher education diploma, qualification document, legal capacity or other certificate, if they are a condition for holding the position. Some documents should be recognized by Bulgarian institutions (regulated professions). Information can be found on the [webpage](#).

5. **Criminal record certificate**

If required by law for the position held. An application for a document replacing the criminal record certificate shall be submitted to the State Agency for Refugees. Information is available in Ukrainian, English and Russian, is available [here](#).

The employer is obliged to notify the General Labour Inspectorate (notification under Article 10 Paragraph 1 of the Labour Migration and Labour Mobility Act) within seven days of starting work. The form of notification can be found on the General Labour Inspectorate [website](#) in Bulgarian and English.

There are no special rules on **self-employment** in Bulgaria for displaced persons from Ukraine.

II. Recognition of qualifications/diplomas

Concerning the recognition of vocational qualifications there is a distinction between occupations that are regulated in terms of necessary education and those who are not regulated.

Regulated professions are those whose exercise explicitly requires the possession of a diploma or other educational certification. Examples of regulated professions in the healthcare sector are: doctor, dentist, etc.; for the maritime transport sector are: navigator, ship mechanic, ship electrician, etc. The full list of regulated professions in Bulgaria by categories, as well as the contacts of the competent authorities for each profession can be found on the National Centre for Information and Documentation (NACID) [website](#). There are specific requirements on the procedure of acknowledgment of such professions according to the EU rules.

Holders of foreign professional qualifications in **non-regulated professions** in Bulgaria have direct access to the labour market. The recognition of such professional qualifications is within the competence as an employer in compliance with the relevant Bulgarian legislation.

As many displaced persons from Ukraine do not have all the necessary documents to start working, it was decided on a declarative basis to accept their qualifications. Exceptions to this are regulated professions. This was stated on May 11 by the Minister of Innovation after a meeting with employers' organizations, the Agency for Small and Medium Enterprises, the Employment Agency and the Coordination Centre for refugees from Ukraine.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

According to Bulgarian legislation, the matching and mediation services provided either by public or private bodies are free of charge for the job seekers. Information about the job vacancies, announced at the local labour offices, is available on the official [website](#) of the Employment Agency of Bulgaria. As a public mediator on the Bulgarian labour market, the Employment Agency offers a wide range of services to help people who want to work, as well as those who want or need to be prepared for work through various forms of training. That is why the Employment Agency through an electronic form conducts a study of the needs and attitudes of citizens arriving from Ukraine to work in Bulgaria. The electronic form can be completed in any language using Google's toolkit. For convenience, a brief guide has been [published](#). Job seekers can find their job and assistance for work in the [electronic form](#). Information on simplified procedures for access to the labour market in Bulgaria for the citizens of Ukraine is [published](#).

As of 6 June 2022, the Employment Agency started the implementation of the project '[Solidarity](#)', financed through the Operational Program 'Development of Human Resources' 2014-2020. Support will be provided for the rapid labour integration of displaced persons from Ukraine with guaranteed access to the labour market, who arrived in Bulgaria after 24 February 2022. The grant for the project is in the amount of BGN 46.594.860.

Joining the project Ukrainian citizens will provide the opportunity to:

1. Receive psychological support, professional guidance, labour counselling and motivation for starting work.
2. Be included in full-time or part-time subsidized employment based on minimum wage for a period of up to 3 months.
3. Receive support at the workplace through a mentor appointed by the employer.
4. Receive an integration supplement including rent, overheads and internet in the amount of BGN 356,00 per month for a period of up to 3 months.

To receive these services, displaced persons from Ukraine should register with the 'Labour Office' Directorates. Employers wishing to join the 'Solidarity' project and hire persons from the target group can submit an application for inclusion in the project only through an electronic [Platform](#). During the period of subsidized employment, employers will receive funds to cover the remuneration of employed persons displaced from Ukraine in the amount of the minimum wage (BGN 710,00) and insurance at the expense of the employers, as well as incentives covering the costs of all due contributions at the expense of the employer, according to the requirements of the Labour Code and the Social Security Code.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

There are opportunities for professional training and gaining practical experience in the workplace. General education and training opportunities are available for all jobseekers.

The Employment Agency assists jobseekers (unemployed and employed) in their professional choices and related vocational training, which enables them to increase their chances of employment. Adult education is provided to acquire the knowledge and skills needed to fill vacancies, to meet future labour market needs for skilled labour and to maintain the employment of employees. Adult education includes: literacy training; training for acquiring professional qualification; training for acquisition and improvement of key competencies.

Free [Bulgarian language courses](#) are provided for persons enjoying temporary protection.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

[Decree No. 69 of 05.05.2022](#) provides that rules for health protection of the persons with temporary protection include:

1. The obligation to health insurance:

- a) for persons with temporary protection, from the date of granting temporary protection;
- b) for the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA -- from the date of their arrival in the Republic of Bulgaria;
- c) for the persons under Article 40a, para 3a of the HIA, the provisions of Article 40a, paras 1 and 2 of the HIA.

2. Health insurance rights:

- a) for persons with temporary protection - from the date of granting temporary protection;
- b) for the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA -- from the date of their arrival in the Republic of Bulgaria.

3. The health insurance contributions are:

- a) for persons with temporary protection up to 18 years of age and aged 63 and over for women and over 65 for men - at the expense of the state budget for the period of temporary protection, unless they are subject to health insurance on other grounds under Article 40, para 1 of the HIA;
- b) for persons with temporary protection aged 18 and over and under 63 for women and under 65 for men - at the expense of the state budget for a period of 90 days from the date of granting temporary protection, unless subject to of health insurance on other grounds under Article 40, para 1 of the HIA and by the order of Article 40 of the HIA - after the expiration of this term;
- c) shall be paid at the expense of the state budget by the 10th day of the month following the month to which they refer;
- d) for the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA - by the order of Article 40 of the HIA for the period of their stay in the Republic of Bulgaria.

4. The amount of the health insurance contributions of the persons with temporary protection, which shall be paid from the state budget, shall be determined by the order of Article 40, para 4a of the HIA, and

to the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA - by the order of Article 40 of the HIA.

5. The health insurance contribution of the persons with temporary protection and of the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA shall be submitted by the order of the Health Insurance Act and the by-laws on its implementation.
6. The State Agency for Refugees shall submit data to the National Revenue Agency for the health insurance of the persons with temporary protection, who shall be insured at the expense of the state budget. The data shall be submitted in the manner, order and within the terms provided for the persons under Article 40, para 3, item 7 of the HIA in Ordinance № H-13 of 2019 on the content, deadlines, manner and procedure for submission and storage of data by employers, insurers for their insured persons, as well as by self-insured persons.
7. The medical aid to the persons with granted temporary protection and to the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA, provided until the entry into force of the Law for amendment and supplement of the Health Insurance Act of 2022, shall be paid under the conditions and by the order applicable to Bulgarian citizens, unless it was not paid or is not subject to payment by another order determined by law or another act of the Council of Ministers. The funds for the medical aid, which shall be paid by the National Health Insurance Fund, shall be provided by transfer from the state budget through the budget of the Ministry of Health by an order determined between the Minister of Health and the manager of the National Health Insurance Fund.

For foreigners with temporary protection from Ukraine according to [Decision No. 144](#) on granting temporary protection to displaced persons from Ukraine and amending the National Action Plan for Temporary Protection in the Republic of Bulgaria (amended by Decision № 180 of 2022) and for the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA, which have arrived in the Republic of Bulgaria before the entry into force of the Law for amendment and supplement of the Health Insurance Act of 2022, the obligation for health insurance arises from the date of entry into force of the Law for amendment and supplement of the Health Insurance Act.

Social welfare:

Foreigners who are beneficiaries of temporary protection have **the right to social assistance** (Article 39, para 1, item 4 of the [Asylum and Refugees Act \(ARA\)](#) and are included as a target group in **the Law on Social Assistance**. [Decision No. 144](#) and [145 of the Council of Ministers](#) contains special provisions regarding social assistance and accommodation for displaced persons from Ukraine enjoying temporary protection.

Social benefits, to which the Ukrainian citizens are entitled to include (Decisions No. 144 and 145 of the Council of Ministers):

One-time social assistance in the amount of up to BGN 375 (192 EUR) to meet urgent needs, including to cover the costs of food, clothing, footwear, personal hygiene products and housing taxes. The Social Assistance Directorate organises the preparation for an individual assessment of the support needs of the persons who wish to benefit from this measure;

Monthly social assistance;

Targeted heating aid.

Social services include:

Temporary shelter. Bulgaria provides accommodation in hotels as well as in places included in the national in state-owned facilities;

Tourist Register or in the Register of places for accommodation which was created based on ***the Programme for the Benefit from Humanitarian Aid by Persons Seeking Temporary Protection in the Republic of Bulgaria as a Result of the Military Actions in Ukraine***. The government grants financial compensation to private hotels and resorts in municipalities and government agencies with a fixed amount of BGN 40 (EUR 20) per day for each Ukrainian refugee accommodated. This humanitarian aid has so far been granted for a period of three months - until 31 May 2022;

Information and consultation;

Advocacy and mediation;

Therapy and rehabilitation;

Day and resident care.

Suitable social services within the meaning of the Bulgarian legislation are organized by Crisis Centres, Day Care Centres, Centres for Social Rehabilitation and Integration, Centres for Public Support, Mother and Baby Unit and Homes for the Elderly. Detailed information can be [here](#).

On-call information in Bulgarian, Russian, Ukrainian and English about the opportunities for social protection of children and families can be received every day 09:00—17:30 at telephone No 0800 88 001 of the Ministry of Labour and Social Policy. Information can be found at the special [webpage](#) of the Social Assistance Agency.

II. Eligibility conditions

Social security:

Persons granted temporary protection by Bulgarian authorities have the right to health insurance, affordable medical care and medical services under the terms and conditions for Bulgarian citizens, with the exception of medical care provided in accordance with the rules for coordination of social security systems within the meaning of Article 1, item 22 of the Additional Provisions of the HIA.

The State Agency for Refugees shall submit data to the National Revenue Agency for the health insurance of the persons with temporary protection who shall be insured at the expense of the state budget. The data shall be submitted in the manner, order and within the terms provided for the persons under Article 40, para 3, item 7 of the HIA of Ordinance No. H-13 of 2019 on the content, deadlines, manner and procedure for the submission and storage of data by employers, insured persons, as well as by self-insured persons.

The medical aid to the persons with granted temporary protection and to the persons under Article 39, para 6, item 2 and Article 40a, para 3a of the HIA, provided until the entry into force of the Law for amendment and supplement of the Health Insurance Act of 2022, shall be paid under the conditions and by the order applicable to Bulgarian citizens. The funds for the medical aid, which shall be paid by the National Health Insurance Fund, shall be provided by a transfer from the state budget through the budget of the Ministry of Health by an order determined between the Minister of Health and the manager of the National Health Insurance Fund.

Social welfare:

For social assistance persons may refer to the relevant Social Assistance directorates. The address, contact phone number and e-mail of the Social Assistance Directorates at the current address or place of residence can be found [here](#).

Persons with a temporary protection status can apply for a one-time assistance. The aid amounts to BGN 375 (EUR 192) and is granted to the family (single or with several members). Displaced persons from Ukraine must provide a Registration Card proving temporary protection, their personal document from the country of origin and an Address Card of a foreigner (issued to them by the Migration Directorate at the Regional Office of the Ministry of Interior or the hotel where you reside). An application is filled in, in which personal data of the applicant and his / her family members are declared. The assistance can be received in the post office serving the area where the applicant lives, or transferred to a personal Bulgarian bank account.

If the applicant is staying in a hotel and the costs of his/her stay are paid by the Bulgarian state, there is no obstacle to apply for a one-time social assistance.

Unemployed persons with refugee or humanitarian status or temporary protection must register with the Labour Office Directorate within three months of issuing their residence permit in Bulgaria. No registration is required: for pregnant women after three months; for mothers of children up to three years of age; for a person with a permanent disability; for a person caring for a seriously ill family member.

For monthly social assistance persons must work four hours of community service for a period of 14 days each month. Persons with granted refugee or humanitarian status or temporary protection who participate in programs and projects containing measures for the integration of foreigners in the Republic of Bulgaria are exempt from performing community service for the respective period. Persons with a permanent disability, the degree of permanently reduced working capacity or the type and degree of disability must be determined in accordance with the legislation in force in the Republic of Bulgaria.

In order to be able to use the services of the Social Assistance Agency, persons must:

have a valid status document issued by the Bulgarian authorities;

have a registration at the current address from the municipal administration in the settlement where they have settled or an address registration at the place of residence;

contact the Social Assistance Directorate at their current address.

Entitled categories are persons with asylum status, refugee status, humanitarian status, temporary protection, long-term or permanent residence permit in the Republic of Bulgaria. People with dual citizenship, one of which is Bulgarian, can use their rights to social protection as Bulgarian citizens.

All these issues are regulated in the Social Assistance Act.

For social services persons can submit an application for the use of social services to the Social Assistance Directorate at the place of residence. The Directorates provide them with complete information on the types of appropriate social services, the terms and conditions for their use. Stateless persons and persons seeking protection, as well as homeless persons and persons who due to health and/or mental problems cannot for objective reasons certify their current address, are directed by the DSP to their place of residence.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No differences have been identified.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The most important support instruments in Bulgaria are described on the special [online portal](#).

The General Labour Inspectorate offers a [brochure](#) in Bulgarian, Ukrainian, English and Russian with information about the basic labour rights. The bodies of the General Labour Inspectorate are ready to advise Ukrainian citizens on their labour rights. For this purpose, an email has been created through which they can ask their questions related to Bulgarian labour legislation, as well as submit signals if they are already employed and believe that their rights have been violated. The [e-mail](#) is published on the [website](#) of the General Labour Inspectorate- sections “Contacts”, “For employers and workers”, “Work of foreigners on the territory of the Republic of Bulgaria”.

Since mid-March 2022, the Employment Agency has been advising Ukrainian citizens throughout the country. The consultations are given by the specially created mobile teams in the places where the Ukrainians are accommodated. There are about 100 mobile teams available, which can go to any municipality and visit the accommodation places of Ukrainians and survey them on their education, qualifications and desire to work.

In the employment offices, experts consult with citizens of Ukraine who are interested to work.

At the phone number 0800 88 001 the call center of the Ministry of Labour and Social Policy provides free consultations in Bulgarian, Russian and English to Ukrainian citizens on access to the labour market in Bulgaria and opportunities for social support for children and families every working day from 09:00 to 17:30. Information is available [here](#).

In connection with the planning and organization of the actions of the state authorities for the evacuation and accommodation of persons arriving in Bulgaria from Ukraine, an Operational Coordination Group has been established on 10 March 2022 (Prime Minister’s Order, information available [here](#)). It consists of six working subgroups. In implementation of the state response plan, regional crisis centres have been established, where coordinated institutions and various civil and non-governmental organizations support the citizens of Ukraine.

A National [portal](#) was created () where full information is provided in Bulgarian, English, Russian and Ukrainian. Information is also provided at the border and at the places for registration. Relevant Ministries, Agencies, NGOs have a section on their websites providing information to Ukrainian nationals in Bulgarian, Russian, English and Ukrainian.

There is a crisis hotline and email address (crisis@mfa.bg) for inquiries created in the Ministry of Foreign Affairs.

County fiche for Switzerland

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹⁰ and Council Implementing Decision (EU) 2022/382¹¹

The Agreement concerning Schengen concluded between the EU and Switzerland in 2004 (SR 0.362.31) does not include Directive 2001/55/EC. Therefore, the Temporary Protection Directive is not binding for Switzerland. However, after the EU adopted Decision (EU) 2022/382 in March 2022, Switzerland has, on 11 March 2022, adopted a similar decision:

[General Decision of 11 March 2022](#) on the grant of temporary protection in accordance with the situation in Ukraine (*Décision de portée générale concernant l'octroi de la protection provisoire en lien avec la situation en Ukraine du 11 mars 2022*), FF 2022 586.

Already in 1998, Switzerland had, on the basis of national federal law, created a so called 'S-status' that is similar to the protection status provided by Directive 2001/55. The S-status was activated by the Swiss Government on 11 March 2022 in order to receive persons displaced from Ukraine (General Decision).

This activation of the S-status was decided after consultations with the Swiss cantons, charitable organisations such as the Red Cross and the Office of the UN High Commissioner for Refugees.

The legal base of the S-status is Article 66 of the Federal [Asylum Act](#) ('AsylA', SR 142.31), which allows the Federal Government to decide 'whether and according to which criteria Switzerland will grant temporary protection to groups of persons in need of protection' in accordance with Article 4 [Asylum Act](#). Article 4 is a general rule of Swiss asylum law that grants temporary protection to persons in need, in particular during wars and civil wars.

This is the first time that Switzerland has activated the S-status. It allows persons displaced from Ukraine to stay in Switzerland for the period of one year (maximum 5 years) without applying for asylum; they get social aid and medical help, may work in Switzerland, have their children go to school and they can travel to other countries (Article 9 Paragraph 8 RDV, *Verordnung über die Ausstellung von Reisedokumenten für ausländische Personen*, [SR 143.5](#)). The General Decision of 11 March 2022 entered into force on 12 March 2022 at midnight (see No. II. General Decision of 11 March 2022). On 2 June 2022, the Swiss Federal Government [decided](#) that

¹⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

¹¹ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

the S-status may be revoked if a displaced person from Ukraine travels home for more than 15 days in a quarterly period.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Chapter 4 [Asylum Act](#) (Articles 66-79a) granting temporary protection contains rules about the legal status of the persons in need of protection. Since 12 March 2022, those rules are applicable to Ukrainian citizens and assimilated persons.

[Foreign Nationals Act \(FNA\)](#)

[Regulation on admission, residence and employment \(VZAE\)](#)

Social security:

The general rules of social security apply such as [83 Sozialversicherung](#).

The special rule of **Article 82a [Asylum Act](#)** applies in the field of sickness insurance: for asylum seekers, the cantons have to provide social sickness insurance; this rule applies also to displaced persons from Ukraine, no matter if they work or not.

Social welfare:

[Asylum Act](#)

[Foreign Nationals Act \(FNA\)](#)

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	Yes. See Section I letter a. General Decision of 11 March 2022 .
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international 	Yes, Article 68 Asylum Act obliges the State Secretariat for Migration 'SEM' to take into account the "principle of family unity" while defining in detail the group of persons in need of protection and deciding who will be granted temporary protection in Switzerland. The term family member is defined in different ways, depending on which kind of regulation is at issue. Article 71 Asylum Act concerning temporary protection focusses on 'spouses of

<p>Type of beneficiary</p>	<p>National regime of temporary protection for displaced persons coming from Ukraine</p>
<p>protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>persons in need of protection and their minor children'. Concerning displaced persons from Ukraine, the family status is extended also to other close family members the person is supporting. See Section I letters a. and b. General Decision of 11 March 2022.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes. See Section I letter b. General Decision of 11 March 2022.</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin.</p>	<p>Yes. See Section I letter c. General Decision of 11 March 2022.</p>
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>No. General Decision of 11 March 2022 does not mention other groups, but this may change in the future.</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>No.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	State Secretariat for Migration SEM (see Article 68 AsyIA)	Staatssekretariat für Migration / Secrétariat d'Etat aux migrations SEM	https://www.sem.admin.ch/sem/en/home.html
Employment rights	Article 75(1) AsyIA that allows gainful employment after three month refers to the FNIA which is applied by SEM and by the Cantons.	Staatssekretariat für Migration / Secrétariat d'Etat aux migrations SEM	https://www.sem.admin.ch/sem/en/home.html
Social welfare and social security rights	Social aid and sickness insurance for unemployed refugees is provided through the cantons (Articles 82 and Article 82a AsyIA). Once a person works in gainful employment, social security institutions become competent, mostly the Public Pension Bodies; they apply the Federal social security law under the control of the Federal Social Insurance Office OFAS.	AHV- Ausgleichskassen; Office fédéral des assurances sociales	https://www.bsv.admin.ch/bsv/en/home.html

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

In order to get the S-status, the person has to go through a simplified procedure that contains some of the steps the ordinary asylum procedure is requiring (for instance registration of the request, security check, short interview). The cantons have to designate offices that are in charge of the coordination with Federal authorities (see e.g. [Article 4 Ordinance 2 concerning the Asylum Act](#), SR 142.312, applicable to the coordination in the field of social aid for asylum seekers).

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection¹² under national law, in respect of third country nationals and stateless persons coming from Ukraine.

According to the existing rules (Article 75 [Asylum Act](#), Article 53 Paragraph 1 [VZAE](#)) persons that have received the S-Status get the work permit as such. They do not undergo a change in their legal status with regard to asylum law or [Foreign Nationals Act \(FNA\)](#). After five years only they may get a regular residence permit (Article 74 Paragraph 2) and after 10 years a permanent residence permit (Article 74 Paragraph 3). Access to the labour market, however, triggers a certain number of consequences in social security protection, as workers are insured against accidents, unemployment and other risks. But these consequences follow from social security law and not from asylum law.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

N/A

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

¹² 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Switzerland applies the [Dublin-Rule](#) (Agreement concerning Dublin from 2004, RS 0.142.392.68) and might therefore preclude double registration; no specific measures have been taken so far.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

According to Article 53 [VZAE](#) employers have to ask for the work permit if they want to hire a person falling under the scope of the temporary protection; according to this same rule, the permit will be issued only if the local wage and working conditions as described in Article 22 [Foreign Nationals Act \(FNA\)](#) are respected. Once the work permit is issued, all general rules concerning employment and self-employment apply.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Chapter 4 [Asylum Act](#) (Articles 66-79a) granting temporary protection contains rules about the legal status of the persons in need of protection. Since 12 March 2022, those rules are applicable to Ukrainian citizens and assimilated persons. According to Article 75 Paragraph 1 [Asylum Act](#), persons in need of protection may, in principle, not be gainfully employed for the first three months after the entry into Switzerland. According to Article 75 Paragraph 2 [Asylum Act](#), the Federal Government may stipulate more favourable conditions for gainful employment which he has done by Article 53 Paragraph 1 [VZAE](#): according to this ordinance, displaced persons from Ukraine and assimilated persons may work in Switzerland before the expiration of the three-month period (RS 142.201). Other requirements for accomplishing a gainful activity in Switzerland may be governed by the [Foreign Nationals Act \(FNA\)](#).

Ukrainians and assimilated persons are temporarily allowed to be self-employed if they meet certain conditions of [Foreign Nationals Act \(FNA\)](#) (see Article 19 letters b and c. FNA and Article 53 Paragraph 2 of the [Regulation on admission, residence and employment \(VZAE\)](#)). Please also note that the General Decision of 11 March 2022 only enumerates the categories of persons that may obtain the S-status but does not provide rules about gainful activity or social security. Furthermore, the Ordinance adopted on the ground of Article 75 Paragraph 2 ([VZAE](#)) that was mentioned before only contains a limited number of rules. Therefore, the general rules concerning work permits, labour law and social security should apply with respect to persons displaced from Ukraine as they apply to regular local workers.

- II. Recognition of qualifications/diplomas

According to Article 23 Paragraph 1 and Paragraph 2 [Foreign Nationals Act \(FNA\)](#), access to a gainful activity in Switzerland is provided only to foreigners who have a high standard professional qualification; Article 30

Paragraph 1 letter I [Foreign Nationals Act \(FNA\)](#) allows to waive this rule also. A certain number of professions in Switzerland require, like in other countries, specific qualifications (e.g. physicians, attorneys, etc.); the recent rules adopted with respect to persons displaced from Ukraine do not waive these restrictions.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Like other refugees who have the authorisation to work, displaced persons from Ukraine have access to the services provided by the local job agencies. The Swiss job market however is very short on qualified workers; as a consequence, employers' associations and other private actors provide [job placement services](#) that can effectively provide job opportunities.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

The general rules are applicable to persons displaced from Ukraine: like other job-seekers, they can sign up with the [public employment service \(RAV\)](#) and get help by consultation and placement.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

Like for other foreign workers, the law requires to check if the job proposal meets the local wage and working conditions (Article 53 Paragraph 1 VZAE). Otherwise, all general rules apply.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

The general rules of social security apply. The Swiss federal and local laws grant health insurance on the same level as for the local population. Therefore, persons with employment will be automatically insured against accidents, maternity, old age, death, disability, unemployment and family charges. For this purpose, the cantons get global funding from the Federal state (Article 22 Ordinance 2 concerning [Asylum Act](#), SR 142.312). The payment of social assistance benefits and emergency aid is regulated by the law of the cantons (Article 82 Paragraph 1 [Asylum Act](#)).

Self-employed persons are mandatorily insured against maternity, and old age and disability; they can adhere to the social accident insurance. For all the federal social security laws see [83 Sozialversicherung](#).

A special rule applies in the field of sickness insurance: for asylum seekers, the cantons have to provide social sickness insurance (Article 82a [Asylum Act](#)); this rule applies also to persons displaced from Ukraine, no matter if they work or not.

Social welfare:

Federal law and local laws require that for refugees, stateless persons and persons in need *without residence permit*, the level of support must be less than that given to the local population (Article 82 Paragraph 1 [Asylum Act](#)). On the contrary, refugees, stateless persons and persons in need *with residence permit* get the same level of social aid as the local population (Article 3 Paragraph 1 22 Ordinance 2 concerning [Asylum Act](#)). Persons displaced from Ukraine will most often have the S-Status, which is not identical with a residence permit within the meaning of Article 82 Paragraph 2 [Asylum Act](#) (cf. Article 33 [Foreign Nationals Act \(FNA\)](#)).

II. Eligibility conditions

Having the S-Status and being in need for social benefits (which is in general not the case for persons who are working; see [here](#)).

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

As mentioned before, social aid is regulated by the cantons. As a common principle, that is not based on a federal law; the access to social aid is limited to persons in financial need which is in general not the case for persons who are working in Switzerland.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Nothing to report.

Country fiche for Cyprus

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹³ and Council Implementing Decision (EU) 2022/382¹⁴

[Refugee Law 2000 N. 6 \(I\)/2000](#) (*ο περί Προσφύγων Νόμος του 2000*) published on 28 January 2000, as amended several times during 2002-2020 and currently in force, is the main law implementing the TPD in Cypriot legal system. Refugee Law 2000 N. 6 (I)/2000 has been amended by Law 53(I)/2003 and Law 241(I)/2004 in order to transpose the provisions of TPD. In particular, Articles 20 to 20IB of Refugee Law 2000 N. 6 (I)/2000, as currently in force, transpose the provisions of the TPD.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Employment:

[Refugee Law 2000 N. 6 \(I\)/2000](#) (*ο περί Προσφύγων Νόμος του 2000*), as currently in force, and, in particular, Article 20H (1) section (a) provides for the rights of displaced persons including access to (self-) employment. In particular, Article 20H (1) section (a) provides that persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to (self-) employment.

[Equal Treatment in Employment and Labor Act N. 58\(I\)/2004](#) (*ο περί Ίσης μεταχείρισης στην Απασχόληση και την Εργασία Νόμος*) adopted on 31 March 2004, in force from 1 May 2004.

[Law on Foreigners and Immigration \(Capital 105\)](#) (*Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ. 105)*).

Social security/welfare:

[Refugee Law 2000 N. 6 \(I\)/2000](#) (*ο περί Προσφύγων Νόμος του 2000*), as currently in force, and, in particular, Article 20H (1) sections (d), (e) and (f) provide for the rights of displaced persons including access to social assistance, living support and medical care. In particular, Article 20H (1) sections (d), (e) and (f) provide that persons enjoying temporary protection shall have the right, for a period not exceeding the period for which

¹³ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

¹⁴ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

temporary protection is granted, to receive the necessary support in matters of social assistance and subsistence, when they lack sufficient resources, as well as to have access to medical care, where they do not have sufficient resources, which shall include at least first aid and necessary treatment of illnesses. In addition to this, persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to have access to necessary medical or other assistance if they have special needs, in particular unaccompanied minors or persons who have been subjected to torture, rape or other serious forms of mental, physical or sexual violence.

Social Insurance Law of 2010 N. 59(I)/2010 (ο περί Κοινωνικών Ασφαλίσεων Νόμος του 2010) published on 2 July 2010, as amended several times during 2010-2022 and currently in force, lists, under Article 21, the different types of benefits that can be provided. Social Insurance Law of 2010 N. 59(I)/2010 has been lastly amended by Law 44(I)/2022.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes (see Article 20(1) section (a) of Refugee Law 2000 N. 6 (I)/2000).
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes (see Article 20(1) of Refugee Law 2000 N. 6 (I)/2000). Pursuant to Article 2(1) of the Refugee Law 2000 N. 6 (I)/2000, a family member means, as long as the family already existed in the country of origin, any of the following family members of the applicant or beneficiary of international protection who is present in the areas controlled by the government in relation to the application: (a) the spouse of the applicant or beneficiary of international protection; (b) the partner with whom the applicant or beneficiary of international protection enters into a civil partnership, as long as Cypriot law recognises such a partnership and gives it validity and legal effect and subject to the conditions to which Cypriot law gives such recognition, validity and legal effect; (c) the minor and unmarried children of either the applicant or the applicant and his or her spouse or

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>partner referred to in paragraph (b) or the beneficiary of international protection or the beneficiary of international protection and his or her spouse or partner referred to in paragraph (b), whether or not such children were born in or out of wedlock or adopted, as defined in the Adoption Act;</p> <p>(d) where the applicant or beneficiary of international protection is a minor and unmarried, the father, mother or other person responsible for them under the law or practice of the country.</p> <p>Pursuant to Article 23 of the Adoption Act, in the case of voluntary or judicial recognition, the child acquires from birth the legal status and rights of a child born in marriage to both parents and their relatives.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes (see Article 20 (1) of Refugee Law 2000 N. 6 (I)/2000).
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes (see Article 20 (1) of Refugee Law 2000 N. 6 (I)/2000).
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable	No. No relevant provision could be found in the national legislation.

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
conditions to their country or region of origin (Article 2(3) Council Decision).	
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No. No relevant provision could be found in the national legislation.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Asylum Service	Υπηρεσία Ασύλου	http://www.moi.gov.cy/moi/asylum/asylumservice.nsf/index_en/index_en?OpenDocument (in EN).
	Civil Registry and Migration Department	Τμήμα Αρχείου, Πληθυσμού και Μετανάστευσης	http://www.moi.gov.cy/moi/crmd/crmd.nsf/index_en/index_en?OpenDocument (in EN).
	Office of the Aliens and Immigration Unit of the Police	Αστυνομία Κύπρου – Υπηρεσία Αλλοδαπών και Μετανάστευσης	https://www.police.gov.cy/police/police.nsf/All/1A80500533EEF550C22584030034D2F4?OpenDocument (in CY, some information available in EN).
Employment rights	Department of Labour	Τμήμα Εργασίας	http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument (in EN).
	Department of Labour Inspection	Τμήμα Επιθεώρησης Εργασίας	http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument (in EN).
	Tax Department	Τμήμα Φορολογίας	https://www.mof.gov.cy/mof/tax/taxdep.nsf/index_en/index_en?opendocument (in EN).
	Cyprus Council for the Recognition of Diplomas (KY.S.A.T.S.)	Κυπριακό Συμβούλιο Αναγνώρισης Τίτλων Σπουδών (ΚΥ.Σ.Α.Τ.Σ.)	https://www.kysats.ac.cy/index.php/en/genikes-plirofories/anagnorisi-titlon-spoudon (in EN).

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Cyprus Human Resources Development Authority	Αρχή Ανάπτυξης Ανθρώπινου Δυναμικού Κύπρου (ΑνΑΔ)	https://www.anad.org.cy/wps/portal/hrda/hrdaExternal!/ut/p/z1/04_Sj9CPykssy0xPLMnMz0vMAfljo8ziPTw8HD0s_Q383F3DjAwCLVydTV2CLY39XUz0w_Wj9KOA SgxwAEcD_YLsbEUAbztbrg!!/dz/d5/L2dBISEvZ0FBIS9nQSEh/ (in EL).
Social welfare and social security rights	Department of Labour	Τμήμα Εργασίας	http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument (in EN).
	Social Insurance Services	Υπηρεσία Κοινωνικών Ασφαλίσεων	http://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/index_gr/index_gr?opendocument (in EN).
	General Healthcare System	Γενικό Σύστημα Υγείας	https://www.gesy.org.cy/launchpad.html (in EN).
	State Health Services Organisation	Οργανισμός Κρατικών Υπηρεσιών Υγείας	https://shso.org.cy/en/ (in EN).

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

There is no mechanism to coordinate the work between the Asylum Service and the Department of Labour. The Asylum Service is regarded as the competent authority for the necessary administrative co-operation with the competent local authorities and the competent authorities of other Member States and international organisations in relation to the temporary protection.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection¹⁵ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Articles 20 to 20IB of the Refugee Law 2000 N. 6 (I)/2000, as currently in force, provide the rules on temporary protection. No other forms of adequate protection exist in Cyprus.

¹⁵ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

In addition to this, Article 19 of the Refugee Law 2000 N. 6 (I)/2000 provides for recognition of subsidiary protection status (*καθεστώς προσωρινής προστασίας*). In particular, pursuant to Article 19(1), the Head, by decision, shall grant subsidiary protection status to applicants who are not recognised as refugees or to applicants whose applications are clearly not based on any of the grounds for persecution provided for in the Act, but in respect of whom there are substantial grounds for believing that, if returned to their country of nationality, they would face a real risk of suffering serious harm and are unable or, owing to that risk, unwilling to avail themselves of the protection of that country.

Pursuant to Article 2(1) of Refugee Law 2000 N. 6 (I)/2000, the Head means a competent officer who is the head of the Asylum Service and includes any other competent officer of that Service authorised by the Secretary of State to exercise all or any of the powers or perform all or any of the functions of the Head.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

National legislation does not set out rules in case of status change from temporary protection to employment-based residence permit while inside the territory of Cyprus.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Pursuant to Article 20IA (6) of the Refugee Law 2000 N. 6 (I)/2000, in case of transfer of a person enjoying temporary protection in Cyprus to another Member State, the residence permit is revoked by the Director of the Asylum Service and any rights arising from the Refugee Law are terminated (e.g. access to employment, social welfare, residence etc.).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

The general framework for persons enjoying temporary protection does not contain specific provisions on the application of the principle of equal treatment. Nonetheless the prohibition of discrimination is founded in the

Cypriot legal order by the [Equal Treatment in Employment and Labor Act N. 58\(I\)/2004](#) (*ο περί Ίσης μεταχείρισης στην Απασχόληση και την Εργασία Νόμος*) adopted on 31 March 2004, in force from 1 May 2004.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

No measures have been adopted for persons enjoying temporary protection specifically from Ukraine.

The general framework provides that persons enjoying temporary protection are entitled to be employed or self-employed. Such persons are entitled to work without work permits or any type of authorisation.

Article 20H (1) section (a) of the Refugee Law 2000 N. 6 (I)/2000 refers to the Law on Foreigners and Immigration (Capital 105), according to which the displaced persons and thus also persons enjoying temporary protection need to apply for a biometric residence permit in order to be able to apply for a job. The displaced persons are entitled to be employed one month after submitting their application for temporary protection. The employer has the obligation to ask such displaced persons to prove that they have a legal residence permit and to inform the authorities within seven days about the employment of the displaced persons (Articles 18PB and ΠΓ (1) and (3) of [Law on Foreigners and Immigration](#) (Capital 105) (*Ο περί Αλλοδαπών και Μεταναστεύσεως Νόμος (ΚΕΦ. 105)*)).

II. Recognition of qualifications/diplomas

Pursuant to Article 21 (1A) of the Refugee Law 2000 N. 6 (I)/2000, the competent authorities shall ensure that displaced persons who cannot provide documentary evidence of their qualifications have full access to appropriate programmes for the assessment, validation and certification of their prior learning. In general, the recognition of foreign diplomas is done by the [Cyprus Council for the Recognition of Diplomas \(KY.S.A.T.S.\)](#), which is responsible for the recognition of the equivalence and correspondence of the diplomas. Persons enjoying temporary protection would need to have their qualifications recognized in the same way as any third country national.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Pursuant to Article 20H (1) section (b) of the Refugee Law 2000 N. 6 (I)/2000, persons enjoying temporary protection shall have the right, for a period not exceeding the period for which temporary protection is granted, to attend adult education, vocational training and work experience programmes.

In general, assistance for jobseekers is provided by the [Cyprus Human Resources Development Authority](#).

Pursuant to Article 20H (2) of the Refugee Law 2000 N. 6 (I)/2000, persons under temporary protection who are under 18 years of age have access to the public education system under the same conditions as citizens of the country. In addition to this, pursuant to Article 20H (3) of the Refugee Law 2000 N. 6 (I)/2000, adults under temporary protection shall have access to the general education system applicable to adults in the country.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

No measures have been adopted for persons enjoying temporary protection specifically from Ukraine. The general framework provides that persons enjoying temporary protection are entitled to attend adult education programs, vocational training and internship programs. The Cyprus Human Resources Development Authority is the competent authority for the training programs.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

Pursuant to Article 20H (1A) of the Refugee Law 2000 N. 6 (I)/2000, where persons enjoying temporary protection are engaged in (self-)employment, their ability to contribute to their needs shall be taken into account when determining the level of assistance provided.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security

No measures have been adopted for persons enjoying temporary protection specifically from Ukraine. The general framework provides that persons enjoying temporary protection are entitled to receive the necessary social security. The general framework of social security is regulated by the [Social Insurance Law of 2010](#) (*ο περί Κοινωνικών Ασφαλίσεων Νόμος του 2010*) 59(I)/2010. According to Article 21 of the Social Insurance Law of 2010 59(I)/2010, the beneficiary of social security is entitled to receive maternity allowance, sickness benefit, unemployment benefit, pension, disability pension, widow's pension, orphan allowance, paternity allowance, marriage aid, childbirth aid and funeral aid.

Social welfare

Refugee Law 2000 N. 6 (I)/2000 provides that persons enjoying temporary protection are entitled to receive the necessary living support and medical care, as well as access to education for children, same as citizens of Cyprus.

Moreover, displaced persons from Ukraine are entitled to receive a temporary financial assistance in the amount of 340 EUR from the state. The rules on financial aid refer to Citizens of Ukraine who arrived in Cyprus for tourism during the three months before the war in Ukraine (before 24 February 2022) and those arrived in Cyprus after the start of the war in Ukraine (on 24 February 2022 or after). Such persons must provide information to confirm the time of arrival in the Republic of Cyprus, in particular a copy of the passport marked

on arrival at the airport or port, or, if received, a copy of the temporary residence permit in Cyprus. After submitting the application to the SWS (Social Protection Service) office, the beneficiary can receive the first part of the assistance in cash on the same day. To receive the second part of the [assistance](#), the beneficiary needs to apply within 15 days to the same office and provide a document confirming receipt of the first payment.

The Ministry of Health of Cyprus provides Ukrainian refugees who have been granted temporary protection with [health care in public hospitals](#).

The Ministry of Tourism has reserved three thousand beds in hotels in various parts of Cyprus, to accommodate displaced persons from Ukraine.

Social Welfare Services is the competent authority that provides Ukrainian refugees with housing and living allowance.

II. Eligibility conditions

National legislation provides for certain conditions which need to be fulfilled in order to benefit from various social insurance benefits (benefits, allowances etc.). The legal framework regarding persons enjoying temporary protection does not include any special conditions that differentiate the conditions between Cypriot citizens and persons enjoying temporary protection from Ukraine.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The [Asylum Service](#) provides the necessary information and assistance related to the procedure that persons can follow in order to receive temporary protection for themselves (namely information to apply for temporary protection on-line and receive the decision either on-line or in person), as well as get information about their rights after the approval of the application.

Displaced persons from Ukraine have a possibility to apply for temporary protection [online](#) and also receive a decision online, whereby the application process already indicates some possible sectors of economic activities in which displaced persons would like to work.

Country fiche for Czechia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹⁶ and Council Implementing Decision (EU) 2022/382¹⁷

[Act No. 221/2003 Sb.](#), on temporary protection of foreigners (in Czech *zákon o dočasné ochraně cizinců*), adopted on 31 July 2003, effective as of 1 January 2004.

[Act No. 65/2022 Sb.](#), on certain measures relating to the armed conflict within the territory of Ukraine caused by an invasion of the army of the Russian Federation (in Czech *Zákon o některých opatřeních v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaným invazí vojsk Ruské federace*), approved within an accelerated procedure in March 2022, effective as of 21 March 2022, and in place for a limited term until 31 March 2023 (as amended by the Act No. 198/2022 Sb. effective as of 30 June 2022). No discussions have been started regarding possible further developments after this date, but it appears possible that some changes may be implemented even during the one-year term.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

[Act No. 66/2022 Sb.](#), on measures in the area of employment and social security relating to the armed conflict within the territory of Ukraine caused by an invasion of the army of the Russian Federation (in Czech *Zákon o opatřeních v oblasti zaměstnanosti a oblasti sociálního zabezpečení v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaným invazí vojsk Ruské federace*), which provides for instance for rules on access to labour market. Approved within an accelerated procedure in March 2022, effective as of 21 March 2022, and in place for a limited term until 31 March 2023 (as amended by the Act No. 198/2022 Sb. effective as of 30 June 2022). No discussions have been started regarding possible further developments after this date, but it appears possible that some changes may be implemented even during the one-year term.

[Act No. 67/2022 Sb.](#), on measures in the area of education relating to the armed conflict within the territory of Ukraine caused by an invasion of the army of the Russian Federation (in Czech *Zákon o opatřeních v oblasti školství v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaným invazí vojsk Ruské federace*), which regulates how individuals can document their education. Approved within an accelerated procedure in March

¹⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

¹⁷ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

2022, effective as of 21 March 2022, and in place for a limited term until 31 March 2023 (as amended by the [Act No. 199/2022 Sb.](#), effective as of 30 June 2022). No discussions have been started regarding possible further developments after this date, but it appears possible that some changes may be implemented even during the one-year term.

[Act No. 198/2009 Sb.](#), Anti-Discrimination Act (in Czech *antidiskriminační zákon*), which prohibits any discrimination on the basis of nationality. This act was adopted on 29 June 2009 and is effective as of 1 September 2009.

[Act No. 262/2006 Sb.](#), Labour Code (in Czech *zákoník práce*), which defines the principle of equal treatment concerning all third country nationals lawfully residing and working in the Czech Republic, and the principle of equal pay for equal work / work of equal value. This act was adopted on 7 June 2006 and is effective as of 1 January 2007.

[Act No. 435/2004 Sb.](#), Employment Act (in Czech *Zákon o zaměstnanosti*), which provides rules on the Labour Offices, including the fact that all job seekers can use their support. It was adopted on 27 July 2004 and is effective as of 1 October 2004.

[Act No. 48/1997 Sb.](#), the Health Insurance Act (in Czech *Zákon o veřejném zdravotním pojištění*), adopted on 28 March 1997 and effective as of 1 April 1997.

[Act No. 187/2006 Sb.](#), the Sickness Insurance Act (in Czech *Zákon o nemocenském pojištění*), adopted on 2 May 2006 and effective as of 1 January 2009.

[Act No. 155/1995 Sb.](#), the Pension Insurance Act (in Czech *Zákon o důchodovém pojištění*), adopted on 4 August 1995 and effective as of 1 January 1996.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ Residing in Ukraine ▶ displaced from 24 February 2022 	Yes
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were 	Yes Under Section 3 (1) of the Act No. 65/2022 Sb., the protection applies to all individuals who are covered by the decision of the Council. No further regulation, such as definition of a family member, is provided.

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
displaced from Ukraine on or after 24 February 2022	
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	<p>Yes</p> <p>The protection covers all foreigners who can prove that</p> <ul style="list-style-type: none"> ▶ as of 24 February 2022, they held a valid permanent residence permit for the territory of Ukraine, and ▶ their travel to the country of their citizenship (or, for stateless persons, to the last country of their residence before they entered to Ukraine) is not possible due to a danger of a real threat. <p>The term of a “danger of a real threat” is defined in Section 179 (2) of the Act No. 326/1999 Sb., Act on the residence of foreigners within the territory of the Czech Republic, as any return to a home country that would be in breach of the Art. 3 of the European Convention on Human Rights.</p>
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	The Labour Office	Úřad práce	Uradprace.cz
	The Ministry of the Interior of the Czech Republic	Ministerstvo vnitra České republiky	mvcr.cz
Employment rights	The Labour Office	Úřad práce	Uradprace.cz
	The Financial Administration of the Czech Republic	Finanční správa České republiky	Financnisprava.cz
Social welfare and social security rights	The Labour Office	Úřad práce	Uradprace.cz
	The Czech Social Security Administration	Česká správa sociálního zabezpečení	Cszs.cz

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

On regional level, so-called regional assistance centers and Platforms for integration of foreigners and for monitoring of the situation of foreigners in regions have been established to (a) speed up and simplify the registration of displaced persons coming from Ukraine, and (b) coordinate the exchange of information and ensure cooperation on the level of each of the regions (the country consists of 14 regions including the capital of Prague). No coordination with respect to employment and social welfare and social security topics has been observed.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection¹⁸ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The temporary protection has the following specifics:

¹⁸ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- ▶ Free access to labour market without any additional permit needed;
- ▶ Full coverage by the public health insurance system which is applicable even within a period of 30 days before the temporary protection is awarded if any medical services within the Czech territory are sought; for foreigners except children and elderly, the free access to the health insurance system is limited to 150 days;
- ▶ A humanitarian benefit of CZK 5.000 to be provided (a) once to all individuals, (b) on a regular monthly basis to all individuals whose income, social and material situation does not allow them to cover their basic living needs; from the 6th month, the amount of benefit shall be decreased to CZK 4.620 for adults and CZK 3.320 for minors under 18 years of age;
- ▶ A “solidary household benefit” payable to Czech households who agreed to provide a temporary free-of-charge accommodation to the beneficiaries;
- ▶ Access to certain social services (the social service of childcare in child groups);
- ▶ Exceptions from some rules otherwise applicable for foreigners (e.g. an option to document education and criminal record with an affidavit);
- ▶ Support in access to education.

No other alternatives to temporary protection have been mentioned in the recent legislation.

At this moment, it is not entirely clear what happens with temporary protection status once a person applies for other statuses during temporary protection and/or after. It appears that other status would need to be obtained before the one-year period comes to an end, otherwise the residence rights in the Czech Republic could be lost. However, it seems to be too early to analyse this, as it is highly likely that the entire system will be changing depending on further developments of the crisis.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is a possibility of changing status from temporary protection to single work permit, EU Blue Card, seasonal worker and family reunification.

Other forms of adequate protection do not exist in Czech Republic.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to single work permit, EU Blue Card, seasonal worker and family reunification.

The conditions set in the legislation to apply for such a status change while remaining in the country:

The temporary protection is deemed to fall within the category of holders of visa under Section 33(1)a) of the Act on the residence of foreigners within the territory of the Czech Republic. All individuals within this category

do not have to travel to their home country to file the application for the single permit for work, EU Blue Card, seasonal card, or family reunification.		
Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:		
No other difference besides the place of filing.		
Any alteration of rights with respect to		
residence:	employment rights:	social welfare and social security rights:
N/A	No, both statuses provide for free access to labour market	Benefits summarised above do not apply in case of single permit, EU Blue Card, seasonal card, or family reunification

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

The temporary protection cannot be afforded to an individual who already requested it in other EU Member States (Section 5(1)c) of the Act No. 65/2022 Sb).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

The Czech Anti-Discrimination Act prohibits any discrimination on the basis of nationality.

The Czech Labour Code defines in Section 16 the principle of equal treatment, which also relates to all third country nationals who lawfully reside and work in the Czech Republic. Section 110 of the Labour Code defines the principle of equal pay for equal work / work of equal value.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
 - I. The conditions regulating work permits/work authorisation, if required

No work permit / work authorisation is required under the Act No. 66/2022.

Under the Section 87 of the Employment Act, employers of these individuals must inform the Regional Labour Office about the employment of any foreigner within 10 days from commencement of the employment relationship.

II. Recognition of qualifications/diplomas

As a general rule, qualification of diplomas needs to be proven by official documents in the Czech Republic. In professions where the qualification is either regulated by local legal regulation or expressly required by employers, official documents need to be acknowledged by the Czech authorities and submitted.

However, Section 3(5) of the Act No. 66/2022 states that individuals can document their education by an affidavit

- ▶ Within the first six months after obtaining temporary protection – without any restriction
- ▶ After six months after obtaining temporary protection – if they name a reason why they cannot document their education properly.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

All job seekers can use the support of Labour Offices, which maintain a list of job seekers and a list of available positions, provide support and counselling to all individuals and participate at certain projects to promote employment of specific groups like employees with disability. Details are regulated in the Employment Act.

In response to the refugee crisis, the Labour Office has set up a helpline for employees / job seekers from Ukraine and for their employers, where advice can be provided both in Czech and Ukrainian language. Its website contains detailed information in Ukrainian language. Further measures would be determined on an individual level.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

All job seekers can use the support of Labour Offices who can help them define training opportunities and arrange for a requalification program, during which the individuals can also receive a special monetary requalification benefit. This is usually assessed on an individual basis and is also available for persons enjoying temporary protection, including displaced persons coming from Ukraine. Details are regulated in the Employment Act.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Except for the humanitarian benefit mentioned below in this box, there are no specific rules applicable to displaced persons from Ukraine.

Regarding social security benefits, there are three social insurance systems in place in Czechia (pension insurance, health insurance, sickness insurance) and a specific insurance scheme for accidents at work and industrial diseases. No other rules have been implemented to address the current humanitarian crisis. All social security benefits that are available to Czech nationals are also available to persons enjoying temporary protection.

The following social benefits are also provided to displaced persons from Ukraine:

- ▶ A humanitarian benefit of CZK 5.000 is provided (i) once to all individuals, and (ii) on a regular monthly basis to all individuals whose income, social and material situation does not allow them to cover their basic living needs; from the 6th month, the amount of benefit shall be decreased to CZK 4.620 for adults and CZK 3.320 for minors under 18 years of age.
- ▶ Full coverage by the public health insurance system which is applicable even within a period of 30 days before the temporary protection was awarded if any medical services within the Czech territory were sought; this includes all types of medical care that is provided within the public healthcare framework, including essential care, urgent care and dental care. For individuals aged 18 – 65, free access to the public health insurance system is limited to 150 days.
- ▶ Access to certain social services (the social service of childcare in child groups).
- ▶ Free train transportation while fleeing to the Czech Republic and within 5 days after receiving the temporary protection status.

II. Eligibility conditions

All foreigners enjoying temporary protection from Ukraine that are employed / residing in Czechia are entitled to receive social security / social welfare benefits under the same conditions as Czech nationals.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Russian invasion in Ukraine has triggered a huge wave of sympathy within the Czech population and during the first week, nearly every stakeholder (public authorities, municipalities, NGOs, individuals...) have stepped up to support the refugees. As a result, it appears impossible to list all activities that have happened, but the following can be highlighted:

- ▶ The Labour Office and the Ministry of Interim Affairs setting up hotlines and websites containing information for refugees (both on the websites of both authorities uradprace.cz and mvcr.cz as well as on a special website nasiukrajinci.cz);
- ▶ A number of “Regional assistance centers” have been set up where all necessary administrative steps can be arranged for;
- ▶ Several NGOs active in welcoming refugees at entry points, offering transport, searching for suitable accommodation and work, donating them food, equipment etc. and providing all sorts of counselling;
- ▶ Public authorities, municipalities, businesses and individuals providing temporary housing to the refugees;
- ▶ Social partners and some employers supporting the temporary protection holders in job search;
- ▶ Czech Bar Association and some major law firms providing free-of-charge legal counselling;
- ▶ Charles University and other universities offering researchers and Ph.D. students the opportunity to pursue their research here, etc.;
- ▶ The Center for the Support of Integration of foreigners, as well as some other stakeholders, organise Czech language courses for foreigners;
- ▶ The government launched a campaign to draw the public attention to the topic of propaganda and disinformation about the refugee crisis;
- ▶ A new “solidary household benefit” is payable to Czech households who agreed to provide a temporary free-of-charge accommodation to the persons enjoying temporary protection.

Country fiche for Germany

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹⁹ and Council Implementing Decision (EU) 2022/382²⁰

Immigration Act (*Gesetz zur Steuerung und Begrenzung der Zuwanderung und zur Regelung des Aufenthalts und der Integration von Unionsbürgern und Ausländern*, hereinafter Aufenthaltsgesetz) of 5 August 2004 (BGBl. I S. 1950) – effective as from 1 January 2005 - particularly, Sec. 24 Aufenthaltsgesetz. The TPD has been implemented by the Immigration Act. [Full text](#)

Other aspects and requirements of TPD were already part of German national law.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Sec. 24 [Immigration Act](#)

Social security:

The German social security system is a social insurance system and therefore those persons who are in employment and in certain cases in self-employment are covered. The system does not make a difference with relation to nationality – except in a few cases not relevant here. General rules apply.

Social welfare:

Displaced persons from Ukraine are, other than in the first phase, no longer covered by the special provisions of the [Asylum Seekers Benefits Act](#) (*Asylbewerberleistungsgesetz*) applying to asylum seekers. As of 1 June 2022 they are covered by the general system – in particular, the [Social Code 2nd Book](#). Indeed, from the beginning there was a discussion and it was agreed by most that the system of Social Code 2nd Book and [Social Code 12th Book](#) would better cover the situation of persons displaced from Ukraine. In practice, at present they receive the same welfare benefits as nationals, only the legal basis is different. Benefits according to Social Code 2nd Book and 12th Book are about 15 % higher compared to the Asylum Seekers

¹⁹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

²⁰ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

Benefits Act. In addition, under the Social Code 2nd and 12th Book they are fully covered by public health insurance.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes – if the relationship existed already in Ukraine when the war started Family member is defined as: Husband/Spouse or non-married partner in permanent relationship – including same-sex minor non-married children irrespective of born in or out of wedlock or adopted other close relatives who are dependent on the relevant Ukrainian nationals and have lived in the same family unit and have received care or maintenance
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and	Yes Temporary protection is available for displaced persons who lived legally in Ukraine before 24 February 2022, and not just for a short stay, and cannot safely and permanently return to their country of origin. Temporary short stays are those not

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	exceeding 90 days in Ukraine as planned before for a temporary purpose.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes Applicants may apply for a residence permit, according to Sec. 24 Immigration Act , if the permit existing before cannot be prolonged based on the reasons for the original permit.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Immigration authorities of local administration and Länder Federal Office for Migration and Refugees	Ausländerbehörden der Kommunen Länder Bundesamt für Migration und Flüchtlinge	https://Auslaenderaemter.com to find the location of different authorities on the Länder level https://www.bamf.de/EN
Employment rights	Federal Employment Agency	Bundesagentur für Arbeit	https://www.arbeitsagentur.de/en/
Social welfare and social security rights	Social welfare Offices Health Insurance Funds	Sozialämter Krankenkassen	https://sozialaemter.com to find the location of the different authorities /websites on the Länder level https://www.gkv-spitzenverband.de/english/english.jsp

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

The institutions mentioned under Point a) are working in their respective areas of competence. The Federal Ministry of Interior and the respective ministries of the *Länder* cooperate to coordinate the efforts. Different websites provide for relevant information in German, English and Ukrainian.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection²¹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Displaced persons from Ukraine are entitled to work in regular employment based on the status provided by Sec. 24 [Immigration Act](#). Provided the relevant requirements under the general rules are verified, the applicant may also apply and obtain another status. There is no requirement to re-enter Germany to file change of status.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Yes. It is possible to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection to employment-based residence permit both during the temporary protection regime and at the end of this regime. Status change is possible from temporary protection to single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification. For more information see [here](#).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Procedure valid for any type of status change:

The conditions set in the legislation to apply for such a status change while remaining in the country:

These conditions are to be found in Sec. 4a [Immigration Act](#). According to this provision, foreigners with a residence permit – which is the case for persons displaced from Ukraine – have the right to work, except in limited cases in which the Federal Employment Agency (*Bundesagentur für Arbeit*) may have to grant permission. According to Sec. 39 [Immigration Act](#), the Federal Employment Agency checks if the person works under the same conditions as domestic workers. The Agency may also check whether there are persons with

²¹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

preferential treatment, i.e. who have to get the job prior-ranking. In cases of Sec. 24 [Immigration Act](#) there are no such limitations, except that for some professions specific job qualifications are required.

There are no limitations when it comes to change of residence status. A relevant status might be under Section 16a (Vocational Education and Advanced Training), 18a (Workers with Specific Qualifications) and 18b (Workers with Specific Academic Education) *Aufenthaltsgesetz*. Under these provisions, the applicant has to apply for a change of status since any status is somehow limited and defined in terms. If the requirements of the other status are met, the person will be granted that other status.

There are specific criteria depending on the status change. Hence, for the status of worker with job qualifications the person needs to meet this requirement. So for example Section 18a [Immigration Act](#) provides that professionals with vocational training may be granted residence permits for the purpose of qualifying employment for which the qualification acquired qualifies them. The same applies for academic qualifications (Section 18b) and in case of Section 16a which establishes that residence permit for the purpose of in-company training and further education can be issued if the Federal Employment Agency has agreed in accordance with Section 39 or if it is determined by the Employment Ordinance or intergovernmental agreement that training and further education is permitted without the consent of the Federal Employment Agency.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

No

Any alteration of rights with respect to

residence:

See above; residence requirements are dependent on the status.

employment rights:

Person with all these different kinds of status enjoy the same employment rights as domestic workers. The strict rule is that they have to be treated alike.

social welfare and social security rights:

Social welfare is provided to anybody legally staying in Germany; this is due to a constitutional provision which asks for safeguarding human dignity for everybody and also means basic subsistence. There are some technical differences in case of people looking for asylum. As from June 1 those provisions for asylum seekers are not applicable in case of Ukraine. There is a means test in those cases.

As far as social security is concerned persons with jobs are treated like domestic workers also in social security.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No such specific measures with the aim to preclude registration of displaced persons in more than one Member State/EEA-EFTA country could be found based on desk research. The application for residence permit will be checked carefully and crosschecked with EURODAC.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Persons from Ukraine with work permit may take any job and the working conditions applying to them are the same as for the local citizens.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

According to Section 24 [Immigration Act](#), persons enjoying temporary protection from Ukraine are allowed to work practically immediately after arrival. The permit is based on Section 24 [Immigration Act](#) and is generally provided together with the temporary residence permit. The work permit as such does not allow to work as it establishes that the interested persons have to ask for a work permit. In practice, the relevant authorities issue a work permit together with the residence permit in case of persons displaced from Ukraine; this practice is based on Section 24 subsection 6 [Immigration Act](#) and refers to Section 4a of the same Act. Persons with work permit may start any employment covered by the work permit; which is generally without restrictions. Section 24 [Immigration Act](#) provides in subsection 6 that self-employment may not be excluded.

An approval by the *Bundesagentur für Arbeit* (Federal Employment Agency) is not necessary in cases of Section 24 [Immigration Act](#).

- II. Recognition of qualifications/diplomas

In Germany, there is the [Act on Recognition of Qualifications/Diplomas](#) (*Gesetz über die Feststellung der Gleichwertigkeit von Berufsqualifikationen*) of 2012 on the Federal level and specific acts and rules on qualifications on the state (*Länder*) level.

Specific [information](#) for displaced persons from Ukraine is available. Different rules depending on the qualifications are available on the [Information Portal on foreign educational qualifications](#) (*Infoportal zu ausländischen Bildungsabschlüssen*).

The link above provides access to competent regional sources for further info. All authorities are asked to efficiently process the requests and only require those documents which are indispensable. Alternative forms

of documentation are also used which means that the original document might not be required but a scanned version suffices and that the requirement of a certified translation might be waived.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

In general, the same rules apply as for any job seeker. But there is an easy access to integration training and the Federal Employment Agency provides links and information on how to find a job, how to receive child allowance – all in German, [English](#); [Ukrainian](#) and in Russian.

The Federal Employment Agency advises and supports Ukrainians:

If they are looking for work or an apprenticeship;

If they want to take a training course;

If they want to have their professional degree recognised;

If they want to learn German.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

The Federal Employment Agency provides [information](#) vocational trainings and educational opportunities.

In-company training (also known as 'dual training') is the most common form of vocational training in Germany. Training is provided in a company and part-time in a vocational school. There are more than 320 training occupations. The [BerufeNavi internet portal](#) provides support to young people on their path towards training. BerufeNavi offers a compilation of verified links to online information about career orientation and finding a training place. An introduction to the site and a user's guide in English, Ukrainian and Russian is available on their website.

There are also integration courses. Each integration course consists of a language course and an orientation course. The language course covers important aspects of everyday life such as:

work and career,

basic and further training,

bringing up and raising children,

shopping/trade/consumption,

leisure time and social interaction,

health and hygiene/human body,

media and media use, and

housing.

The final stage of the language course consists of the 'German language test for immigrants' (DTZ). These rules apply to those who fall under Section 24 [Immigration Act](#).

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social security:

The German social security system is a social insurance system and therefore those persons who are in employment and in certain cases in self-employment are covered. The system does not make a difference with relation to nationality – except in a few cases not relevant here. General rules apply.

Health care

This covers ambulatory care as well as hospital care and in case of inability to work for more than six weeks a cash benefit replacing salary.

Long-term care

This covers home care done by professionals or volunteers, partial inpatient care and inpatient care.

Pension benefits

This includes pensions in old age or invalidity as well as rehabilitation measures.

Industrial accident insurance

This includes industrial accidents ambulatory care, hospital care, temporary cash benefits replacing salary, invalidity pensions and rehabilitation measures.

Unemployment insurance

This includes unemployment benefits, short-time allowances, professional training, occupational rehabilitation, job placement.

Social welfare:

During the first phase, displaced persons from Ukraine were covered by the special provisions of the [Asylum Seekers Benefits Act](#) (*Asylbewerberleistungsgesetz*) applying to asylum seekers. However, as of 1 June 2022

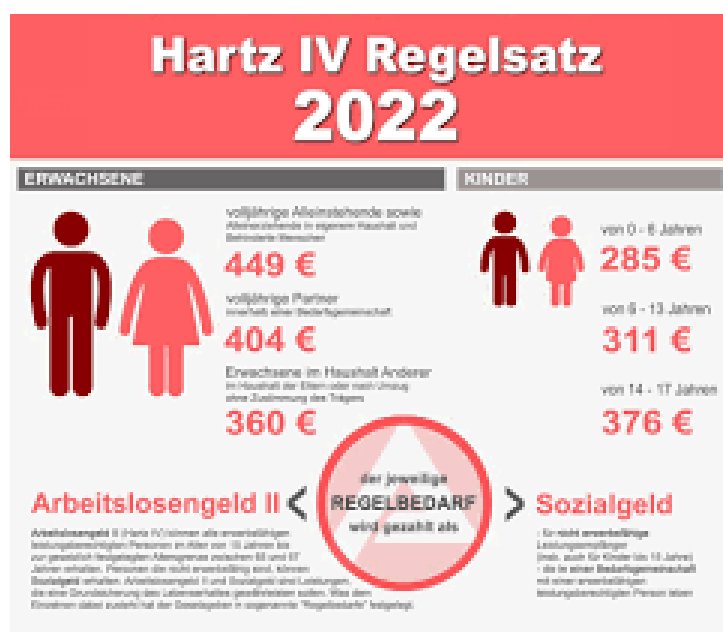
they are covered by the general system – in particular, the [Social Code 2nd Book](#). Indeed, from the beginning there was a discussion and it was agreed by most that the system of Social Code 2nd Book and [Social Code 12th Book](#) would better cover the situation of persons displaced from Ukraine which includes full public health insurance coverage. The Asylum Seekers Benefits Act provided healthcare only on a social welfare basis in severe situations. The benefit amount according to the Asylum Seekers Benefits Act was about 15 % lower than the amount under the Social Code 2nd Book and 12th Book.

The cash benefit covering the basic needs is expressed in fixed amounts:

Single adults – EUR 449,

Adult partner – EUR 404,

Adults in household of another adult – EUR 360.



In case of illness or long-term care or other special needs this is covered as well. Subsidies for health insurance and long-term care insurance exist as well.

II. Eligibility conditions

Social security/social assistance:

Access to social assistance and social security is available to anybody residing legally in Germany. The Constitution establishes a right for subsistence payments for anybody, and not just German nationals and EU citizens. Access to social security is also irrespective of nationality. As such, anybody in employment is generally covered. In case of the self-employed there is no general coverage. Generally speaking, small-business self-employed are covered if it is a somehow regulated business. This differs very much among the different branches of social insurance.

Social welfare:

In Germany, any person legally residing has the right to benefits to secure the subsistence level if such a person is in need. There is no requirement of nationality. This is based on [Social Code 12th Book](#) – Social Assistance and in case of work or looking for work on the basic security for job seekers according to [Social Code 2nd Book](#).

However, there is a means test concerning income and assets. Own income and assets have to be used first. If persons are employed, the income from employment comes first as well. If this is not enough, they may be entitled to social welfare benefits.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

As mentioned above, anybody in employment is generally covered. In case of the self-employed there is no general coverage. Generally speaking, small-business self-employed are covered if it is a somehow regulated business.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

For first help, a special [website](#) provides all information necessary in Ukrainian and Russian. Here there are also links to mobility – using the German Railway System - and accommodation. This website also provides links to relevant public authorities.

The relevant institutions of industry, commerce and employers have initiated a program [Wirtschaft Hilft](#) providing help for temporary integration into the German labour market.

Diakonie ([Protestant Church Charity Organisation](#)) and Caritas ([Catholic Church Charity Organisation](#)) are giving help to displaced persons from Ukraine.

There is also information to prevent human trafficking which seems to be a special problem for women coming from Ukraine (see [leaflet](#)).

Country fiche for Denmark

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)²² and Council Implementing Decision (EU) 2022/382²³

Denmark is not participating in the adoption of the Temporary Protection Directive (TPD or the Directive), and is therefore, not bound by it nor subject to its application, in accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

A new Danish act, [Law on Temporary Residence Permits for Persons Displaced from Ukraine \(Special Act\)](#), has been adopted on 16 March 2022 and entered into force on 17 March 2022. Under the Special Act, displaced Ukrainian citizens and persons recognised as refugees from Ukraine (narrower application compared to TPD) may obtain a temporary residence permit in Denmark under certain conditions.

The Special Act was amended by [Law amending the Social Pensions Act, Ordinary Early Retirement Pensions Act, etc., the Unemployment Insurance Act, etc. and Law on Temporary Residence Permits for Persons Displaced from Ukraine No. 918/2022](#) (LOV nr 831 af 14/06/2022, *Lov om ændring af lov om social pension, lov om højeste, mellemste, forhøjet almindelig og almindelig førtidspension m.v., lov om arbejdsløshedsforsikring m.v. og lov om midlertidig opholdstilladelse til personer, der er fordrevet fra Ukraine*), adopted on 16 June 2022.

Other national laws amended to regulate and having an impact on (access to) (self-)employment and social security/welfare for displaced persons from Ukraine are relevant for this purpose:

[Executive Order no. 442 of 9 April 2022 on access to benefits under the Health Act for persons without a residence permit displaced from Ukraine](#) (BEK nr. 442 af 09/04/2022, *Bekendtgørelse om adgang til ydelser efter sundhedsloven for personer uden opholdstilladelse fordrevet fra Ukraine*), adopted on 9 April 2022;

²² Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

²³ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Law amending the law on temporary residence permits for persons displaced from Ukraine, law on individual housing allowance, law on child allowance and advance payment of child support and the Integration Act](#) (LOV nr. 546 af 03/05/2022, *Lov om ændring af lov om midlertidig opholdstilladelse til personer, der er fordrevet fra Ukraine, lov om individuel boligstøtte, lov om børnetilskud og forskudsvis udbetaling af børnebidrag og integrationsloven*), adopted on 3 May 2022;

[Aliens Act](#) (LBK nr. 1910 af 26/09/2021, *Bekendtgørelse af udlændingeloven*), adopted on 26 September 2021;

[Law on repatriation for foreigners without legal residence \(Repatriation Law\)](#) (LOV nr. 982 af 26/05/2021, *Lov om hjemrejse for udlændinge uden lovligt ophold (hjemrejseloven)*), adopted on 29 May 2021;

[Act on the integration of foreigners in Denmark \(Integration Act\)](#), (LBK nr. 1146 af 22/06/2020, *Bekendtgørelse af lov om integration af udlændinge i Danmark (integrationsloven)*), adopted on 22 June 2020;

[Executive Order of the Nordic Convention on Social Security](#) (BEK nr. 12 af 18/08/2014, *Bekendtgørelse af nordisk konvention om social sikring*), adopted on 18 August 2014;

[Law on Danish education for adult foreigners and others](#) (LBK nr. 2018 af 11/12/2020, *Bekendtgørelse af lov om danskuddannelse til voksne udlændinge m.fl.*), adopted on 11 December 2020;

[Act on basic integration education \(igu\)](#) (LOV nr 623 af 08/06/2016, *Lov om integrationsgrunduddannelse (igu)*), adopted on 8 June 2016;

[Law on institutions of vocational education](#) (LBK nr. 1753 af 30/08/2021, *Lov om institutioner for erhvervsrettet uddannelse*), adopted on 30 August 2021;

[Law on vocational education](#) (LBK nr. 1753 af 30/08/2021, *Lov om erhvervsuddannelser*), adopted on 30 August 2021;

[Law on day care, leisure and club offers, etc. for children and young people \(Day Care Act\)](#) (LBK nr. 454 af 19/04/2022, *Lov om dag-, fritids- og klubtilbud m.v. til børn og unge (dagtilbudsloven)*), adopted on 19 April 2022;

[Assessment of Foreign Qualifications \(Consolidation\) Act](#) (LBK nr 579 af 01/06/2014, *Bekendtgørelse af lov om vurdering af udenlandske uddannelseskvalifikationer m.v.*), adopted on 1 June 2014;

On the basis of the Act, the following ministerial orders have been issued:

[Assessment of Foreign Qualifications Order](#) (LBK 602 af 25/06/2003, *Bekendtgørelse om vurdering af udenlandske uddannelseskvalifikationer m.v.*), adopted on 1 June 2014;

[Amendment of the Assessment of Foreign Qualifications Order](#) (BEK nr 448 af 10/05/2007, *Bekendtgørelse om ændring af bekendtgørelse om vurdering af udenlandske uddannelseskvalifikationer m.v.*), adopted on 1 June 2014;

[Qualifications Board Order](#) (BEK nr. 447 af 10/05/2007, *Bekendtgørelse om Kvalifikationsnævnet*), adopted on 10 May 2007;

[Act on the prohibition of discrimination in the labor market](#) (LBK nr. 1001 af 24/08/2017, *Bekendtgørelse af lov om forbud mod forskelsbehandling på arbejdsmarkedet m.v.*), adopted on 24 August 2017;

[Act on the Equal Treatment Board](#) (LBK nr. 1230 af 02/10/2016, *Bekendtgørelse af lov om Ligebehandlingsnævnet*), adopted on 2 October 2016;

[Law on equal pay for men and women](#) (LBK nr. 156 af 22/02/2019, *Bekendtgørelse af lov om lige løn til mænd og kvinder*), adopted on 22 June 2019;

[Law on social services](#) (LBK nr. 170 af 24/01/2022, *Lov om social service*), adopted on 24 January 2022.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes Pursuant to Section 1 of the Special Act, a temporary residence permit may be granted to a displaced person on the following basis: 1) The individual was a Ukrainian citizen and left Ukraine on or after 1 February 2022.
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes Pursuant to Section 2 of the Special Act, a residence permit can also be granted to close family members of persons who have been granted a resident permit pursuant to Section 1 of the Act. Close family member for the purpose of this act includes unmarried children under the age of 18, cohabiting spouse and/or partners regardless of nationality, provided that the marriage of cohabitation has not ended on or before the 1 February 2022.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes Pursuant to Section 1 of the Special Act, a temporary residence permit may be granted to a displaced person on the following basis: 2) The individual was recognised as a refugee in Ukraine on 1 February 2022 and left Ukraine on or after the 1 February 2022. The Special Act does not foresee the inclusion of stateless persons.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to	No

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
return in safe and durable conditions to their country or region of origin	
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes Pursuant to Section 1 of the Special Act, a temporary residence permit may be granted to a displaced person on the following basis: 3) The individual is a Ukrainian citizen or had on 1 February 2022 recognised status as a refugee in Ukraine and resided or had another residence permit in Denmark on 1 February 2022. Moreover, temporary residence permit may be granted to Ukrainian nationals, third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine and their family members displaced from 1 February 2022 onwards.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Danish Immigration Service	Udlændingestyrelsen	https://uim.dk/
	International Citizen Service	Borgerservice	https://www.borger.dk/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Employment rights	Danish Immigration Service	Udlændingestyrelsen	https://uim.dk/
	Danish Agency for Higher Education and Science	Uddannelses- og Forskningsstyrelsen	https://ufm.dk/
Social welfare and social security rights	Danish Immigration Service	Udlændingestyrelsen	https://uim.dk/
	Ministry of Social Affairs and Senior Citizens	Social- og Ældreministeriet	https://sm.dk/
	Payment Denmark, International Social Security	Udbetaling Danmark, International social sikring	https://atp.dk

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

There are no specific issues or salient points identified for this question.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection²⁴ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

As Denmark is not bound by the Temporary Protection Directive, the temporary protection status established under the Directive does not exist. Nevertheless, Denmark chose to introduce a form of protection – i.e. the temporary residence permit as intended in the Special Act. Persons, who are granted residence permit under the Special Act have the same rights as persons who are granted refugee status in Denmark, e.g. right to housing, health care, access to the labour market, access to education for children and social welfare assistance (more information [here](#)). However, in contrast to the asylum protection in place in Denmark, under the special temporary residence permit the beneficiary enjoys an easy and fast-track access to receiving a residence permit, the right to work as of 22 April 2022 (without formal requirements) (more information [here](#)), access to social benefits, education and vocational training. According to the [Danish Refugee Council](#), at this point, the asylum requests from Ukrainian citizens are suspended and priority in case handling is given to temporary residence permit cases.

²⁴ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

It follows from Section 3(1) of the Special Act that the residence permit is temporary and limited in time to 17 March 2024. However, the Minister of Foreign Affairs and Integration has, pursuant to Section 3, subsection 2, the possibility to extend the length of residence permits, which have been granted under the Special Act, until 17 March 2025.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

According to Section 9a of the Aliens Act, it is possible to change the status to a work permit, if the beneficiary has a work contract for a period of more than two years. Same applies to seasonal workers.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from adequate protection to a single work permit/seasonal workers:

According to Section 9a of the Aliens Act, it is possible to change the status to a work permit, if the beneficiary has a work contract for a period of more than 2 years. Same applies to seasonal workers. The fact that a foreigner is granted a residence permit under the Aliens Act, does not entail that the residence permit under the Special Act expires. A foreigner will thus be able to have the right to reside in Denmark under more than one basis and will be able to make use of the rights that are linked to both statuses.

Moreover, aliens who have a residence permit in accordance with the rules of the Aliens Act will also have the opportunity to submit an application and be granted a residence permit under the Special Act (more information [here](#)).

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

No

Any alteration of rights with respect to

residence: No

employment rights: No

social welfare and social security rights: No

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Pursuant to Section 5 of the Special Act, the application for the temporary residence in Denmark can be rejected if the applicant has citizenship in another country than Ukraine or has been granted a residence permit in another country other than Ukraine. If the applicant is a refugee in Ukraine, the temporary residence can, however, only be rejected if the applicant has been granted citizenship or residence permit in another country than Ukraine and in their country of origin.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

There are no specific provisions to ensure equal treatment on the labour market as regards working conditions for persons enjoying temporary protection from Ukraine. However, Denmark has in place general anti-discrimination legislation to ensure equal treatment on the labour market. The [Act on the prohibition of discrimination in the labour market](#), the [Act on the Equal Treatment Board](#) and the [Law on equal pay for men and women](#) all prohibit both direct and indirect discrimination.

The Act on the prohibition of discrimination in the labour market prohibits discrimination and harassment on the grounds of race, colour of skin, religion or belief, political affiliation, sexual orientation, age, disability or national, social or ethnic origin. An employer may not subject workers or applicants for vacant jobs to differences of treatment in their appointment, dismissal, transfer, promotion or in respect of pay and working conditions.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Pursuant to Section 9, aliens with a residence permit under the Special Act are exempt from the requirement of having a work permit.

There are no specific conditions regulating work permits/work authorisations. The former Minister for Immigration and Integration, Mattias Tesfaye, [stated](#) "Many Ukrainians in Denmark want to go to work. At the same time, we are hearing from companies that they need people. But processing their applications takes a little while. I have therefore decided that people who apply for residence under the special act can be hired from Friday (April 22)". Following this decision, from 22 April 2022 applicants have the right to work in Denmark when they have applied for a residence permit under the Special Act and they have had their fingerprints and facial image (biometric features) recorded at the Immigration Service' Citizen Service.

The applicants have the right to work in Denmark no matter when they applied and had their biometric features recorded. If the biometric features were recorded on 22 April 2022 or later, the letter of confirmation received at the Citizen Service states the right to work while the application is processed. If the biometric features were recorded before 22 April 2022, the letter of confirmation states that the applicant is not allowed to work before they receive a decision. However, they are still covered by the new rule concerning the right to work while the case is processed (as of 22 April 2022).

- II. Recognition of qualifications/diplomas

In Denmark, an assessment followed by the recognition of qualifications/diplomas can be helpful when looking for a job. In some professions, however, it is necessary to apply for an authorisation.

Main legislation concerning the recognition of qualifications/diplomas applies, with no particular rules applying for the people displaced from Ukraine.

Concerning authorisations, the applicable procedure for working a regulated profession in Denmark is described on the [Ministry of Higher Education and Science's website](#) and it indicates the professions/occupations that are regulated in Denmark and are covered by the EU Professional Qualifications Directive. In addition, some regulated professions are governed by special rules, mainly in the fields of transport, justice and policing (more information [here](#)).

The Danish Agency for Higher Education and Science is responsible for making "assessments" which consist of a short statement explaining how the Ukrainian qualification corresponds to the one in Denmark: which educational level and, if possible, which field of education. When applying for a job, the assessment can make the qualifications easier to understand for the Danish employer, who ultimately decides whether an applicant has the right competences for the job. The assessment normally takes 1-2 months from the time the Danish Agency for Higher Education and Science receives the application and the required documentation. The assessment is free of charge, but it does not include translation of documents (more information [here](#)).

The application for the assessment is available to every person. However, the processing time differs for persons enjoying temporary protection compared to others. The Danish Agency for Education and Research offers a "turbo-assessment" of foreign qualifications for use by both private and public employers. The assessment is free and usually takes a maximum of five working days. The turbo-assessment can also be used when hiring a new employee and once the relevant applicants for a position have been selected (more information [here](#)). In order to support a faster integration into the job market, the Government encouraged Danish companies, from public or private sector, to make use of the turbo-assessment, especially in relation to persons displaced from Ukraine (more information [here](#)).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

There are no specific issues or salient points identified for this question.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

The general educational/training opportunities available to all jobseekers in Denmark are also available to the persons enjoying temporary residence, in accordance with Sections 15 and 19 of the [Law on institutions of vocational education](#).

A person may attend the basic course at a vocational college or attend on-the-job training in a business enterprise if they have signed a training agreement with the enterprise. If aged 25 or more, the person should enrol in a VET (Vocational Education and Training) for Adults' programme. In order to be admitted to a VET programme on the basis of a non-Danish qualification, their level must be comparable to, at least, that of the Danish Examination after 9th grade. To start a basic course, it is only required to document exam grade average equivalent to 2.0 or higher in these subjects: mathematics and the language of instruction or Danish (in case Danish was taught as a mother tongue as part of the school education).

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

The Danish Social Security System consists of services and benefits that provide economic security: health insurance, family benefits, sickness and maternity benefits, pension, unemployment benefits, ATP (Danish labour market supplementary pension) and industrial injury insurance.

In what regards social welfare, in particular, financial assistance and access to health services, the Danish law establishes the following:

In accordance with Section 14 of the [Special Act](#), Section 42a, subsection 1 of the [Aliens Act](#) and paragraphs 3-7 and 14, shall apply mutatis mutandis to aliens who have submitted an application for a residence permit in accordance with the Special Act until the alien is granted that residence permit. This means that the costs of maintenance and necessary health services shall be covered by the Danish Immigration Service until the person is granted a residence permit or the person leaves or is ordered to leave.

In accordance with Section 15 of the [Special Act](#), Section 42b, subsection 1 of the [Aliens Act](#) and paragraphs 1-4, 6 and 7, paragraph 8, subparagraphs 2.-6. and paragraphs 13 and 17, shall apply with the necessary adaptations correspondingly to aliens who have submitted an application for a residence permit under this Special Act and have the costs of maintenance and necessary health services covered by the Danish Immigration Service pursuant to Section 14. Section 42b of the Aliens Act specifies that an alien who receives the costs of maintenance and necessary health services covered by the Danish Immigration Service pursuant to Section 42a, shall be paid a basic benefit, unless the person in question is accommodated at a place of accommodation, where there is a free meal scheme. The basic benefit is paid in advance every 14 days. The basic benefit can, if special reasons so warrant, be paid for shorter periods at a time.

Although similar in effect, the main difference in the provisions laid in Section 14 and Section 15 concerns the accommodation scheme of the beneficiary - if the person is accommodated in a place with free meal scheme, they will not be entitled to a basic benefit supported by the Danish Immigration Service.

For a person who has been granted a residence permit, the costs of maintenance and necessary health services is covered by the Danish Immigration Service until the time when the responsibility for the person is transferred to the municipal council. According to Section 4 of the [Law on the Integration of Foreigners in Denmark \(Integration Act\)](#), the local municipality is responsible for housing placement of refugees, return programs or introductory programs for refugees and family reunified foreigners, introductory courses for foreigners, payment of self-sufficient, repatriation benefit or transitional benefit to foreigners covered by a self-sufficiency and repatriation program or introductory program, payment of assistance in special cases, and coordination thereof with other integration efforts in the municipality. Section 30 of the Special Act refers to the Integration Act.

Since 16 March 2022, successful applicants for a temporary residence permit in Denmark under the Special Act have access to the “yellow health insurance card” (*sundhedskort* in Danish) and are entitled to health services, in Denmark, Greenland and the Faroe Islands, on an equal footing with other citizens (Danish or non-Danish) residing in Denmark. It can also be used at libraries, for identification in post offices and stores and in many other situations.

According to Section 1 of Executive Order no. 442 of 9 April 2022, persons displaced from Ukraine who have submitted an application for a temporary residence permit in Denmark under the Special Act, are granted the same equal access to emergency health services while their application is being processed. This applies regardless of whether they are accommodated privately, municipally or in an asylum accommodation location. Before the entry into force of the before-mentioned order, persons who had applied for a residence permit and were accommodated privately or municipally were entitled to “emergency and continued hospital treatment”, while persons who were accommodated in an asylum accommodation were entitled to “necessary health services”, which is broader than “acute and continuing hospital treatment”.

Denmark has opted out from the application of the social security coordination regulations regarding third-country nationals and Regulation 1231/2010, extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality. Nevertheless, Denmark is part of the Nordic Convention on social security that extends the application of EU Regulations on social security to third-country nationals within the Nordic countries. There is no bilateral agreement between Denmark and Ukraine on the social security cooperation.

II. Eligibility conditions

In order to receive benefits under the Danish Social Security System, the person must be registered in the respective municipality, meaning that the person has received the temporary residency permit and the CPR-number. The CPR number is unique to the person and is used in Denmark as an ID number.

There are no eligibility criteria to access social welfare benefits, except being subject to the application of the Special Act. The granting of a residence permit under the Special Act will mean that those concerned will have the opportunity to work as well as have access to education and training during their stay. In addition, the persons in question will be covered by the rules of the Integration Act. Those concerned will, if they do not work and receive a benefit, be offered a program under the Integration Act, under which they will receive employment support and be able to access Danish education, which can help them enter the labour market. In this regard, municipalities have a particular role in what comes to integration, as they can ease the formal requirements and the process to access the labour market or education and they provide support to beneficiaries.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Information: [Kriseinformation.dk](https://kriseinformation.dk) is the Danish authorities' joint website for information, questions/answers, etc. on the situation after the Russian invasion of Ukraine. The site is run by the National Communication Centre in the Ministry of Foreign Affairs in collaboration with the Danish authorities.

Employment: [JobguideUkraine.dk](https://jobguideukraine.dk) is a product of the "Ukrainian Employment Partnership". The partnership is a collaboration between the Danish Government and Danish employers, trade unions, municipalities and regions. The purpose of jobguideUkraine.dk is to give displaced persons from Ukraine a consolidated source of information about applying for a job in Denmark. At the same time, jobguideUkraine.dk is also intended to help Danish employers ensure their job advertisements also reach displaced persons from Ukraine. This site includes links to privately run job sites. Privately run job sites are required to comply with applicable requirements and rules.

The job portal [Jobindex](https://jobindex.dk) facilitates the access of temporary residence permit holders to the jobs posted by searching with #JobsForUkraine, which have been advertised specifically by Danish companies, private or public sector.

Transport services: UA nationals arriving to Denmark by train can travel into and through Denmark for free on DSB rail lines (the Danish national rail company). The only formal requirement is that a passenger is able to show a Ukrainian passport or driving license or documents stating that the passenger is a resident of Ukraine (more information [here](#)).

The latest update allows travellers with a permanent residence in Ukraine to travel into Denmark for free with DSB's international trains that cross the Danish/German border. The free trip entails a standard class ticket and is conditioned on showing a Ukrainian passport, driver's licence or documents proving residence in Ukraine.

From 1 July 2022, it is only possible to travel for free with DSB in the international trains that cross the Danish/German border and to travel with those trains to their final destination. All other trips with DSB require a valid ticket. If Ukrainian refugees have a DB Help Ukraine Ticket, this ticket can also be used for a free trip to another destination with DSB as long as the ticket remains valid (more information [here](#)).

All passenger cars with Ukrainian license plates can cross the Øresund Bridge (between Denmark and Sweden) free of charge between 1 March and 31 May 2022, with a maximal number of two return trips per each individual license plate number. Transports carrying emergency aid or refugees must be pre-approved in order to pass the toll station free of charge by sending an email to the Øresund Bridge customer service. After the 31 May 2022 a decision about a possible extension will be made. The decision to allow free crossing under the above-mentioned conditions is extended until 31 August 2022, after which a decision about a possible extension will be made.

Country fiche for Estonia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)²⁵ and Council Implementing Decision (EU) 2022/382²⁶

[Act on Granting International Protection to Aliens](#) (hereinafter Protection Law) and Governmental and Ministerial Acts issued under that law. In general, the TPD in Estonia is implemented through the Protection Law which was adopted by the Estonian Parliament already on 14 December 2005 and has been amended several times by the Parliament since then (last amendment dates to 9 May 2022). The Law entered into force on 1 July 2006. In addition to temporary protection questions, the law also regulates the process of applying for refugee status and subsidiary protection status (hereinafter: *international protection*). The questions of temporary protection are more specifically regulated in Chapter 3 of the Protection Law (Article 52 and following).

The Act on Granting International Protection to Aliens was amended by the [Amendment Law](#) adopted on 9 May 2022, which entered into force on 24 May 2022. The link above refers to the latest consolidated version of the Act as amended by the Amendment Law.

[Regulation No. 86 on 'The procedure of application for, issue, extension and revocation of a residence permit of a person eligible for temporary protection and their family member, the list of certificates and information to be submitted upon application for a residence permit'](#): Regulation No. 86 was issued under Article 60 of the Protection Law by the Minister of Interior on 18 December 2015 and entered into force on 1 January 2016 (hyperlink to consolidated and active version of Estonian text (17.01.2017)).

[Order No. 66 on the 'Application of Temporary Protection'](#): Order No. 66 was issued on 08 March 2022 under Article 52 of the Protection Law. With this Order The Government of Estonia applied temporary protection to persons named in Article 2 (1) of Council Decision 2022/382. It entered into force on 9 March 2022.

[Order of Police Director General from 24 February 2022](#): is also relevant (especially before the Amendment Law enters into force). The order widens the scope of persons - compared to Government's order from 8 March 2022 - who can temporary stay in Estonia and during this stay apply for international

²⁵ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

²⁶ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

protection under the Protection Law or any residence permit on any other grounds. The Police and Border Guard Board has [expedited proceedings \(1 month duration\)](#) for international protection proceedings for persons coming to Estonia due to armed conflict in Ukraine. It entered into force on 24 February 2022.

Aliens Act: This Act regulates the general questions of aliens, including the ones receiving temporary protection: bases for the entry of aliens into Estonia, their temporary stay, residence and employment in Estonia. The Act was adopted on 9 December 2009 and entered into force on 1 October 2010.

The Aliens Act was amended by the [Amendment Law](#) adopted on 9 May 2022, which entered into force on 24 May 2022. The link above refers to the latest consolidated version of the Act as amended by the Amendment Law.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Protection Law: According to **Article 45 of Protection Law** 'An alien who has been issued a residence permit on the basis of this Act may take employment in Estonia on the same grounds provided by legislation as a permanent resident of Estonia'. According to Article 61 of the Protection Law, a person and their family member to whom a residence permit has been issued on the basis of temporary protection may take employment in Estonia on the conditions provided for in the Aliens Act. The Amendment Law repealed Article 61 of the Protection Law. The Law was adopted on 14 December 2005 and entered into force on 1 July 2006.

Amendment Law of Protection Law and Aliens Act ('Amendment Law'): The Amendment law amended the [Protection Law](#) and the [Aliens Act](#) as mentioned above under 1.1.1 (I.). Following the entry into force of the Amendment Law on 24 May 2022, which repealed Article 61 of the Protection Law, it was made legally clear that Article 45 of the [Protection Law](#) now also applies to persons having residence permit on the basis of temporary protection and they may take up employment and self-employment on the same grounds as Estonian permanent residents. Before the entry into force of the Amendment Law, Article 45 of the Protection Law was considered as a general legal norm and Article 61 a special legal norm. It meant that people granted residence permit on international protection grounds, were allowed to work as permanent residents, but people who had residence permit under temporary protection grounds had the right to work, taking account the restrictions of the Aliens Act due to the reference in Article 61 to Aliens Act. The [Amendment Law](#) repealed Article 61 of the Protection Law. In other words, [people having residence permit on the basis of temporary protection may take up employment on the same grounds as Estonian permanent residents.](#)

Government Regulation adopted on 15 March 2022: According to Government Regulation of 15 March 2022, all displaced persons from Ukraine who were registered as short-term employees on 24 February 2022 in Estonia, had the right to work short-term until 31 May 2022. After the adoption of the Amendment Law on 9 May 2022, which entered into force on 24 May 2022, this deadline has been extended. The short-term employment rules have been eased and no end-term and registration obligations are set for Ukrainians (in case they get residence permit on the basis of temporary or international protection, they do not have to obey by the short-term employment rules of the Aliens Act, but can work as permanent residents). The Regulation was adopted on 15 March 2022 and entered into force on 19 March 2022.

Aliens Act: When persons arrive to Estonia, it takes some time before receiving a residence permit. Before a person legally staying in Estonia gets a residence permit on the basis of temporary or international protection (or any other ground) they can only work following the short-term employment rules in Aliens Act, Article 104 and following. Following the adoption of the Amendment Law, the rules of short-term employment in Aliens

Act have been eased and special rights granted to displaced persons from Ukraine, in accordance with in Articles 309.14-309.16 of the Aliens Act (e.g. no need to register for short term employment even if the person does not yet have the residence permit on temporary protection). After receiving residence permit on temporary or international protection grounds, persons can work as permanent resident. The Act was adopted on 9 December 2009 and entered into force on 1 October 2010.

Social security/welfare:

Protection Law: According to Article 75 of the Protection Law, social security and welfare rights of persons with residence permit on the basis of temporary or international protection are largely the same as those for permanent residents. The Law was adopted on 14 December 2005 and entered into force on 1 July 2006.

Social security and welfare rights are dispersed in further laws such as: [Family Benefits Act, Labour Market Services and Benefits Act, the Social Welfare Act, the Health Services Organisation Act.](#)

The new Article 309.14 and 309.16 of the Aliens Act, as amended by the Amendment Law on 9 May 2022, grant additional access to unemployment services.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ Residing in Ukraine ▶ displaced from 24 February 2022 	Yes. Order No. 66 on the 'Application of Temporary Protection' .
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes. Order No. 66 on the 'Application of Temporary Protection' . Family members according to the Government order: spouse, unmarried partner, unmarried minor and also close relatives who were the members of the same household and were dependent on the person named in point 1. They are considered family members in case they formed family before 24 February 2022 and were resident in Ukraine.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes. Order No. 66 on the 'Application of Temporary Protection' .

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>After the Amendment Law took effect on 24 May 2022 and amendments to the Aliens Act were made (new Article 309.14), all persons named in Council Decision 2022/382 Article 2 point 2 and 3 may stay temporary in Estonia according to Article 43 subsection 1 point 5 of the Aliens Act and apply for international protection (or residence permit on any other grounds, except temporary protection). According to Article 309.15 to 309.16 of Aliens Act they are allowed to work short term in Estonia under eased conditions.</p> <p>They may still be eligible for temporary protection as family members of some Ukrainian national or person otherwise eligible for temporary protection or stay. In some cases they may be granted the right to temporary stay on humanity grounds and all persons who have the right to stay in Estonia may apply for international protection or residence permit on any other ground.</p>
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>After the Amendment Law took effect and amendments to Aliens Act were made (new Article 309.14), all persons named in Council Decision 2022/382 Article 2 point 2 and 3 may stay temporary in Estonia according to Article 43 subsection 1 p 5 of the Aliens Act and apply for international protection (or some residence permit if conditions are fulfilled). According to Article 309.15 to 309.16 of the Aliens Act, they are allowed to work short term in Estonia under eased conditions.</p> <p>In addition to this, they may get temporary protection as family members of some Ukrainian national or person otherwise eligible for temporary protection or stay. In some cases they may be granted the right to temporary stay on humanity grounds and all persons who have the right to stay in Estonia may apply for international protection or residence permit on any other ground.</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>According to the order of Police Director General from 24 February 2022, every Ukrainian citizen and his family member despite nationality has the right to enter and stay temporary in Estonia and also apply for international protection (expedited proceedings) or residence permit on any other ground. This means that persons who left Ukraine before 24 February 2022 can also enter and stay (no need of biometrical passport). In</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>this case family members are: direct ascending and descending relatives, spouse, partner or other persons in same household.</p> <p>After the Amendment Law took effect and amendments to the Aliens Act were made, all Ukrainian citizens present in Estonia before 24 February 2022 can stay temporary in Estonia according to Article 43 subsection 1 p 5 of the Aliens Act and apply for international protection (or some residence permit if conditions are fulfilled). According to Article 309.15 to 309.16 of the Aliens Act, they are allowed to work short term in Estonia under eased conditions.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Estonian Police and Border Guard Board	Politsei- ja Piirivalveamet	https://www.politsei.ee/en
Employment rights	Unemployment Insurance Fund Labour Inspectorate	Töötukassa (employment related benefits and getting to work) Tööinspektsioon (working conditions at work)	https://www.tootukassa.ee/en https://toolu.ee/en/392/ukrainian-war-refugees-and-employment-relations
Social welfare and social security rights	Social Insurance Board	Sotsiaalkindlustusamet	https://sotsiaalkindlustusamet.ee/en

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

In March, the Police and Border Guard Board started to coordinate the process and the Emergency Joint Staff (in Estonian: *hädaolukorra ühendstaap*) was issued, which coordinates all questions related to Ukrainians and the Russian-Ukrainian armed conflict. It has lower sub-units (for example for co-ordinating social protection issues) to co-ordinate specific issues.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection²⁷ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Both groups (persons having international protection and temporary protection residence permits) have the same rights as permanent residents of Estonia (Article 45 of the Protection Law). The social security rights of temporary and internationally protected persons are the same (Article 75 of the Protection Law).

As explained after the Amendment Law added new Article 309.14 to Aliens Act, it gives rights to temporary stay and work in Estonia to persons named in Council Decision 2022/382 Article 2 point 2 and 3. In other words it eases the possibilities for short-term employment for persons who get the right of temporary stay under new Article 309.14 for the period they are applying residence permit under Aliens Act or international protection and gives non-working persons the right to register as jobseeker and gain jobseekers services. In addition, the employers have to pay at least 0.8 of the average gross salary of the field of activity to these employees. The working conditions for all other short-term workers are also eased. Compared the rights of persons who have residence permit on temporary protection ground (Ukrainian nationals, family members etc) or any other ground and the ones who have the right to stay in Estonia under Aliens Act Article 309.14 (stateless persons and TCNs), then the first group is better protected: they have the rights as permanent residents, whereas the second group can work temporary and have limited social security rights.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Yes. From temporary protection to international protection or any other type of residence permit during the temporary protection regime and after this ends.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to international protection or any other type of residence permit:

²⁷ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

The conditions set in the legislation to apply for such a status change while remaining in the country:

If a person has a legal basis to stay in Estonia, they can file an application for a national D-visa or residence permit on any grounds within Estonia to Police and Border Guard Board. Nothing specific is prescribed for persons with temporary protection.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

There are no difference in admission criteria, all substantial conditions for issuing the respective permit or visa, should be met in all cases.

Any alteration of rights with respect to

residence:

If a residence permit is issued - no alterations.

If visa is issued – residence is changed to temporary stay.

employment rights:

No alterations in case of residence permit.

Social welfare and social security rights:

If residence permit is issued – no alterations.

If visa is issued – some social security rights may be unavailable for non-working persons.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Based on the information provided by the Ministry of Interior, the EU level registration platform of temporary protection applications is under construction and will be potentially launched on 31 May 2022. Currently Estonia has exchanged information with Latvia and Lithuania. In Estonian law there is no legal consequence if double registration is found.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

According to Article 45 of the [Protection Law](#), if a person has been granted residence permit on temporary or international protection ground he can take up employment as permanent residents, all rules from [Employment Contracts Act](#), [Occupational Health and Safety Act](#) etc. have to be followed. All labour, health and safety rules are to be complied with (also during short-term employment, working as seasonal worker etc).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

There is no need to ask any additional permit or register persons who have received residence permit on the basis of temporary or international protection (Article 45 of the [Protection Law](#)), they can work as permanent residents.

After the Amendment Law added Articles 309.14-16 to the [Aliens Act](#), the regulation of short-term employment of displaced persons from Ukraine has been eased who have not yet received residence permit and are temporary staying in Estonia: according to the amendments, the employer will not have to register the short-term employment with Police and Boarder Guard Board.

II. Recognition of qualifications/diplomas

The general rules are applicable. Convention on the Recognition of Qualifications concerning Higher Education in the European Region and also bilateral agreement between Estonia and Ukraine from 1996 are applicable ([Agreement between the Government of Ukraine and the Government of the Republic of Estonia on Mutual Recognition of Documents in the field of Education and Scientific Degrees](#)).

In Estonia, the competent authority for recognition of qualifications is the ENIC/NARIC Academic Recognition Information Centre, which is a subdivision of the Education and Youth Board. They have detailed [guidance](#) also in English and Russian. In practice the recognition of Ukrainian qualifications takes time and causes practical problems. For this reason, many doctors of Ukraine cannot work as doctors in Estonia, but they have to start as nurses (until the recognition process is over).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

People having residence permit under temporary protection or international protection have the same rights as Estonian permanent job seekers. See also Article 75 of the [Protection Law](#).

Displaced persons from Ukraine temporary staying in Estonia under Article 309.14 of the Aliens Act, have the right to register as unemployed and receive some labour market services, counselling, job mediation, career counselling (Article 309.16 of Aliens Act).

In practice there are many special job-counselling services organised by Estonian authorities especially to people coming from Ukraine. The Unemployment Insurance Fund extensively explains and counsels them. See for example [here](#).

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

By law, the same rights and opportunities as for Estonian jobseekers and employees apply if person has residence permit on temporary protection or international protection ground.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

The rules are the same (not less favourable).

To avoid any possible abuse of Ukrainians fleeing the war, who have not yet received any residence permit, [Aliens Act](#) Article 309.15 states that an employer should pay at least 0.8 of the average gross salary of the occupation to a person who is listed in Article 309.14 of the Aliens Act. These are persons listed in Council Decision 2022/382 Article 2 points 2 and 3, who have no other grounds to stay in Estonia and who have not yet received a residence permit on international ground and also Ukrainian citizens staying in Estonia already on 24 February 2022.

All other short-term employees (for example those named in Council Decision 2022/382 Article 2 point 1 waiting for residence permit) have to receive the average last year's gross salary published by Estonian Statistical Board (Article 107, with exceptions).

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Persons who have a residence permit on temporary or international protection grounds have the same rights as Estonian permanent residents and eligibility criteria are the same. Examples of the most important social security benefits in Estonia include:

Family benefits: most are residence based (for example child allowance, single parent allowance, childbirth allowance), all persons having residence permit under temporary or international protection grounds receive them. This is regulated in the Family Benefits Act.

Health Insurance: pregnant women, minors under 19, pensioners have residence-based health insurance (Article 5 (4) of Health Insurance Act). According to Article 5 (1) of the Health Insurance Act, an insured person (active income related) is also a person residing in Estonia on the basis of a temporary residence permit or a person legally staying and working in Estonia based on a temporary stay for whom a payer of social tax must pay social tax or who pays social tax for themselves in accordance with the procedure, in the amounts and within the time limits provided for in the Social Tax Act. According to the combination of Article 5(1) of the Health Insurance Act and Article 6 of Social Tax Act a lot of non-working persons, for whom the state is paying social tax (see more precisely Article 6 of Social Tax Act) have also Estonian health insurance.

Invalidity benefits: this benefit is also residence-based and regulated in the Social Benefits for Disabled Person Act.

Social welfare:

While applying for residence permit on temporary protection grounds, displaced persons from Ukraine have the following rights to social benefits:

Accommodation: According to Article 32 of the [Protection Law](#), persons applying for temporary or international protection residence permit have the right to get their basic needs covered in accommodation centres, which are

organised by Estonian Social Insurance Board. A displaced persons from Ukraine has a right to receive accommodation, food, basic clothing etc. from the accommodation centre. They also receive basic medical check-up and counselling of rights and duties.

Social assistance: Emergency social assistance is provided to persons who find themselves in a socially helpless situation due to the loss or lack of means of subsistence which guarantees the persons at least food, clothing and temporary accommodation (Articles 5(5) and 8 of the [Social Welfare Act](#)).

Health: even if a person does not have a health insurance, according to Article 6 of [Health Services Organisation Act](#) every person in the territory of the Republic of Estonia has the right to receive emergency care. Emergency care means health services which are provided by health care professionals in situations where the postponement of care or the failure to provide care may cause the death or permanent damage to the health of the person requiring care.

After having obtained residence permit under temporary protection or international protection grounds such persons have the following rights: The same rights as before, plus all the rights entitled to persons with Estonian permanent residence. Including all social services listed in the [Social Welfare Act](#) and the right to subsistence benefit. Most of the social welfare services are organised and the subsistence benefit paid by local municipalities, where the person is living.

II. Eligibility conditions

Social security:

Many of Estonian social security benefits are residence based, so the persons are eligible for them from day one after receiving the residence permits on temporary protection grounds. There is no need to verify self(employment) for them.

Social welfare:

The substantial grounds for benefits are defined in the Social Welfare Act. For example, the substantial criteria for subsistence benefit are listed in Article 131 and following paragraphs of the Social Welfare Act.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Almost all Estonian authorities have dedicated special pages for people coming from Ukraine. The Estonian Unemployment Insurance Fund and Labour Inspectorate are no exception.

The Estonian Unemployment Insurance Fund has a dedicated [webpage](#) and has negotiated with the employers who make special job-offers to Ukrainian people, the web-page also sorts job-offers in different Estonian regions.

The Estonian Unemployment Insurance Fund has another [webpage](#) which explains in Estonian, Russian and English the possibilities to get a job-seeker status and benefits and services connected with it and the possibility to study the Estonian language.

The Estonian Labour Inspectorate has made short summaries of basic employment rights and obligations in Estonia, and also FAQs to employers, volunteers etc.. The [info](#) is available in Estonian, English, Russian and Ukrainian.

The larger municipalities together with the Estonian Unemployment Insurance Fund have set up 'refugee centres' where persons can get counselling and also register their interest for child day-care and school needs. They can also find [info](#) about the centre in Tallinn (biggest municipality in Estonia).

Country fiche for Greece

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)²⁸ and Council Implementing Decision (EU) 2022/382²⁹

Presidential Decree (P.D.) No. 80 of 13 April 2006 ‘Provision of temporary protection in case of massive affluence of displaced persons’ transposes the TPD Directive. P.D. No. 80/2006 entered into force on 30 December 2002 and was subsequently amended by Article 32 of **P.D. 113/2013**.

Decision No. 131035/4.3.2022 ‘Application of temporary protection under Presidential Decree 80/2006 due to the mass influx of displaced persons from Ukraine’ of the Minister of Migration and Asylum. P.D. No. 80/2006 was activated for the very first time in March 2022 through Decision No. 131035/4.3.2022 in line with Council Implementing Decision (EU) 2022/382.

Decision No. 172172/24.3.2022 ‘Process of temporary protection residence permit to persons enjoying temporary protection’ of the Minister of Migration and Asylum regulates the procedural issues.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

P.D. No. 80/2006. There is no specific national legal instrument related to the access to (self-) employment and social security/welfare (as defined in Articles 12-13 of the Directive). Relevant provisions are to be found in Articles 12-13 of P.D. No. 80/2006.

Law No. 4387/2016 and **Law No. 4670/2020** contain general rules for social security.

Decision No. 131035/4.3.2022 and **Law No. 4636/2019 (IPA Act)** contain general rules for social welfare.

Decision No. 1920.1.6.2022 (ΥΠΟΥΡΓΙΚΗ ΑΠΟΦΑΣΗ 1920 / ΦΕΚ Β 2731) of 2 June 2022 established a specific housing Programme ‘ESTIA 2022’ that covers both applicants of international protection and applicants of temporary protection under Presidential Decree 80/2006 due to the mass influx of displaced persons from Ukraine.

²⁸ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

²⁹ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <p>Residing in Ukraine</p> <p>displaced from 24 February 2022</p>	<p>Yes</p>
<p>Family members</p> <p>of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</p> <p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>Yes.</p> <p>According to Article 1(2) of Decision No. 131035/4.3.2022 'The following persons shall be considered part of the family, provided that the family already existed and resided in Ukraine on or before 24 February 2022:</p> <p><i>a. the spouse of a Ukrainian national who was residing in Ukraine on or before 24 February 2022, or the person with whom he/she lives in a free union within the framework of a duly proven, stable relationship,</i></p> <p><i>b. the minor unmarried children of a Ukrainian national who was residing in Ukraine on or before 24 February 2022, or the children of his/her spouse, without distinction as to whether they were born within or outside marriage, or adopted;</i></p> <p><i>d. other close relatives who were living together as part of the family unit at the time of the circumstances surrounding the mass influx and who were wholly or mainly dependent on a Ukrainian national who was residing in Ukraine on or before the 24th of February 2022 at that time'.</i></p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>No.</p> <p>Article 1(3) of Decision No. 131035/4.3.2022 states that: 'Nationals of third countries, other than Ukraine, or stateless persons who were legally residing in Ukraine on or before 24 February 2022, who can prove that they were legally residing in Ukraine on or before 24 February 2022 by holding a valid permanent residence permit issued in accordance with Ukrainian law, and who cannot return in safe and sustainable conditions to their country or region of origin, may apply for</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<i>international protection</i> in accordance with the provisions of Law No. 4636/2019'.
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Ministry of Migration and Asylum	Υπουργείο Μετανάστευσης και Ασύλου	https://migration.gov.gr/
Employment rights	Ministry of Labour and Social Affairs	Υπουργείο Εργασίας και Κοινωνικών Υποθέσεων	https://ypergasias.gov.gr/
Social welfare and social security rights	1. Ministry of Migration and Asylum (access to social welfare and housing)	1. Υπουργείο Μετανάστευσης και Ασύλου	https://migration.gov.gr/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	2. Ministry of Labour and Social Affairs (access to social insurance)	2. Υπουργείο Εργασίας και Κοινωνικών Υποθέσεων	https://ypergasias.gov.gr/
	3. Ministry of Health (access to health care)	3. Υπουργείο Υγείας	https://www.moh.gov.gr/

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

No cooperation mechanism in place.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³⁰ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Other forms of adequate protection do not exist in Greek law. Displaced persons from Ukraine can either apply for temporary protection or international protection as asylum seekers.

Art. 1(3) of [Decision No. 131035/4.3.2022](#) stipulates that '*Nationals of third countries, other than Ukraine, or stateless persons who were legally residing in Ukraine on or before 24 February 2022, who can prove that they were legally residing in Ukraine on or before 24 February 2022 by holding a valid permanent residence permit issued in accordance with Ukrainian law, and who cannot return in safe and sustainable conditions to their country or region of origin, may apply for international protection in accordance with the provisions of Law No. 4636/2019*'. In this regard, the above-mentioned groups (third country nationals and stateless persons coming from Ukraine) are not entitled temporary protection status but they are entitled to apply for international protection as asylum seekers, subject to the conditions of [Law No. 4636/2019 \(IPA Act\)](#) '*International protection and other provisions*'.

(a) The residence permit

Individuals recognised as refugees are granted a three-year residence permit ('ADET'), which can be renewed after a decision of the Head of the Regional Asylum Office. However, following the entry into force of the IPA Act (January 2020), beneficiaries of subsidiary protection no longer have the right to receive a three-year permit. They obtain a 1-year residence permit, renewable for a period of two years.

³⁰ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

In addition, according to Article 89 of the Law No. 4251/2014 '*Immigration Code*', third-country nationals are eligible for long-term residence if they have resided in Greece lawfully for five consecutive years before the application is filed. For beneficiaries of international protection, the calculation of the five-year residence period includes half of the period between the lodging of the asylum application and the grant of protection, or the full period if the asylum procedure exceeded 18 months. Absence periods are not taken into account for the determination of the five-year period, provided that they do not exceed 6 consecutive months and 10 months in total, within the five-year period.

To be granted long-term resident status, beneficiaries of international protection must also fulfil the following conditions (Article 89(1) of the *Immigration Code*):

Sufficient income to cover their needs and the needs of their family and is earned without recourse to the country's social assistance system. This income cannot be lower than the annual income of an employee on minimum wage, pursuant to national laws, increased by 10% for all the sponsored family members, also taking into account any amounts from regular unemployment benefits. The contributions of family members are also taken into account for the calculation of the income;

Full health insurance, providing all the benefits provided for the equivalent category of insured nationals, which also covers their family members;

Fulfilment of the conditions indicating integration into Greek society, *inter alia* 'good knowledge of the Greek language, knowledge of elements of Greek history and Greek civilisation'.

(b) Access to the labour market

Article 27(1) of [Law No. 4636/2019 \(IPA Act\)](#) provides for full and automatic access to the labour market for recognised refugees and subsidiary protection beneficiaries under the same conditions as nationals, without any obligation to obtain a work permit. However, both asylum seekers and beneficiaries of international protection face obstacles in the issuance of Tax Registration Number (AFM), which hinder their access to the labour market and registration with the Unemployment Office of the Public Employment Service (DYPA).

(c) Access to social insurance

Article 27(3) of [Law No. 4636/2019 \(IPA Act\)](#) provides for full and automatic access of beneficiaries of international protection to the current social insurance scheme of EFKA under the same conditions as nationals.

(d) Access to social welfare and housing

According to Article 30 of [Law No. 4636/2019 \(IPA Act\)](#), beneficiaries of international protection should enjoy the same rights as Greek citizens and receive the necessary social assistance, according to the terms applicable to Greek citizens. According to Article 33 of [Law No. 4636/2019 \(IPA Act\)](#), beneficiaries of international protection have access to accommodation under the conditions and limitations applicable to third-country nationals residing legally in the country.

Table 1 summarizes the main differences between the temporary protection regime for *displaced persons from Ukraine* and the international protection regime for *third country nationals and stateless persons coming from Ukraine* in terms of access to labour market and social welfare and social security rights.

Domain	Displaced persons from Ukraine	Third country nationals and stateless persons coming from Ukraine
Residence permit	1 year residence permit	1-year residence permit (beneficiaries of subsidiary protection)

		3-year residence permit (recognized refugees)
Work permit	The residence permit equals to a work permit	No obligation to obtain a work permit for recognised refugees and subsidiary protection beneficiaries
Access to the labour market	Restricted access (subject to the residence test) to the labour market, exercised if the positions are not covered by EU citizens or citizens of States bound by the Agreement on the European Economic Area, as well as by legally residing third-country nationals who receive unemployment benefit	Full and automatic access to the labour market for recognised refugees and subsidiary protection beneficiaries under the same conditions as nationals
Access to social insurance	Full and automatic access to the current social insurance scheme of EFKA under the same conditions as nationals	Full and automatic access of beneficiaries of international protection to the current social insurance scheme of EFKA under the same conditions as nationals
Access to social welfare and housing	No regulation about access of persons to the social welfare schemes (beneficiaries of temporary protection receive food and clothing by the Ministry of Migration and Asylum) Beneficiaries of temporary protection reside in reception centres that operate under the supervision of the Ministry of Migration and Asylum or are covered by accommodation programmes supervised by the Ministry of Migration and Asylum.	Access of beneficiaries of international protection to the social welfare schemes under the same conditions as nationals Access of beneficiaries of international protection to the housing schemes under the same conditions for third-country nationals residing legally in the country

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Not applicable. The residence permit equals to a work permit until 24 March 2023.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Greek legislation does not provide any rules on how to change the status from temporary protection to employment-based residence.

According to Articles 23 and Article 24 of [Law No. 4636/2019 \(IPA Act\)](#), family members of the beneficiary of international protection who do not individually qualify for such protection are entitled to a renewable residence permit, which must have the same duration as that of the beneficiary.

However, if the family has been formed after the entry into Greece, the law requires the spouse to hold a valid residence permit at the time of entry into marriage in order to obtain a family member residence permit. This requirement is difficult to meet in practice and may undermine the right to family life, since one must already have a residence permit in order to qualify for a residence permit as a family member of a refugee. Moreover, after the implementation of the IPA Act, underage beneficiaries of international protection can no longer apply for the issuance of residence permit for their non-refugee parent.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Article 25(4) of [P.D. No. 80/2006](#) stipulates that where a transfer of any person enjoying temporary protection according to Article 25(4) of the [P.D. No. 80/2006](#) is made from Greece to another EU Member State, the residence permit issued by the Greek authorities shall expire and the obligations towards the person concerned relating to temporary protection in Greece shall come to an end. In addition, Article 4(4) of [Decision No. 172172/24.3.2022](#) provides that: *'The Temporary Protection Residence Permit shall be cancelled in case the person concerned (a) is transferred to another EU Member State according to Article 25(4) of [P.D. No. 80/2006](#), b) is transferred to the territory of another EU Member State for family reunification reasons according to Article 15(7) of [P.D. No. 80/2006](#), and c) has acquired a residence permit from another EU Member State'*.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Article 12(2) of [P.D. No. 80/2006](#), stipulates that the national legislation in force applicable to remuneration, access to social insurance systems and eligibility conditions to perform employed or self-employed activities and other conditions of employment shall apply to persons enjoying temporary protection. The Ministry of Labour and Social Affairs is the responsible agency for monitoring equal treatment on the labour market as regards working conditions for persons enjoying temporary (or adequate) protection from Ukraine. However, persons enjoying temporary protection are not subject to the protection by the EU non-discrimination Directives, given that third-country nationals who reside in Greece will enjoy a right to equal treatment in broadly the same areas covered by the non-discrimination directives only where they qualify as 'long-term residents' under the **Third-Country Nationals Directive** (which requires, among other conditions, a period of five years' lawful residence). In addition, the **Family Reunification Directive** allows for TCNs lawfully resident in a Member State to be joined by family members in certain conditions.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

Article 12(1) of [P.D. No. 80/2006](#) stipulates that the 'residence permit' (defined as any permit issued by the Greek competent authorities allowing a third country national to reside on the Greek territory) issued to persons

enjoying temporary protection equals to a work permit, which shall be valid for the Prefecture (since 2010 the Region) where their residence was determined throughout the duration of the temporary protection. This work permit gives the right to exercise employed or independent economic activity, in accordance with the national provisions in force, as well as the right to participate in adult educational programmes, vocational training or practical workplace experience programmes. The above rights are exercised if the positions are not covered by EU citizens or citizens of States bound by the Agreement on the European Economic Area, as well as by legally residing third-country nationals who receive unemployment benefit.

The process of granting temporary protection is provided free of charge by the Ministry of Migration and Asylum in accordance with [Decision No. 172172/24.3.2022](#) which provides that: '*The Temporary Protection Residence Permit is an official certificate of the status of the holder as a beneficiary of temporary protection, is equivalent to a work permit and gives access to the rights of articles 12 to 15 of P.D. No. 80/2006*' (Article 1(3)).

II. Recognition of qualifications/diplomas

No relevant conditions are included in [P.D. No. 80/2006](#) and [Decision No. 131035/4.3.2022](#).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

No relevant conditions are included in [P.D. No. 80/2006](#) and [Decision No. 131035/4.3.2022](#). But in case assistance for job seekers could be assimilated to active labour market policies, then Article 12(1) of P.D. No. 80/2006 is applicable, which states that the above rights are exercised if the positions are not covered by EU citizens or citizens of States bound by the Agreement on the European Economic Area, as well as by legally residing third-country nationals who receive unemployment benefit.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

The Ministry of Labour and Social Affairs has not adopted any relevant specific initiative for persons enjoying temporary (or adequate) protection from Ukraine. Article 12(1) of [P.D. No. 80/2006](#) is applicable, which states that access to vocational training/educational opportunity programmes is exercised if the positions are not covered by EU citizens or citizens of States bound by the Agreement on the European Economic Area, as well as by legally residing third-country nationals who receive unemployment benefit.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

There are no specific benefits for persons enjoying temporary protection from Ukraine. Article 12(2) of P.D. No. 80/2006 stipulates that the national legislation in force related to access to the national social insurance regime of EFKA (as regulated particularly by [Law No. 4387/2016](#) and [Law No. 4670/2020](#)) shall apply to persons enjoying temporary protection.

General legislation is as follows. Article 1 of [Law No. 4387/2016](#) recognizes the general right to social benefits for Greek citizens and foreigners legally and permanently residing in Greece. Also, the *Code of Immigration and Integration* makes clear that legally residing non-EU immigrants have the same rights as nationals in social insurance, whereas single residence permit holders are entitled to equal treatment with nationals regarding their access to social security schemes.

Basic social insurance cash benefits aim at compensating loss of employment income due to pre-defined insurance risks and are, in principle, contributory and earnings-related. This includes unemployment benefit, sickness benefit, maternity benefits, old age pension and invalidity pension, granted by the *Single Social Insurance Fund* (EFKA) and the *Public Employment Service*. Health benefits in kind (medical care, pharmaceutical products, hospitalization) for the insured, pensioners and their dependents are financed by contributions through a compulsory health insurance scheme managed by the *National Organisation for the Provision of Health Services* (EOPYY). Health care for non-insured Greek citizens and foreign residents is provided through a special scheme funded by the state budget ([Law No. 4387/2016](#)).

Social welfare:

Reference to the access of beneficiaries of temporary protection to accommodation, social assistance and medical care services is to be found in Article 2 of [Decision No. 131035/4.3.2022](#). Provisions on the social welfare are to be found in [P.D. No. 80/2006](#).

Interested persons to receive **housing and welfare support** must either submit a relevant application using a [form](#) in the dedicated [portal](#) of the Ministry of Migration and Asylum with practical information for Displaced Persons from Ukraine or contact the help-desk based in the offices of the Ministry at Athens, which provides contact / information services in person, via phone and through e-mail (in English, Ukrainian and Greek):

Tel: (0030) 213 162 9600, weekdays: 08.00 - 21.00, weekends & holidays: 10.00-17.00

E-mail: ukraine@migration.gov.gr

196-198 Thivon Avenue, Ag. Ioannis Rentis, 182 33, Attiki

Persons enjoying temporary protection from Ukraine have free **access to the services of the [National Health System \(ESY\)](#) and to medical and pharmaceutical treatment**, in accordance with Article 33 of [Law No. 4368/2016](#), which guarantees free access to the ESY services and to medical and pharmaceutical treatment

to a) uninsured parents and their children, b) insured parents who have lost their social insurance coverage due non-payment of contributions and are not entitled to sickness benefits and c) specific categories of vulnerable groups, including international or subsidiary protection beneficiaries and stateless persons, as well as their family members.

Access to social welfare benefits in cash

Persons enjoying temporary (or adequate) protection from Ukraine **are not entitled to any regular social welfare benefit in cash (GMI, rent subsidy, child benefit, etc.)**, given that they do not satisfy current residence tests:

five years of *permanent, uninterrupted and legal stay* in Greece (EU citizens, refugees, stateless persons, beneficiaries of subsidiary protection);

12 years of *permanent stay* in Greece (third country nationals).

Access to housing

Access to temporary accommodation for persons enjoying temporary protection is provided free of charge by facilities of the Reception & Identification Service of the Ministry of Migration and Asylum or through accommodation programmes operating under the auspices of the Ministry of Migration and Asylum.

The emergency accommodation needs of asylum seekers and their families are addressed by Reception and Identification Centres, open Temporary Reception Facilities for Asylum Seekers (*Δομές Προσωρινής Υποδοχής Αιτούντων Διεθνή Προστασία*), as well as open Temporary Accommodation Facilities (*Δομές Προσωρινής Φιλοξενίας*) for persons subject to return procedures or whose return has been suspended. Housing needs of persons outside camps are addressed by the Programme *ESTIA II*, an accommodation scheme for asylum seekers and their families. The scheme offers accommodation in houses and apartments, including meals and supportive services. The accommodation facilities are kept and maintained according to required standards of security and health. Facilities include furniture (e.g., beds, tables and electric devices, etc.). Beneficiaries are according to [Law No. 4636/2019 \(IPA Act\)](#) adult applicants of international protection (including members of their families who are minors), taking into account the availability of accommodation positions in the Programme and giving priority to vulnerable individuals as well as applicants of international protection who reach adulthood during their stay in hospitality centers or temporary hospitality centers for unaccompanied minors.

Benefits of the Programme *ESTIA II* are terminated with the issuing of a positive decision with regards to international or subsidiary protection or with the issuing of a final decision that rejects the international protection application. In this challenging context, beneficiaries are required to leave the accommodation facilities within the period of thirty (30) days after the issuing of the above decisions. In order to protect family unity, the above deadline starts with the issuing of decisions on international protection for all members of the family.

In case of a positive decision, eligible persons may:

apply for available housing benefits under the social welfare legislation;

apply for entry in the available temporary accommodation centres for homeless people (under equivalent conditions as other third-country nationals legally resident in Greece).

Access to subsistence means

Persons enjoying temporary protection from Ukraine without sufficient means are entitled to receive food and clothing during their residence or support by the Ministry of Migration and Asylum.

Access to health care

Persons enjoying temporary protection from Ukraine are entitled to: Free and open access to primary and secondary public health care structures, mental health units, detoxification institutions and university hospitals; Complete nursing and diagnostic tests free of charge; Scheduled operations free of charge; Prevention and health promotion (vaccines) free of charge; Free of charge dental coverage; Free of charge obstetric care and childbirth planning services by public hospitals; Provision of medication by public and private pharmacies; Physiotherapy, speech therapy, occupational therapy, psychotherapy and special education services; Provision of medical aids and consumables.

II. Eligibility conditions

Social security:

There are no specific issues or salient points identified for this question. Article 1 of [Law No. 4636/2019 \(IPA Act\)](#) recognizes the general right to social benefits for Greek citizens and foreigners legally and permanently residing in Greece.

Social welfare:**Access to subsistence means**

The single eligibility condition (lack of sufficient means) is not specified in the [P.D. No. 80/2006](#) and [Decision No. 131035/4.3.2022](#).

Access to health care

In the case of persons enjoying temporary protection, the only administrative condition for applying the right to free access to the public healthcare services is that claimants must acquire a *Social Security Number* (AMKA). This condition is automatically fulfilled with the issue of the *Temporary Protection Residence Permit* that includes both the tax registration number (AFM) and the AMKA number (Article 1(1) of [Decision No. 172172/24.3.2022](#)).

In the case of persons enjoying adequate protection, those who are unable to produce the documents necessary to receive an AMKA are required to show a *Foreigner's Temporary Insurance and Health Coverage Number* (*Προσωρινός Αριθμός Ασφάλισης και Υγειονομικής Περίθαλψης Αλλοδαπού*, ΠΑΑΥΠΑ). Asylum-seeking families are entitled free access to public health services and pharmaceutical treatment (Article 17(2) of the Law No. 4540/2018 referring to art. 33 of [Law No. 4387/2016](#)) irrespective of their employment or financial situation. This is subject to the holding of the ΠΑΑΥΠΑ, as regulated by Article 55 of the [Law No. 4636/2019 \(IPA Act\)](#). ΠΑΑΥΠΑ is issued to asylum seekers together with their asylum seeker's card and is deactivated if the applicant loses the right to remain on the territory; with this number, asylum seekers are entitled free of charge access to necessary health, pharmaceutical and hospital care, including necessary psychiatric care where appropriate.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Ministry of Migration and Asylum created a dedicated [portal](#) with practical information (legal status, registration process, access to accommodation and food, travel arrangements, enrolment to compulsory education) for Displaced Persons from Ukraine. It has also established a help-desk based in the offices of the Ministry at Athens, which provides contact / information services in person, via phone and through e-mail (in English, Ukrainian and Greek):

Tel: (0030) 213 162 9600, weekdays: 08.00 - 21.00, weekends & holidays: 10.00-17.00

E-mail: ukraine@migration.gov.gr

196-198 Thivon Avenue, Ag. Ioannis Rentis, 182 33, Attiki.

The Ministry of Labour and Social Affairs has not introduced yet any specific initiative that encourage/facilitate access to labour markets for persons enjoying temporary protection from Ukraine as an outcome of the implementation of the Temporary Protection Directive. However, the Hellenic Public Employment Service ([DYPA](#) - former OAED) has adopted before the March 2022 crisis two important measures that might support labour market participation of interested persons.

The registration of the unemployed is carried out online through the DYPA e-Services, access to which is made by using TAXISnet credentials. In-person attendance is not required at the local agencies. When submitting the online application for registration, filling in basic information regarding education and occupation is required. After registration, the refugees should participate in the individualised counselling approach and conclude an Individual Action Plan in cooperation with the counsellors. The channels available for the creation of the IAP are:

face to face meeting in the local agency using the platform of pre-defined appointments;

remote counselling, with interpretation available in 14 languages, including Ukrainian, using the platform '[myOAEDlive](#)';

phone interviews.

DYPA has adopted on 13 December 2021 the ESCO European multilingual classification of Skills/Competences, Qualifications and Occupations, and has since been using it for all its services (registration, employment counselling, matching, etc.). The Ukrainian language is now included in the ESCO Tool by the European Commission, while persons enjoying temporary protection could be further supported by the EU Skills Profile Tool for Third Country Nationals. This is intended for use by any services that may be offering assistance to citizens of non-EU countries and should be used in an interview situation to get to know the individual, their skills, qualifications and experiences.

The focus of the tool is to help individuals produce a profile of their skills and to help an adviser identify any recommendations or next steps. The information collected can be used to:

support further assessment;

form a basis for offering guidance;

identify up-skilling needs;
support job-searching and job-matching.

Country fiche for Spain

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)³¹ and Council Implementing Decision (EU) 2022/382³²

The [Regulation on temporary protection regime in the event of a mass influx of displaced persons, approved by Royal Decree 1325/2003 of 24 October 2003](#), in force from 26 October 2003 (from now on TPRD 1325/2003), is the main legislation transposing the Temporary Protection Directive.

The Spanish temporary protection regime is based on two types of decisions with different legal basis:

The general declaration of temporary protection which is based on the Council of the European Union Decision or the Spanish Government decision (Art 4 to 6 of the TPRD 1325/2003) and the individual decision on the granting of the benefits of the temporary protection regime following the [Organic Law 4/2000 of 11 January](#) on rights and freedoms of foreigners in Spain and their social integration, as amended by Organic Law 8/2000, of 22 December (Immigration Organic Law).

[Royal Decree 203/1995, of 10 February 1995](#) (Asylum Regulation RD 203/1995), approving the Regulations for the application of Law 5/1984, of 26 March 1984, regulating the right to asylum and refugee status, as modified by TPRD 1325/2003, establishes the distribution of competences for granting the temporary protection. The relevant amendments introduced by TRPD 1325/2003 entered into force the 26 October 2003. Law 5/1984, of 26 March 1984, regulating the right to asylum and refugee status has been repealed and replaced by Law 12/2009. As this law has not been developed by any regulations, difficulties have emerged regarding the application of RD 203/1995 as it refers to the 1984 Law.

The [Management Handbook](#) of the reception and integration system for applicants and beneficiaries of international protection provides guidance on the application of the relevant provisions establishing the Reception System for beneficiaries of international protection, including beneficiaries of temporary protection.

The Council Implementing Decision (EU) 2022/382 is implemented in Spain via:

[Order PCM/170/2022](#), of 9 March, publishing the Agreement of the Council of Ministers of 8 March 2022 to extend the temporary protection granted under Council Implementing Decision (EU) 2022/382 of 4 March 2022 to persons affected by the conflict in Ukraine who may find refuge in Spain (from now on Order PCM/170/2022)

³¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

³² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- within the meaning of Article 5 of Directive 2001/55/EC, to additional categories of displaced persons. It entered into force on 10 March 2022.

[Order PCM/169/2022](#) of 9 March implementing the procedure for the granting of temporary protection to persons affected by the conflict in Ukraine (from now on Order PCM/169/2022). This order entered into force on 10 March 2022.

[Instruction 2/2022](#) adopted on 10 March 2022 by the Ministry of Interior, Police DG – General Police Commissioner for Immigration and Borders, establishes the procedure for temporary protection request for Ukrainian citizens displaced in Spain. This Instruction is the instrument used at each of the Provincial Immigration and Border Brigades, as well as to the Local Brigades of Algeciras, Vigo and Gijon, and the reception centres established by the Ministry of Inclusion, Social Security and Migrations in Alicante, Barcelona, Madrid and Malaga. The instruction is available in the following [link](#).

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

The Spanish legislation implements the provisions of the Directive regarding access to (self-) employment and social security/welfare for Ukrainians through the Immigration Law with the conditions and procedures applied to asylum seekers.

Article 16 of the of the [TRPD 1325/2003](#) establishes that beneficiaries of temporary protection will be granted temporary residence according to Article 41(3)a) of the **Regulation implementing the Organic Law 4/2000 of 11 January on rights and freedoms of foreigners in Spain and their social integration ([Immigration Organic Law 4/2000](#), as amended by Organic Law 8/2000, of 22 December) and approved by Royal Decree 864/2001, of 20 July.**

Article 19 of the **TPRD 1325/2003** establishes that an administrative authorisation to work shall be granted to beneficiaries of temporary protection in accordance with Article 79.1.b) of the **Regulation implementing the Organic Law 4/2000 of 11 January on rights and freedoms of foreigners in Spain and their social integration ([Immigration Organic Law](#), as amended by [Organic Law 8/2000](#), of 22 December) and approved by Royal Decree 864/2001, of 20 July. Furthermore, Article 129 recognises that temporary residence is accompanied by work permit.**

The **Royal Decree 864/2001** implementing the Immigration Law is no longer in force and has only been partially replaced by other legislation, namely Royal Decree 2393/2004 later repealed and replaced by **Royal Decree 557/2011 ([Immigration Regulation RD 557/2011](#))**. As such, the cross reference to Article 79.1 b) no longer applies.

The Immigration Regulation RD 557/2011 entered into force on 30/06/2011

Article 125 and 129 of the Immigration Regulation RD 557/2011 provide that an authorisation for reasons of **international protection** may be granted to the persons authorised to remain in Spain by decision of the Minister of the Interior, including displaced foreigners in the sense regulated in the **regulations on temporary protection** in the event of a mass influx of displaced persons. Likewise, a temporary residence permit may be granted in the cases provided for in the **regulations implementing [Law 12/2009](#)**, of 30 October.

Article 129 Immigration Regulation RD 557/2011 provides that the granting of the authorisation for temporary residence according to Article 125 will be accompanied by a **work permit** with the exception of the minors of working age.

This is in line with **Article 10 of the Immigration Organic Law 4/2000** which establishes that all foreigners that are resident in Spain and meet the requirements set forth in the Immigration Organic Law have the **right to carry out a paid activity on their own account or on behalf of another, as well as to access the Social Security system**, in accordance with current legislation. Those foreigners may also access **public employment** under the terms provided in Law 7/2007, of April 12, on the Basic Statute of Public Employees.

Article 3 of the [Order PCM/169/2022](#) establishes that the request for temporary protection enables the person to remain in the Spanish territory and to benefit from **the social aid** provided by **Article 20 of the TPRD 1325/2003** which states that beneficiaries of temporary protection who do not have sufficient resources may benefit from **social and health services** in accordance with asylum regulations.

Article 32 of the Law 12/2009 of 30 October regulating the right to asylum and subsidiary protection ([Asylum Law 12/2009](#)) recognises to applicants for international protection will be **authorised to work** in Spain under the terms established by law.

Furthermore, **Article 36** of the Asylum Law 12/2009 establishes that the right to asylum will imply the recognition of other rights such as:

permanent residence and work authorization, in the terms established by the Immigration Organic Law 4/2000;

the issuance of identity and travel documents;

access to public employment services;

access to education, health care, housing, social assistance and social services, the rights recognized by the legislation applicable to victims of gender violence, where appropriate, **social security** and to integration programs, under the same conditions as the Spanish;

access, under the same conditions as Spaniards, to continuing or occupational training and internships, as well as to procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad;

access to integration programs of a general or specific nature.

Other applicable laws are the following:

Social Security General Law adopted by [Royal Legislative Decree 8/2015](#) of 30 October which entered into force on 02/01/2016 in relation to the [Law 4/2000](#) and the Immigration Regulation [RD 557/2011](#).

[Law 38/2003](#), of November 17, General Subsidies, and its implementing Regulation approved by Royal Decree 887/2006, of 21 July. (*Ley 38/2003, de 17 de noviembre, General de Subvenciones, y su Reglamento de desarrollo aprobado por Real Decreto 887/2006, de 21 de julio*).

[Order ESS/1423/2012](#), of 29 June, which establishes the regulatory bases for the granting of subsidies in the area of integration of immigrants, applicants and beneficiaries of international protection, stateless status and temporary protection.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals residing in Ukraine displaced from 24 February 2022</p>	<p>Yes (Article 1 of Order PCM/169/2022 and First of Instruction 2/2022)</p>
<p>Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>Yes (Article 1 of Order PCM/169/2022 and First of Instruction 2/2022)</p> <p>The definition of family member is the same as the Council Implementing Decision, as article 1 of Order PCM/169/2022 explicitly states that the subjective scope of protection is the one established by the Council Implementing Directive.</p> <p>The Instruction applied by the reception centres established by the Ministry of Inclusion, Social Security and Migration and the Provincial Police Offices for Immigration and Borders defines “family members” of the relevant beneficiaries as :</p> <ul style="list-style-type: none"> the spouse or their de facto partner; their minor unmarried children or of their spouse, without distinction as to whether they were born in or out of wedlock or adopted; other close relatives who were living together as part of the family unit at the time of the events related to the mass influx of displaced persons and who were totally or mainly dependent on them.
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes (Article 1 of Order PCM/169/2022 and First of Instruction 2/2022)</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes (Article 1 of Order PCM/169/2022 and First of Instruction 2/2022)</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>First Instruction 2/2022 and Point 2) of Order PCM/170/2022 explicitly cover third-country nationals or stateless persons who were legally residing in Ukraine on the basis of a valid legal residence permit (whether permanent or otherwise, e.g. students) issued in accordance with Ukrainian law and who cannot safely return to their country or region of origin.</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>First Instruction 2/2022 and Point 1) of Order PCM/170/2022 explicitly cover Ukrainian nationals staying in Spain before 24.02.2022 who, as a result of the armed conflict, cannot return to Ukraine.</p> <p>First Instruction 2/2022 and Point 3) of Order PCM/170/2022 explicitly covers Ukrainian nationals who were in an irregular situation in Spain before 24.02.2022 and who, as a result of the armed conflict, cannot return to Ukraine.</p> <p>First Instruction 2/2022 and Point 4) of Order PCM/170/2022 explicitly covers also the family members of the categories identified, as well as the family members of third-country nationals or stateless persons who were legally residing in Ukraine on the basis of a valid legal residence permit (whether permanent or otherwise, e.g. students) issued in accordance with Ukrainian law and who cannot return to their country or region.</p> <p>The Instruction applied by the point of reception and provincial police offices defines Family members encompasses:</p> <p>their spouse or their de facto partner;</p> <p>their unmarried minor children or their spouse's minor children, without distinction as to whether they were born in or out of wedlock or adopted;</p> <p>other close relatives who were living together as part of the family unit at the time of the circumstances related to the mass influx of displaced persons and who were wholly or mainly dependent on them.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Ministry of Foreign Affairs	Inter-ministerial Commission on Asylum and Refuge (CIAR).	http://www.interior.gob.es/web/servicios-al-ciudadano/oficina-de-asilo-y-refugio
	Asylum and Refugee Office	Oficina de Asilo y Refugio	http://www.interior.gob.es/web/servicios-al-ciudadano/oficina-de-asilo-y-refugio
	Spanish Commission for Refugee Aid	Comisión Española de Ayuda al Refugiado (CEAR)	https://www.cear.es/
	Ministry of Internal Affairs	General Directorate of Police	http://www.interior.gob.es/el-ministerio/funciones-y-estructura/secretaria-de-estado-de-seguridad/direccion-general-de-la-policia
Employment rights	Ministry for Work and Social Economy	Secretary of State for employment and social economy	https://www.mites.gob.es/es/sec_trabajo/index.htm
	Ministry for Social Rights		
Social welfare and social security rights	Ministry for Social Rights	State Secretary for Immigration	https://www.inclusion.gob.es/es/seg_soc/index.htm
	Ministry for Social Inclusion		https://www.inclusion.gob.es/es/organizacion/index.htm

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Security and Immigration		

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

In order to request the Temporary protection scheme there are special Reception, Attention and Referral Centres (CREADE) located in Madrid, Barcelona, Malaga and Alicante. In addition, the police stations in each provincial capital are also available and have received the above-mentioned coordination instruction.

The leading Ministry, designing the system and ensuring coordination with other authorities, is the Ministry for Internal Affairs involving the following units: Secretary of State for Security, Sub-Secretary for Internal Affairs with the Asylum and refuge office, General Commissioner for Immigration and Borders.

This Ministry for Internal Affairs has created an Inter-ministerial Committee for Asylum and Refuge (CIAR) involving relevant Ministries such as the Ministry of Justice, Ministry of Foreign Affairs, The Ministry of Inclusion, Social Security and Immigration, and UNHCR representatives.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Temporary protection is granted on two decisions with different legal basis:

First, based on the general declaration of temporary protection adopted by the Council of the European Union or by the Spanish Government, which is based on the TPRD 1325/2003 (Article 4 to 6 of the TPRD 1325/2003);

Second, based on that declaration, an individual decision on granting the benefits of the temporary protection regime is taken by the Ministry of Internal Affairs, upon the interested parties' request which will be processed by the Asylum and Refuge Office, and at the proposal of the Inter-ministerial Commission for Asylum and Refuge, according to the terms and periods established by the **Organic Law 4/2000 of 11 January on rights and freedoms of foreigners in Spain and their social integration (Immigration Organic Law, as amended by Organic Law 8/2000, of 22 December)**.

The TPRD provides for a standalone regime. Specifically for persons displaced from Ukraine, **Article 5(1) of Order PCM/169/2022** of 9 March establishes that *"The Minister of the Interior shall decide whether or not to*

³³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

*grant temporary protection on the basis of a proposal from the Inter-ministerial Commission on Asylum and Refuges. **The decision granting temporary protection shall include authorisation for residence and work.** Regarding the work authorisation in the case of minors, the provisions of the applicable regulations shall apply."*

The **procedure for temporary protection is faster** than for other forms of protection:

Applications for temporary protection can be submitted in the special Reception, Attention and Referral **Centres** (CREADE) located in Madrid, Barcelona, Malaga and Alicante and in all the Province Foreign and Border Police Brigades and in some [Local Foreign and Border Police Brigades](#). **The resolution period is 24 hours.**

Having applied for temporary protection does not preclude from applying for international protection, including asylum. In the case of persons who have suffered individual persecution and have been refused international protection, they may apply for Temporary Protection or re-apply for International Protection, if necessary, given that there has been a change of circumstances in Ukraine that justify the risk in case of return. Further information can be found [here](#).

Persons benefiting from temporary protection may also apply for recognition of refugee status. However, the benefits of temporary protection shall not be accumulated with the benefits of the asylum seeker when the application is being processed (RD 1325/2003, Article 22).

It should be noted that, under Spanish law, temporary residence may be granted on different grounds with different regimes being applicable:

Temporary residence on grounds of International Protection (asylum)

(Article 125 Immigration Regulation RD 557/2011):

The process is longer, and harder as it is necessary to prove that the person is being persecuted for political, religious, ethnic, sexual or other reasons.

The application must be submitted in the Spanish frontiers; in the authorised [Police stations, foreigners' offices or embassies](#); or in detention centres.

During the first six months of the application process, the applicants do not have a work permit, unlike the temporary protection status which grants the right to work in Spain since its granted.

However, it is not subject to maximum protection term, it cannot be terminated by Council decision and it provides a more extensive regime of rights, which include:

- (i) Right to non-refoulement or expulsion from the territory of Spain after it has recognized international protection.
- (ii) Residence and work authorization.
- (iii) Issuance of identity and travel documents.
- (iv) Access to public employment services.
- (v) Access, under the same conditions as Spaniards, to education, health care, housing, social assistance and social services, to the rights recognized by the legislation applicable to victims of gender violence , where appropriate, to social security and integration programs.

(vi) Access, under the same conditions as Spaniards, to continuing or occupational training and internships, as well as to procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad.

(vii) Freedom of movement.

Temporary protection and international protection are compatible. That means that a person from Ukraine may request asylum status but the benefits will not be accumulated.

Temporary residence on humanitarian grounds

(Article 126 Immigration Regulation 557/2011)

This permit guarantees the possibility to reside and work legally in Spain for a period of 1 year (and extendable for another year) in cases where international protection status has been denied ([Ministry of Interior, Note on the Proposal for Granting Temporary Residence Authorization for Humanitarian Reasons](#), Article 37 of Law 12/2009, of 30 October, regulating the right to asylum and subsidiary protection and Articles 123 and subsequent of Royal Decree 557/2011).

This option has been used only once on the basis of decision of 28 February 2019 in relation to Venezuelan nationals who had applied for asylum in Spain after January 2014.

Temporary residence authorization for exceptional circumstances of collaboration with public authorities, reasons of national security or public interest

Article 127 and 129 Immigration Regulation 557/2011

Authorisation of residence

granted by the Secretary of State for Security when the authorization is based on collaboration with police, prosecutorial and judicial authorities and in cases of national security.

granted by the head of the Secretary of State for Immigration and Emigration in cases of collaboration with other administrative authorities and for reasons of public interest.

Authorisation for residence gives access to Foreigner Identity Card.

Temporary residence authorization due to exceptional circumstances will be accompanied by a work authorization in Spain during the validity of the former.

Relevant to note also the regime established by [Law 14/2013, of 27 September](#), to facilitate entry, residence and permanence in Spanish territory for reasons of economic interest. It is a business friendly framework of visa and residence and work permits designed with the aim of attracting business related migration and highly skilled migrants such as: Investors; Entrepreneurs; Highly qualified professionals; Researchers; scientists and academics of universities and business schools; Movement of persons related to trade of services: ICT, IP (independent professionals), CSS (Contractor service suppliers).

The main features are:

Fast track procedure

No Labour Market Test

Employer led system for highly qualified professionals

Facilities for family reunion (spouse with full access to labour market)

Intra EU mobility for ICT EU residence permits Business friendly framework.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

In principle, the protection is temporary and therefore once the conditions for protection expire, the beneficiaries should leave Spain. There is no possibility for remaining, working or having a reunification after the temporary protection is ended.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Temporary protection in Spain grants the right to residence in Spain but not in other countries. This authorisation for residency has all the legal effects, including the possibility to come back to Spain from any EU Member State where the person might have travelled for short periods (not as resident). However, to travel to other countries, the person needs to have a passport and fulfil the requirements in the country of destination.

The person cannot move to be resident in another Member State unless they renounce temporary protection in Spain. Freedom of movement only applies within the national territory (Article 14 TPRD 1325/2003). If the person renounces temporary protection in one MS according to Article 24 (1)d) TPRD 1325/2003, to apply for temporary protection in a second Member State, it is at the discretion of the latter to grant it or not and there might be additional requirements. Further information can be found [here](#).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Once the work permit is granted, equal treatment is applied to all workers pursuant to Article 17(1) of the Worker's Statute which determines that any regulatory provisions, clauses of collective agreements, individual agreements and unilateral decisions of the employer which give rise to situations of **direct or indirect unfavourable discrimination**, including on grounds of **origin, including racial or ethnic origin**, shall be null and void and without effect.

Pursuant to **Article 5 of Order PCM/169/2022** the decision of the Minister of Interior granting temporary protection shall include authorisation for residence and work. Thus, citizens who have been granted temporary protection have the right to work **under the same conditions as Spanish citizens**.

In addition, **Article 36** of the Asylum Law 12/2009 recognises:

- c) the right to work in the terms established by the Immigration Organic Law 4/2000 and
- f) access to education, health care, housing, social assistance and social services, the rights recognized by the legislation applicable to victims of gender violence, where appropriate, social security and to integration programs, **under the same conditions as the Spanish citizens**;
- g) access, **under the same conditions as Spanish citizens**, to continuing or occupational training and internships, as well as to procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad.

c) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

The requirements for the work permit based on the residency authorisation for temporary protection are established in Article 64 (3) of the Immigration Regulation RD 557/2011 and include:

- b) The employer presents a work contract signed by the worker and by himself and that guarantees the worker a continued activity during the period of validity of the initial authorization for temporary residence and employment.*
- c) The conditions established in the employment contract are adjusted to those established by current regulations and the applicable collective agreement for the same activity, professional category and location.*
- d) That the requesting employer has formalized his registration in the corresponding regime of the Social Security system and is up to date with the fulfilment of his tax and Social Security obligations.*
- e) The employer has sufficient economic, material or personal means for his business project and to meet the obligations assumed in the contract with the worker.*
- f) The worker has the training and, where appropriate, the professional qualification legally required for the exercise of the profession.*

The work permit gives the right to work under the same conditions as a Spanish citizen.

- II. Recognition of qualifications/diplomas

The recognition of diplomas in Spain is regulated by **Royal Decree 104/1988** of 29 January 1988 on the recognition and validation of foreign qualifications and studies in non-university education. This Royal Decree has been amended to allow persons benefiting from the temporary protection to exceptionally, and for the purposes of initiating the procedure, replace the required documentation referred to in the Royal Decree with a declaration of responsibility, with temporary validity ([Royal Decree-Law 6/2022 of 29 March](#) adopting urgent

measures within the framework of the National Response Plan to the economic and social consequences of the war in Ukraine (second final provision and second transitional protection)).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Assistance for job seekers is provided to beneficiaries of temporary protection entitled to social assistance (Article 3 of the Orden PCM/169/2022 in relation to Article 20 TPRD 1325/2003). This applies to persons without sufficient resources to meet their needs and the needs of their family.

This assistance entails (section C.2.9 of the [Management Handbook](#)):

Training for employment: aimed at providing the theoretical and practical knowledge required for the performance of a specific profession. To this end, the following activities may be carried out:

Training activities for employment will be developed to enable the recipients to access the labour market, giving priority to training for employment recognised in the corresponding Public Employment Services of each Autonomous Community.

Information on courses, course enrolment and preparation for tests - especially courses aimed at obtaining certificates.

More detail information on specific actions can be found in the Management Handbook.

a) Pre-employment training: It is aimed at the acquisition of linguistic skills and social skills for development in the host society and environment of the recipients of the project and will include the following activities:

Courses in Spanish and, where appropriate, regional languages

Workshops and seminars to access the socio-labour context

Social and personal skills development workshops

Introductory courses to computer science and use of new technologies

Other workshops other than those listed, that respond to the new needs that are detected.

b) Training for employment: It is aimed at facilitating the theoretical-practical knowledge demanded by the business fabric for the performance of a specific profession. For this, the following activities can be carried out:

Training activities for employment will be developed that allow recipients access to the labour market, giving priority to training for employment recognized in the corresponding Public Employment Services (PES) of each Autonomous Community.

Information on courses, enrolment in them and the preparation of access tests will be provided. Access to courses aimed at obtaining Certificates of Professionalism will be especially reinforced.

Advice will be provided for access to regulated professional training.

c) Internship training: Conventions and agreements may be made with companies to allow the incorporation in non-labour internships or in the internship contracting regime of the recipients of employment training activities.

d) The job placement itinerary will also include the following activities:

Analysis of the skills profile in relation to the needs of the labour market

Advice and monitoring for job search

Labour mediation

Monitoring and accompaniment in the workplace

Social, family and/or intercultural mediation interventions

Referrals to other entities and external resources

Detection and action of possible cases of trafficking in human beings. Application of the SGIE Protocol

Other activities that facilitate the provision of the action

However, no information found on the actual implementation of this support.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Vocational training and educational opportunities are available for job seekers beneficiaries of temporary protection **entitled to social assistance** (Article 3 of the Orden PCM/169/2022 in relation to Article 20 RD 1325/2003). This applies to persons without sufficient resources to meet their needs and the needs of their family ([Management Handbook Section C.2.9](#)).

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

N/A

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

The main applicable legislation is the Social Security General Law adopted by Royal Legislative Decree 8/2015 of 30 October which entered into force on 02/01/2016 in relation to the Law 4/2000 and the Immigration Regulation RD 557/2011.

Also, Article 36 of the Asylum Law 12/2009, which states that the protection covers:

c) the permanent residence and work authorization, in the terms established by Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain;

e) access to public employment services;

f) access to education, health care, housing, **social assistance and social services, social security and to integration programs, under the same conditions as the Spanish;**

g) access, under the same conditions as Spaniards, **to continuing or occupational training and internships**, as well as to procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad;

As mentioned, **Article 19** of the **TPRD 1325/2003** refers to the work permit stating that the **Administrative authorisation to work** shall be granted to beneficiaries of **temporary protection** in accordance with the Immigration legislation. Article 129 recognises that temporary residence is accompanied by work permit.

Article 3 of the [Order PCM/169/2022](#) establishes that the request for temporary protection enables the person to remain in the Spanish territory and to benefit from **the social aid** provided by Article 20 of the TPRD 1325/2003 which states that beneficiaries of temporary protection who do not have sufficient resources may benefit from social and health services in accordance **with asylum regulations**

Article 36 of the Asylum Law 12/2009 states that the protection covers:

c) the permanent residence and work authorization, in the terms established by Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain;

e) access to public employment services;

f) access to education, health care, housing, **social assistance and social services, social security and to integration programs, under the same conditions as the Spanish;**

g) access, under the same conditions as Spaniards, **to continuing or occupational training and internships**, as well as to procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad.

Social assistance: Beneficiaries without sufficient resources, will be able to benefit from social services, in accordance with asylum legislation.

Social welfare:

Persons who have been granted temporary protection are entitled to:

Access to social benefits (reception, legal and psychological care, social support, language learning, etc.)

Access to healthcare

Access to education for children under 18 years of age under the same conditions as nationals.

Validity of the Ukrainian driving license to drive in Spain for one year

(More information [here](#) and [here](#)).

Health

The public health system in Spain is called “universal health system”. This means that the entire population of the country, including foreigners, refugees, asylum seekers and stateless persons, can access free medical or health care through the National Health System (the "SNS"), in certain circumstances that we explain later.

The public health system is based on the Foreign Identity Card (TIE). The health card is requested at the health centre. To apply, there is a need to have a Social Security Number. The card takes about a month to arrive.

Housing

Temporary protection grants access to housing to individuals or families without economic resources for a maximum period of 18 months, which can be extended to 24 months in vulnerable situations. Ministerial Order of 13 January 1989 regulates the Reception Centres for Refugees and Asylum seekers. These centres are public establishments intended to provide accommodation, maintenance and emergency and primary psychosocial assistance, as well as other social services aimed at facilitating coexistence and integration into the community of people who request asylum in Spain or obtain refugee or displaced status in Spain and who lack the financial means to attend to their needs and those of their family.

The programme to support Ukrainians also includes social care, psychological support, support in the search for employment and aid for training and language classes (more information [here](#) and [here](#)).

Reception System

The Reception System provides for an intervention methodology by phases, depending on the degree of autonomy of the recipients. The first phase offers coverage of basic needs, helping the beneficiaries to acquire the necessary skills for the development of an independent life. The second phase begins when people require further support through economic aid for rent and attention to other basic needs.

These actions are carried out through a state network made up of Refugee Reception Centres dependent on the Ministry of Inclusion, Social Security and Migration (more information [here](#)). The system of aids is regulated by Resolution of 27 February 2015, of the General Secretariat of Immigration establishing for the year 2015 the maximum and minimum amounts of economic aid for the beneficiaries of the Refugee Reception Centres integrated in the network of Migration Centres of the Ministry of Employment and Social Security. The system of aids cover:

1. Aid to cover essential personal expenses

Individual: EUR 51,60 per month

Children under 18: EUR 19,06 per month per person

Expenses for the birth of a child: EUR 181,70 per child.

2. Transportation aids

Cost of the monthly subscription or any other type of proof of payment for public transport within the province in which they reside.

Trips to another city in the case of a transfer to another reception center: amount of the transport ticket (bus or train).

Transfers to carry out an inexcusable duty, to obtain the documentation and procedures related to the application for international protection, to attend job interviews, due to force majeure and to receive treatment

or medical consultations when there are none in your place of residence and/or were offered to you free of charge by an institution.

Taxis, in an extraordinary way and whenever public transport cannot be used.

3. Aid for the acquisition of clothing

Clothing and footwear: EUR 181,70 per season per person (maximum two seasons per year).

4. Aid of a health nature

All of them on a one-off basis and for the amounts that cover the cost of the good or provision of the service upon presentation of three budgets, except for pharmacy expenses and children's food and hygiene products.

Pharmacy: by prescription, except in cases of medical emergency.

Glasses: by prescription.

Prosthesis: by medical prescription.

Children's food and hygiene products motivated by paediatric needs.

5. Grants for educational, training and leisure activities

a) **Educational aid**, in the amount of the cost of the good or the provision of the service, provided that the beneficiary does not receive aid for the same concept through another Public Administration or organization.

Nursery: depending on the cost/child

School uniforms, school insurance, fees for parents/mothers of students associations, school canteen, extracurricular activities including extended hours, as well as recreational-educational or therapeutic (self-esteem workshops, support groups or Similar): Actual cost of acquisition of the good or provision of the service

School teaching material (nursery/preschool/primary/ESO): cost per course/child

Baccalaureate/FP school material: cost per course/student

University study material: EUR 250,13 per course/student

Enrol university studies for the real amount of the credits in the first call according to MEC criteria.

b) Aid for training, to cover the costs of the good or the provision of the service, as long as the same resource does not exist within the public offer, with the following concepts and maximum amounts per person throughout their participation in the program, regardless of the financial year:

Pre-training: Training in language learning, computer literacy, contextualization and social skills, technical skills

Enrolment and/or monthly fee: maximum EUR 1.364,31 per person

Course material: maximum EUR 250,13 per person

Training: Occupational training and professional retraining

Enrolment and/or monthly fee: maximum EUR 1.364,31 per person

Course material: maximum EUR 250,13 per person

Compulsory insurance to carry out the training practices (insurance cost).

c) Aid for leisure and free time activities: Real cost of acquiring the good or providing the service

Recreational-educational activities

Cultural activities

Excursions and summer camps for children and youth

Sport activities.

6. Aid for obtaining administrative documentation

Issuance of documents: Cost of fees and processing

Trips and stays in another city to carry out procedures related to the beneficiary's asylum application: Amount of the transport ticket (bus or train) and, where appropriate, accommodation and meals in an amount equivalent to group III of officials in agreement with the norms of indemnities by reason of the service.

7. Interpretation and translation

Translation and interpretation: Cost of providing the service.

8. Expenses derived from cases of deaths

Expenses caused by the burial or cremation of a resident, according to the corresponding City Council rate, provided that there is no public coverage for this need.

9. Aid to facilitate the autonomy of the beneficiaries when leaving the centre

Applicants for international protection will be excluded from these grants when a Member State has accepted the examination of their asylum application under Regulation (EC) 343/2003.

The receipt of this aid is incompatible with the simultaneous receipt of the aid in Point 10: "Subsistence aid to cover the basic needs people who, having started training courses as residents, have completed their period of residence in a centre".

Perception period: Single payment grants.

Maximum Amounts: To calculate the amount, the length of stay in the centre will be counted, and the maximum amount can be offered after three months of stay.

In the event that the beneficiary resides in the centre for a shorter period, the proportional part of the period of stay in the centre will be paid:

Individual: EUR 347,60

Coexistence unit made up of two members: EUR 520,73

Coexistence unit made up of three members: EUR 557,73

Coexistence unit made up of four members: 594,73

Coexistence unit made up of five or more members: 792,73

Single-parent cohabitation unit or one in which one of its members has a disability: The maximum amount may be that of the section higher than that corresponding to the number of its members.

10. Subsistence aid to cover the basic needs of people who, having started training courses as residents, have completed their period of residence in a centre. These grants can be received until the end of the training

a) Attention to basic needs.

Maximum monthly amounts:

Individual: EUR 347,60

Coexistence unit made up of two members: EUR 520,73

Coexistence unit made up of three members: EUR 557,73

Coexistence unit made up of four members: EUR 594,73

Coexistence unit made up of five or more members: EUR 792,73

Single-parent cohabitation unit or in which one of its members has a disability: The maximum amount may be that of the section higher than the one corresponding to the number of its members.

b) Local and/or provincial transportation.

Transport aid for people who are taking training courses and have completed their period of residence in a center under the terms indicated in Point 2 "Transport aid" above.

c) Nursery school, school canteen and extension of school hours for the beneficiary's children: actual cost of the good or provision of the service.

Aid for families not included in the Reception System

According to the Spanish [press](#), the Ministry of Inclusion, Social Security and Migration is planning to create a grant for Ukrainian families who do not have access to the above-mentioned benefits because they are outside the Reception System. The grant will amount to EUR 400 per month per family and an additional EUR 100 for each dependent child for a maximum period of six months.

II. Eligibility conditions

Social security:

The public Social Security System in Spain is called "universal health system". This means that the entire population of the country, including foreigners, displaced persons, asylum seekers and stateless persons, can access free medical or health care through the National Health System (the "SNS"), in certain circumstances that we explain later.

The main applicable legislation is the Social Security General Law adopted by Royal Legislative Decree 8/2015 of 30 October which entered into force on 02/01/2016 in relation to the Law 4/2000 and the Immigration Regulation RD 557/2011 whose Article 63 establishes that the initial authorization for temporary residence and paid employment requires the foreign person to have been registered in the corresponding Social Security regime within a period of three months from their arrival date. The beneficiary should also apply for the

corresponding Foreigner Identity Card within one month from their registration in the corresponding Social Security system, in accordance with the provisions of this chapter.

The initial authorization for temporary residence and employment will have a duration of one year and will be limited, to the geographical area and a specific occupation.

Based on the Social Security Number the person may benefit from the Social System as established in the law.

Registration in the corresponding Social Security regime will give effect to the initial authorization for temporary residence and employment. The employer is required to formalise the registration in the corresponding regime of the Social Security system and to ensure the fulfilment of his tax and Social Security obligations. On that basis the Social Security rights will cover the beneficiary of temporary protection.

The Foreign Identity Card is needed to obtain the Social Security Number which opens the possibility for getting the health card to benefit from the public health system. The card takes about a month to arrive.

Social welfare:

Having requested or benefiting from Temporary protection or International protection;

Not having sufficient resources;

Not having been recipient of the benefits offered in the Reception System for the maximum period stipulated, except duly authorised.

Displaced persons from Ukraine as of February 24, 2022 as a result of the Russian invasion that began on that date and persons residing in Ukraine who were in Spain when the conflict broke out and they have not been able to return to their country, in the case of lack of economic resources, may request access to the Reception System.

The aid that the Ministry of Inclusion, Social Security and Migration is planning to grant to **families not included in the Reception System** [will presumably apply to:](#)

families not included in the Reception System;

who have a lack of financial resources;

are registered in a Spanish municipality;

and have a Social Security number (NUSS).

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

N/A

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

N/A

Country fiche for Finland

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)³⁴ and Council Implementing Decision (EU) 2022/382³⁵

The Temporary Protection Directive was transposed through [Ulkomaalaislaki](#) (Aliens Act) from 30 April 2004 (30.4.2004/301), which came into force on 1 May 2004. It provides definitions of different relevant notions such as family members (Section 37(1)), marriage (Section 37(2)) and a child (Section 37(3)). It also provides rules on the issuing of residence permits for self-employed aliens (Section 76).

Council Implementing Decision (EU) 2022/382 of 4 March 2022 was transposed through [Valtioneuvoston päätös tilapäisen suojelun antamisesta Ukrainan tilanteeseen vastaamiseksi SM/2022/24](#) (Government Decision on granting temporary protection to respond to the crisis in Ukraine SM/2022/24) from 7 March 2022. The Decision came into force on 7 March 2022 and ends with the end of the Council Implementing Decision. It extends the protection guaranteed by the Council Implementing Decision (EU) 2022/382 to categories of Ukrainian citizens and non-EU nationals legally residing (not permanently) in Ukraine who cannot return to their country of origin.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Apart from above mentioned legal act, no other legislation concerning access to the labour market and social security/welfare for persons enjoying temporary protection from Ukraine has been adopted or amended. However, other general employment legislation would also apply such as:

[Laki kotoutumisen edistämisestä](#) (Act on the Promotion of Integration) from 30 December 2010 (30.12.2010/1386). The Act came into force on 1 September 2011;

[Laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta](#) (Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings) from 17 June 2011 (17.6.2011/746). The Act came into force on 1 September 2011;

³⁴ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

³⁵ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Työsopimuslaki](#) (Employment Contracts Act) from 26 January 2001 (55/2001). The Act came into force on 1 June 2001;

[Sosiaalihuoltolaki](#) (Social Welfare Act 30.12.2014/1301) from 30 December 2014. The Act came into force on 1 April 2015.

The Government is currently preparing an [amendment](#) to the Act on the Promotion of Integration with the aim to provide for reimbursement of the costs to municipalities, which they have incurred for organisation of services to beneficiaries of temporary protection. However, this amendment has not yet been finalised nor sent to the legislative procedure.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes Family members are defined in Section 37(1) of the Aliens Act in the following way: <i>‘(1) In the application of this Act, the spouse of a person residing in Finland, and unmarried children (under 18 years of age) of whom the person residing in Finland or his or her spouse has custody, are considered family members. If the person residing in Finland is a minor, the person who has custody of him or her is considered a family member. A partner of the same sex is also considered a family member if the partnership has been registered nationally.’</i> Section 37(2) provides for a definition of a marriage: <i>‘(2) Persons living in a marriage-like relationship in the same household on a permanent basis are considered to be a married couple regardless of their sex. It is required that they have lived together for at least two years. This is not required if the persons have a child in their joint custody or if there are other serious reasons.’</i> Section 37(3) of the Aliens Act provides for a definition of a child: <i>‘(3) An unmarried child under 18 years of age who is under current care of the person who has a custody of him or her and</i>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p><i>is in need of such care on the date a decision is made on the residence permit application, but no official statement is available on the dependency status (a foster child), is considered a child under subsection 1. Treatment as a child under subsection 1 also requires reliable evidence that the persons who previously had custody of the child have died or are missing and that the sponsor or his or her spouse was the person who had actual custody of the child before the sponsor entered Finland. If the sponsor is a foster child residing in Finland, treatment as a child under subsection 1 requires reliable information which shows that the person concerned was the person who had actual custody of the sponsor before the sponsor entered Finland.'</i></p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>In the Government's Decision from 7 March 2022 (SM/2022/24), the Government decided to broaden the protection guaranteed by Council Implementing Decision (EU) 2022/382. The protection got extended to, among others, the persons outlined in Article 2 (3) of this Decision – i.e. non-EU nationals legally residing (other than permanently residing) in Ukraine who cannot return to their country of origin.</p> <p>No national conditions were foreseen.</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>In the Government's Decision from 7 March 2022 (SM/2022/24), the Government also granted temporary protection to the following persons:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>Ukrainian citizens and their family members who fled Ukraine not long before 24 February 2022 and cannot return home as a result of the conflict. The Commission has urged the Member States to be flexible with regard to these persons.</p> <p>Other Ukrainian citizens and their family members who are already living or have arrived in Finland.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	<p>Police of Finland</p> <p>The Finnish Border Guard</p> <p>The Finnish Immigration Service</p>	<p>Poliisi</p> <p>Rajavartiolaitos</p> <p>Maahanmuuttovirasto</p>	<p>https://poliisi.fi/en/frontpage</p> <p>https://raja.fi/en/frontpage</p> <p>https://migri.fi/en/home</p>
Employment rights	Employment and Economic Development Office (TE Office)	TE-Palvelut	https://tyomarkkinatori.fi/
Social welfare and social security rights	<p>Kela</p> <p>The Finnish Immigration Service, Reception services</p>	<p>Kela</p> <p>Maahanmuuttovirasto. Vastaanottokeskukset.</p>	<p>https://www.kela.fi/web/en/main-page</p> <p>https://migri.fi/en/home</p>

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

There are no specific issues or salient points identified for this question.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³⁶ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

There are no specific issues or salient points identified for this question. Finland legislation does not provide any other forms of adequate protection except for temporary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

It is currently not possible to file status change in Finland.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

There are no specific issues or salient points identified for this question.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

If a person is employed in Finland, employment legislation applies to that person in the same way it applies to other workers. Finnish employment laws do not only guarantee adequate working conditions to the employees, but they also foresee the principle of equal treatment and non-discrimination. This is regulated in the Employment Contracts Act (Chapter 2, Section 2).

³⁶ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

There are no restrictions to the right to work or to be self-employed. A person has the right to work in Finland or act as self-employed as soon as they have registered the application for temporary protection with the police or a border control authority, as can be found on the [website](#) of the Ministry of Economic Affairs and Employment of Finland. During registration, the police or the border control authority provides the person with a printed certificate proving the right to work. The certificate is called 'certificate of a pending application'. The right to work is unrestricted.

A general rule in Section 78 (3) of the Aliens Act also explicitly foresees the right to work for aliens who have been granted a temporary residence permit based on temporary protection or other humanitarian immigration. In fact, the decision on temporary protection states that the person has an unrestricted right to work. The person also receives a residence permit card stating that they have an unrestricted right to work. As mentioned on its [website](#), the Finnish Immigration Service aims to issue the decision quickly and without undue delay.

With respect to self-employed persons, Section 76 of the Aliens Act provides that the issuing of residence permits for entrepreneurs is based on considering whether the intended business activities meet the requirements for profitable business and the alien's financial resources shall be sufficient with income obtained through gainful employment, business activities or in other ways during the validity period of the residence permit. As nothing is agreed for persons enjoying temporary protection, this provision's requirements need to also be met by displaced persons coming from Ukraine.

II. Recognition of qualifications/diplomas

General regulation applies in such a case. Rules for recognition of qualifications and diplomas or education have not been released with respect to displaced persons coming from Ukraine.

Depending on the recognition's purpose, displaced persons from Ukraine need to apply for recognition of professional qualifications or education either with the Finnish National Agency for Education, field-specific authorities, private sector employers or higher education institutions, as stated on the Agency's [website](#). Both the decision and the processing of an application for recognition of qualifications and studies completed abroad, and the statement on completed vocational qualifications abroad, are subject to an administrative fee.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

As mentioned on the [webpage](#) of the Ministry of Economic Affairs and Employment, a person enjoying temporary protection can register as a jobseeker at an Employment and Economic Development Office (TE Office) and access services that promote employment. General services that are available to all jobseekers in Finland are also available to persons enjoying temporary protection.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

General education/training opportunities are available also to persons enjoying temporary protection from Ukraine.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

Persons enjoying temporary protection from Ukraine enjoy the same conditions as Finnish nationals, with the exception of self-employed persons for whom Section 76 of the Aliens Act outlines some specific rules.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Regarding social benefits, as regulated in the first Section of the Act on the Reception of Persons Applying for International Protection and on the identification of and Assistance to Victims of Trafficking in Human Beings, the basic rule regarding persons who have been granted temporary protection, who moved to Finland after the start of the war in Ukraine and who do not have existing ties to Finland, is that they are not eligible for Kela (social) benefits.

However, since temporary protection gives such persons the right to work, this makes them eligible to most Kela benefits, under the condition that their pay is at least EUR 741.75 per month. If they are not working, persons enjoying temporary protection may be eligible for the residence-based benefits available from Kela, if Kela considers their residence in Finland to be of a permanent nature. A person can be considered as living permanently in Finland, if:

a family member (spouse/partner or under-age child) is already living in Finland;

they have lived in Finland previously;

they will work or study in Finland for at least two years.

Information on the eligibility of persons fleeing the war in Ukraine for social benefits can be found on Kela's [webpage](#).

The following social benefits are provided to displaced persons from Ukraine:

Accommodation

Persons who apply for and receive temporary protection have a right to stay at the reception centre and to receive the services available there. These persons are accommodated at a reception centre that still has

availability. Families are accommodated at an apartment or a room of their own. Others are offered communal accommodation where women and men live in their own rooms or apartments.

Reception allowance

If necessary, the person can apply for and be granted a reception allowance. The possible funds and income such a person has at their disposal affects whether they are granted a reception allowance and the amount of the allowance.

The basic amounts of reception allowance are:

1. 290 EUR per month for an adult living alone or a single parent, the amount is 85 EUR per month if food is provided at the reception centre;
2. 245 EUR per month for an adult other than mentioned in previous section, the amount is 70 EUR per month if food is provided at the reception centre;
3. 185 EUR per month for a child, the amount is 55 EUR per month if food is provided at the reception centre.

If the reception centre takes care of the child, the child is granted "pocket money" of 25-45 EUR per month, as provided in the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings, Section 16, 19-21.

Social services

Persons applying for or that have been granted temporary protection have the right to certain social services foreseen in Section 14 of the Social Welfare Act in the same way as Finnish nationals, if the official of the social services regards these as inevitable such as:

1. Social services organised by the municipalities:

- social work,
- social guidance,
- social rehabilitation,
- family work,
- home service,
- home care,
- housing services,
- institutional services,
- services supporting mobility,
- drugs abuse work,
- mental health work,
- educational and family counselling,

supervision of appointments between the child and the parent,

the freedom of a person caring for relatives and close relatives, and

other social services necessary for the well-being of such a person that meet the needs pursuant to Section 11.

2. Social services for certain types of groups organised by the municipalities

Municipalities are also responsible for organising child and youth welfare, special care for the mentally handicapped, services and support for people with disabilities, services related to care for substance abusers, the statutory functions of child welfare officer, other measures related to the investigation and establishment of paternity, adoption counselling, family conciliation, measures pertaining to the conciliation related to the enforcement of decisions on child custody and visiting rights and expert services pertaining to court conciliation of matters concerning child custody and meeting rights, and provision of support for informal care and other social services, and for the duties laid down in the Act on Rehabilitative Work, in accordance with any further provisions laid down concerning these services.

The social work referred to in the Social Welfare Act is performed by a social care professional at the reception centre. Section 25 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings states that the work includes counselling, guidance, social problem-solving, and other support activities that maintain and promote the safety and performance of individuals and families, as well as the functioning of communities.

Health care services

Everyone has the right to urgent medical treatment in the public healthcare system regardless of their nationality or country of origin. However, as can be found on Kela's [website](#), the services are provided at the recipient's own cost. Section 26 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings provides that, when a person has been granted temporary protection, they can use health care services in the same way as permanent residents in Finland. The right to use public health services in Finland is linked to one's residence in a specific municipality (home municipality). Kela's [website](#) specifies that public health services are provided for the same fees as for the local residents.

II. Eligibility conditions

Regarding social benefits, please see above, in the previous box. One option to receive Kela benefits is through work. The right to Kela residence-based benefits for all other displaced persons is conditioned upon the fact that such persons are considered to be living in Finland permanently.

Regarding social welfare, the person needs to have an application or certificate for temporary protection (for most social benefits mentioned above) or temporary protection status (for the full extent of health care services).

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question regarding social benefits.

Regarding social welfare, as referred to above in Section 4 I, only certain sections of Social Welfare Act apply to citizens of Ukraine. They do not have the right to all general social benefits.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The webpage of The Finnish Immigration Service

The [webpage](#) of the Finnish Immigration Service provides instructions to the people fleeing from Ukraine and for people helping them. Information about the application of temporary protection, accommodation, available services, work and study possibilities, health and social care etc. is provided.

Employment support service

Persons enjoying temporary protection can register as jobseekers with the TE Office and receive employment support service. Based on the [webpage](#) of the Ministry of Economic Affairs and Employment (MEAE), such persons can obtain support services such as language training. A special leaflet has been prepared by MEAE in order to facilitate employment of displaced persons coming from Ukraine and is distributed at ports, airports, reception centres and various information and advice points.

Compensation for Municipalities

The Ministry of the Interior's [webpage](#) provides that Government compensates the municipalities' costs incurred with the admission of Ukrainians including accommodation costs and costs connected to child care and primary and secondary education.

Transportation benefits

People fleeing from Ukraine can use Onnibus and VR trains free of charge. Ukrainian refugees can also benefit from a 95 % discount on net fares for one-way Finnair tickets from Warsaw, Krakow, Gdansk, Budapest and Prague to Helsinki, according to a [website](#) on European measures taken to help Ukraine's refugees.

Free courses at the universities

Following Studyinfo, a [website](#) maintained by the Finnish National Agency for Education, the universities and universities of applied sciences in Finland offer people that have fled the country a possibility to take non-degree courses in higher education free of charge.

Free cultural events, sports activities in the Municipalities

The newspaper Yle published an [article](#) mentioning that in the city of Lahti, Ukrainian people can participate free of charge in cultural events, use sports facilities and visit museums.

Country fiche for France

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)³⁷ and Council Implementing Decision (EU) 2022/382³⁸

Code of Entry and Stay of Foreigners and the Right to Asylum ([Code de l'entrée et du séjour des étrangers et du droit d'asile](#) – CESEDA):

This France's immigration code regulates the granting of temporary protection in regard to situations of a mass influx of third country nationals;

The CESEDA came into force in 2005, following an [Ordonnance n°2004-1248 of 24 November 2004 relating to the legislative part of the code for the entry and stay of foreigners and the right to asylum](#) (*Ordonnance n° 2004-1248 du 24 novembre 2004 relative à la partie législative du code de l'entrée et du séjour des étrangers et du droit d'asile*). The CESEDA brings together various measures relating to French immigration law. The last version consulted for this country fiche dates from 1 May 2022;

[Ordonnance n°2020-1733 of 16 December 2020](#) (*Ordonnance n° 2020-1733 du 16 décembre 2020 portant partie législative du code de l'entrée et du séjour des étrangers et du droit d'asile*), which came into force on 1 May 2021, introduced [Articles L581-1 to L581-10](#) of the CESEDA containing measures relating to the granting of temporary protection status. [Article L581-2](#) states that the temporary protection regime is available to third country nationals in accordance with Article 5 of Directive 2001/55/EC of 20 July 2001 (hereinafter 'TPD');

[Decree No. 2020-1734 of 16 December 2020 on the regulatory part of the Code of Entry and Stay of Foreigners and the Right to Asylum](#) (*Décret n° 2020-1734 du 16 décembre 2020 portant partie réglementaire du code de l'entrée et du séjour des étrangers et du droit d'asile*), which came into force on 1 May 2021, added additional measures in [Articles R581-1 à D581-7](#) regulating the stay of third country nationals benefitting from temporary protection status.

Government instruction on the implementation of the Council Decision:

A government [Instruction on the implementation of the decision of the Council of the European Union of March 5, 2022, taken pursuant to Article 5 of Council Directive 2001/55/EC of July 20, 2001](#) (Instruction) (*Instruction relative à la mise en œuvre de la décision du Conseil de l'Union européenne du 5 mars 2022, prise en*

³⁷ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

³⁸ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

application de l'article 5 de la directive 2001/55/CE du Conseil du 20 juillet 2001) was published on 10 March 2022;

This 'instruction' is addressed to the Prefectures (administrative body competent for registering protection claims) as well as the Office for Immigration and Integration (OFFI); the Office for Protection (OFPPRA) and the director generals of the regional health agencies;

It clarifies the scope of application of the temporary protection in France; summarises the associated measures and the rights associated with this status provided in French law; and instructs the Prefectures to take adapted measures, particularly in light of the scale and vulnerability of the persons displaced from Ukraine.

The Order of 3 May 2022 relating to language training for beneficiaries of temporary protection ([Arrêté du 3 mai 2022 relatif à la formation linguistique des bénéficiaires d'une protection temporaire](#)) was adopted on 8 May 2022. Beneficiaries of temporary protection benefit from language training adapted to their level. These are training courses of 100 or 200 hours aimed at acquiring level A1 of the Common European Framework of Reference for Languages, 100 hours of training aimed at acquiring level A2 and 100 hours of training aimed at acquisition of a B1 level. Each beneficiary of temporary protection can complete only one training course per level (Article 2 of the Order of 3 May 2022).

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine-

Access to employment:

French Labour Code (*Code du Travail*) in [Article L 5221-2](#) provides that beneficiaries of temporary protection are authorised to exercise a professional activity, as long as they have the documents and visas required by the international and national legislation in force;

CESEDA in [Article R581-4](#) paragraphs 1 and 2 stipulates that a beneficiary of temporary protection is granted a 'temporary residence permit' (*autorisation 145roviso ire de séjour*) valid for six months (renewable).

Social security:

Social Security Code (*Code de la Sécurité Sociale*) in [Article R111-3](#) stipulates that French nationals, as well as persons in a regular situation in accordance with French immigration law, may benefit from social security rights mentioned in Articles L. 160-1, L. 356-1, L. 815-1, L. 815-24, L. 861-1. Article L512-1 of the Social Security Code provides that all French and foreign nationals (with a regular immigration status) who have two or more children can benefit from family allowances;

Order of 10 May 2017 fixing the list of residence permits provided for in Article R. 111-3 of the Social Security Code from the Minister responsible for social security and the Minister of the Interior, which came into force on 12 May 2017, sets the list of certificates or documents attesting to the regular status of third country nationals. The list includes, in Article 1 point 18, the temporary residence permit delivered to beneficiaries of temporary protection;

Labour Code in [Article L5422-1](#) stipulates the conditions for unemployment rights (unemployment benefits and professional orientation).

Social welfare rights:

[Code of Construction and Housing](#) (*Code de la construction et de l'habitation*) in [Article R441-1](#) says that beneficiaries of temporary protection are also eligible for housing support if the household resources are below a threshold;

CESEDA in [Article D581-7](#) sets rules for monthly allowance, which were introduced by Article 18 of [Decree no. 2020-1734 of 16 December 2020](#) (*Décret n° 2020-1734 du 16 décembre 2020 portant partie réglementaire du code de l'entrée et du séjour des étrangers et du droit d'asile*) which came into force on 1 May 2021 ;

Education Code in [Articles L.111-1](#) and [L.114-1](#) provides for access to free public education, which is obligatory for children between 3 and 16 years old.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <p>Residing in Ukraine</p> <p>displaced from 24 February 2022</p>	<p>Yes</p> <p>Article L581-2 of the CESEDA stipulates that the temporary protection regime is open to third country nationals according to the modalities determined by the Council Decision as provided in Article 5 of the TPD, defining the scope of application of the temporary protection to specific groups.</p> <p>The 'instruction on the implementation of Council Decision of 5 March 2022' outlines the scope of application of the temporary protection regime in relation to the war in Ukraine, with a direct cross-reference to Article 2 of the Council Decision of March 2022. It indicates in section I a. paragraph 1° that the scope includes Ukrainian nationals residing in Ukraine before 24 February 2022 and displaced from 24 February 2022.</p>
<p>Family members</p> <p>of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</p> <p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>Yes</p> <p>Article L581-6 of the CESEDA stipulates that family members of a beneficiary of temporary protection have the right to join him/her on the basis of the provisions of Article 15 of the TPD and shall automatically receive the same temporary residence document.</p> <p>The 'instruction on the implementation of Council Decision of 5 March 2022' section 1 a. paragraph 4° stipulates that the following are considered as family members, provided that the family already existed in Ukraine before 24 February 2022:</p> <p>The spouse or the partner engaged in a stable relationship;</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>Unmarried minor children or those of their spouse, whether or not they are born of the marriage or whether they have been adopted;</p> <p>The other close relatives who lived in the family before 24 February 2022 and who were entirely or mainly dependent of either 1. Ukrainians residing in Ukraine before 24 February 2022; 2. Third country nationals or stateless persons who benefitted from an international protection status in Ukraine before 24 February 2022; or 3. Third country nationals residing in Ukraine on a regular basis with a valid residence permit delivered in accordance with Ukrainian law.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>The 'instruction on the implementation of Council Decision of 5 March 2022' refers in section I a. paragraph 2° to third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine before 24 February 2022.</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>The 'instruction on the implementation of Council Decision of 5 March 2022' refers in section I a. paragraph 3° to stateless persons and nationals of third countries, who establish that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit delivered in accordance with Ukrainian law and unable to return in safe and durable conditions to their country or region of origin. The 'instruction' further specifies that for the application of these provisions, the applicant must be invited to an interview for the Prefecture to assess their individual situation.</p>
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>Article L581-7 CESEDA stipulates that according to the conditions set out in Article 7 of Directive 2001/55/EC, other persons can benefit from temporary protection who are displaced for the same reasons and from the same country of region of origin.</p> <p>The provisions granting temporary protection status set out in Articles L. 581-3 à L. 581-6 of the CESEDA are applicable to these types of persons. Apart from this cross-reference to Article 7 of the TPD in the immigration code, no other</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	measures (including the 'instruction' following the Council Decision of March 2022) elaborate further on this nor set out further conditions.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	<p>The 'instruction on the implementation of Council Decision of 5 March 2022' also mentions (I a. paragraph 1°) that: Ukrainian nationals present on that date on the territory of an EU Member State or associated state (with a Schengen visa or visa waiver), who establish that their permanent residence on that date was in Ukraine, are also included.</p> <p>Moreover, definition of a family member is broader, also encompassing close relatives who lived in the family before 24 February 2022 and who were entirely or mainly dependent of third country nationals residing in Ukraine on a regular basis with a valid residence permit delivered in accordance with Ukrainian law.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	French office for immigration and integration	Office français de l'immigration et de l'intégration	Accueil – Ofii
	French Office for the Protection of Refugees and Stateless Persons (OFPRA)	Office français de protection des réfugiés et apatrides	Page d'accueil OFPRA
	Department and regional prefects	Préfets de département et de région	Accueil La préfecture et les services de l'État en région Île-de-France (prefectures-regions.gouv.fr)
Employment rights	Regional directorates for the economy, employment, labor and solidarity	Directions régionales de l'économie, de l'emploi, du travail et des solidarités (DREETS)	Portail national des directions régionale' de l'économie' de l'emploi, du travail et des solidarités (dreeets.gouv.fr)

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	149rovisemploi (French employment support agency)	Accueil Pôle emploi	Accueil Pôle emploi Pôle emploi (pole-emploi.fr)
Social welfare and social security rights	Ameli, Medical insurance Director General of Regional Health Agencies Family allowance	Ameli, l'Assurance Maladie Directeurs généraux des agences régionales de santé Caisse d'allocations familiales (CAF)	Réfugié ukrainien ameli.fr Assuré E.g. : Le directeur général Agence régionale de santé Auvergne-Rhône-Alpes (sante.fr) Bienvenue sur Caf.fr caf.fr

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

[A Committee for the follow-up on reception policy for displaced persons from Ukraine](#) in the inter-ministerial crisis unit was set up in March 2022 by the Ministry of Interior. The Committee brings together all local elected officials and aims to communicate to local authorities information in real time on the arrival of displaced persons, organise the reception policy and identify needs at local level.

The [Interministerial delegation for the reception and integration of refugees](#) of the Ministry of Interior has set up a platform dedicated for supporting persons displaced from Ukraine on the following link: ['our l'Ukraine - Accueil \(refugies.info\)](#). The 'For Ukraine' website is the official platform to coordinate initiatives from citizens, associations and private actors mobilised to support the reception of refugees and displaced people in France. It allows inter alia associations to recruit volunteers to help them carry out their missions or give visibility to their actions and to promote engagement of private companies (donations; mobilising employees to volunteer; etc.).

The instruction on the implementation of Council Decision of 5 March 2022 highlights that the

Directorate General for Foreigners in France (DGEF) within the Ministry of Interior should be called upon for example, if there are difficulties in determining the scope of application of the temporary protection status; or in case of saturation of reception conditions in a particular region where decisions will need to be taken by the DGEF on potential referrals to other regions. In addition, a dedicated email address has been created within the DGEF to support authorities working with beneficiaries of temporary protection from Ukraine: suivi-ukraine-dgef@interieur.gouv.fr.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³⁹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No other forms of adequate protection exist for displaced persons from Ukraine. Such persons can either apply for temporary protection or international protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

As explained above, no other forms of adequate protection exist for displaced persons from Ukraine. Such persons can either apply for temporary protection or international protection.

Limited rules exist regarding the change of status during temporary protection to employment-based residence permit (see below).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to family reunification:

There are no specific measures in French law explicitly referring to the status change from temporary protection to family reunification.

However, in the provisions relating to **family reunification**, [Article R434-6](#) of the CESEDA provides an exception to the rule that the family member must reside outside of France, and stipulates that family reunification status can be granted to a person residing in France if they reside regularly in France with a temporary residence permit of at least one year. Therefore, a beneficiary of temporary protection status can apply for family reunification during the course of validity of their temporary residence permit.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

The same procedure for family reunification applies (except the family member will not need to apply for a long-stay visa as they already reside in France).

Any alteration of rights with respect to

³⁹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

<p>residence:</p> <p>The length of permit is the same length as the person whom the family member is joining in France.</p>	<p>employment rights:</p> <p>This depends on the status of the family member being joined in France. If the family member being joined has recognised refugee status, the employment rights would not change.</p>	<p>social welfare and social security rights:</p> <p>The family member also has the access to social security rights.</p>
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<p><u>Status change from temporary protection to EU blue card:</u></p>		
<p>The procedures for obtaining the blue card residence permits require either the application for a long stay visa or presenting a valid residence permit. As long as the temporary protection permit remains valid, the beneficiary of this permit can apply for another residence permit while in France.</p>		
<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p>		
<p>No requirement to apply for a long-stay visa.</p>		
<p>Any alteration of rights with respect to</p>		
<p>residence:</p> <p>Length of permit (four years, renewable)</p>	<p>employment rights:</p> <p>The employment rights would not change.</p>	<p>social welfare and social security rights:</p> <p>The Blue Card permits allows access to social security rights. The status change would mean that the applicant is no longer eligible for the subsistence allowance.</p>

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

None identified.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

According to the third paragraph of [Article R581-4](#) of the CESEDA, beneficiaries of temporary protection status have the right to access paid employment, without the need to request a work permit from the Prefecture.

The employer must contact the competent authorities (the relevant Prefecture) at least two days before the start of employment, to verify the existence of the document authorising the third country national to exercise a salaried activity in France (the temporary residence permit) ([Article L 5221-8 of the Labour Code](#) relating to the employment of third country nationals in France).

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

[Article R581-4](#) of the CESEDA (which first came into force on 1 May 2021) paragraphs 1 and 2 stipulate that a beneficiary of temporary protection is granted a 'temporary residence permit' (*autorisation provisoire de séjour*) valid for six months (renewable).

In case of stop shop for asylum seekers, Prefectures should issue applicants for temporary protection with the temporary residence permit and the card for receiving the subsistence allowance (*carte allocation demandeur d'asile* – ADA) at the same time.

The third paragraph of [Article R581-4](#) provides that this permit grants the holder the **right to exercise a professional activity**. This third paragraph was added in April 2022, through a modification to Article R518-4 by the [Decree n°2022-468 of 1 April 2022](#) (*Décret n° 2020-1734 du 16 décembre 2020 portant partie réglementaire du code de l'entrée et du séjour des étrangers et du droit d'asile*). Since 1 April 2022 (date of entry into force of the aforementioned Decree), beneficiaries of temporary protection status therefore have the right to access paid employment, without the need to request a work permit.

A temporary work permit is not required since April 2022 (Article R581-4, CESEDA).

II. Recognition of qualifications/diplomas

Beneficiaries of international protection can obtain a recognition of their qualifications to work or study in France. Different procedures apply depending on whether the qualification relates to a regulated or non-regulated profession. A specific procedure also applies to diplomas relating to teaching sport.

Non-regulated profession: Based on the [Arrêté du 22 juin 2013 portant création d'un téléservice de dématérialisation des demandes de reconnaissance des qualifications et équivalences de diplômes dénommé «ARQUEDI»](#), the employer may request a certificate of comparability (*attestation de comparabilité*). When the diploma obtained in a third country can be compared to a level of training in France, a certificate is provided by the Centre Enic-Naric, a government centre tasked with facilitating international mobility through the recognition of diplomas. This certificate describes the level of studies of the foreign diploma and compares this with a French diploma. The certificate must be requested directly on the website of Centre Enic-Naric (the certificate is sent by email).

Regulated profession: This relates to liberal professions (lawyers, bailiffs, architects, doctors, etc.) and commercial and artisan jobs (mechanics, hairdressers, etc.). The beneficiary of temporary protection must also make an online request on the website of the Enic-Naric Centre and attach the relevant documents (including a diploma; official translation in French; identity document). An original version of the diploma may be requested. Once the expertise has been validated, a certificate of comparability or a certificate recognising the length of studies is sent by email.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Beneficiaries of temporary protection can receive support from [Pôle Emploi](#), a government agency which registers and supports unemployed persons. The support is available for French nationals and third country nationals with a regular residence status in France.

The beneficiary of temporary protection must fill out a questionnaire (indicating the number of the 'temporary residence permit' and age, among other data), after which a member of Pôle Emploi will contact them for an appointment. Pôle Emploi provides information on job opportunities, support to find a job, as well as training opportunities. For those under 25, ['local missions'](#) (*Missions Locales*) provide specific socio-professional support for young people between 16 and 25 years old.

The government led network 'Engaged businesses' (*Les Entreprises s'engagent*), a network set up in 2018 to promote employment for all sections of the population, has set up a specific module to promote the professional integration of refugees from Ukraine and to announce potential jobs and recruitment needs. The form is available on this [link](#).

- IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

[Article R581-4-1](#) of the CESEDA provides that language course should be offered to beneficiaries of temporary protection. Language courses are provided on the Minister of Interior [website](#), which includes various online tools.

Online training opportunities are also available on [Pole-Emploi](#), including language course, computer training, and sector specific training courses.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

The general law in force in France applicable to remuneration, and other conditions of employment apply to beneficiaries of temporary protection. The work contract that the employer signs with the beneficiary of temporary protection is regulated under the French law (the Labour Code) under the same conditions as a French national. Restrictions may apply in relation to accessing employment in certain sectors, e.g. [public sector jobs](#) (diplomacy, police, defence, etc.).

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

[Article R111-3](#) of the [Social Security Code](#) (*Code de la Sécurité Sociale*) stipulates that French nationals and persons in a regular situation in accordance with French immigration law, may benefit from social security rights mentioned in Articles L. 160-1 (access to health care), L. 356-1 (widower insurance surviving partners of persons affiliated to an old age scheme), L. 815-1 (solidarity allowances for the elderly), L. 815-24 (invalidity allowance), L. 861-1 (complementary health protection for persons with resources below a certain threshold). Additionally, [Article L512-1](#) of the Social Security Code regulates family allowances and [Article L5422-1](#) of the Labour Code conditions for unemployment rights.

Access to healthcare:

Beneficiaries of temporary protection are eligible for medical health coverage ([Article L160-1](#) Social Security Code).

Universal Medical Protection Scheme (PUMA) includes coverage for visits to the doctor; dentist; mid-wife; medicine on prescription; and other costs such as glasses and hearing aids. The coverage also includes psychological support. Complementary health protection is also available for persons for whom the resources of the household are below a certain threshold ([L861-2](#) Social Security Code).

Procedure: The temporary residence permit from the Prefecture automatically grants the beneficiary the right to access the health care system for a period of one year. There is no procedure to follow as the granting of temporary protection status should automatically activate the right to health care (there are partnerships between the Prefecture and the Health Insurance Funds (*Caisses Primaires d'Assurance Maladie*) as state on the French health insurance fund [website](#)).

Invalidity benefits

The Social Security Code provides for an additional allowance for persons suffering from an invalidity reducing their earning or work capacity ([Article L815-24](#) of the Social Security Code). The amount is calculated to guarantee a minimal level of resources (determined by Decree). Conditions to access these benefits are [as follows](#):

To have contributed for at least 12 months to the French social security before the work invalidity occurs;

To have contributed on the basis of at least 2030 times the minimum hourly wage during the last 12 months before the end of the interruption of the work;

To have worked at least 600 hours during the 12 months preceding the interruption of work.

Benefits for the elderly:

Persons having reached a minimum age benefit from the 'solidarity allowance for the elderly' as set out under Article, [L. 815-1](#) of the Social Security Code. This minimum age is lowered in the event of incapacity for work or for persons with a 50% disability rate. Widowed beneficiaries of temporary protection are eligible for widower insurance if their partner was affiliated to an old age scheme (Article [L. 356-1](#) of the Social Security Code). The total of this allowance and the surviving 'pouse's personal resources cannot exceed a ceiling fixed by decree.

The benefits for the elderly set out in Article, [L. 815-1](#) of the Social Security Code are subject to the requirement to have held for at least ten years a residence permit granting [the authorisation to work](#). This requirement does not apply for: refugees; beneficiaries of subsidiary protection; stateless persons; EEA nationals; third country nationals from a list of countries (the list does not include Ukraine).

Unemployment rights

Unemployment allowances are regulated by [Article L5422-1](#) of the Labour Code and are granted to workers with the capacity to work and who are looking for a job, who were either deprived of employment against their will or their employment contract was terminated by mutual agreement. To be eligible for unemployment benefits, there is a requirement to have worked at least six months (130 days or 910 hours) in the 24 months preceding the end of the work contract.

Registration on [Pole-Emploi](#) is required to receive professional orientation support; unemployment benefits and social protection. [Article R5221-48](#) of the Labour Code, refers to the different residence permits that make the holder eligible to register on Pole-Emploi, which includes at paragraph 15° the temporary residence permit authorising the holder to access employment.

Family/child allowances:

[Article L512-1](#) of the Social Security Code provides that all French and foreign nationals (with a regular immigration status) with at least two children under 20 years of age, can benefit from child allowances. [Article D512-1](#) includes a list of residence permits allowing their holder to benefit from these family allowances, which includes at paragraph 7° the temporary residence permit with a validity of more than three months.

Procedure: an online form (cerfa n°11423 and n°10397) must be filled out and sent to the 'Family Allowance Fund' (*Caisse d'Allocations Familiales* - CAF). The amount will be calculated according to the resources of the applicant and the [number of children](#).

Welfare rights:

Immediate medical care:

Persons who have not yet received their temporary residence permit (which grants rights to universal health care), who require health care (whether urgent hospital treatment or not), can go to the nearest hospital with their passport or any other identity document for [treatment](#).

Monthly allowance

As mentioned in section 1 above, beneficiaries of temporary protection are eligible to receive a monthly allowance ([Article D581-7](#) CESEDA), if they satisfy the conditions of age and resources stipulated in [Article L553-2](#) of the CESEDA. The latter article specifies that this is determined by Decree fixing a threshold for the allowances, taking into account the resources of the beneficiary of international protection, their family situation (number of adults and children); their housing situation and any allowances received through their housing arrangements, if applicable.

The conditions for receiving the allowance are: (i) to be over 18; (ii) to have been granted the temporary protection status; and (iii) to have monthly resources below a threshold. The thresholds are [the following](#):

Persons living alone: EUR 575,52;

Couples: EUR 863,28 (no children); EUR 1 035,93 (one child); EUR 1 208,58 (two children).

Single parents: EUR 739,03 (single pregnant mothers); parents with 1 child (EUR 863,28 - 985,38); parent with two children (EUR 1.035,93- EUR 1.231,72).

The threshold for the allowance is set in Annex 8 of the CESEDA, as follows (according to the number of persons in the household) (per day):

EUR 6,80 (1 person); EUR 10,20 (2 persons); EUR 13,60 (3 persons); EUR 17,00 (4 persons); EUR 20,40 (5 persons); EUR 23,80 (6 persons); EUR 27,20 (7 persons); EUR 30,60 (8 persons); EUR 34 (9 persons); EUR 37,40 (10 persons).

An additional EUR 7,40 per day is granted for each adult who has expressed a need for housing and has not accessed housing.

The beneficiary for temporary protection is granted a card (*carte allocation demandeur d'asile* – ADA), which can be used to make payments. The card can be requested at the Prefecture or from the [French Office for Immigration](#) (OFI). As noted above, the government instruction on the implementation of the decision of the Council of the European Union of March 2022 emphasised that Prefectures should issue applicants for temporary protection with the temporary residence permit and the ADA card at the same time. The amount is transferred each month on the ADA card during the period of temporary protection status.

Tailored housing support:

Beneficiaries of temporary protection are eligible for **housing support**, if the household resources are below a threshold (set by a Decree - [Arrêté du 23 septembre 2021 relatif au calcul des aides personnelles au logement et de l'aide à l'accession sociale et à la sortie de l'insalubrité spécifique à l'outre-mer](#)) ([Article R441-1](#) of the Code of Construction and Housing).

Procedure: the beneficiary of international protection should make an online request to the 'Housing Allowance' ([Caisse d'allocations familiales](#) - CAF), and the amount of housing support will be calculated according to the person's circumstances.

Housing and accommodation:

The accommodation is organised in three steps and coordinated by the [Departmental Prefect](#):

Step 1: housing is provided in an emergency reception site for the first two nights (type of accommodation: hotel; gymnasium). Emergency assistance is provided.

Step 2: depending on the personal situation of each person (including number of people in the household), beneficiaries of temporary protection will be orientated towards ad hoc housing for several weeks/months as a temporary measure (e.g. in a 'holiday centre' building). Social support is provided by an association contracted by the State.

Step 3: a 'longer term' housing solution (for minimum periods three months) will be sought, and includes housing pledged by citizens and associations (through the platform '[For Ukraine](#)'). Social support is provided by an association contracted by the State.

Transport:

Persons displaced from Ukraine also benefit from free or significant travel reductions. The SNCF (France's national railway company) outlines these rights on its website in several languages (Ukrainian, French, Polish, Russian):

For **all persons displaced from Ukraine**: [SNCF](#) are offering one free train trip throughout France and to neighbouring European countries. This can be accessed at the station (with a proof of passport/ID issued in Ukraine or a valid Ukrainian residence permit; or a Help Ukraine ticket issued by Deutsche Bahn);

For **applicants for temporary protection status**, the French regional transport authorities have approved free travel (travel by TGV (France's intercity high-speed rail service), TER (rail service run by the regional councils of France) and interurban transport) for each displaced person from Ukraine who can show proof of their application for a temporary residence permit as stated in the [Welcome booklet for persons displaced from Ukraine](#) of the Ministry of the Interior:

Once displaced persons from Ukraine have received financial assistance from the French State (the monthly allocation - ADA) they qualify to travel on regional transport at special solidarity fares defined by their host region. These solidarity fares may be either a continuation of free travel or represent a significant reduction on standard regional transport fares.

The SNCF website specifies (in the Q&A section of the webpage) that this is a temporary measure.

Education:

Beneficiaries of temporary protection also have access to free public education, which is obligatory for children between 3 and 16 years old ([Articles L.111-1](#) et [L.114-1](#) of the Education Code). Parents of children between 3 and 10 should register their child at the nearest town hall. For children between 11 and 18 years old, parents can contact the nearest school, or the national education services in the department where they are located (DSDEN: *direction des services départementaux de l'éducation nationale*). For young persons between 16 and 18 who do not wish to attend school, the DSDEN can accompany them to find suitable training or job opportunities as stated [here](#) and on the Ministry of Education [website](#).

II. Eligibility conditions

See directly above for the eligibility conditions for accessing social security rights and for the conditions relating to each type of social welfare.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

For Ukraine platform:

The Interministerial delegation for the reception and integration of refugees (French Ministry of Interior) has set up a platform dedicated for supporting persons displaced from Ukraine on the following [link](#).

The 'For Ukraine' website is the official platform that supports the mobilisation of citizens and associations for the reception of refugees and displaced people in France. It supports e.g. associations to recruit volunteers to help them carry out their missions; individuals to sign up as volunteers; and engagement of private companies (donations; mobilising employees to volunteer; etc.).

The website has a specific page for persons displaced by the conflict in Ukraine (in Ukrainian and in French), which provides information on administrative procedures; access to rights (healthcare; daily allowance, etc.); information on living in France (education; learning French; training programmes; accessing the labour market; recognition of professional qualifications; cultural activities).

The types of training programmes include e.g.:

Digital training programmes proposed by the association Konexio for refugees and migrants; training women in catering trades with Marie Curry.

The Bienvenu-es program, funded by the departmental directorates of social cohesion, offering specialised and individual support for a maximum of 24 months in the Var department. The support is adapted to the person's needs, including social or professional support.

Information from the Ministry of Labour

On 5 May 2022 the Ministry of Labour published information on aid and support measures on the following web page: [Conflict in Ukraine: the Ministry of Labour, Employment and Integration informs you](#).

Support to persons in the cultural profession

The Ministry of Culture, in partnership with the association 'l'Atelier des artistes en exil' (Workshop of exiled artists), has set up a help desk for Ukrainian artists and persons in the cultural profession - WhatsApp number (+33 6 95 75 68 52) and email address: soutienartistesukrainiens@AA-e.org.

Education

The [Ministry of National Education website](#) offers information on the reception and schooling of Ukrainian children, which includes a brochure presenting the French national education system, and explains the French levels of education corresponding to the Ukrainian system.

Teachers who welcome or will welcome children or teenagers arriving from Ukraine can follow a training course ([Magistère](#)) and can also [consult a document](#) on the support for teachers welcoming pupils arriving from Ukraine on the French government website.

As regards higher education, [Campus France](#), the government agency responsible inter alia for the welcoming of international students, have set up a dedicated email address for requests for admission for persons displaced from Ukraine: ukraine@campusfrance.org.

Country fiche for Croatia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁴⁰ and Council Implementing Decision (EU) 2022/382⁴¹

TPD was transposed through the [Act on International and Temporary Protection](#) (Official Gazette 70/15, 127/17), adopted on 12 June 2015, in force from 2 July.

A person under temporary protection is entitled to the following rights:

Residence/stay for the duration of temporary protection;

An alien's card under temporary protection, which is considered a residence permit;

Right to work without a residence and work permit or a certificate of registration of work;

Right to health care - by presenting the Card of a foreigner under temporary protection, a person exercises all rights from the compulsory health insurance, and if one gets a job, he/she will receive the Card of a health insured person;

Fixed assets for living and accommodation;

Primary and secondary education equal to Croatian citizens;

Family reunification; and

Information on rights and obligations.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

[Act on International and Temporary Protection](#) (Official Gazette 70/15, 127/17), adopted on 12 June 2015, in force from 2 July. It provides that foreigners under temporary protection may work in Croatia without a residence or work permit or certificate of registration of work (Art. 86).

⁴⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁴¹ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Social Welfare Act](#) (Official Gazette 18/22, 46/22), adopted on 28 January 2022, in force from 17 February 2022.

[Decision on Temporary Protection for Displaced Persons from Ukraine](#), adopted on 7 March 2022, in force from 7 March 2022.

[Decision on the establishment of an Interdepartmental Working Group for the Implementation of Activities for the Reception and Care of Refugees from Ukraine](#), adopted on 28 February 2022, in force from 28 February 2022.

[Labour Market Act](#) (Official Gazette 118/18, 32/20, 18/22), adopted on 14 December 2018, in force from 1 January 2019.

[Law on Foreigners](#) (Official Gazette 133/2020), adopted on 2 December 2020, in force from 1 January 2021.

[Ordinance on Healthcare Standards for Applicants for International Protection and Foreigners with Temporary Protection](#) (Official Gazette No 28/2000), adopted on 3 March 2020, in force from 21 March 2020.

[Decree on the Method of Calculating and the Amount of Allowances for the Support of Third-Country Nationals in the Republic of Croatia](#) (Official Gazette 14/21), adopted on 11 February 2021, in force from 13 February 2021.

[Anti-discrimination Act](#) (Official Gazette 85/08, 112/12), adopted on 15 July 2008, in force from 1 January 2009.

[Law on Mandatory Health Insurance and Healthcare for Foreigners in the Republic of Croatia](#) (Official Gazette No 80/13, 15/18, 26/21, 46/22), adopted on 21 June 2013, in force from 1 July 2013.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes (see the Decision on Temporary Protection for Displaced Persons from Ukraine)
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes (see the Decision on Temporary Protection for Displaced Persons from Ukraine) A family member is defined as: A spouse and or a non-marital partner (person in domestic partnership); Minor children no matter whether they are born in marital or non-marital partnership or adopted; Other close relatives who lived in the same household at the moment when the circumstances connected to displacement

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	of persons from Ukraine took effect and who were at that time completely or mostly dependent on these persons.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes (see the Decision on Temporary Protection for Displaced Persons from Ukraine)
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes (see the Decision on Temporary Protection for Displaced Persons from Ukraine)
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes (see the Decision on Temporary Protection for Displaced Persons from Ukraine) Ukrainian nationals and their family members who left Ukraine due to security situation just before 24 February 2022 and who cannot return to Ukraine due to the armed conflict.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Ministry of the Interior (status, residence)	Ministarstvo unutarnjih poslova	www.mup.hr https://hrvatskazaukrajину.gov.hr/informacije/status-privremene-zastite/152
Employment rights	Ministry of Labour, Pension System, Family and Social Policy Croatian Employment Service ENIC/NARIC Office Ministry of Finance – Tax Administration	Ministarstvo rada, mirovinskoga sustava, obitelji i socijalne politike Hrvatski zavod za zapošljavanje Ured ENIC/NARIC Ministarstvo financina – Porezna uprava	https://mrosp.gov.hr/ https://hrvatskazaukrajину.gov.hr/UserDocsImages/dokumenti/HR/Aktivnosti%20-%20datoteke/Ministarstvo%20rada%20letak%20HR.pdf https://www.hzz.hr/en/ https://www.azvo.hr/en/enic-naric-office https://www.porezna-uprava.hr/en/Pages/default.aspx
Social welfare and social security rights	Ministry of Labour, Pension System, Family and Social Policy Croaticum – Centar za hrvatski kao drugi i strani jezik Ministry of Health Croatian Institute of Public Health	Ministarstvo rada, mirovinskoga sustava, obitelji i socijalne politike Croaticum – Centre for Croatian as a Second and Foreign Language Ministarstvo zdravstva Hrvatski zavod za javno zdravstvo	https://mrosp.gov.hr/ https://hrvatskazaukrajину.gov.hr/UserDocsImages/dokumenti/HR/Aktivnosti%20-%20datoteke/Ministarstvo%20rada%20letak%20HR.pdf https://croaticum.ffzg.unizg.hr/?page_id=4674 https://zdravlje.gov.hr/ https://www.hzjz.hr/en/mreza-zavoda-za-javno-zdravstvo/

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Yes, the coordination between authorities has been established.

On 28 February 2022, the Government of the Republic of Croatia adopted the Decision on the establishment of an Interdepartmental Working Group for the Implementation of Activities for the Reception and Care of Refugees from Ukraine. The Ministry of Interior coordinates its work, while the Civil Protection Directorate of the Ministry of Interior performs expert, technical and administrative tasks necessary for the functioning of the Interdepartmental Working Group.

The Interdepartmental Working Group has representatives from a number of national institutions and bodies which are involved in providing help to the persons displaced from Ukraine. The representatives from following institutions and bodies are part of the Working Group:

Ministry of Interior,

Office of the President of the Government of the Republic of Croatia,

Office of the Vice President of the Government of the Republic of Croatia,

Ministry of Foreign and European Affairs,

Ministry of Finance,

Ministry of Health,

Ministry of Science and Education,

Ministry of Physical Planning, Construction and State Assets,

Ministry of Economy and Sustainable Development,

Ministry of Labour, Pension System, Family and Social Policy,

Ministry of Tourism and Sports,

Ministry of Agriculture,

Ministry of the Sea, Transport and Infrastructure,

Ministry of Culture and Media,

Ministry of Defence,

Central State Office for Reconstruction and House Care,

Agency for Transactions and Mediation in Real Estate,

Representatives of Ukrainian minority in the Republic of Croatia.

The Interdepartmental Working Group has to coordinate all the activities related to the acceptance, residence, food, healthcare, status rights, education and other issues related to providing help for displaced persons from Ukraine.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁴² under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The Republic of Croatia does not provide the status of “adequate protection”, within the meaning of Article 2(2) of the Council Decision. All categories of persons listed in the Decision of the Republic of Croatia are qualified for temporary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is a possibility of changing status from temporary protection to single work permit, EU Blue Card, seasonal worker and family reunification.

Other forms of adequate protection do not exist in Croatia.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to single permit to work:

The conditions set in the legislation to apply for such a status change while remaining in the country:

Displaced persons from Ukraine may apply for a single permit, while they have the temporary protection status, based on the Law on Foreigners (Articles 88-103). Conditions are the same as for other third-country nations who are applying for a single permit to work.

Depending on whether the issuing of a residence and work permit is based on the opinion of the Croatian Employment Service or not and whether there is a need for this occupation on the labour market or not, a labor market test will be conducted and the opinion of the Regional Office of the Croatian Employment Service will be sought. Some categories of residence and work permits require the fulfillment of additional conditions. For regulated professions, one has to submit the proof that the requirements in accordance with special rules on professional qualifications for performing the regulated profession are fulfilled.

In case the single permit is granted, temporary protection ceases.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

⁴² ‘Adequate protection’ under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.

Any alteration of rights with respect to

residence:

The stay is approved for the duration of the employment contract, i.e. up to 1 year. If the residence and work permit is granted for a period of up to 1 year and the person stays abroad for more than 90 days or for more than 30 days at a time, the residence and work permit is revoked. Exceptionally, a third-country national who leaves the Republic of Croatia on a one-time basis for up to 90 days for justified reasons will not have his/her stay revoked if he/she notifies the competent police administration of the police station before leaving the Republic of Croatia.

A worker posted to another Member State will not lose his/her right to stay while he/she is posted and stays in another Member State.

employment rights:

One can perform only those jobs for which he/she has been issued a residence and work permit and only with that employer.

The individual is guaranteed, inter alia, the following rights (Article 138 of the Law on Foreigners):

- working conditions including salary and termination of the employment contract; counselling services provided by public employment services; freedom of association and membership in organizations representing workers or employers, including the remuneration paid to them by such organizations.

The rights are exercised in accordance with the rules of the Republic of the Republic of Croatia which regulate specific areas.

social welfare and social security rights:

The person who has obtained a single permit will acquire the social security and social welfare rights based on the single permit status and lose the social security and social welfare rights based on the temporary protection status.

The following rights are guaranteed (Article 138 of the Act) for persons with a single permit:

social security rights as defined by Regulation (EC) No 883/2004.

The rights are exercised in accordance with the rules of the Republic of Croatia which regulate specific areas.

Status change from temporary protection to EU Blue Card:

Displaced persons from Ukraine can apply from the Croatian territory for the EU Blue Card in accordance with Article 126 of the Law on Foreigners, while they have temporary protection status. Legal conditions are the same as for all third-country nationals who regulate their status on the basis of the EU Blue Card, i.e. they must have a certain minimum gross salary (1.5 gross annual salary); the proof of higher education and employment contract for at least 1 year. For regulated professions, the proof that they meet the requirements in accordance with the special rules on professional qualifications for performing the regulated profession is required.

If the Blue Card is granted, the temporary protection ceases.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.

Any alteration of rights with respect to			
<p>residence:</p> <p>The EU Blue Card is issued with a validity period of up to two years, or if the contract is shorter, it is issued for the duration of the contract plus three months.</p> <p>The EU Blue Card will cease if one has moved or resided outside the EEA for more than 24 consecutive months.</p>	<p>employment</p> <p>One can perform only those jobs for which he/she has been issued a residence and work permit and only with that employer.</p> <p>The individual is guaranteed, inter alia, the following rights (Article 138 of the Law on Foreigners):</p> <p>working conditions including salary and termination of the employment contract; counselling services provided by public employment services; freedom of association and membership in organizations representing workers or employers, including the remuneration paid to them by such organizations.</p> <p>The rights are exercised in accordance with the rules of the Republic of the Republic of Croatia which regulate specific areas.</p>	<p>rights:</p>	<p>social welfare and social security rights:</p> <p>Based on Article 131 of the Law on Foreigners, one has the right to social welfare and child allowance. The rights are exercised in accordance with the rules of the Republic of Croatia which regulate specific areas.</p>

<u>Status change from temporary protection to seasonal work (up to 90 days or up to 6 months):</u>
<p>The conditions set in the legislation to apply for such a status change while remaining in the country:</p> <p>Displaced persons from Ukraine may apply from the territory of the Republic of Croatia to regulate their status on the basis of residence and work permits for seasonal employment in agriculture, forestry, catering and tourism in accordance with Article 104 of the Law of Foreigners (Official Gazette 133/20), while in temporary protection status. The legal requirements are the same as for all third-country nationals who regulate their status on the basis of a residence and work permit for seasonal employment. For seasonal work lasting up to 90 days it is not necessary to conduct a labour market test, nor is the opinion of the regional office of the Croatian Employment Service required, nor obtaining a residence permit (card).</p> <p>For residence and work permits of up to 6 months, depending on whether it is a deficient occupation or not, a labour market test is required. The opinion of the Regional Office of the Croatian Employment Service is sought. The seasonal worker must be provided with adequate accommodation.</p> <p>If the residence and work permit is granted, the temporary protection ceases.</p>
<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p> <p>In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.</p>

Any alteration of rights with respect to		
<p>residence:</p> <p>The seasonal worker must be provided with adequate accommodation.</p>	<p>employment rights:</p> <p>Article 108 of the Law on Foreigners provides that a seasonal worker has the right, as a Croatian citizen, inter alia, to:</p> <p>employment conditions, including the minimum age for employment, and working conditions, including salary and termination of employment, working hours, holidays, vacations, holidays and non-working days, as well as health and safety requirements at work and protection of employment rights in accordance with the general labour rules;</p> <p>the right to take part in strikes and industrial action, the freedom to organize and to join a trade union or any other professional organization, and the rights and privileges granted by such organizations, including the right to bargain collectively and to bargain collectively;</p> <p>arrears of payments from employers, in connection with possible unpaid receipts from work, to a third-country national;</p> <p>seasonal work counselling services provided by the competent public employment service.</p> <p>The seasonal worker exercises his/her rights in accordance with the rules of the Republic of Croatia and the collective agreement which binds the employer, if any, and which regulates certain areas.</p>	<p>social welfare and social security rights:</p> <p>A seasonal worker has the right, as a Croatian citizen, inter alia, to:</p> <p>social security rights, as defined by Article 3 of Regulation (EC) No 883/2004</p> <p>A seasonal worker exercises his/her rights in accordance with the rules of the Republic of Croatia and the collective agreement which binds the employer, if any, and which regulates certain areas.</p>

Status change from temporary protection to family reunification:

The conditions set in the legislation to apply for such a status change while remaining in the country:

Displaced persons from Ukraine may apply from the territory of the Republic of Croatia for the regulation of their status on the basis of family reunification in accordance with Article 63 of the Law on Foreigners, while having the temporary protection status. The legal requirements are the same as for all third-country nationals.

If family reunification is granted, temporary protection ceases.		
Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:		
In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.		
Any alteration of rights with respect to		
<p>residence:</p> <p>If a person stays abroad in one year altogether for more than 90 days or more than 30 days at a time, the temporary stay will be terminated. Exceptionally, a third-country national who leaves the Republic of Croatia on a one-time basis for up to 90 days for justified reasons will not have his/her temporary residence terminated if he/she notifies the competent police administration or police station of his/her departure from the Republic of Croatia.</p>	<p>employment rights:</p> <p>Depending on the status of the sponsor, the individual has the right to work without a residence and work permit (for example, family members of Croatian citizens or if the sponsor is a person with long-term residence)</p> <p>If he/she can work without a residence and work permit - see the rights from the first section (residence and work permit).</p>	<p>social welfare and social security rights:</p> <p>If the individual can work without a residence and work permit, for example family members of Croatian citizens or if the sponsor is a person with long-term residence - see the rights from the first section (residence and work permit).</p>

<u>Status change from temporary protection temporary to stay based on education/study/scientific research:</u>		
The conditions set in the legislation to apply for such a status change while remaining in the country:		
Displaced persons from Ukraine may apply from the territory of the Republic of Croatia to regulate their status on the basis of education/study/scientific research on the basis of a guest contract in accordance with the Article 73 of the Law on Foreigners, while having the temporary protection status. The legal requirements are the same as for all third-country nationals.		
If temporary residence based on education/study/scientific research is granted, temporary protection ceases.		
Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:		
In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.		
Any alteration of rights with respect to		
<p>residence:</p> <p>If a person stays abroad in 1 year altogether for more than</p>	<p>employment rights:</p> <p>Article 75 of the Law on Foreigners stipulates employment rights, depending</p>	<p>social welfare and social security rights:</p>

<p>90 days or more than 30 days at a time, the temporary stay will be terminated. Exceptionally, a third-country national who leaves the Republic of Croatia on a one-time basis for up to 90 days for justified reasons will not have his temporary stay revoked if he notifies the competent police administration or police station of his departure from the Republic of Croatia.</p> <p>If he/she is mobile in other Member State, the temporary stay will not end during the mobility.</p>	<p>on whether such persons are researchers, students or persons in education.</p> <p>Researchers have the same rights as Croatian citizens in relation to:</p> <p>working conditions, including salary and termination of employment contracts, as well as safety requirements at the place of work;</p> <p>the freedom to organise and to join a trade union or any other professional organization, and the rights and privileges granted by such organizations, including the right to bargain collectively and to conclude collective agreements,</p> <p>counselling services provided by public employment services.</p> <p>Third-country nationals exercise their rights in accordance with the rules of the Republic of Croatia governing specific areas.</p>	<p>Based on Article 75 of the Law on Foreigners, researchers have social security rights as defined by EC Regulation 883/2004.</p> <p>Third-country nationals exercise their rights in accordance with the rules of the Republic of Croatia governing specific areas.</p>
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Status change from temporary protection to temporary residence of digital nomads:

The conditions set in the legislation to apply for such a status change while remaining in the country:

Displaced persons from Ukraine may apply to have their status regulated as digital nomads if they are employed or perform business through communication technology for a company or their own company which is not registered in the Republic of Croatia and does not perform business or provide services to employers in Croatia.

Temporary residence is granted for up to one year (possibly shorter). However, temporary residence cannot be extended. After the expiration of 6 months from the expiration of the temporary stay of the digital nomad, a request for re-regulate one's stay as a digital nomad may be submitted. Pursuant to the Decree on the Method of Calculating and the Amount of Allowances for the Support of Third-Country Nationals in the Republic of Croatia, a third-country national regulating temporary residence for the purpose of staying as a digital nomad must have at least 2.5 average monthly net paid salaries for the previous year based on officially published data from the Central Bureau of Statistics. At the moment, the amount of required funds on a monthly basis is minimum HRK 17,822.50, which is proven by a bank account statement from which the regular inflow of funds in the requested amount or payroll for at least 6 months is visible as proof of secured funds in the required amount.

Legal requirements are the same as for all third-country nationals.

If temporary residence is granted, temporary protection ceases.

<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p> <p>In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she does not have to submit a certificate of impunity from their home country.</p>		
<p>Any alteration of rights with respect to</p>		
<p>residence:</p> <p>If a person stays abroad in one year altogether for more than 90 days or more than 30 days at a time, the temporary stay will be terminated. Exceptionally, a third-country national who leaves the Republic of Croatia on a one-time basis for up to 90 days for justified reasons will not have his temporary stay revoked if he/she notifies the competent police administration or police station of his/her departure from the Republic of Croatia.</p>	<p>employment rights:</p> <p>The individual works for a company or his own company which is not registered in the Republic of Croatia and does not perform business or provide services to employers in the territory of the Republic of Croatia.</p>	<p>social welfare and social security rights:</p> <p>No rights provided.</p>

<p><u>Status change from temporary protection to temporary residence for other purposes:</u></p> <p>The conditions set in the legislation to apply for such a status change while remaining in the country:</p> <p>Citizens of Ukraine can apply from the territory of the Republic of Croatia to regulate their status on a different basis such as the use of real estate, medical treatment, tourist stay, etc. Legal conditions are the same as for all third-country nationals.</p> <p>If temporary residence is granted, temporary protection ceases.</p>		
<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p> <p>In case an individual has resided in the territory of the Republic of Croatia based on the status of temporary protection, he/she do not have to submit a certificate of impunity from their home country.</p>		
<p>Any alteration of rights with respect to</p>		
<p>residence:</p> <p>If a person stays abroad in 1 year altogether for more than 90 days or more than 30 days at a time, the temporary stay will be terminated. Exceptionally, a third-country national who</p>	<p>employment rights:</p> <p>These individuals cannot work based on their temporary residence.</p>	<p>social welfare and social security rights:</p> <p>No rights provided.</p>

<p>leaves the Republic of Croatia on a one-time basis for up to 90 days for justified reasons will not have his/her temporary stay revoked if he notifies the competent police administration or police station of his/her departure from the Republic of Croatia.</p>		
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

If the beneficiary of temporary protection in the Republic of Croatia subsequently moves to another EU Member State and that Member State issues a residence permit on the basis of temporary protection, the card of a foreigner under temporary protection in the Republic of Croatia will be revoked, since the person has acquired the temporary residence status in another Member State.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Persons under temporary protection in Croatia have access to the labour market and the right to register at the Croatian Employment Service. They have equal rights and obligations as unemployed Croatian citizens registered at the Croatian Employment Service (Article 14 of the Labour Market Act, Official Gazette 118/18, 32/20, 18/22).

Additionally, the Anti-discrimination Act provides protection against both direct and indirect discrimination, harassment, sexual harassment, encouragement to discrimination, segregation, multiple discrimination, and victimization (Articles 2-7). It protects against discrimination in the following fields: work; education; social security and social welfare; health; judiciary and administration; housing; public information and media; access to goods and services; membership in trade unions, NGOs, political parties and other organizations; and access to culture and art (Article 8). It prohibits discrimination on the grounds of race or ethnic affiliation or colour, gender, language, religion, political or other belief, national or social origin, property, trade union membership, education, social status, marital or family status, age, health condition, disability, genetic heritage, native identity, expression or sexual orientation (Article 1).

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

Article 86 of the Act on International and Temporary Protection (Official Gazette 70/15, 127/17) provides that a foreigner under temporary protection may work in the Republic of Croatia without a residence or work permit or certificate of registration of work.

II. Recognition of qualifications/diplomas

Recognition of qualifications/diplomas for persons under temporary protection for regulated professions is the same as for other third-country nationals. However, a number of faculties within the University of Zagreb have offered their programmes and courses in English and Croatian and other services they provide to students (for example the use of library resources, etc.) to Ukrainian nationals.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The Croatian Employment Service is conducting the following activities to provide support and help to unemployed persons under temporary protection:

Preparation for employment (individual counselling and individual consultations);

Employment mediation (providing information about job vacancies, assisting employers wishing to hire persons under temporary protection);

Including them in workshops (how to write a CV, how to apply for a job);

Including them in Active Labour Market measures.

The activities provided by the Croatian Employment Service to persons under temporary protection are equal to those provided to Croatian citizens.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Persons enjoying temporary protection from Ukraine are entitled to the same vocational training and practical workplace experience as Croatian citizens.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Persons enjoying temporary protection who are employed are entitled to the same social security benefits as employees who are Croatian citizens (see above on the principle of equal treatment).

A person under temporary protection is entitled to the right to residence for the duration of temporary protection status and thus also to social security benefits linked to residence.

Social security rights are exercised in accordance with the rules of the Republic of Croatia which regulate specific areas.

The following social benefits are also provided to displaced persons from Ukraine:

Healthcare

Based on Articles 83(1)(4) and 87(1) of the Law on International and Temporary Protection, persons under temporary protection in Croatia have the right to healthcare, which is limited to emergency medical assistance and, for vulnerable groups, to appropriate medical and other assistance. The costs of their healthcare and the medical examination are borne by the Croatian Ministry of Health.

In March 2020, the Ordinance on Healthcare Standards for Applicants for International Protection and Foreigners with Temporary Protection (Official Gazette No 28/2000) entered into force, regulating the basic and supplementary medical examinations and the scope of healthcare for the applicants for international and temporary protection. The scope of the right to healthcare is determined by Art 6(1) of the Ordinance, which confirms that emergency healthcare includes the right to emergency medical assistance and essential treatment of illnesses and serious mental disorders, as well as the right to medicines from the basic list of medicines for emergency medical care and essential treatment. It includes the treatment of chronic diseases and conditions, the delay of which would directly or subsequently cause disability, other permanent damage or death, the treatment of serious mental disorders and the treatment of infectious diseases.

Additionally, the Ordinance regulates the scope of healthcare for vulnerable groups, especially children, elderly, the seriously ill, pregnant women, victims of human trafficking, torture, rape or other severe mental, physical or sexual violence, granting them the right to additional healthcare. Pregnant and lactating women have the right to healthcare linked to the monitoring of pregnancy and labour in the same degree as a person with mandatory health insurance. Children up to the age of eighteen have the right to complete healthcare in accordance with the rules governing the right to healthcare for those with mandatory health insurance.

As mentioned on the [website](#) of the Ministry of Internal Affairs, the right to vaccination, testing and treatment against COVID-19 and the right to vaccination against other infectious diseases is also guaranteed.

On 11 April 2022, the Law on Mandatory Health Insurance and Healthcare for Foreigners in the Republic of Croatia was [amended](#) (Official Gazette No 46/22), widening the right to healthcare of persons under temporary protection. According to the amendment, persons under temporary protection exercise the right to healthcare to the same extent as insured person from compulsory health insurance (Article 21(1) of the amended Law on

Mandatory Health Insurance and Healthcare for Foreigners in the Republic of Croatia). As a consequence, the Law on International and Temporary Protection (in particular its Article 87(1)) is undergoing the amendment procedure in order to align it with this amendment.

Accommodation

A person under temporary protection in Croatia can be accommodated in:

Reception accommodation - stay here is short, usually up to 48 hours and a person can sleep there and is provided food, internet, psychosocial and health support. After that, more permanent accommodation is offered in one of the collective accommodations.

Employees of the Directorate of Civil Protection, the Croatian Red Cross, police, health workers and, if necessary, organized mobile teams of other relevant bodies and operational forces of the civil protection system (social work, employment, education, civil protection operational forces etc.) are present in reception facilities

Facilities of reception accommodations are:

Varaždin City Sports Hall (small hall), Šetalište Franje Tuđmana 1,

Sports Hall South 2, Ulica kralja Petra Svačića 67, Osijek and

City Sports Hall, OŠ dr. Jure Turića, Ulica Miroslava Kraljevića 19, Gospić.

Collective accommodation - this is a more permanent form of accommodation in which a person is provided with accommodation, food and internet. At these locations hotel staff is present and deals with all issues related to accommodation and stay, while employees of the Directorate of Civil Protection and the Croatian Red Cross visit every day.

Individual and / or private accommodation - accommodation with citizens, relatives, friends, acquaintances or if a person is the owner of real estate in Croatia. The person continues to exercise other rights that belong to him/her.

Education

Persons enjoying temporary protection are entitled to primary school and secondary school education equally as Croatian citizens.

General social benefits

Persons enjoying temporary protection are also entitled to general social benefits that are available also to Croatian citizens.

The benefits in the social welfare system are:

the guaranteed minimum benefit (the right to guaranteed minimum benefit is granted to a single person or household who does not have the means to meet basic living needs and cannot meet them on a monthly basis);

compensation for housing costs;

compensation for vulnerable energy buyers;

compensation for personal needs;

one-time allowance;

funeral allowance;

full-time study allowance;

payment of dormitory accommodation costs;

personal disability allowance;

assistance and care allowance;

carer's parental status or carer's status.

II. Eligibility conditions

Regarding social security, please see above on healthcare

Persons under temporary protection receive benefits and services in the social welfare system to the same extent as foreigners under subsidiary protection and asylum seekers, if they meet the conditions prescribed by the Social Welfare Act.

The purpose of benefits from the social welfare system is to provide material conditions for meeting basic living needs.

The local centre in charge of social welfare determines the fulfilment of the conditions for the recognition of rights determined by the Social Welfare Act.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

A dedicated Government page "Hrvatska za Ukrajinu" ("Croatia for Ukraine") has been set up providing information on the reception and care of displaced persons from Ukraine, including with respect to employment topics:

<https://hrvatskazaukrajinu.gov.hr/ua>,

<https://hrvatskazaukrajinu.gov.hr/informacije/zaposljavanje-i-rad/157>.

The Croatian Employment Service also provides on their webpage information in Ukrainian language:

<https://www.hzz.hr/ukr/>.

Croatia introduced subsidies for Croatian persons hosting Ukrainians:

<https://civilna-zastita.gov.hr/vijesti/javni-poziv-za-dostavu-ponuda-vlasnika-stambene-jedinice-za-stambeno-zbrinjavanje-raseljenih-osoba-iz-ukrajine-u-pojedinacnom-smjestaju/5518>

Country fiche for Hungary

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁴³ and Council Implementing Decision (EU) 2022/382⁴⁴

[Act LXXX of 2007 on asylum](#) (2007. évi LXXX. törvény a menedékjogól) (Asylum Act) is the main transposing legislation of the Temporary Protection Directive in Hungary. Chapter V of the Asylum Act (Articles 19-25) provides for detailed rules on the conditions for obtaining temporary protection, the exclusion clauses relating to temporary protection, the legal status of persons enjoying temporary protection, the duration of temporary protection and on the cessation of temporary protection status. The Asylum Act entered into force on 1 January 2008.

[Government Decree no. 301/2007 on the execution of Act LXXX of 2007 on asylum](#) (301/2007. (XI. 9.) Korm. rendelet a menedékjogról szóló 2007. évi LXXX. törvény végrehajtásáról) (Asylum Decree) provides for rules on the document issued to prove the temporary protection status (Articles 8-11), the care and services granted to those enjoying temporary protection in Hungary (Articles 12-36 and Articles 37-61/C). The Government Decree entered into force on 1 January 2008.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Article 22(1)(d) of the Asylum Act entitles those enjoying temporary protection to be employed under the general rules applicable to third-country nationals. These rules are outlined in [Government Decree no. 445/2013 on authorisation of third country nationals' employment, registration of their employment and reimbursement of the arrears of salaries](#) (445/2013. (XI. 28.) Korm. rendelet a harmadik országbeli állampolgárok magyarországi foglalkoztatásának nem összevont kérelmezési eljárás alapján történő engedélyezéséről, az engedélyezési kötelezettség alóli mentességről, a fővárosi és megyei kormányhivatal munkaügyi központjának az összevont kérelmezési eljárásban való szakhatósági közreműködéséről, valamint a Magyarországon engedélymentesen foglalkoztatható harmadik országbeli állampolgárok magyarországi foglalkoztatásának bejelentéséről, és a munkabér megtérítéséről) (Employment Decree). This Employment Decree requires future employers to obtain a work permit from the government office if they wish to employ third-country nationals (Article 3(1) of the Employment Decree). The Asylum Decree mentions that those enjoying temporary protection are entitled to

⁴³ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁴⁴ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

healthcare (Article 44), access to education and vocational training (Article 45), travel discounts (Article 48), regular alimentations support (Article 53) that are considered social security, welfare benefits. The Decree entered into force on 1 January 2014.

[Act CXV of 2009 on private entrepreneurs and sole proprietorships](#) (2009. évi CXV. törvény az egyéni vállalkozóról és az egyéni cégről) entitles persons who are granted residence permit on humanitarian grounds (including those enjoying temporary protection) to become private entrepreneurs that is a form of self-employment in Hungary (Article 3(1)(d)). The Act entered into force on 1 December 2009.

On 24 February 2022, the Hungarian Government adopted [Government Decree no. 56/2022 on the derogation from the temporary rules on asylum as set in Act LVIII of 2020 on the temporary rules related to the end of the state of danger and on the epidemiological preparedness](#) (56/2022. (II. 24.) Korm. rendelet a veszélyhelyzet megszűnésével összefüggő átmeneti szabályokról és a járványügyi készülségről szóló 2020. évi LVIII. törvény menekültügyi eljárás átmeneti szabályainak eltérő alkalmazásáról). The Decree states that Ukrainian citizens or third-country nationals lawfully residing in Ukraine arriving from the territory of Ukraine must be recognised as persons entitled to temporary protection. The decree entered into force on the 25 February 2022.

On 7 March 2022, Government Decree no. 56/2022 was replaced by [Government Decree no. 86/2022 on the rules applicable to persons receiving temporary protection during the state of danger and on the different application of Act CVI of 2011 on the amendment of acts on public employment](#) (86/2022. (III. 7.) Korm. rendelet az ideiglenes védelemre jogosultként elismert személyekkel kapcsolatos veszélyhelyzeti szabályokról, továbbá a közfoglalkoztatásról és a közfoglalkoztatáshoz kapcsolódó, valamint egyéb törvények módosításáról szóló 2011. évi CVI. törvény szabályainak eltérő alkalmazásáról), that is still a valid law. Before this Government decree entered into force, everybody who arrived from Ukraine on and after 24 February 2022 was entitled to temporary protection. Under the new rules, people who are not Hungarian and/or Ukrainian nationals are no longer entitled to temporary protection. Instead, they receive a certificate that entitles them to stay in Hungary for a maximum of 30 days. The new government decree further mentions that Hungarian nationals arriving from Ukraine are entitled to all care and assistance as those receiving temporary protection. The Decree also contains rules on employment of third-country nationals and on medical care being granted to beneficiaries of temporary protection. This decree entered into force on 8 March 2022.

[Government decision no. 1179/2022 on providing funds for the education and training of students who are entitled to temporary protection](#) (1179/2022. (III. 23.) Korm. határozat az ideiglenes védelemre jogosult, tanköteles tanulók fejlesztésének, nevelése-oktatásának megvalósítása érdekében szükséges forrásbiztosításról) appoints the minister for finance (*pénzügyminiszter*) to rearrange funds provided in the State Budget 2022 for supporting the enrolment of people who are entitled to temporary protection in Hungary and who are of compulsory school age at public education institutions. The decision sets 130,000 HUF/month (approx. 340 EUR) supplementary support to public schools and to institutions providing vocational training if the school/institution can prove they dedicated five hours/week to the individual training of the refugee students arriving from Ukraine beyond their primary educational duty (e.g. regular classes). The Decision was adopted on 23 March 2022 and came into force on 24 March 2022.

[Government Decree No. 121/2022 on provisions for the state of danger on employing health care workers who came from Ukraine in Hungary](#) (121/2022. (III. 28.) Korm. rendelet az Ukrajnából menekült egészségügyi dolgozók magyarországi foglalkoztatásának veszélyhelyzeti szabályairól) as of 29 March 2022, provides for special rules on the recognition of diplomas for those who are entitled to

temporary protection in Hungary and who had permanent residence in Ukraine and arrived in Hungary on or after 24 February 2022. The Government Decree entitles those holding a diploma in healthcare (e.g. medical doctors, dentists, pharmacists, nurses) that was issued in Ukraine to start working at Hungarian medical service providers even before the diploma naturalisation and recognition procedure is over. These people, however, can only work at the Hungarian medical service providers (both public and private) under supervision: the service provider must appoint a supervisor to them until the diploma recognition procedure is over. The Decree even grants these people access to the postgraduate training system of healthcare workers. The new law aims to help healthcare workers arriving from Ukraine find a job in Hungary as fast as they can.

On 28 March 2022, [Government decision no. 1186/2022 on providing funds necessary to introduce the Students at Risk subchapter in the Stipendium Hungaricum programme](#) (1186/2022. (III. 28.) Kormányhatározat a Stipendium Hungaricum program keretében a “Students at Risk” alprogram bevezetéséről és az ehhez szükséges finanszírozás biztosításáról) established a new programme under the framework of Stipendium Hungaricum, a study programme that provides for stipend to third-country nationals to study in Hungarian higher education institutions, titled Students at Risk. The Decision orders the Minister of Foreign Trade and Foreign Affairs (*külgazdasági és külügyminiszter*) to allocate funds (in 2022, 3.25 billion HUF (approx. 8.85 million EUR), in 2023, 3.9 billion HUF (approx. 10.6 million EUR)) to support students arriving from Ukraine and having a nationality of a country that is a partner of Hungary in the Stipendium Hungaricum programme. The Decision aims to promote the continuation of university studies to those who are forced to leave Ukraine due to the war. This decision entered into force on 29 March 2022.

On 28 April 2022, the government adopted [Government Decree no. 170/2022 on the amendment of decrees issued with respect to humanitarian catastrophe in the neighbouring country during the state of danger](#) (170/2022. (IV. 28.) Kormányrendelet a veszélyhelyzet ideje alatt szomszédos országban fennálló humanitárius katasztrófára tekintettel kiadott egyes veszélyhelyzeti rendeletek módosításáról), which provides for special rules on the regular subsistence support granted to persons enjoying temporary protection from Ukraine (Articles 5-8). The Government Decree appoints the local offices of the government (*járási hivatal*) to pay the regular subsistence support (*rendszeres létfenntartási támogatás*) (22,800 HUF, approx. 60 EUR) to the person enjoying temporary protection in Hungary. Persons enjoying temporary protection, however, are only entitled to the amount of the support after they have performed their obligation to show up in person at the local offices of the government once a month, prior to the last day of the month. This decree entered into force on 28 April 2022.

[Government Decree no. 199/2022 on the amendment of Government Decree no. 106/2022 on the amendment of Government Decree no. 307/2007 on the implementation of Act LXXX of 2007 on asylum with respect to certain rules related to the employment and to the sup](#) (199/2022. (VI. 7.) Kormányrendelet a veszélyhelyzet ideje alatt szomszédos országban fennálló humanitárius katasztrófára tekintettel, az ideiglenes védelemre jogosultként elismert személyek foglalkoztatásával és juttatásaival kapcsolatos egyes szabályokról, valamint a menedékjogról szóló 2007. évi LXXX. törvény végrehajtásáról szóló 301/2007. (XI. 9.) Kormányrendelet módosításáról szóló 106/2022. (III. 12.) Kormányrendelet módosításáról) introduced amendments to the rules on the monthly subsistence support granted to the beneficiaries of temporary protection. The amendment concretised the obligation for those enjoying temporary protection in Hungary to show up in person at the local offices of the government by the end of each month to verify they are still in the country and, therefore, they are eligible for the monthly subsistence support to apply only to those

who reached the age of six. Prior to the amendment entered into force on 8 June 2022, all persons enjoying temporary protection, irrespective of the age, had the obligation to show up in person at the authority every month. Another novelty in legislation introduced by Government Decree no. 199/2022 is that for those between 6-18 years of age, the obligation to show up at the authority may be performed by the legal guardian that makes it unnecessary for the children to be present at the authority. The amendment also sets a clear deadline to pay the monthly subsistence support that is the 15th day of each month following the month such persons verified their presence in Hungary. In case persons enjoying temporary protection do not perform the obligation of showing up by the last day of the month or they do not accept the monthly subsistence support, they cannot claim the support for that month anymore. Also, as of 8 June 2022, the local offices of the government must inform, in an electronic format, by the 5th day of the following month, the National Directorate-General for Aliens Policing (*Országos Idegenrendészeti Főigazgatóság*) if persons enjoying temporary protection performed their obligation of showing up in person. This provision ensures the Directorate-General that the immigration authority in Hungary will receive updated information on the people who are still staying in the country. The amendments that set detailed rules on the monthly subsistence support entered into force on 8 June 2022.

[Government Decree no. 96/2022 on the promotion of employment of Ukrainian nationals arriving from the territory of Ukraine](#) (96/2022. (III. 10.) Korm. rendelet az Ukrajna területéről érkezett, ukrán állampolgársággal rendelkező személyek munkavállalásának támogatásáról), which entered into force on 11 March 2022, mentions that assistance points must be appointed in the country to provide information specifically to Ukrainian nationals fleeing Ukraine on the available jobs in Hungary.

[Government Decree no. 172/2022 on support related to the employment of Ukrainian nationals](#) (172/2022. (IV. 29.) Korm. rendelet az ukrán állampolgársággal rendelkező személyek foglalkoztatásának támogatásáról) provides for financial support to Hungarian employers that employ Ukrainian nationals. This financial support is available even to those employers that employ Ukrainian nationals who arrived in Hungary prior to 24 February 2022. Moreover, the employment of Hungarian nationals fleeing Ukraine is supported. The Decree entered into force on 9 May 2022.

Other general acts having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine are also:

[Act CXXV of 2003 on equal treatment and its improvement](#) (2003. évi CXXV. törvény az egyenlő bánásmódról és annak előmozdításáról) (Equal Treatment Act) in effect from 27 January 2004. The scope of the Equal Treatment Act is general and embraces all private individuals residing in the territory of Hungary including beneficiaries of temporary protection (Article 1). The Act does not distinguish between the rights granted to Hungarian/EU citizens and third-country nationals residing in Hungary. This non-discrimination also covers work conditions (Article 5(d));

[Act C of 2001 on recognition of foreign certificates and diplomas](#) (2001. évi C. törvény a külföldi bizonyítványok és oklevelek elismeréséről) in effect from 1 January 2002. The Act applies to all private individuals who obtained certificates and diplomas at a foreign education institution, irrespective of their nationality;

[Act IV of 1991 on supporting employment and unemployment benefits](#) (1991. évi IV. törvény a foglalkoztatás elősegítéséről és a munkanélküliek ellátásáról) in effect from 1 March 1991;

The general rules on assistance for job seekers are found in [Economic Minister's Decree No. 30 on labour market services and benefits](#) (30/2000. (IX. 15.) GM rendelet a munkaerőpiaci szolgáltatásokról, valamint az azokhoz kapcsolódóan nyújtható támogatásokról) in effect from 15 October 2000;

[Act CCIV of 2011 on national higher education](#) (2011. évi CCIV. törvény a nemzeti felsőoktatásról) in effect from 1 January 2012. Article 39(1)(h) of this act grants the right to tertiary and vocational educational opportunities to third-country nationals lawfully residing in the territory of Hungary under the same rules as to Hungarian nationals;

[Act LXXX of 1997 on Mandatory Social Insurance, Private Pension and the Contributory System](#) (1997. évi LXXX. törvény a társadalombiztosítás ellátásaira és a magánnyugdíjra jogosultakról, valamint e szolgáltatások fedezetéről) in effect from 1 January 1998;

[Act LXXXI of 1997 on Pension based on Mandatory Social Insurance](#) (1997. évi LXXXI. tv. a társadalombiztosítási nyugellátásról) in effect from 1 January 1998;

[Act III of 1993 on Social Benefits and Social Administration](#) (1993. évi III. tv. a szociális igazgatásról és szociális ellátásokról) in effect from 26 February 1994.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes Article 1(c) of Government Decree no. 86/2022 refers to Article 2(4) of Council Implementing Decision (EU) 2022/382 when defining family members.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	No As explained above, pursuant to the new Government Decree no. 86/2022, people who are not Hungarian and/or Ukrainian nationals are no longer entitled to temporary protection. Instead, they receive a certificate that entitles them to stay in Hungary for a maximum of 30 days and can apply for the usual international protection. The new government decree further states that Hungarian nationals arriving from Ukraine are entitled to all care and assistance as those receiving temporary protection.
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	National Directorate-General for Aliens Policing	Országos Idegenrendészeti Főigazgatóság	http://oif.gov.hu/index.php?option=com_k2&view=item&id=390:hivatal-bemutatas&Itemid=462&lang=hu
Employment	Labour Authority of the	Kormányhivatalok Munkaügyi	https://www.kormanyhivatal.hu/h

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
rights	Government Office	Központjai	u/szakigazgatasi-szervek/munkaugyi-kozpont
Social welfare and social security rights	Government Office	Kormányhivatal	https://www.kormanyhivatal.hu/ hu

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Government Decree no. 178/2013 provides for rules on the National Humanitarian Coordinative Council, the body that coordinates the work of national authorities and civil society organisations. The Council consists of representatives of authorities and civil society organisations. The Council has regular meetings and monitors and coordinates the work of the various organisations, issues recommendations to the organisations involved in providing assistance to people fleeing Ukraine. Also, the Council coordinates the allocation of donations offered by businesses, private individuals, international organisations and other entities.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁴⁵ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Government Decree no. 86/2022 provides that beneficiaries of temporary protection and those applying for temporary protection can be employed in any profession in Hungary without obtaining a work permit. It also embraces employment through placement of workers (Article 6(4)). This lenient policy was introduced on 30 April 2022 by Government Decree no. 175/2022, amending Government Decree no. 86/2022.

(Prior to 30 April 2022, beneficiaries of temporary protection and those applying for temporary protection could only be employed, without a work permit, in professions the Ministry for Foreign Trade and Foreign Affairs (*Külgazdasági és Külügyminisztérium*) listed in a [communication](#) as professions where there is a shortage of workforce in Hungary. These professions typically require high level skills and qualifications (e.g. architect, chemical engineer, mechanical engineer, telecommunication engineer). For all other professions, they needed a work permit issued by the labour authority (local government office)).

Hungary does not offer other forms of adequate protection to displaced persons from Ukraine.

⁴⁵ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is no possibility to file status change from temporary protection of any other forms of adequate protection.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Article 25(2)(a) of the Asylum Act orders the withdrawal of the temporary protection if the person is granted temporary protection in another Member State/EEA-EFTA country. This results in an automatic loss of residence, employment and social security rights in Hungary.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Hungary did not establish special rules with respect to the Ukrainian crisis to provide equal treatment on the labour market as regards working conditions. Therefore, the Equal Treatment Act applies. The scope of the Equal Treatment Act is general and embraces all private individuals residing in the territory of Hungary including beneficiaries of temporary protection (Article 1). As the Act does not distinguish between the rights granted to Hungarian/EU citizens and third-country nationals residing in Hungary, the provisions of the Act provide for a unified scheme of equal protection in a non-discriminatory manner. This non-discrimination covers work conditions as well (Article 5(d)).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

As of 30 April 2022, work permit is not a requirement for persons enjoying temporary protection or those applying for temporary protection.

- II. Recognition of qualifications/diplomas

Hungary did not establish special rules to those enjoying temporary protection with respect to the recognition of qualifications/diplomas. Therefore, Act C of 2001 on recognition of foreign certificates and diplomas applies to them too. The Act applies to all private individuals who obtained certificates and diplomas at a foreign education institution, irrespective of their nationality and, hence, in a non-discriminatory manner (Article 1(1)). The recognition happens through the naturalisation of the foreign diploma/certificate. The authority decides on the application for naturalisation in 45 days (Article 9(2)). In case the applicant cannot present the diploma/certificate, the authority may contact the issuing education institution abroad (Article 6(1)). This procedure relates to regulated professions. As for non-regulated professions, the employer usually decides whether it recognises the foreign qualification. Therefore, no procedural rules are laid down in legislation.

Government decree no. 121/2022 provides for special rules on the recognition of diplomas for those who are entitled to temporary protection in Hungary and who had permanent residence in Ukraine and arrived in Hungary on or after 24 February 2022. The Government Decree entitles those holding a diploma in healthcare (e.g. medical doctors, dentists, pharmacists, nurses) that was issued in Ukraine to start working at Hungarian medical service providers (both public and private) even before the diploma naturalisation and recognition procedure is over. These persons, however, can only work there under supervision: the service provider must appoint a supervisor until the diploma recognition procedure is over. The Decree even grants these persons access to the postgraduate training system of healthcare workers. The new law aims to help healthcare workers arriving from Ukraine to find a job in Hungary as soon as possible.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The general rules on assistance for job seekers are found in Act IV of 1991 on supporting employment and unemployment benefits and in Economic Minister's Decree no. 30 on labour market services and benefits. According to this, the labour authority assists the applicant to access to the labour market and to find a job, fulfilling a vacancy, using the proper information. The information service includes the data on available vacancies and jobs, training, labour demand and supply in the labour market in the country, region and district levels, as well as information on employment promotion, workers' rights, and the supplementary data on access to the job seeking and unemployment benefits and information on the employment related legislation. These general rules also apply to the beneficiaries of temporary protection.

Government Decree no. 96/2022 further mentions that assistance points must be appointed in the country to provide information specifically to Ukrainian nationals fleeing Ukraine on the available jobs in Hungary (Article 3(1)(a)).

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Hungary did not adopt specific provisions on providing vocational training, educational opportunities for adults with respect to the Ukrainian crisis. Therefore, the general rules granting access to such opportunities apply. Article 39(1)(h) of Act CCIV of 2011 on national higher education grants the right to tertiary and vocational educational opportunities to third-country nationals lawfully residing in the territory of Hungary, under the same rules as to Hungarian nationals.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social benefits are regulated by the umbrella legislation mentioned in Section 1.1.1.II, which does not make a distinction, in terms of eligibility, between Hungarian nationals and third-country nationals who lawfully reside in the territory of Hungary. Therefore, all social security benefits provided by the umbrella legislation (sickness allowance, unemployment allowance, job seeking support, industrial accident and disease compensation, family allowances, child allowances, old age pension) are applicable to displaced persons from Ukraine the same way as to Hungarian nationals.

The following social benefits are also provided to displaced persons from Ukraine:

Coverage of the costs of education in public schools until they reach the age of 16: This covers nurseries, kindergartens, elementary schools and secondary/vocational schools where children can study free of charge (Article 45 of the Asylum Decree).

Accommodation: the authorities provide for accommodation to the person in need of accommodation in Hungary in community shelters free of charge (Articles 41-42 of the Asylum Decree)

Travel discounts to support travel to the site of public administration proceedings, medical care, involvement in social integration programmes, or for the purpose of looking for accommodation are available to persons enjoying temporary protection (Article 48 of the Asylum Decree).

Coverage of the costs of translating documents: translating official documents issued prior to granting the person temporary protection (e.g. birth certificate, marriage certificate, diplomas, qualifications) into Hungarian is provided (Article 49 of the Asylum Decree).

Teaching Hungarian language for free: for the duration of 24 months, the person may attend a 520 hour long Hungarian language education free of charge. It also covers the fee for a Hungarian language exam (Article 51 of the Asylum Decree).

Regular subsistence support is granted to all persons enjoying temporary protection in Hungary through Article 53 of the Asylum Decree. The support is 22,800 HUF (approx. 60 EUR) to adults and 13,700 HUF (approx. 36 EUR) to children in a month.

According to Article 6(2) of Government Decree no. 86/2022, people enjoying temporary protection and those applying for it are entitled to the following medical care:

basic medical care including services of a family doctor;

examination, medical treatment and medication and bandage used in the course of the urgent need for outpatient care;

for urgent inpatient medical care and the treatment of the physician, including surgical interventions, as well as the medicinal products and prosthetic tools used in it, for medicinal care, medication and dining;

after outpatient specialist care or inpatient care, until healing from the disease or stabilising their condition

for the necessary examination and treatment,

a medicine that is not substituted for any other medicines, and the medical aid necessary for the administration of the medicine;

for other medical care ordered by a physician;

for emergency dental care and tooth retention;

pregnancy and obstetric care and for the protection of the life of the foetus;

transportation if it cannot be resolved otherwise due to the health condition;

mandatory vaccination;

oncology specialist care and other chronic patient care including examination and treatment.

II. Eligibility conditions

Given the general nature of the social security benefit legislations in Hungary, people enjoying temporary protection in Hungary are eligible.

Regarding social welfare, medical care, accommodation, coverage of the costs of education, travel discounts are also granted to those applying for temporary protection. All the other services are granted to only those who already received temporary protection.

Only those to whom temporary protection is already granted are entitled to the regular (monthly) subsistence support. Persons enjoying temporary protection, however, are only entitled to the amount of the support after they have performed their obligation to show up in person at the local offices of the government once a month, prior to the last day of the month. The monthly support is then paid by the 15th day of the coming month. In case the person does not visit the local office by the last day of the month, they are not entitled to the support for that month. The office that is located in the territory where the person's place of accommodation or appointed place of accommodation is located has jurisdiction in alimentation support matters. This provision aims to ensure only those would receive the monthly subsistence support who are in fact staying in Hungary.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Government Decree no. 172/2022 provides for financial support to Hungarian employers that employ Ukrainian nationals. This financial support is available even to those employers that employ Ukrainian nationals who arrived in Hungary prior to 24 February 2022. Moreover, the employment of Hungarian nationals fleeing Ukraine is supported.

The main conditions are as follow:

the employer hires the Ukrainian citizen as an employee on or after 24 February 2022, within the framework of an employment relationship;

the employment of the employee takes place in Hungary;

the employment of the worker is contracted for a fixed or indefinite period of at least 20 hours per week;

the worker has not been employed in Hungary for more than 90 days in the 365 days preceding the date of the application. In calculating the duration, the duration of each employment relationship must be added together;

if both parents of a minor child are employees of the same employer, the employer is only entitled to the support for the minor child in the case of one employed parent.

The application for the support can be [submitted electronically](#) at the labour authority.

The amount of the support is 50% of the monthly housing and travel costs incurred by the employer in respect of the employee, up to a maximum of HUF 60,000 (approx. 157 EUR) per employee and HUF 12,000 (approx. 31 EUR) per child for minor children living in the same household as the employee. The maximum amount of aid per employee may not exceed 150% of the mandatory minimum wage per month, i.e. HUF 300,000 (approx. 785 EUR) either

The support may be established for the period following the conclusion of the employment contract with the employee, for the duration of the employee's contract, but for a maximum of twelve months. Once the duration of the support has expired, at the employer's request it may be extended once for a period of twelve months, but maximum up to the duration of the employment relationship. The aid is tax exempt. The allowance cannot be paid during the employee's unpaid leave.

Public transport companies offer free tickets. As of 27 February 2022, the Hungarian Railways (*MÁV*) offer solidarity tickets to ease transportation costs of those fleeing Ukraine. As mentioned on their [webpage](#), the solidarity tickets are provided free of charge and cover trips from the Ukrainian-Hungarian border crossing point, Záhony to other parts of Hungary. The Budapest Transportation Centre (*Budapesti Közlekedési Központ, BKK*) started to offer free transportation services in Budapest to those fleeing from Ukraine on 4 March 2022. Originally, the free tickets were available until 30 April 2022, however, BKK decided to continue this policy until 31 May 2022. On 31 May 2022, BKK [announced](#) they have extended the free travel opportunity available for displaced persons from Ukraine until 31 August 2022. The extended policy covers all public transport routes operated by BKK in Budapest, excluding boats, nostalgia passages, the cable car and the direct airport bus.

People may prove eligibility by showing either a Ukrainian passport, Ukrainian personal identification card, residence permit issued by the Ukrainian authorities or by the Hungarian authorities in case the permit shows the person is a Ukrainian national. For students in lack of any of the above listed documents, a Ukrainian student identification card is enough to take advantage of the free travel option in Budapest. BKK also encourages its Hungarian passengers to assist those fleeing Ukraine to find their way in the network of BKK. The Local Government of the Metropolitan City of Budapest (*Fővárosi Önkormányzat*) that is the owner of BKK decided on the extension of the free travel policy until the end of the summer.

Country fiche for Ireland

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁴⁶ and Council Implementing Decision (EU) 2022/382⁴⁷

Ireland opted-in to the Temporary Protection Directive in 2003 via the [2003/690/EC Commission Decision](#) of 2 October 2003. Section 60 of the [International Protection Act 2015](#) governs the temporary protection regime arising from the activation of the Temporary Protection Directive (hereinafter, TPD). The International Protection Act entered into force on 30 December 2016 and reformed the system for determining protection applications, repealing the Refugee Act 1996 and amending the Illegal Immigrants (Trafficking) Act 2000 and the Immigration Acts 1999, 2003 and 2004, among other measures.

Section 60 of the International Protection Act applies where permission to enter and remain in the State for temporary protection as part of a group of persons has been given by the Government or the Minister, following a Council Decision in accordance with Article 5 of the TPD (Article 60(1)).

Section 60(6) of the International Protection Act stipulates that the Minister grants those eligible for temporary protection an Irish visa or an Irish transit visa free of charge, if required; or permission to remain in the State. The permission is valid for one year and may be renewed for up to three years (subsection (7)).

Section 60 of the International Protection Act contains other provisions relating to grounds for exclusion (subsections (3)-(5); grounds for withdrawal (subsection (8); entering another Member State without authorisation during the validity of the temporary protection permit in Ireland (subsection (9)); rights granted to beneficiaries of temporary protection (subsection 10); family reunification for family members of the beneficiary of temporary protection (subsection 11 (c)); and transfers to another Member State (subsections 11(a); and 13).

The [International Protection Act 2015](#) regulates access to employment. It provides that beneficiaries of temporary protection are entitled to seek and enter employment, engage in any business, trade or profession, and have access to education and training in the State on the same basis as Irish citizens (Section 60(10)(a)). It also regulates access to medical care and social welfare benefits. It provides that beneficiaries of temporary protection may also receive, upon and subject to the same conditions applicable to Irish citizens, the same

⁴⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁴⁷ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

medical care and the same social welfare benefits as those to which Irish citizens are entitled (Section 60(10)(b) International Protection Act). The Act entered into force on 30 December 2016.

On 25 February 2022, the [Immigration Act 2004 \(Visas\) \(Amendment\) Order 2022](#) (S.I. No. 86 of 2022) removed the visa requirement for Ukrainian nationals, with immediate effect. Article 2 stipulates that the 2004 Immigration Act is amended to insert 'Ukraine' in its Schedule 1. Schedule 1 provides a list of countries for which third country nationals are exempt from visa requirements, as set out in Article 3(a) of the Immigration Act. Since 25 February 2022, nationals of Ukraine (a) are not required to be in possession of a valid Irish visa when landing in the State, and (b) are not required to be in possession of a valid Irish transit visa when arriving at a port in the State for the purposes of passing through the port in order to travel to another state.

As indicated on the [website](#) of the Irish Government, a permission letter from the Department of Justice confirming the granting of Temporary Protection status under the EU Directive is the proof needed to be able to immediately access employment, income support, accommodation (if needed) and other State support in Ireland.

This measure applies as an emergency measure to all Ukrainians travelling to Ireland. Those who travel to Ireland from Ukraine without a visa during this period will have 90 days after arrival to regularise their position (as beneficiaries of temporary protection under Section 60 of the 2015 Act or applying for international protection or leave to remain on humanitarian grounds under section 49 of the 2015 Act). The Minister from the Department of Justice (Department of Foreign Affairs) indicated in a [press release](#) that this position will be kept under ongoing review with the impact monitored closely.

The Department of Justice mentions on its [website](#) that the visa waiver only applies to Ukrainians and does not apply to:

Visa required nationals currently resident in Ukraine who are not Ukrainian citizens, but who have a Ukrainian family member. According to the [online guidance](#) from the Department of Justice, while non-EEA family members of Ukrainian citizens need to apply for a visa if they are a visa required national, an application submitted from a neighbouring country will be accepted for consideration;

Visa required nationals currently resident in Ukraine, who are not Ukrainian citizen;

Non-EEA family members of Ukrainian citizens, if they are a visa required national.

Regarding non-Ukrainian nationals displaced from Ukraine, the Irish Refugee Council, a non-governmental organisation protecting the rights of displaced persons in Ireland, provides guidance on its information [webpage](#) for Ukrainian refugees stating that they may need to apply for a visa online through the Department of Justice. Coming to Ireland without a visa might also be possible and could be double-checked with the Border Management Unit at 0873961599 or bmu@justice.ie. Ukrainian refugees could also try coming to Ireland by presenting their Ukrainian residency card at the airport, however the likelihood of success is unclear.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Beneficiaries of temporary protection or international protection are entitled to the same range of statutory employment protection as Irish employees, and therefore fall under the [employment laws in Ireland](#). Legislation providing this protection include, *inter alia*:

[Terms of Employment \(Information\) Acts 1994–2014](#) (Entered into force on 16 May 1994).

The [National Minimum Wage Act 2000](#) (Entered into force on 1 April 2000).

The [Organisation of Working Time Act 1997](#) covers a number of employment conditions, including [maximum working hours](#), night work, [annual leave](#) and [public holiday leave](#).

The [Maternity Protection Act 1994](#) (Entered into force on 19 October 1994).

[Safety, Health and Welfare at Work Act 2005 \(as amended\)](#) replaced the provisions of the Safety, Health and Welfare Act 1989 (Entered into force on 1 September 2005).

The [Employment Equality Acts 1998–2015](#) bans discrimination, including gender, civil status, family status, age, race, religion, disability, sexual orientation and membership of the Traveller community (Entered into force in October 1999).

The [Redundancy Payments Acts 1967–2014](#) provide for minimum entitlements to a redundancy payment for employees who have a set period of service.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes Section 60(3) of the International Protection Act provides that the temporary protection regime applies to a displaced person for whom, following a Council Decision (under Article 5 of the Council Directive) establishing the existence of a mass influx of displaced persons, permission to enter and remain in the State for temporary protection as part of a group of persons has been given by the Government or the Minister. On its website , the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes Ukrainian nationals who were residing in Ukraine before 24 February 2022.
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes On its website , the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes: Ukrainian nationals who were residing in Ukraine before 24 February 2022; Nationals of a third country (other than Ukraine) or a stateless person who would have benefited from international protection

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>(for example: Refugee status) or an equivalent national protection status in Ukraine and were residing there before 24 February 2022;</p> <p>Family members of persons covered by the first two categories, where their family already existed in Ukraine, prior to 24 February.</p> <p>Family members include: a spouse or partner, unmarried minor children of either of them, and their other close dependent family relatives who have been living with them as part of the family unit before 24 February 2022.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>On its website, the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes:</p> <p>Nationals of a third country (other than Ukraine) or a stateless person who would have benefited from international protection (for example: Refugee status) or an equivalent national protection status in Ukraine and were residing there before 24 February 2022.</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>On its website, the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes:</p> <p>‘nationals of a third country (other than Ukraine) and stateless people who were residing in Ukraine before 24 February 2022 with a permanent Ukrainian residence permit, who cannot safely return to their country of origin’.</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine,</p>	<p>No</p> <p>On its website, the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes:</p> <p>‘nationals of a third country (other than Ukraine) and stateless people who were residing in Ukraine before 24 February 2022</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	with a permanent Ukrainian residence permit, who cannot safely return to their country of origin'. NB: The website also indicates that people who arrive in Ireland who had been legally residing in Ukraine prior to 24 February 2022 with a temporary or short-term residence permit issued by the Ukrainian authorities, will be assisted to return to their country of origin, with the support of the International Organization for Migration (IOM), if it is safe for them to do so.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes On its website , the Department of Justice specifies the groups of people eligible for temporary protection in Ireland, among those who have had to flee Ukraine due to the invasion by Russia. This group includes Ukrainian nationals who arrived in Ireland before 24 February 2022 on a short stay 'C' type visa.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Ukraine Support Centres (Dublin, Cork and Limerick cities)	Ukraine Support Centres (Dublin, Cork and Limerick cities)	e.g. gov.ie - Ukraine Support Centre Limerick City (www.gov.ie)
	The Department of Justice	The Department of Justice	Immigration/Protection/Citizenship - The Department of Justice
Employment rights	Workplace Relations Commission (WRC)	Workplace Relations Commission (WRC)	Home - Workplace Relations Commission
	Department of Enterprise, Trade and Employment	Department of Enterprise, Trade and Employment	gov.ie - Employment rights in Ireland: Information for Ukrainian nationals (www.gov.ie)
	Intreo – the public employment service	Intreo – the public employment service	gov.ie - Intreo (www.gov.ie)

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Department of Social protection	Department of Social protection	gov.ie - Department of Social Protection (www.gov.ie)
	Health Service Executive (HSE)	Health Service Executive (HSE)	Home - HSE.ie

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Coordination between the Department of Justice and Department of Social Protection:

To simplify the process for persons displaced from Ukraine, the **Department of Social Protection has developed a single joint form with the Department of Justice**, to collect minimum set of data for issuing both the Temporary Protection certificate and a PPS Number (national insurance number) to access social welfare support.

Ukraine Support Centres have been set up in Cork, Limerick and Dublin. These centres provide information and support concerning **social welfare, immigration and housing**. Representatives from both aforementioned Departments, as well as organisations that give information and advice, including the Citizens Information Service, are available to support (opening hours and addresses of the centres are provided on the Department of Social Protection [website](#)).

As reported on the [website](#) of the RTE newspaper, a dedicated inter-departmental committee has been established to oversee the management of the plan for housing displaced persons from Ukraine.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁴⁸ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Ireland. Displaced persons from Ukraine can either apply for international protection or for temporary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime

⁴⁸ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

(e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is no possibility to file status change regarding the examples mentioned.

Ireland is not bound by Directive 2011/98/EU on the single permit for work.

The Blue Card Directive does not apply in Ireland.

Directive 2014/36/EU on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers does not apply in Ireland.

Directive 2003/86/EC of 22 September 2003 on the right to family reunification does not apply in Ireland.

However, beneficiaries of temporary protection can apply for international protection, at the end of temporary protection. However, as mentioned on the Citizens Information [website](#), it is not possible to be resident in Ireland with temporary protection and be an international protection applicant at the same time. An international protection applicant must withdraw their application for international protection to benefit from temporary protection. A beneficiary of temporary protection who makes an application for international protection will no longer have the benefits of temporary protection.

Beneficiaries of **international protection** (refugee status and subsidiary protection status) are granted the right to reside in Ireland of not less than three years, renewable (Section 53 of the International Protection Act). Concerning access to employment, asylum seekers may access after six months if they have not received a decision in that time on their application for international protection. If they are granted refugee or subsidiary protection status, the same rights as a beneficiary of temporary protection to seek and enter employment, engage in any business, trade or profession (to the same extent as an Irish citizen) apply. As for social welfare and social security rights, asylum seekers may be provided in the 'direct provision accommodation centre'. While they are eligible for weekly social welfare payments, they are not eligible for other social welfare payments. If granted refugee or subsidiary protection status, they are entitled to the same rights as a beneficiary of temporary protection.

c) Relevant national legislation on changing the status (including the procedure to be followed).

There are no specific issues or salient points identified for this question.

d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Section 60(8) of the International Protection Act states that the permission to reside in the State given under subsection (6) may be revoked—(b) upon the transfer of residence of the holder of the permission to another Member State.

Section 60(9) provides that, where, during the validity of their permission to reside with the temporary protection status, a displaced person seeks to enter another Member State or has entered it without authorisation, the Minister shall, in co-operation with the competent authority of that Member State, make arrangements for the return of the person to the State.

Section 60(11) further stipulates that the Minister shall co-operate with the competent authorities of another Member State in relation to transfers to and from Member States of the beneficiary of temporary protection. Section 60(13) also provides that for the purpose of the latter subsection (11), the Minister may provide information to another Member State, insofar as they are available, inter alia:

- (a) personal data relating to a displaced person (that is to say, name, nationality, date and place of birth, marital status and family relationship);
- (b) travel documents relating to the person concerned;
- (c) documents concerning evidence of family ties relating to the person concerned (such as marriage certificates, birth certificates and certificates of adoption);
- (d) other information required to establish the identity of the person concerned or his or her family relationships;
- (e) residence permits and decisions concerning the giving or refusal of visas or residence permissions to the person concerned by the Minister, and documents forming the basis of those decisions;
- (f) applications for visas or entry or residence permissions submitted by the person concerned and pending in the State, and the stage reached in the processing of these.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Beneficiaries of temporary protection or international protection are entitled to the same range of statutory employment protection as Irish employees.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
 - I. The conditions regulating work permits/work authorisation, if required

As mentioned on the Government's [website](#), persons displaced from Ukraine can access the labour market once they have received their letter confirming they have been granted Temporary Protection. A work permit/work authorisation is not required.

The Workplace Relations Commission (WRC), the State body responsible for employment rights, provides information on employment law in [Ukrainian \(pdf\)](#) and [Russian \(pdf\)](#), including basic employment rights which apply to workers in Ireland; detailed information on employment law and workers' rights.

Persons taking up a job in Ireland must have a Personal Public Service Number (PPSN) (see section 4 below). The employer will then register the contract with the Revenue agency, as specified on the Revenue [website](#). Persons intending to start their own business (self-employed) must register with the Revenue for Income Tax and will also need a Personal Public Service Number (PPSN) to register.

II. Recognition of qualifications/diplomas

The Department of Education coordinates the recognition of professional qualifications in Ireland and keeps a database of [competent authorities \(pdf\)](#) who can validate professional qualifications received outside Ireland. The Citizens Information [website](#) informs that the competent authority may accept the qualification, reject it or apply a compensation measure (e.g. a request to obtain additional professional experience to complete the person's training).

Quality and Qualifications Ireland, the national agency responsible for qualifications in Ireland, provide information (in Ukrainian) about their [academic qualifications recognition service \(pdf\)](#) (NARIC).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

[Intreo](#) is a single point of contact for all employment and income support, which offers tailored employment services and support for jobseekers and employers, including training, support with applications/interview coaching; access to work experience programmes and various apprentice schemes. This is a general service available to all jobseekers which extends to beneficiaries of temporary protection. Beneficiaries of temporary protection can call the [local Intreo Centre](#) to speak with an employment services officer.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

See point III above, Intreo provides support with training opportunities and work experience programmes.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

None identified.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Access to healthcare:

Health services in Ireland are delivered by Ireland's public healthcare service - the [Health Service Executive \(HSE\)](#). Beneficiaries of temporary protection are eligible to receive the same public healthcare services as Irish nationals, as stated on the Citizens Information [website](#).

Beneficiaries of temporary protection are entitled to a medical card with a simplified application process. They should apply for a medical card using a special [medical card application form \(pdf\)](#) (also available in [Ukrainian \(pdf\)](#) and [Russian \(pdf\)](#)) for people displaced from Ukraine. The completed form can be emailed to PCRS.Applications@HSE.ie or by post to the address on the form. Information to be provided on the form: personal details (name, current address and date of birth); Personal Public Service (PPS) number (see below); doctor's (General Practitioner – GP) address, stamp and signature (if they do not know any GPs, one will be assigned to them and family members).

The Citizens Information [website](#) also indicated that a medical card allows free visits to the doctor, access to other health services and medicines at a reduced price. Children aged over 16 must apply for a medical card separately.

The HSE has prepared guidance on the [Irish health system in Ukrainian \(pdf\)](#) and in [Russian \(pdf\)](#).

Other social security benefits:

Persons displaced by the war in Ukraine satisfy the [habitual residence condition](#) required for accessing social security/social welfare benefits.

Child benefits

Beneficiaries of temporary protection who have children are eligible for child benefits. This is a monthly payment paid to the parents or guardians of children aged under 16. It is also paid for children aged 16 and 17 in full-time education, as mentioned on Citizens Information [website](#). There is no need to prove that the 16 and 17 year old children are in full-time education for the first 2 months of arriving in Ireland. The Government's [website](#) indicates that the Child Benefit is EUR140 a month for each child.

The Social Welfare section of the Government's [website](#) mentions that a range of social security payments are available to beneficiaries of temporary protection, including **unemployment benefits** (subject to means testing and contributions to social insurance), **disability benefits** and **benefits for the elderly**. Ukrainians who have come to Ireland because of the war satisfy the [habitual residence condition](#) for these social welfare payments, as mentioned of the Government's [website](#).

The following social benefits are also provided to displaced persons from Ukraine:

Personal income support:

The [website](#) of the Government states that a beneficiary of temporary protection can apply to the Department of Social Protection for income support. This is a weekly payment for the person and their dependents (for example, children). Ukraine Support Centre can provide help for applying for this income support. This personal income support is paid weekly in the local Post Office (or bank account).

If they find a job, Beneficiaries of temporary protection who are receiving income support must inform the local [Ukraine Support Centre](#) (located in Dublin, Cork and Limerick cities) or [local Intreo Centre or Branch Office](#).

Supplementary Welfare Allowance scheme:

Beneficiaries of temporary protection may also be eligible for Exceptional Needs Payments under the Supplementary Welfare Allowance scheme. As can be read on the Government's [website](#), these are single payments to meet 'essential, once-off, exceptional costs, which a person could not reasonably be expected to meet out of their weekly income' (e.g. for bedding, cooking utensils, clothing). The individual

circumstances of each person is assessed by the Community Welfare Service, including their ability to meet that need from their own resources.

Housing:

The Government's [website](#) indicates that persons who require accommodation should inform immigration officials who will refer them to the International Protection Accommodation Service (IPAS), responsible for the provision of accommodation and related services to people in the International Protection ('asylum') process. As mentioned on the Citizens Information [website](#), IPAS accommodation is free of charge and includes various types of accommodation, hotel, guest house or another type of State-owned or private accommodation.

According to an [update](#) on the provision of accommodation for people fleeing Ukraine since 24 February 2022:

IPAS has contracted over 2.500 hotel rooms, with additional capacity also being pursued through:

Hotels, guest houses and B&Bs

Accommodation pledged by the general public;

State-owned or private properties which may be suitable for short-term accommodation;

Religious properties; and

Local authority facilities.

To date, almost 20.000 pledges for accommodation and other supports have been registered with the Irish Red Cross (IRC). IPAS intends to draw from the pledged accommodation following a thorough vetting process.

Rental supplements:

The beneficiary of temporary protection can [apply for Rent Supplement](#) if they find private rented accommodation. The Citizens Information [website](#) mentions that this support is a means-tested payment for certain people living in private rented accommodation who cannot cover the cost of their accommodation from their own resources. The Department of Social Protection is competent to decide on eligibility for Rent Supplement and calculate the amount.

Support for unaccompanied minors:

Unaccompanied children under age 18 years seeking temporary protection are referred to the Child and Family Agency (TUSLA), who can provide them with the relevant support, including a social work assessment and a care plan, as mentioned on the TUSLA [website](#).

Education:

The [Tusla Education Support Service](#) can help find a school for the children of persons displaced from Ukraine. The Citizens Information [website](#) states that school transport services are also available to Ukrainian students on the same basis as children in Ireland.

II. Eligibility conditions

For **access to health care**: see directly above.

The information for **access to social welfare supports** can be found on the Government's [website](#). In order to have access to social welfare supports (such as child benefits, housing support and personal income

support): beneficiaries of temporary protection must apply for an Irish Personal Public Services (PPS) number, which is like a national insurance number. All adults and children need their own number. When applying for the PPSN, they will also be able to apply for an income support payment if it is needed. A special (faster) process is in place for Ukrainians who will need to attend a local INTREO Office in person, instead of the usual online process.

Most Ukrainians arrive in Ireland through the Dublin Airport. An application for the PPSN can be made there. Those who do not arrive through the airport or who are already in Ireland, must go to a local INTREO Office. Documents required are: a form of identification such as a Ukrainian National Identity Card, a Ukrainian Passport, or another form of identification.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

None identified.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Ukraine Support Centres:

Ukraine Support Centres have been set up in Cork, Limerick and Dublin. These centres provide information and support concerning social welfare, immigration and housing. Representatives from organisations that give information and advice, including the Citizens Information Service, are available (opening hours and addresses of the centres are provided on the Department of Social Protection [website](#)).

Information:

The Irish immigration authorities have published a note on their website with [frequently asked questions for Ukrainians in Ireland](#).

Comprehensive information is also provided on [Citizensinformation.ie](#), a website developed by the Irish government. It has a dedicated webpage with guidance for persons displaced from Ukraine - [Coming to Ireland from Ukraine \(citizensinformation.ie\)](#) (immigration procedures, access to rights, etc.).

On 28 June 2022, the police published [informational posters](#) for people who have arrived in Ireland from Ukraine under EU Temporary Protection Directive with a QR code to access information on welfare support, employment, education, healthcare and English language training.

Other (sectoral) government information provided for persons displaced from Ukraine includes, inter alia:

The Workplace Relations Commission (WRC) has developed guidance on employment law in [Ukrainian \(pdf\)](#) and [Russian \(pdf\)](#).

The **Revenue Commissioners** (the **Revenue**), the Irish Government agency responsible for customs, excise, taxation and related matters, has published [guidance](#) for Ukrainians working in Ireland, including advice for

Ukrainian Nationals starting a job in Ireland or starting a business in Ireland, and tax treatment of Ukrainian citizens working remotely in Ireland for Ukrainian employers.

The HSE has prepared guidance on the [Irish health system in Ukrainian \(pdf\)](#) and in [Russian \(pdf\)](#).

Recognition of qualifications:

The Teaching Council (the professional standards body for the teaching professionals) is developing a [process](#) for qualified Ukrainian teachers to be admitted to the register of teachers in Ireland.

Country fiche for Iceland

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁴⁹ and Council Implementing Decision (EU) 2022/382⁵⁰

Act under scrutiny/examination by EEA EFTA: The Temporary Protection Directive is not binding for Iceland. The Directive falls under EU legal act marked as EEA relevant by the EU and under scrutiny for incorporation into the EEA Agreement by Iceland, Liechtenstein and Norway.

Act No. 80/2016 on Foreign Nationals: Iceland has activated Article 44 of the Act No. 80/2016 on Foreign Nationals, in light of the mass influx of displaced persons from Ukraine following the Russian invasion of Ukraine. This decision is taken in keeping with the EU's decision to initiate the same kind of action, as provided for in Directive 2001/55/EC on temporary protection in the event of a mass influx of displaced persons.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Act under scrutiny by EEA /EFTA and not implemented. Please see below a list of national legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine.

Access to employment:

[Act No. 97/2002 on Employment Rights of Foreigners](#)

[Act No. 80/2016 on Foreign Nationals](#)

Social security/welfare:

[Act on Social Security No. 100/2007](#)

[Act on Social Assistance No. 99/2007](#)

[Act of Health Insurance No. 112/2008](#)

⁴⁹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁵⁰ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	Yes
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons present or residing in Ukraine before 24 February 2022, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>Family includes married and unmarried couples, children living with them aged 17 and under, and single men and women living with children aged 17 and over.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>The reception of refugees in Iceland covers the same defined groups as determined by the EU. This method is first and foremost intended to make it possible to aid those who flee from Ukraine swiftly and effectively, namely by granting them temporary protection, without the reception and aid overwhelming Iceland's protection system.</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>According to the decision by the Minister of Justice who decided to activate Article 44 of the Act on Foreigners No. 80/2016.</p> <p>Article 44 states that 'A foreign national who is a member of a group which flees a specified region and arrives in Iceland, or is in Iceland when the provisions of the article are applied, may upon application for international protection be granted protection on the basis of a group assessment', i.e. collective protection. This means that foreign nationals will be granted a residence permit on humanitarian grounds under Article 74 of the Act on Foreigners No. 80/2016.</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No The reception of refugees in Iceland covers the same defined groups as determined by the EU. Article 44 of the Act on Foreigners No. 80/2016 was activated in Iceland. The Ministry of Justice also worked closely with the Schengen member states, including in preparation for the pending activation of Directive 2001/55/EC on temporary protection in the event of a mass influx of displaced persons.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No The reception of refugees in Iceland covers the same defined groups as determined by the EU.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Digital Iceland	Stafrænt Ísland- Island.is	https://island.is/en/p/ukrainian-citizens
	The red cross	Rauði krossinn	https://www.raudikrossinn.is/ukraina-2022/
	Multicultural Information Centre	Fjölmeningarsetur	https://www.mcc.is/ukraine/
	The Directorate of Immigration	Útlendingastofnun	https://utl.is/en/
Employment rights	Directorate of Labour	Vinnumálastofnun	https://www.vinnumalastofnun.is/en
Social welfare and social	Icelandic Health Insurance (IHI)	Sjúkratryggingar Íslands	https://www.sjukra.is/english

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
security rights		Heilsugæsla	https://www.heilsugaeslan.is/default.aspx?lang=en-US

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

A Reception Centre for Applicants for International Protection has opened in Domus Medica in Egilsgata 3, 101 Reykjavik. All refugees arriving from Ukraine are screened for tuberculosis, syphilis, hepatitis and HIV. Refugees, like others, always have access to emergency services, regardless of whether health insurance is taken out. After registration and all the paper work, a health insurance certificate is issued. No other mechanism to coordinate the work of above mentioned national authorities has been put in place.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁵¹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

In general, an employer who wants to hire foreigners to work from a country outside the European Economic Area, EFTA or the Faroe Islands must apply for a temporary work permit before foreigners start working. If foreigners start working without a work permit, this may lead to a rejection of an application for a work permit, as well as fines or imprisonment for up to two years.

If an employer is issued a temporary work permit, this is conditional on the foreigners for whom the permit is applied for and the foreigners are only allowed to work for the employer to whom the work permit is granted. If foreigners want to change jobs, they must therefore apply for a new work permit from the new employer and this must be granted before they are allowed to start working there.

Displaced persons from Ukraine need to be issued a work permit to be allowed to work in Iceland, as they are issued a residence permit on the basis of humanitarian grounds. An employer who intends to employ displaced persons from Ukraine must therefore apply for a work permit and the permit must be approved before an employee can start work.

Necessary documents for the application of a new work permit for an employee from Ukraine:

1. [Original of application for a temporary work permit for special reasons;](#)
2. Employment contract between a foreigner and an employer;

⁵¹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

3. The relevant trade union must provide an opinion on the application (Box IV on the application form) unless the trade union is an EFLING trade union. In such cases, the Agency shall obtain that opinion;
4. Comments are obtained by contacting the relevant trade union and submitting an application for a work permit and a copy of the employment contract;
5. The application and employment contract must be signed by both the employee and the employer;
6. Applications must be submitted to the nearest service office of the Directorate of Labour or to the Directorate of Immigration. If employment takes place through the services of the Directorate of Labour, it is desirable that the application is submitted there.

At present, applications for work permits are generally processed within a week, and if the application and employment contract are filled in correctly, the application can be processed on the same day as it is received by the Directorate of Labour.

The following conditions must always be met in order for the Directorate of Labour to be granted a temporary work permit:

1. Application for a temporary work permit signed by an employer and a foreigner;
2. Employment contract between employer and foreigner signed by employer and foreigner;
3. Review of the relevant union;
4. Furthermore, the relevant special conditions of each type of temporary work permit must be met.

An application for an extension of a temporary work permit must be submitted to the Directorate of Immigration four weeks before it expires. Upon extension, all the conditions of the temporary work permit must be met, and the employer must have paid withholding tax and social security contributions according to law due to the foreigner's work.

After a refugee/displaced person from Ukraine is registered as insured in Iceland in a refugee reception centre, the person in question is entitled to benefits and access to social welfare and social security rights. It means that there is no waiting time to access health insurance or social security.

This is an exception to the general rule that an individual moving to Iceland must have been domiciled in Iceland for a minimum of six months in order to obtain health insurance. The general rule is that everyone who has been legally resident in Iceland for six months automatically becomes a member of the Icelandic social insurance system, regardless of nationality. EEA citizens that were health insured in another EEA country before moving to Iceland can apply for health insurance from the day they register their legal residence in Iceland.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Not applicable.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Not applicable.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

The Icelandic government is in good co-operation with other refugee centres in the EU and in the Nordic countries and seeks to prevent the registration of refugees in two places. Article 26 of the Temporary Protection Directive has not been implemented.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Persons displaced from Ukraine receive a work permit and the same working conditions as required by Icelandic law apply.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

According to Article 6 of [Act No. 97/2002 on Employment Rights of Foreigners](#), it is not permitted to grant foreigners a work permit without a residence permit. An employer is not permitted to employ foreigners, whether permanently or temporary, or to arrange for foreigners to move to Iceland for this purpose without a work permit, provided that they are not exempt from the requirement for a work permit. Foreigners are not allowed to work in Iceland as independent or employed persons unless they are exempt from the requirement of a work permit. Foreigners are not allowed to work in Iceland unless permission has been granted.


Article 44 of [Act No. 80/2016 on Foreign Nationals](#) has been activated for displaced persons from Ukraine. Article 44 states that foreigners, who is part of a group fleeing a certain territory and coming to the country or are here when the provisions of the article are applied, may, upon receipt of an application for international protection be provided with protection on the basis of group assessment or so-called joint protection. This means that foreigners will be granted a residence permit on humanitarian grounds, cf. Article 74 of [Act No. 80/2016 on Foreign Nationals](#). The residence permit is granted for one year at a time with the right to renew or extend it for up to three years from the time the applicant first received the permit. After that, a permit may be granted in accordance with Article 74 which may be the basis of an indefinite residence permit. After one year with such a permit, which is the fourth year from the beginning, an indefinite residence permit may be issued, provided that the conditions for maintaining the permit are still in place and the conditions are otherwise met. The residence permit that will be granted to individuals on this basis includes the same rights as access to services and residence permits on the basis of humanitarian considerations according to Article 74 of [Act No. 80/2016 on Foreign Nationals](#). This means access to housing, subsistence, social services, health care and

access to the labour market. These rights are largely the same as those granted to individuals in other European countries under TPD.

According to the current [Act No. 97/2002 on Employment Rights of Foreigners](#), those who receive a residence permit on humanitarian grounds only receive conditional access to the labour market in this country, which is based on the employer having to apply for a work permit for the person in question. Accordingly, refugees from Ukraine can have access to the Icelandic labour market. A [bill amending the Act on Foreigners](#), which is currently being prepared by the Ministry of Justice, proposes to amend these provisions of the Act on the Employment Rights of Foreigners in such a way that all those who receive a residence permit on humanitarian grounds automatically receive a direct work permit in parallel with the residence permit.

The Directorate of Labour participates in the coordinated reception of refugees/displaced persons from Ukraine. There are special counsellors who only provide services to refugees. To enter the service, a person needs a referral from the social services of the municipalities. Refugees from Ukraine need to be issued a work permit to be allowed to work in Iceland as they are issued a residence permit on the basis of humanitarian funds. First of all, the refugee needs to submit an application for a [Limited Work Permit](#).

1 of 2 Automatic Zoom



Umsókn um tímabundið atvinnuleyfi vegna sérstakra ástæðna

Application for a Limited Work Permit

Samkvæmt 11. gr. laga nr. 97/2002 um atvinnuréttindi útlendinga
According to Art. 11 of the Act No. 97/2002 on Foreigners' right to work

Vinnuáskjal
Directorate of Labour
Kringlan 1, 150 Reykjavík,
Sími: 515 4800, bréfsími: 511 2520, www.vinnuastofnun.is, atvinnuleyfi@vmst.is

Móttökudagur

I. Upplýsingar um umsækjanda / Information about applicant

Skimarnafn / First and middle names		Föðurnafn / Surname	
Ríkisfang / Nationality		Fyrra ríkisfang / Former nationality	
Fæðingardagur / Kennitala / Date of birth	Dagur, mánuður, ár / Day, month, year	Kyn / Sex	<input type="checkbox"/> karlkyrnis / male <input type="checkbox"/> kvenkyrnis / female
Fæðingarstaður / Place of birth		Fæðingarland / Country of birth	
Hjúskaparstaða / Marital status		skilin(n) að borð og sæng / separated	
<input type="checkbox"/> ógift(ur) / single <input type="checkbox"/> gift(ur) / married <input type="checkbox"/> ekki(a)ekkill / widower		<input type="checkbox"/> fráskilin(n) / divorced	
Heimilisfang í heimalandi / Address in home country		Heimilisfang á Íslandi / Address in Iceland	
Póstnúmer / Postal code		Staður / City/Town	
Húsnúmer / Owner of home		Netfang / E-mail	
Tryggingafélag / Insurance company		GSM / Mobile no.	
Dagsetning komu til Íslands / Date of entry into Iceland			

II. Upplýsingar um atvinnurekanda / Information about employer

Nafn fyrirtækis / Name of company		Kennitala / ID no.	Netfang / E-mail
Lögheimili / Address		Tengiliður / Contact person	
Póstnúmer - staður / Postal code - city/town		Símanúmer / Telephone no.	
Fyrirhugaður ráðningartími / Duration of engagement		Ástæður fyrir ráðningu / Reason for engagement	
Frá / From		Til / Until	
Starfsgrein / Occupation			
Sér atvinnurekandi útlendingi fyrir húsnæði? / Does the employer provide accommodation?			
<input type="checkbox"/> Nei / No <input type="checkbox"/> Já / Yes			

III. Upplýsingar um menntun, starfsþjálfun og atvinnuferil / Information about education, training and employment record

<input type="checkbox"/> Grunnskóli / Elementary school	Áraföldi / Number of years	Próf / Examinations	<input type="checkbox"/> Lokkið / Finished <input type="checkbox"/> Ólokið / Unfinished
<input type="checkbox"/> Menntaskóli / Háskóli / Upper secondary school	Áraföldi / Number of years	Próf / Examinations	<input type="checkbox"/> Lokkið / Finished <input type="checkbox"/> Ólokið / Unfinished
<input type="checkbox"/> Háskóli / University	Áraföldi / Number of years	Próf / Examinations	<input type="checkbox"/> Lokkið / Finished <input type="checkbox"/> Ólokið / Unfinished
Aðal atvinna / Chief occupation		Áraföldi í fagi / Number of years	
Móðurmál / Mother tongue	Annað mál / Second language	Önnur tungumál / Other languages	

II. Recognition of qualifications/diplomas

Nothing particular is agreed for displaced persons coming from Ukraine.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The Directorate of Labour has a special service for refugees/displaced persons from Ukraine. Inquiries can be sent directly to this email address: flottamenn@vmst.is.

- IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

VMST's (The Directorate of Labour) consultants generally work with the idea that refugees need to enter the Icelandic labour market as soon as possible for the integration into the Icelandic society. There is therefore a strong emphasis on preparing refugees for the labour market from the time they come to the counsellor for the first interview. Emphasis is also placed on individuals registering for Icelandic language courses and engaging in other activities during their job search.

The role of the Directorate of Labour in providing services to refugees has expanded with the introduction of a coordinated reception of refugees. The role of the agency is to provide job search support, as well as to be responsible for and manage Icelandic and community education for adult refugees. Icelandic language teaching is carried out in collaboration with lifelong learning centres and language schools, and refugees can register themselves or with the help of counsellors.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

The Act on the Employment Rights of Foreigners also applies to those who are self-employed.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social security:

The social insurance system is residence based. As a general rule, everyone who has been legally residing in Iceland for six months automatically becomes a member of the Icelandic social insurance system, regardless of nationality. Children and adolescents under the age of 18 are health insured with their parents. Persons displaced from Ukraine do not have to wait 6 months to get access to health care, they are health insured from the first day of entry.

The Icelandic pension system

The Icelandic pension system can be described using the three-pillar classification. The first pillar is based on a tax-financed compulsory public pension (social security benefits). The second pillar consists of mandatory occupational pension funds which are the dominant feature of the system. The occupational pension funds are based on the membership of all employed and self-employed persons of the age 16 to 70. The third pillar pension is based on voluntary individual pension savings. In Iceland, both public pension and mandatory occupational pension (first and second pillar) fall under the scope of Regulation (EC) No 883/2004 on the coordination of social security systems.

The benefits below are part of the general rules which also apply to persons displaced from Ukraine.

Invalidity pensions

To be entitled to invalidity pension payments, residence in Iceland must be shown for at least the last three years before the application is submitted. If work capacity was undiminished at the beginning of residence in Iceland, the person involved will have to have lived in the country the last six months before the application was submitted. The rights depend on whether the applicant has lived or worked in another country and become entitled to pension rights there.

Invalidity allowance

The same rules regarding proportional reduction because of residence apply to an invalidity allowance as well as to an invalidity pension.

Child pension

- ▶ To be entitled to child pension payments, one of the child's parents or the child has to have lived in Iceland for at least three years preceding submission of the application. A [child pension](#) is not linked to income and is therefore not reduced in accordance with residence rights). See [Act on Social Security No. 100/2007](#) and [Act on Social Assistance No. 99/2007](#).

Child benefits

Child benefits are paid for every child under the age of 18 years, domiciled in Iceland and dependent on a person or persons who have an unlimited tax liability in Iceland. The child benefits are paid to the child's supporter, i.e. the person that the child is living with and is dependent upon at the end of the previous income year. The person that pays child support is not regarded the child's supporter in this context.

Married couples that file joint tax returns are both regarded as supporters and the child benefits are split equally between them. The same applies to persons in cohabitation that at the end of the income year meet the conditions of joint taxation, even if they have asked to be taxed separately.

Persons that share a household with their child are both considered the child's supporters even if they have not registered their cohabitation.

Child benefits in Iceland are income related and calculations are based on both parents / supporters' total income for the previous year. In the case of a single parent, only the income of that parent is used in the calculations.

Full benefits are paid for the year of birth of a child, but none is paid for the year in which a child reaches 18 years of age. The amount of child benefits is calculated in the tax assessment at the end of June each year

and the calculated amount is split into two payments, the first on 1 June and the second on 1 October. It is possible to apply for advance payments which are then paid on 1 February and 1 May.

A [special supplement](#), which is also income related, is paid for children under 7 years of age.

Maternity/Paternity leave

A person who was active on the domestic labour market for at least 25% of employment for six consecutive months before the child's date of birth or the date on which a child enters the home in the case of adoption or permanent foster care, can apply for payments as an employee or a self-employed individual.

Maternity/Paternity grant

A person who was occupied (for at least 75% of studies) for six months during the last 12 months before the child's date of birth or the date on which a child enters the home in the case of adoption or permanent foster care, can apply for a maternity/paternity grant as a full-time student.

If a person has not been active on the domestic labour market, or employed in less than 25% of a full-time position for the last six months before the child's date of birth or the date on which a child enters the home in the case of adoption or permanent foster care, he or she can apply for a maternity/paternity grant.

As a ground rule, a person needs to be a legal resident in Iceland on the child's date of birth and needs to have been a legal resident in Iceland for the last 12 months before that date, for mor information see [here](#).

Social welfare:

Refugees/displaced persons from Ukraine are entitled to special assistance for a minimum of one year from their arrival in the country. The assistance that the refugees are entitled to are:

- ▶ Basic financial assistance: Refugees shall be provided with basic financial assistance in accordance with the rules of the municipality of legal residence on financial assistance;
- ▶ Grant corresponding to child benefit payments by the Director of Internal Revenue;
- ▶ Housing, together with the necessary furniture and telephone and housing subsidy;
- ▶ Special assistance for children;
- ▶ Scholarship;
- ▶ Grant for the payment of a medical examination at the outpatient department of epidemiology;
- ▶ Grants for dentistry;
- ▶ Specialist assistance from social workers, psychiatrists or psychologists (social counselling);
- ▶ Teaching Icelandic. Refugees should be encouraged to study Icelandic as a second language and to join community education. Grant of 150.000 ISK is provided;
- ▶ Other necessary assistance (e.g. job search assistance, leisure activities, interpreter services).

Accommodation:

Accommodation is allocated by the Directorate of Immigration.

Food allowance:

- ▶ Individuals receive ISK 8.000 per week,
- ▶ Couples receive ISK 13.000 per week,
- ▶ Children receive ISK 5.000 per week.

The maximum payment for a family is ISK 28.000 per week.

Allowance (paid after a four-week stay):

- ▶ Adults receive ISK 2.700 per week,
- ▶ Children receive ISK 1.000 per week.

II. Eligibility conditions

Social security:

The social insurance system is residence based. As a general rule, everyone who has been legally residing in Iceland for six months automatically becomes a member of the Icelandic social insurance system, regardless of nationality. Children and adolescents under the age of 18 are health insured with their parents.

Persons displaced from Ukraine do not have to wait for six months to get access to health care, they are health insured from the first day of entry.

Social welfare:

Valid for all displaced persons from Ukraine who have received approval from the Immigration Service for temporary residence and work permits.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Social security:

No exceptions relating to employed or self-employed activities exist. Displaced persons from Ukraine and their family members are entitled to collective protection in Iceland. The Directorate of Immigration is responsible for the processing of applications. The applicant must be present in Iceland when submitting the application and must be submitted in person. The protection system applies to the following categories of persons:

- ▶ Ukrainian citizens, who resided in Ukraine before 24 February 2022;
- ▶ Individuals who enjoyed international protection, subsidiary protection or were holders of residence permits for humanitarian reasons in Ukraine on 24 February 2022.

Social welfare:

No exceptions relating to employed or self-employed activities.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Directorate of Labour participates in the coordinated reception of refugees. There are counsellors who only provide services to refugees/displaced persons from Ukraine. To enter the service, a person needs a referral from the social services of the municipalities. The lawyer fills out a referral form in consultation with the individual. After receiving a referral, one of the Directorate of Labour's advisers takes the person into service and calls the person in question for an interview. Language Line interpreting services are used when needed. Inquiries regarding VMST's services to refugees can be sent to flottamenn@vmst.is.

On 17 March the City Council of Reykjavík agreed to form a special coordination group that will manage the city's reception of refugees and the work of a special action group. The access of refugees to Icelandic society must be ensured and the community must be encouraged to meet its needs. Consideration must be given to housing, schooling, subsistence, health and welfare services and trauma care, leisure and socializing.

The Ministry of Social Affairs and the Multicultural Centre has launched a [website](#) where persons can register rental housing due to the arrival of refugees from Ukraine.

Country fiche for Italy

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁵² and Council Implementing Decision (EU) 2022/382⁵³

The Temporary Protection Directive has been transposed into the Italian legal system through the following legal act: [Legislative Decree No. 85 of 7 April 2003](#), Implementing Directive 2001/55/EC on the granting of temporary protection in the event of a mass influx of displaced persons and on cooperation within the Community (*Decreto Legislativo 7 aprile 2003, n. 85, Attuazione della direttiva 2001/55/CE relativa alla concessione della protezione temporanea in caso di afflusso massiccio di sfollati ed alla cooperazione in ambito comunitario*), published in the Official Gazette No. 93 of 22 April 2003, in force from 22 April 2003.

Other norms that are relevant for the transposition of the Directive:

Article 20 and **Article 29**, [Legislative Decree No. 286 of 25 July 1998](#), Consolidated text of provisions governing immigration and rules on the status of foreigners (*Decreto Legislativo 25 luglio 1998, n. 286, Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero*), published in the Official Gazette No. 191 of 18 August 1998, in force from 2 September 1998. **Error! Hyperlink reference not valid.**

[Decree of the President of the Republic, no. 394 of 31 August 1999](#), Regulation laying down rules for the implementation of the Consolidated Text of the provisions governing immigration and rules on the status of foreigners (*Decreto del Presidente della Repubblica 31 agosto 1999, n. 394 Regolamento recante norme di attuazione del testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero*), published in the Official Gazette no. 258 of the 3 November 1998, in force from the 3 November 1998.

According to Article 20 of Legislative Decree no. 286 of 25 July 1998 and Article 3 of Legislative Decree no. 85 of 7 April 2003, a Decree of the President of the Council of Ministers - DPCM (*Decreto del Presidente del Consiglio dei ministri*) must implement the Council Decision implementing the TPD.

The Council Implementing Decision (EU) 2022/382 has been implemented by the [Decree of the President of the Council of Ministers \(DPCM\) of 28 March 2022](#), Temporary Protection Measures for persons coming from Ukraine due to the ongoing events of war (*Decreto del Presidente del Consiglio dei ministri del 28 marzo 2022, Misure di protezione temporanea per le persone provenienti dall'Ucraina in conseguenza degli eventi*

⁵² Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁵³ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

bellici in Corso), published in the Official Gazette No. 89 of 15 April 2022. The Decrees of the President of the Council of Ministers (DPCM), as well as other sources on which are based, do not contain specific indications on the date of entry into force of the act. However, Italian law provides that an act enters into force on the same day or the day following the publication in the Official Gazette..

Article 7, [Ordinance of the Head of Civil Protection no. 872 of 4 March 2022](#) (Ordinance no. 872/2022), establishes urgent civil protection provisions to ensure, on national territory, the reception, aid and assistance to the population as a result of the events taking place in the territory of Ukraine (*Ordinanza del Capo della Protezione Civile n. 872 del 4 marzo 2022 - Disposizioni urgenti di protezione civile per assicurare, sul territorio nazionale, l'accoglienza il soccorso e l'assistenza alla popolazione in conseguenza degli accadimenti in atto nel territorio dell'Ucraina*), published in the Official Gazette No. 60 of 12 March 2022, in force from 4 March 2022. The Ordinances of the Head of Civil Protection, as well as other sources on which are based, do not contain specific indications on the date of entry into force. However, according to Article 25(4) of the Legislative Decree n.1 of 2 January 2018, the Ordinance of the Head of Civil Protection become effective from the date of adoption.

[Ordinance of the Head of the Civil Protection Department no. 881 of 29 March 2022](#), establishes further urgent civil protection provisions to ensure, on the national territory, the reception and assistance to the population as a consequence of the events taking place in the territory (*Ordinanza del Capo Dipartimento della Protezione Civile n. 881 del 29 marzo 2022 – Ulteriori disposizioni urgenti di protezione civile per assicurare, sul territorio nazionale, l'accoglienza, il soccorso e l'assistenza alla popolazione in conseguenza degli accadimenti in atto dell' territorio*), published in the Official Gazette no. 77 of 1 April 2022, in force from 29 March 2022.

[Ordinance of the Head of Civil Protection No. 873 of 6 March 2022](#), establishes additional urgent civil protection provisions to ensure, on the national territory, the reception, relief and assistance to the population as a result of the events on the territory of Ukraine (*Ordinanza del Capo della Protezione Civile n.873 del 6 marzo 2022 - Ulteriori disposizioni urgenti di protezione civile per assicurare, sul territorio nazionale, l'accoglienza, il soccorso e l'assistenza alla popolazione in conseguenza degli accadimenti in atto nel territorio dell'Ucraina*), published in the Official Gazette no. 60 of 12 March 2022, in force form 6 March 2022.

[Decision of the Council of Ministers of 28 February 2022](#), declares a state of emergency in relation to the need to provide emergency aid and assistance to the Ukrainian population on the national territory as a result of the current serious international crisis (*Delibera del Consiglio dei Ministri del 28 febbraio 2022, Dichiarazione dello stato di emergenza in relazione all'esigenza di assicurare soccorso ed assistenza alla popolazione ucraina sul territorio nazionale in conseguenza della grave crisi internazionale in atto.*), published in the Official Gazette No. 58 of 10 March 2022. The Decisions of the Council of Ministers, as well as other sources on which are based, do not contain specific indications on the date of entry into force. However, Italian law provides that an act enters into force on the same day or the day following the publication in the Official Gazette.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Recognition of health professional qualifications for Ukrainian medical practitioners:

- ▶ **[Decree Law No. 21 of 21 March 2022](#)**, Urgent measures to contrast the economic and humanitarian effects of the Ukrainian crisis (*Decreto Legge 21 marzo 2022, n. 21, Misure urgenti per contrastare gli effetti economici e umanitari della crisi ucraina*), published in the Official Gazette No. 67 of 21 March 2022, in force from 22 March 2022.

Access to labour market:

- ▶ [Legislative Decree No. 215 of 9 July 2003](#) implementing Directive 2000/43/EC on equal treatment between persons irrespective of racial or ethnic origin (*Decreto legislativo 9 luglio 2003, n. 215 Attuazione della direttiva 2000/43/CE per la parità di trattamento tra le persone indipendentemente dalla razza e dall'origine etnica*), published in the Official Gazette No. 186 of 12 August 2003, in force from 27 August 2003.
- ▶ [Legislative Decree No. 216 of 9 July 2003](#) Implementation of Directive 2000/78/EC for equal treatment in employment and occupation (*Decreto legislativo 9 luglio 2003, n. 216 Attuazione della direttiva 2000/78/CE per la parità di trattamento in materia di occupazione e di condizioni di lavoro.*), published in the Official Gazette No. 187 of 13 August 2003, in force from 28 August 2003.

Recognition of Ukrainian driving licenses:

- ▶ **Agreement between the Government of the Republic of Italy and the Cabinet of Ministers of Ukraine on Mutual Recognition in the Matter of Conversion of Driving Licences** (*Accordo tra il Governo della Repubblica Italiana e il Gabinetto dei Ministri dell'Ucraina sul reciproco riconoscimento in materia di conversione delle patenti di guida*), signed on 20 July 2021, in force on 24 January 2022. Links to the document are not available. However, the Circular No. 5190 of 11 January 2022 of the Ministry of Infrastructure and Transport which cites the provisions of the agreement and gives guidance on their practical implementation is available [here](#).

Social security:

- ▶ [Legislative Decree No. 22 of 4 March 2015](#), Provisions for the reorganisation of the legislation on social shock absorbers in case of involuntary unemployment and outplacement of unemployed workers (*Decreto Legislativo 4 marzo 2015, n. 22, Disposizioni per il riordino della normativa in materia di ammortizzatori sociali in caso di disoccupazione involontaria e di ricollocazione dei lavoratori disoccupati*), published in the Official Gazette no.54 of 6 March 2015, in force 7 March 2015.
- ▶ [Law No. 214 of 22 December 2011](#), Conversion into law, with amendments, of Decree-Law No. 201 of 6 December 2011, containing urgent provisions for growth, equity and the consolidation of public accounts. (*Legge 22 dicembre 2011, n. 214, Conversione in legge, con modificazioni, del decreto-legge 6 dicembre 2011, n. 201, recante disposizioni urgenti per la crescita, l'equità e il consolidamento dei conti pubblici*), published in the Official Gazette no.300 of 27 December 2011, in force from 28 December 2011.
- ▶ [Decree of the President of the Republic, No. 1124 of 30 June 1965](#), Single text of the provisions for compulsory insurance against accidents at work and occupational diseases (*Decreto del Presidente della Repubblica 30 giugno 1965, n. 1124 Testo unico delle disposizioni per l'assicurazione obbligatoria contro gli infortuni sul lavoro e le malattie professionali*), published in the Official Gazette no.257 of 13 October 1965, in force from 1 July 1965.
- ▶ [Decree Law No. 79 of 8 June 2021](#) Urgent measures concerning temporary child allowance (*Decreto Legge 8 giugno 2021, n. 79 Misure urgenti in materia di assegno temporaneo per figli minori*), published in the Official Gazette no.135 of 8 June 2021, in force from 9 June 2021.
- ▶ [Royal Decree-Law No. 1827 of 4 October 1935](#), Refinement and legislative coordination of social security (*Regio Decreto Legge, 4 ottobre 1935, n. 1827, Perfezionamento e coordinamento legislativo della previdenza sociale*), published in the Official Gazette no.251 of 26 October 1935, in force from 26 October 1935.

Social welfare:

- ▶ [Decree of the President of the Republic, no. 394 of 31 August 1999](#), Regulation laying down rules for the implementation of the Consolidated Text of the provisions governing immigration and rules on the status of foreigners (*Decreto del Presidente della Repubblica 31 agosto 1999, n. 394 Regolamento recante norme di attuazione del testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero*), published in the Official Gazette no. 258 of the 3 November 1958, in force from the 3 November 1958.
- ▶ [Circular of the Ministry of Health of 3 March 2022, Ukraine Crisis](#), provides first Directions for Local Health Authorities (*Circolare del Ministero della Salute del 3 Marzo 2022 - Crisi Ucraina - Prime Indicazioni per Aziende Sanitarie Locali*)
- ▶ [Ordinance of the Head of the Civil Protection Department no. 895 of 24 May 2022](#), Additional urgent civil protection provisions to ensure, on the national territory, the reception, relief and assistance to the population as a result of the ongoing events in the territory of Ukraine (*Ordinanza del Capo della Protezione Civile n. 895 del 24 maggio 2022 - Ulteriori disposizioni urgenti di protezione civile per assicurare, sul territorio nazionale, l'accoglienza, il soccorso e l'assistenza alla popolazione in conseguenza degli accadimenti in atto nel territorio dell'Ucraina*), published in the Official Gazette no.125 of 30 May 2022, in force from 24 May 2022.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	<p>Yes</p> <p>Article 1(2)(a) of the DPCM of 28 March 2022 includes among the beneficiaries, persons who are displaced from Ukraine, from 24 February 2022 (included), who are Ukrainian citizens residing in Ukraine before 24 February 2022.</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>Article 1(2)(c) of the DPCM of 28 March states that are eligible for temporary protection the family members of:</p> <p>(a) Ukrainian citizens residing in Ukraine before 24 February 2022;</p> <p>(b) stateless persons and third-country nationals other than Ukraine who benefitted of international protection or equivalent national protection in Ukraine before 24 February 2022;</p> <p>The condition of displacement after 24 February 2022 also applies.</p> <p>According to Article 1(4)(a)(b)(c) of the DPCM of 28 March, the persons falling under the definition of family members are:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<ul style="list-style-type: none"> ▶ spouse of the applicant ▶ unmarried person who is in a stable relationship with the applicant. ▶ legitimate, natural or adopted minor children, unmarried, of the applicant or spouse <p>other relatives falling under the categories set by article 29 (1)(c)(d) of the Legislative Decree 286/1998, namely dependent adult children who are totally disabled and parents over 65, “cohabiting and belonging to the same household during the period in which the circumstances related to the mass influx of displaced persons occurred and who were fully or partially dependent on the applicant during that period” (Article 1(4)c) of the DPCM).</p> <p>In order to benefit from protection, the family members should be “residing in Ukraine before 24 February 2022 on the basis of a valid residence permit issued in accordance with Ukrainian law and in possession of documentation proving the family relationship, previously validated, where possible, by the competent foreign consular representation”.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes Article 1(2)(b) of the DPCM of 28 March 2022
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes Article 1(3) of the DPCM of 28 March 2022
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable</p>	No

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
conditions to their country or region of origin (Article 2(3) Council Decision).	
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Police Department (Ministry of the Interior)	Questure (Ministero dell'Interno)	https://www.interno.gov.it/it/info-utili-lingresso-dei-profughi-ucraini-italia
	Ministry of Interior	Ministero dell'Interno	https://www.interno.gov.it/it/info-utili-lingresso-dei-profughi-ucraini-italia
Employment rights	Ministry of Labour and Social Policy	Ministero del Lavoro e delle Politiche Sociali	https://integrazionemigranti.gov.it/it/Ricerca-news/Dettaglio-news/id/2487/Protezione-temporanea-e-lavoro-risposte-alle-domande-piu-frequenti
	Employment Centre of the National Agency for Active Employment Policies (Italian public body supervised by the Ministry of Labour and Social Policy.)	Centri per l'Impiego, Agenzia nazionale per le politiche attive del lavoro	https://integrazionemigranti.gov.it/it/Ricerca-news/Dettaglio-news/id/2487/Protezione-temporanea-e-lavoro-risposte-alle-domande-piu-frequenti
Social welfare and social security rights	Civil Protection Department	Dipartimento per la Protezione Civile	The platform to request the subsistence allowance Dipartimento della Protezione Civile

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Tax Agency	Agenzia delle Entrate	Agenzia delle Entrate - Home (agenziaentrate.gov.it)
	Ministry of Health	Ministero della Salute	Emergency in Ukraine (salute.gov.it)
	National Social Security Institute	Istituto Nazionale di Previdenza Sociale	https://www.inps.it/

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Coordination among the different State actors involved has been established in the framework of the reception and assistance of Ukrainian citizens arriving in Italy. A coordination scheme concerning access to labour, social rights and welfare has not been established.

Reception system, housing, and assistance

The National Plan for the Reception and Assistance of the Population from Ukraine (*Piano nazionale per l'accoglienza e l'assistenza alla popolazione proveniente dall'Ucraina*), and the Ordinance of the Head of Civil Protection no. 872 of 4 March 2022 establish the multi-level governance of the emergency assistance for the reception of Ukrainian persons, at national as well as regional level. The National Plan is available [here](#).

At national level, in order to ensure coordination between all the operative levels and stakeholders, Article 1 of the Ordinance of the Head of Civil Protection no. 872 of 4 March 2022 establishes a committee composed by all the stakeholders involved, including the Head of the Department for Civil Protection of the Presidency of the Council of Ministers, the Head of the Department for Civil Liberties and Immigration of the Ministry of the Interior, the Director of the Central Directorate for Immigration and Border Police of the Department of Public Security of the Ministry of the Interior, the Technical Coordinator of the Civil Protection Commission of the Conference of Regions and Autonomous Provinces of Trento and Bolzano and the Secretary General of the National Association of Italian Municipalities. Within the Civil Protection Department, the Command-and-Control Directorate (*Direzione di Comando e Controllo - Di. Coma.C*) ensure the coordination of all the actions.

Moreover, the Decision of the Council of Ministers of 28 February 2022 declared a state of emergency until the 31 December 2022. During this period, urgent interventions in support of emergency activities and assistance to the Ukrainian population arriving in Italy are implemented through Ordinances issued by the Head of the Civil Protection Department.

At regional level, Regions, Prefectures (*Prefetture*, local representations of the Ministry of the Interior) and Municipalities, coordinate the activities, ensuring the link with the national Coordinating Structure. According to Article 2 of Ordinance no. 872 of 4 March 2022, the Presidents of the Regions (and the Autonomous Provinces of Trento and Bolzano), shall coordinate the organisation of territorial civil protection systems, including temporary housing and assistance, health care, and transport of people.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁵⁴ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Italy does not provide any form of adequate protection alternative to temporary protection.

However, pursuant Article 3 of the DPCM of 28 March 2022, a beneficiary of temporary protection may apply for international protection.

Article 3 of the DPCM of 28 March 2022 disciplines two cases: Article 3(2) concerns the application for international protection submitted by a person already holding a permit for temporary protection, while Article 3(3) disciplines the request for temporary protection by a person who has a pending application for international protection. In both cases, Article 3 establishes that the examination and decision of the request for international protection is postponed at to the end of the temporary protection.

Finally, Article 3(4) of DPCM of 28 March 2022 states that recognition of international protection precludes access to temporary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Italian legislation does not expressly regulate the possibility of a change of status while the person is in the country.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

There are no specific issues or salient points identified for this question.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to Regulation (EU) 2018/1806, Ukraine is listed as a visa-free country. This means that Ukrainian citizens holding passports have the right to enter and move within the European Schengen area. This freedom of movement (for a maximum period of 90 days from entry) is independent of whether Ukrainian citizens have applied for temporary protection or not.

⁵⁴ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

Legislative Decree no. 85 of 7 April 2003 includes provisions concerning the possibility of intra-EU mobility of temporary protection beneficiaries. Article 10 thereof states that persons enjoying temporary protection cannot leave the national territory. Furthermore, the article specifies that a person enjoying temporary protection granted by another EU Member State who illegally enters Italy, shall be returned to the Member State issuing the temporary protection.

The exceptions to this general rule are:

- ▶ bilateral agreements with another Member State,
- ▶ voluntary transfer between Member States,
- ▶ prior authorisation of the Authority that issued the residence permit.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Legislative Decree No. 215 of 9 July 2003 and Legislative Decree No. 216 of 9 July 2003 establish the principle of equal treatment for all persons, in “access to employment, to self-employment or to occupation, including selection criteria and recruitment conditions”. Thus, equal treatment is ensured also in the case of beneficiaries of temporary protection.

- d) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Article 4(1) of the Legislative Decree no. 85 of 7 April 2003 provides that the Decree of the President of the Council of Ministers (DPCM) implementing temporary protection shall lay down, *inter alia*, the “the procedures for issuing to displaced persons [beneficiaries of temporary protection] residence permits extended to study and work”. According to Article 2(3) of the DPCM, the application for the residence permit is submitted directly to the police headquarters (*Questure*). The permit is issued in electronic format and is free of charge.

In the specific case of Ukrainian persons, Article 2(1) of the DPCM of 28 March 2022 states that the Police Headquarters (*Questure*) shall issue a residence permit for temporary protection for one year. This permit allows the holder access to the assistance provided in Italy by the National Health Service, to the labour market and to education (Article 2(2) of the DPCM).

Article 2(2) of the DPCM of 28 March 2022 also refers to the provisions contained in the Ordinance of the Head of the Civil Protection Department no. 872 of 4 March 2022, which concerns *inter alia* the conditions to access employment. Article 7 of Ordinance no. 872/2022 states that people coming from Ukraine can access employed and seasonal work, as well as self-employment on the basis of the sole application for a residence permit submitted to the competent Police Headquarters (*Questure*). Thus, the right to access to the labour market can

be exercised as soon as the receipt of the application for a residence permit for temporary protection is issued, and therefore also prior to the issuance of the electronic residence permit.

Article 7 of Ordinance no. 872/2022 also specifies that access to employment within the framework of temporary protection is not subject to the “maximum quotas defined by the annual programming of entry flows” regulated by Article 3(4) of Legislative Decree No. 286 of 25 July 1998.

Procedure for accessing employment:

Article 7 of Ordinance no. 872/2022 does not mention any specific requirements or procedures for temporary protection beneficiaries to access employment, stating that a person can access employment or self-employment on the basis of the sole application for a residence permit. The employment of the person can take place as soon as the receipt of the application for temporary protection is issued by the Police Headquarter (*Questura*). While the applicants are still waiting for the permit (and therefore they only hold the receipt of the application for temporary protection), it shall be indicated “awaiting for permit” in the UNILAV form.

The employer must send to the Employment Centre (CPI) the 'UNILAV' compulsory recruitment communication form at least 24 hours before the day of recruitment. This form has to be submitted through the portal of the Ministry of Labour and Social Policies and is available [here](#). The procedure is the same as for the employment of an Italian citizen.

Recruitment process for domestic worker:

A notification from the employer to the National Social Security Institute by the day before employment is requested. The procedure is the same as for the employment of an Italian citizen. Details are available [here](#).

II. Recognition of qualifications/diplomas

Access to regulated professions

In Italy, professions are divided into two categories: "regulated" and "unregulated" professions. The access to an unregulated profession does not require a specific diploma, nor recognition of foreign qualification. For regulated professions, sectorial laws instead establish the diploma as well as mandatory requirements for practising the profession.

The procedure for the recognition of a foreign professional qualification to exercise a regulated profession requires the submission of an application to the competent Ministry (Ministry of Health, Ministry of Justice, Ministry of Education and University, etc.). Within four months, the Ministry should provide recognition of the title. In case of a gap identified in the foreign country's training, the Ministry might require additional training or an examination. The Ministry issues a recognition decree, which is valid for two years. In any case, the person is obliged to register as a member of the professional body in order to be allowed to practice (more information [here](#)). This procedure applies to all persons with foreign professional qualification, and thus also to beneficiaries of temporary protection.

Health professional qualifications: Exception for beneficiary of temporary protection

Article 34 of Decree Law No. 21 of 21 March 2022 establishes a derogation “from the rules on the recognition of health professional qualifications for Ukrainian medical practitioners”, applicable until 4 March 2023. The aim of this provision is to facilitate access to the healthcare labour market for beneficiaries of temporary protection. Article 34 of Decree Law No.21/2022 provides that “the temporary exercise of health professional qualifications

and the qualification of socio-health professional is permitted to professionals who are Ukrainian citizens resident in Ukraine before 24 February 2022, who intend to exercise, in the national territory, public or private health or socio-health services, a health profession or the profession of socio-health professional”.

The requirement is to hold a "qualification as a health or social care professional obtained abroad", as well as the European Qualifications Passport for Refugees. The provision also specifies the rules for the recruitment process carried out by the healthcare structures concerned, which “may proceed with the temporary recruitment of these professionals (...) by means of fixed-term contracts or free professional appointments, also of coordinated and continuous collaboration”.

General rules for recognition of academic qualifications

Italy ratified the Lisbon Convention through Law no. 148 of 11 July 2002, which introduced the concept of finalised recognition of foreign qualifications in Italy. Italy and Ukraine have both ratified the Lisbon Convention, thus the general rules for the recognition of qualifications apply to persons holding a Ukrainian qualification. However, for the purposes of recognition, it is necessary to differentiate between academic, non-academic and professional purposes.

The website page [Focus Ukraine](#) developed by CIMEA - Information Centre on Academic Mobility and Equivalence, provides an overview of procedures and relevant norms (more information [here](#)).

Recognition of Ukrainian driving licences

Prior to the activation of the TPD (January 24, 2022), the agreement on mutual recognition of Ukrainian and Italian driving licences had been introduced. Ukrainian citizens in Italy can apply for the conversion of the Ukrainian driver's licence without additional exams. More information [here](#).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

In Italy, temporary protection beneficiaries receive general assistance, thus no specific support or channel is provided. It is possible to receive assistance at the public employment centers (*Centri per l'impiego - CPI*) or through private employment agencies. Registration in the lists of the employment centers as job seeker, is free of charge. However, it is necessary to be resident in Italy. The residence in Italy is obtained by the registration in the registry office of the municipality (where the person lives), which requires:

- ▶ filling a form,
- ▶ a valid identity document,
- ▶ a residence permit or the receipt of the residence permit application (as permit for temporary protection grounds).

In order to complete the inscription to the public employment centers, it is also necessary to filling in the DID, i.e. the Declaration of Immediate Availability for Work. To subscribe the DID, it is necessary to hold:

- ▶ a fiscal code,
- ▶ a valid identity document,
- ▶ valid residency permit allowing work, or it is sufficient having the receipt of this request for a permit (as permit for temporary protection grounds).

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Access to "vocational training or internships in enterprises" for temporary protection holders refers to the general one directed to all jobseekers, so there are no special channels or specific opportunities.

Pursuant to Article 38(5) of Legislative Decree No. 286 of 25 July 1998 (applicable *ex vi* Article 2 of the DPCM of 28 March 2022), "Educational institutions, within the framework of a territorial planning of interventions, (...), promote (...) the realization and implementation of Italian language courses; the implementation of training courses, including within the framework of international cooperation agreements in force for Italy."

Initiatives to support Ukrainian students and academic staff

Several universities promote initiatives to support Ukrainian students, professors and technical-administrative staff by activating calls for scholarships, visiting research, exemption from paying tuition fees, etc. All the initiatives are listed on a dedicated [webpage on the Ministry of University and Research website](#).

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

In Italy, no particular social security arrangement for temporary protection beneficiaries has been established.

The main social security benefits are:

Unemployment benefits: To be entitled to unemployment benefits (NASpl), it is necessary to have been covered by the National Social Security Institute (INPS), i.e. to have a regular employment contract, and to have worked for at least 13 weeks in the four years preceding the start of unemployment. NASpl benefit is paid for a number of weeks equal to half of the number of weeks the person worked in the four years preceding the unemployment. The amount is equal to 75% of the salary, progressively decreased by 3% starting for the fourth month. The condition for receiving the benefit is to participate in training courses offered by the Job Centre (*CPI – Centri per l'Impiego*) (more information [here](#) and [here](#)).

Old-age benefits: The requirements for an old age pension are twofold, requiring both at least 20 years of employment contributions and a minimum age of 67. For the early old age pension a minimum of 42 years and 10 months of employment contributions for men and a minimum of 41 years and 10 months of employment contributions for women are required (more information [here](#)).

Accidents at work: National Institute for Insurance against Accidents at Work and Occupational Diseases (*INAIL - Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro e le Malattie Professionali*) is competent in this area. The requirements for entitlement to occupational accident benefits are: to be an employee or self-employed person and to have suffered, as a result of an occupational accident, total but temporary inability to work for at least three days, permanent disability (partial or total) or death. If a person has been the victim of an accident at work, they are entitled to monetary payments and health services (medical and rehabilitation treatment, etc.) (more information [here](#)).

Occupational illnesses: A worker who has contracted an occupational disease in the performance of their duties must notify the employer within 15 days of the onset of symptoms. The employer must notify INAIL within five days after receiving the relevant medical certificate. Occupational diseases are those included in a specific list recognised by law (based on Article 139 of Presidential Decree No. 1124 of 30 June 1965, Consolidated Text of the provisions for compulsory insurance against accidents at work and occupational illnesses). In order to qualify as an occupational disease, it must be contracted in the performance of the working duties. If the workers have contracted an occupational disease, they are entitled to monetary payments as well as health services (medical and rehabilitative care etc.) (more information [here](#)).

The main social welfare benefits are:

Access to a special social allowance and reception system

Article 2 of Ordinance of the Head of the Civil Protection Department no. 881 provides that persons seeking temporary protection who are not housed in public reception systems will receive a “lump-sum living allowance of €300 per person per month, for a maximum duration of three months from the date of entry into the national territory, conventionally identified as the date of submission of the application for temporary protection if not otherwise determinable”. This measure applies until 31 December 2022. Article 2 adds that an adult holder a legal guardianship or custodian of a child (under the age of 18) is granted an additional monthly contribution for each child of EUR 150.

Article 2(d) also provides that payment is made after the beneficiary has been recognised, by showing his identity document and the receipt of the application for a temporary protection permit issued by the competent Police Headquarters (*Questura*).

Article 2(4) specifies that persons eligible for the subsistence contribution provided for in this article may submit the relevant application by accessing a [special IT platform made available by the Civil Protection Department](#).

Beneficiaries of temporary protection are eligible to access both the Reception and Integration System (*Sistema di Accoglienza e Integrazione - SAI*) managed by Local Authorities and the Extraordinary Reception Centers (*Centri di Accoglienza Straordinaria - CAS*) managed by Prefectures. In addition, the Decree Law 21 of 2022 introduces additional forms of diffuse reception in collaboration with NGOs.

According to Article 4 of the Ordinance of the Head of Civil Protection No. 881 of 29 March 2022, applicants or beneficiaries of temporary protection who benefit from special social allowance or are housed in public reception systems can continue to benefit from these measures for up to 60 days after the start of work.

Access to the public national health care system

Article 5 of the Ordinance of the Head of the Civil Protection Department no. 881 states that “persons granted temporary protection are, for the purposes of access to the National Health Service, equal to Italian citizens”. Article 5 states also that when the application for a residence permit for temporary protection is submitted, the applicant is issued with a fiscal code/social security number by the police headquarters (*Questura*), through the IT system of the Tax Agency (*Agenzia delle Entrate*). Article 5(2) concludes that “in addition to the personal

data, information is also transmitted to the Tax Agency (*Agenzia delle Entrate*) enabling to automatically identify the applicant as a beneficiary of [public] healthcare assistance". Thus, according to national law, the applicant of temporary protection is a beneficiary of health care public assistance.

Article 9 of the Order of the Head of the Civil Protection Department No. 895 of 24 May 2022 states that temporary protection beneficiaries have access to the National Health Service without charge if they do not work.

Public health measures after arrival

Article 2(3) of the Ordinance of the Head of Civil Protection No. 873 of 6 March 2022 states that, upon arrival, public health services must be ensured to Ukrainian persons. Article 2 in particular refers to vaccination against Covid-19, diphtheria, tetanus, whooping cough and polio. In the post-arrival period, people must be vaccinated against measles, parotitis, rubella and be submitted to a tuberculosis screening test.

Public Transport free of charge in the firsts five days after arrival

According to Article 3 of the Ordinance No. 876 of 2022, of the Head of Department of the Civil Protection, Ukrainian citizens can travel free of charge within five days of their arrival in Italy. The measure is aimed at facilitating access to public or private reception facilities. The measure includes free travel on train public services, maritime services as well as freeway networks.

II. Eligibility conditions

Social Security:

In Italy, no particular social security arrangement for temporary protection beneficiaries has been established.

Article 37 of the Royal Decree-Law No. 1827 of 4 October 1935 states that "persons of either sex and of any nationality [...] who perform paid work in the employ of others", must be insured according to Italian regulations. This principle of equal treatment therefore extends the application of social security benefits also to persons benefiting from temporary protection.

Social welfare:

To be eligible for social welfare benefits, the application for a residence permit for temporary protection is sufficient. Notwithstanding, access to the public health care system is ensured also before the application. Upon arrival (until the application for temporary protection), it is possible to access emergency and urgent care. For that effect, the beneficiary must have a STP (*Straniero Temporaneamente Presente* - Temporarily Present Foreigner) code. Article 43(1)(3) of the Decree of the President of the Republic No. of 31 August 1999 states that legally resident foreign nationals who are not registered in the National Health Service can access to emergency healthcare services, on the basis of a regional STP code. This code is issued by the Local Health Authority (*Azienda Sanitaria Locale*).

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

In Italy, no particular social security or social welfare arrangements for temporary protection beneficiaries have been established.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

At national public level

Dedicated website page of the Ministry of Labour and Social Policy

A [dedicated page](#) setting up by the Ministry of Labour and Social Policy has been created. The page provides information on the link between access to work and temporary protection; recruitment procedures; employment of domestic workers or babysitters as well as explanation concerning the Italian system of public and private Job Centres. The webpage provides all these information translated into Russian and Ukrainian.

Dedicated website page of the Ministry of Labour and Social Policy

A brochure with the relevant information on the application procedure for temporary or international protection has been published on the website of the Ministry of the Interior. The brochure has been developed by the Ministry of the Interior-Department of Public Security, Department for Civil Liberties and Immigration, the National Commission for the Right to Asylum, with the cooperation of the Civil Protection Department and the support of the European Asylum Agency (EUAA). The brochure is available [here](#) in Ukrainian and Italian languages.

EU Skills Profile tool

The web-platform of the Ministry of Labour dedicated to the integration of humanitarian protection beneficiaries fleeing Ukraine promotes the use of the [EU Skills Profile tool](#). This toll created by the European Commission provides an initial profiling of the skills of refugees from Ukraine.

At regional public level

- ▶ A guide to accessing Job Search Services has been prepared (also in Ukrainian language) by the Employment Agency in Trentino Alto Adige region.
- ▶ The Autonomous Province of Trento has published a brochure with the relevant information to accessing job search services, dedicated to beneficiary of temporary protection. The brochure is available [here](#).
- ▶ In Sardinia region, the Sardinian Agency for Active Employment Policies (*ASPAL - Agenzia sarda per le politiche attive del lavoro*) has set up a dedicated orientation desks, within the Employment Centres, aimed at supporting Ukrainian citizens in different areas, including access to medical care and labour market.
- ▶ The Friuli Venezia Giulia region activated a dedicated task force composed by Worker and Business Intervention Service (*Servizio interventi per i lavoratori e le imprese*), EURES - FVG Service and operators from the Regional Guidance Centers (*Centri di Orientamento regionali – COR*) aimed at supporting the beneficiary of temporary protection in the access to the labour market.
- ▶ In Tuscany region, the Regional Employment Agency (*Agenzia regionale per il lavoro - ARTI*) created a dedicated brochure with relevant information for Ukrainian citizens seeking employment. The brochure is available on the Agency's website, [here](#).

Initiatives by Association at national level

National project of Conflavoro - National Confederation of Small and Medium-sized Enterprises
(*Conflavoro-Confederazione Nazionale Piccole e Medie Imprese*)

Conflavoro created the [platform 'Conflavoro for Ukraine'](#), setting up an online platform where companies and employers can offer employment to people fleeing Ukraine. The web platform requires the completion of a dedicated form, where employers have to indicate the professional profile of the person they want to offer an employment. Ukrainian people can also register on the platform, describing professional background and experiences. Conflavoro matches the offer with different profiles of Ukrainian citizens.

Measures for temporary protection beneficiaries (as well as refugees and asylum seekers) launched by Assolavoro, UNHCR and the three major Italian trade unions (CGIL, CISL, UIL)

The National Association of Employment Agencies (*Assolavoro – Associazione Nazionale delle Agenzie per il Lavoro*), UNHCR - UN Agency and the three major Italian trade unions (CGIL, CISL, UIL) adopted an agreement allocating 5 million EUR for support measures for temporary protection holders. The measures include Italian language and vocational training courses, reimbursement for psychological assistance and educational support. The dedicated webpage with all the detailed information is available [here](#).

Initiatives by (private) employment agencies

Adecco and GiGroup (private multinational employment agencies) have set up, at international level, dedicated platforms matching Ukrainian citizens seeking employment with companies looking for workers in countries where the agencies have a presence, including Italy. The Adecco webpage is available [here](#) and the GiGroup dedicated platform [here](#).

Other relevant initiatives:**Remote psychological support**

The Italian Red Cross organised a remote psychological support service for all Ukrainian citizens arriving in Italy. More information [here](#).

Dedicated webpage of the Ministry of Health

The Ministry of Health has also created a [dedicated page](#) listing all the information to facilitate access to the national healthcare service.

Free temporary car insurance for refugees from Ukraine

The National Association of Insurance Companies has launched an [initiative](#) that provides free temporary insurance for 30 days for the cars of refugees from Ukraine. The temporary insurance will be issued at the request of the person concerned.

Country fiche for Liechtenstein

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁵⁵ and Council Implementing Decision (EU) 2022/382⁵⁶

The Agreement concerning Schengen concluded between the EU and Switzerland in 2004 (SR 0.362.31 does not include the Temporary Protection Directive. Therefore, the Directive is not binding for Liechtenstein.

Like Switzerland, Liechtenstein has adopted a solution similar to decision (EU) 2022/382. It is based on:

- ▶ **Article 43(1) [Asylum Act](#)** of 14 December 2011 (*Asylgesetz*), in force since 1 June 2012;
- ▶ **[Ordinance of 15 March 2022 that grants temporary protection in accordance with the situation in Ukraine \('Ukraine-SchutzV'\)](#)** (*Verordnung über die vorübergehende Schutzgewährung für bestimmte Personengruppen aus der Ukraine*), in force since 16 March 2022.

Like in Switzerland, the status given to persons displaced from Ukraine is called 'S-status' and is very similar to the protection status provided by Directive 2001/55. The S-status was activated by the Government of Liechtenstein on 15 March 2022 in order to receive persons displaced from Ukraine (Article 1 [Ukraine-SchutzV](#)).

This is the first time that Liechtenstein has activated the S-status. It allows persons displaced from Ukraine to stay in Liechtenstein for the period of protection without applying for asylum; if the protection period is longer than five years they will get a residence permit (Article 49(2) [Asylum Act](#)); displaced persons from Ukraine get social aid and medical care (Article 55 *AsylG*); they may work in Liechtenstein (Article 50 and 23 [Asylum Act](#)), have their children go to school (also Article 50(1) [Asylum Act](#)) and they can travel to other countries (Art. 5(2) [Ukraine-SchutzV](#)). The [Ukraine-SchutzV](#) of 15 March 2022 entered into force on 16 March 2022 (see Article 6 [Ukraine-SchutzV](#)). For information concerning Ukraine see the [website](#) of APA.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

⁵⁵ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁵⁶ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- ▶ [Asylum Act](#) of 14 December 2011 (*Asylgesetz*), in force since 1 June 2012. Articles 50 and 23 [Asylum Act](#) allow persons in need of protection to accomplish a gainful activity in Liechtenstein.
- ▶ **Article 13(1)(b) [Foreigners Act](#)** of 17 September 2008 (*Gesetz über die Ausländer*). The employer has to ask for the work permit if s/he wants to hire a person falling under the scope of the temporary protection; according to Article 15 [Foreigners Act](#), the permit will be issued only if the local wage and working conditions are respected.

Social security:

- ▶ **Article 55(1) [Asylum Act](#)**. This refers to the regulation concerning social security.

Social welfare:

- ▶ [Foreigners Act](#) of 17 September 2008 (*Gesetz über die Ausländer*).

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	Yes
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons present or residing in Ukraine before 24 February 2022, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes According to Article 45 Asylum Act , family members will be accepted if the family was separated by the escape and wants to reunify in Liechtenstein. Article 46(1), 2 nd phrase Asylum Act obliges the Office for Foreigners and Passports to take into account the “principle of family unity” while defining the group of persons in need of protection and deciding who will be granted temporary protection in Liechtenstein. The term family member is defined by Article 2(1)(g) AsylG and includes the spouse, the children and other close family members the refugee/displaced person is supporting.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	
Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes Ukrainian nationals legally residing in Liechtenstein before 24 February 2022.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Office for foreigners and passports	Ausländer- und Passamt APA	https://www.llv.li/inhalt/119259/amtstellen/information-ukraine
Employment rights	Office for public economy	Amt für Volkswirtschaft	https://www.llv.li/inhalt/12481/amtstellen/amt-fur-volkswirtschaft

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Social security institution	AHV-IV-FAK-Anstalten	https://www.ahv.li/
	Office for Health	Amt für Gesundheit	https://www.liv.li/inhalt/11463/amtstellen/versicherung

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

According to Article 65(1) [Asylum Act](#), the Courts and Public Agencies of Liechtenstein are obliged to assist the Office for Foreigners and Passports. Vice versa, the latter has to assist Courts and Public agencies.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁵⁷ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The Temporary Protection Directive is not binding for Liechtenstein. Notwithstanding, Liechtenstein has adopted a solution similar to decision (EU) 2022/382. It is based on Article 43(1) [Asylum Act](#) and Ordinance of 15 March 2022. The status given to persons displaced from Ukraine is called “S-status” and is very similar to the protection status provided by Directive 2001/55.

The S-status allows displaced persons from Ukraine to stay in Liechtenstein for the period of protection without applying for asylum; if the protection period is longer than five years they will get a residence permit (Article 49(2) [Asylum Act](#)).

According to the existing rules (Articles 50 and 23 [Asylum Act](#)), persons that have received the S-Status are supposed to have their own income and will have to ask for a work permit. They are submitted to the same rules that apply to other refugees. Access to the labour market, however, triggers a certain number of consequences in social security protection, as workers are insured against accidents, unemployment and other risks. But these consequences follow from social security law and not from asylum law.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime

⁵⁷ ‘Adequate protection’ under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

(e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

No.

c) Relevant national legislation on changing the status (including the procedure to be followed).

No applicable.

d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Liechtenstein applies the Dublin-Rule (Agreement concerning Dublin from 2004) and precludes double registration (Article 3(a) [Ukraine-SchutzV](#)).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

According to Article 13(1)(b) [Foreigners Act](#), the employers have to ask for the work permit if they want to hire a person falling under the scope of the temporary protection; according to Article 15 [Foreigners Act](#), the permit will be issued only if the local wage and working conditions are respected. Once the work permit is obtained and the work starts, all general rules concerning employment and self-employment apply.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

Articles 50 and 23 [Asylum Act](#) allow persons in need of protection to have a gainful activity in Liechtenstein. Article 23(1) and (2) [Asylum Act](#) more specifically establish that the displaced persons have to provide for their own income and that the Office for Foreigners and Passports must be asked for a work permit.

II. Recognition of qualifications/diplomas

Nothing in particular to report.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

In Liechtenstein, the official [website](#) is recommending to seek employment on private platforms.

- IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

According to Article 50(1) [Asylum Act](#), persons in need of protection have access to professional and educational training.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

Like for other foreign workers, the law requires to check if the job proposal meets the local wage and working conditions (Article 15 [Foreigners Act](#)). Otherwise, all general rules apply.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social security:

Article 55(1) [Asylum Act](#) refers to the regulation concerning social security. Hence, the affiliation to social security bodies will mostly depend on residency and/or work. Concerning family benefits, Article 55(2) [Asylum Act](#) lays down that these benefits are paid out as soon as a person has the refugee status/displaced or is provisionally admitted. According to Article 55(3) AsylG, Liechtenstein pays the social contribution for sickness insurance as well as the out-of-pocket part (letter a); dental care is provided if it is necessary because of pain or sickness (letter b).

Social welfare:

According to the [Foreigners Act](#), persons in need of protection have access to social aid; the amount per day and per person is determined by the Government (Article 54(2) [Asylum Act](#)). Social aid is, wherever possible, provided by benefits in kind (Article 54(3) [Asylum Act](#)).

- II. Eligibility conditions

There are no specific rules in place.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

There are no specific issues or salient points identified for this question.

Country fiche for Lithuania

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁵⁸ and Council Implementing Decision (EU) 2022/382⁵⁹

Two acts transpose the TPD into Lithuanian legal order:

[Amendments of the Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners” \(amendments of articles 32, 64, 68 and 108 and addition a fourth section to Chapter X²\)](#), adopted on 17 March 2022 and in force from 23 March 2022 (except for amendment to Article 108, which applies from 1 April 2022) (*Lietuvos Respublikos įstatymo „Dėl užsieniečių teisinės padėties“ Nr. IX-2206 32, 64, 68 ir 108 straipsnių pakeitimo bei įstatymo X² skyriaus papildymo ketvirtuoju skirsniu įstatymas Nr. XIV-946*);

[The Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners”](#) (*Lietuvos Respublikos įstatymas „Dėl užsieniečių teisinės padėties“ Nr. IX-2206*), adopted on 29 April 2004 and in force from 30 April 2004.

The Council Implementing Decision was transposed through the [Decision No. 224 of the Government of the Republic of Lithuania of 16 March 2022 “On Granting Temporary Protection to Foreigners in the Republic of Lithuania”](#) (*Lietuvos Respublikos Vyriausybės 2022 m. kovo 16 dienos nutarimas Nr. 224 “Dėl laikinosios apsaugos Lietuvos Respublikoje užsieniečiams suteikimo”*), published on 16 March 2022 and in force from 17 March 2022.

Based on the [amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine”](#) (*Lietuvos Respublikos vidaus reikalų ministro 2022 m. kovo 20 d. įsakymas Nr. 1V-216 “Dėl Lietuvos Respublikos vidaus reikalų ministro 2022 m. vasario 28 d. įsakymo Nr. 1V-145 „Dėl užsieniečiams, pasitraukusiems iš Ukrainos dėl Rusijos Federacijos karinių veiksmų Ukrainoje, taikomų reikalavimų, sąlygų ir paslaugų teikimo“ pakeitimo*), adopted on 20 March 2022 and in force from 21 March 2022, foreigners (who are granted temporary protection or who are registered with the Migration Department) are entitled to work or pursue a self-employed activity without a work permit.

[The amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centres and accommodation of foreigners leaving Ukraine](#)

⁵⁸ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁵⁹ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[because of the Russian Federation's military actions in Ukraine](#)” (*Lietuvos Respublikos vidaus reikalų ministro 2022 m. kovo 21 d. įsakymas Nr. 1V-217 “Dėl Lietuvos Respublikos vidaus reikalų ministro 2022 m. vasario 26 d. įsakymo Nr. 1V-143 „Dėl užsieniečių, pasitraukusių iš Ukrainos dėl Rusijos Federacijos karinių veiksmų Ukrainoje, Registracijos centrų veiklos ir šių užsieniečių apgyvendinimo“ pakeitimo*), adopted on 21 March 2022 and in force from 22 March 2022, introduced a financial compensation mechanism for Lithuanian residents who provide temporarily accommodation for displaced persons from Ukraine.

In 2001, Lithuania and Ukraine also signed an agreement on the social protection - [Agreement between Lithuania and Ukraine on the social protection](#) (2001 m. balandžio 23 d. Lietuvos Respublikos ir Ukrainos sutartis dėl socialinės apsaugos), published on 7 of November 2001, in force from 8 February 2022, regulating calculation of pensions.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

In March 2022 several legal acts have been amended in order to provide displaced persons access to (self-)employment and social security and welfare, including:

[Regarding the amendment of the Decision No. V-401/EV-281/V-395 of 27 September 2019 “On Submission of Information on Foreigners Working in Lithuania” of the Director of the Board of the State Social Insurance Fund under the Ministry of Social Security and Labour, the Chief State Labour Inspector of the Republic of Lithuania and the Director of the Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania](#) (*Dėl Valstybinio socialinio draudimo fondo valdybos prie Socialinės apsaugos ir darbo ministerijos direktoriaus, Lietuvos Respublikos vyriausiojo valstybinio darbo inspektoriaus ir Užimtumo tarnybos prie Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos direktoriaus 2019 m. rugsėjo 27 d. įsakymo Nr. V-401/EV-281/V-395 „Dėl Informacijos apie Lietuvoje dirbančius užsieniečius pateikimo“ pakeitimo*), adopted on 14 March 2022 and in force from 15 March 2022;

[Amendments of the Law No I-621 of the Republic of Lithuania „On Child Benefits” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos išmokų vaikams įstatymo Nr. I-621 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-947*), adopted on 17 March 2022 and in force from 23 March 2022, regulating child benefits;

[Amendments of the Law No I-348 of the Republic of Lithuania „On the Support in the Event of Death” \(amendments of article 5 and the Annex\)](#) (*Lietuvos Respublikos paramos mirties atveju įstatymo Nr. I-348 5 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-948*), adopted on 17 March 2022 and in force from 23 March 2022, which regulates funeral allowance;

[Amendments of the Law No. XII-1215 of the Republic of Lithuania „On Support for the Acquisition or Lease of Housing” \(amendments of article 1 and addition of the Annex\)](#) (*Lietuvos Respublikos paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 1 straipsnio pakeitimo ir įstatymo papildymo priedu įstatymas Nr. XIV-949*), adopted on 17 March 2022 and in force from 23 March 2022;

[Amendments to the Law No. XII-2507 of the Republic of Lithuania „On Targeted Compensations” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos tikslinių kompensacijų įstatymo Nr. XII-2507 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-950*), adopted on 17 March 2022 and in force from 23 March 2022, regarding compensation for lease;

[Amendments of the Law No I-675 of the Republic of Lithuania „On Social Pensions” \(amendments of articles 1, 15 and 224 and the Annex\)](#) (*Lietuvos Respublikos šalpos pensijų įstatymo Nr. I-675 1, 15 ir 22⁴ straipsnių*

bei įstatymo priedo pakeitimo įstatymas Nr. XIV-951), adopted on 17 March 2022 and published 22 March 2022, regulating pensions;

[Amendments of the Law No. X-493 of the Republic of Lithuania „On Social Services” \(amendments of articles 2, 23, 24 and 34\)](#) (*Lietuvos Respublikos socialinių paslaugų įstatymo Nr. X-493 2, 23, 24 ir 34 straipsnių pakeitimo įstatymas Nr. XIV-952*), adopted on 17 March 2022 and published on 22 March 2022, regulating social services;

[Amendments of the Law No I-2044 of the Republic of Lithuania „On Social Integration of the Disabled” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos neįgaliųjų socialinės integracijos įstatymo Nr. I-2044 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-953*), adopted on 17 March 2022 and in force from 23 March 2022;

[Amendment of the article 3.242 of the Civil Code](#) (*Lietuvos Respublikos civilinio kodekso 3.242 straipsnio pakeitimo įstatymas Nr. XIV-965*), adopted on 22 March 2022 and in force from 30 March 2022, regulating children rights;

[Decision No. 227 of the Government of the Republic of Lithuania of 16 March 2022 "On the Amendment to the Resolution No. 1688 of the Government of the Republic of Lithuania of 24 December 2003 "On the Approval of the Description of the Procedure for Determining the Proficiency Categories of the State Language and Their Application "](#) (*Lietuvos Respublikos Vyriausybės 2022 m. kovo 16 d. nutarimas Nr. 227 "Dėl Lietuvos Respublikos Vyriausybės 2003 m. gruodžio 24 d. nutarimo Nr. 1688 "Dėl valstybinės kalbos mokėjimo kategorijų nustatymo ir jų taikymo tvarkos aprašo patvirtinimo pakeitimo"*), adopted on 16 March 2022 and in force from 18 March 2022.

The Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners“, adopted on 29 April 2004, published: Official Registry, 30 April 2004, No. 73-2539, regulating rights of unaccompanied minor;

The amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centres and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine“, adopted on 21 March 2022, regulating accommodation.

Apart from these amendments, the following acts of general application are also applicable to displaced persons from Ukraine:

Employment: the Labour Code, the Law on the Recognition of regulated Professional Qualifications, and the Law on Education;

Social security/welfare: the Labour Code, the Law on Pensions of Social Insurance, the Law on Social Insurance of Illness and Maternity, the Law on Social Insurance of Accidents in Workplace and Professional Diseases, the Law on Social Insurance of Unemployment, the Law on Monetary Cash Social Assistance to Deprived Persons, the Law on the social support for pupils, the Law on the financial incentives for young families, the Law on Health System and Health Insurance as well as others.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <p>Residing in Ukraine</p> <p>displaced from 24 February 2022</p>	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.1. Citizens of Ukraine until 2022 February 24 with residence in Ukraine, or</p>
<p>Family members</p> <p>of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</p> <p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.1. Citizens of Ukraine until 2022 February 24 with residence in Ukraine, or</p> <p>1.1.2. stateless persons and third-country nationals who are not citizens of Ukraine and who by 2022 February 24 Ukraine had international protection or equivalent national protection, or</p> <p>1.1.3. family members of the persons referred to in paragraphs above (1.1.1 and 1.1.2) of this Decision, as defined in Article 2 (4) of Decision (EU) 2022/382, or</p> <p>Acts implementing the Temporary Protection Directive and/or the Council Decision do not include a definition of family member. However, several other acts provide relevant definitions, such as:</p> <p>Civil Code of Lithuania (article 6.588):</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>The members of the tenant's family are his/her spouse living together (cohabiting without marriage), their minor children, parents of the tenant and his/her spouse.</p> <p>Penal Procedures Code (article 38):</p> <p>The family members of the person are: parents (adoptive parents), children (adopted children), brothers, sisters and their spouses, a person's spouse or a person with whom a person lives together without registration of marriage, or a person with whom that person lives together agreed to enter into a marriage in accordance with the established procedure, as well as the parents, dependents or ex-spouses.</p> <p>In the social field, Article 2 of the Law on Monetary Cash Social Assistance to Deprived Persons (1 July 2003, No. IX-1675) indicates:</p> <p>Part 1. Close relatives - as this term is defined in the Civil Code of the Republic of Lithuania.</p> <p>Part 2. Persons living together:</p> <p>spouses and their children (adopted) under 18 years of age;</p> <p>a married person with whom their minor children (adopted children) or one of his or her children (adopted children) under the age of 18 have survived the separation of the spouses;</p> <p>unmarried adults and minor minors and their children (adopted) under the age of 18.</p> <p>employed persons (including self-employed persons), if their monthly income is less than 1 state-subsidized income or unmarried unemployed persons (including not working as self-employed) if they are up to the age of 24 and not raising their children (adopted) who are studying in a general education program or in a formal vocational training program or are studying in a higher education institution (students).</p> <p>There is no special definition of „family members” in the social security legislation.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.2. stateless persons and third-country nationals who are not citizens of Ukraine and who by 2022 February 24 Ukraine had international protection or equivalent national protection, or</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.4. Stateless persons or third-country nationals who are not citizens of Ukraine and who by 2022 February 24 have resided legally in Ukraine with a valid permanent residence permit and cannot be returned to the country of origin or another host country for safe and long-term residence;</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>No</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>Article 1.2. of the Decision of the Government No. 224 of 16 March 2022:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.2. who have temporarily left Ukraine and have been legally present in the territory of the European Union or another third country not earlier than 24 January 2022, when they meet the conditions specified in sub-paragraphs 1.1.1–1.1.4 of this Decision and entered the Republic of Lithuania by 1 May 2022.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Department of the Migration under the Ministry of Interior of the Republic of Lithuania	Migracijos departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos	https://migracija.lrv.lt/lt/
Employment rights	Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania	Užimtumo tarnyba prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://uzt.lt/
	Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania	Valstybinė darbo inspekcija prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://www.vdi.lt/
	State Tax Inspectorate under the Ministry of Finances of the Republic of Lithuania	Valstybinė mokesčių inspekcija prie Lietuvos Respublikos Finansų ministerijos	https://www.vmi.lt/evmi/en/home
	Centre for quality assessment in higher education	Studijų kokybės ir vertinimo centras	https://www.skvc.lt/default/en/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Ministry of Social Security and Labour of the Republic of Lithuania	Lietuvos Respublikos Socialinės apsaugos ir darbo ministerija	https://socmin.lrv.lt/
	State Social Insurance Fund Board under the Ministry of Social Security and Labour of the Republic of Lithuania	Valstybinio socialinio draudimo fondo valdyba prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://www.sodra.lt/ru/
	Ministry of Education, Science and Sports of the Republic of Lithuania	Lietuvos Respublikos Švietimo, Mokslo ir Sporto ministerija	https://smsm.lrv.lt/lt/informacija-del-karo-pabegeliu-is-ukrainos

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Ministry of social security and labour coordinates activities of the social integration, housing, activities with municipalities, employment, education etc.

Internal coordination processes between institutions are elaborated and responsible persons are nominated in each relevant institution. Weekly meetings are organized with relevant ministries (Health; Education, Science and Sports; Interior), public institutions and non-governmental sector in order to identify problems, define needs for the coordination, propose necessary amendments to legislation etc. In case of necessary legislative amendments, the ministries / public institutions are responsible for their corresponding area of competence.

Article 2.2 of the Decision No. 224 of the Government of the Republic of Lithuania of 16 March 2022 “On Granting Temporary Protection to Foreigners in the Republic of Lithuania” states that the Ministry of Social Security and Labour of the Republic of Lithuania administers the list of accommodation places and coordinates the accommodation of persons granted temporary protection in the Republic of Lithuania. According to the amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centers and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine”, the Ministry of Social Security and Labour of the Republic of Lithuania coordinates the activities of non-governmental organizations providing humanitarian assistance in registration centers and other support and the accommodation of foreigners who have been granted temporary protection in the Republic of Lithuania.

On 25 May 2022, the Minister of Social Security and Labour of Lithuania together with the Minister of Social Policy of Ukraine signed a [joint statement](#) condemning Russia's draft amendments authorising the simplified adoption in Russia of Ukrainian children transferred from the Donbass and Luhansk regions of Ukraine. This statement has already been signed by representatives of Poland, Estonia, Latvia, the Czech Republic and Slovakia as well.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁶⁰ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The Law on the Legal Status of Foreigners No. IX-2206 of 29 April 2004 (The Law of Foreigners) stipulates that a foreigner:

may enter Lithuania with visa (Schengen or national) or under a visa-free regime (Article 11 of the Law of Foreigners);

may stay in Lithuania with a permanent/temporary residence permit (Article 24 of the Law of Foreigners) or apply for the temporary or permanent residence;

can enter as an asylum seeker (Article 65 of the Law of Foreigners);

can be granted a temporary protection regime (Article 92 of the Law of Foreigners); and

that the right to remain in the territory of Lithuania is acquired by foreigners who have entered the Republic of Lithuania and are: 1) unaccompanied minor foreigners; 2) asylum seekers (Article 22-1 of the Law of Foreigners).

In the case of displaced persons from Ukraine, three options of temporary protection exist:

persons covered by temporary protection in Lithuania from 4 March 2022 (collective protection);

persons holding a registration certificate (for temporary protection) issued by the Migration Department (registration at the Migration Department);

persons who have been issued a residence permit in Lithuania (temporary protection).

Lithuanian legislation does not provide for an option of adequate protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Displaced persons from Ukraine are granted the possibility to work immediately upon arrival and the employment is not related to the residence status. Such persons enjoy the right to work and use the active labour market measures as Lithuanian nationals. Only once such persons receive a residence permit, they are entitled to the full volume of social rights. There is no special conditions or documentation needed.

In case of losing the temporary protection, the Migration department adopts a relevant decision and such persons shall obtain a work permit (Article 96(1) of the Law of Foreigners). No further national rules on changing

⁶⁰ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

the status from temporary protection to other employment-based residence could be found. It seems that such persons need to apply for employment-based status in the same way as first-time applicants.

Please note that Article 58 of the Law on Foreigners indicates 17 exemptions when a foreigner can work in Lithuania without a work permit (for example, having temporary or permanent residence permit; having high professional qualification, according to the exchange of youth etc.).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Ministry of Interior Affairs cooperates with other Member States/EEA-EFTA countries according to the Law on Foreigners (Articles 92 to 106-1). There is no publicly available information on cooperation procedures, nor is there any procedure in place for the exchange of information in domestic legislation.

At the moment it is not possible to obtain data on the registration of displaced persons in more than one Member State/EEA-EFTA country and there are no exchanges at EU level regarding social assistance benefits.

However, based on Article 96(1) of Law on Foreigners temporary protection is terminated if the foreigner moves to live to another EU Member State.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

When temporary protection is granted, equal treatment is ensured in case of employment (see Article 58 of the Law of Foreigners and Article 1 of the Law on the Employment). According to the amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine" foreigners (who are granted temporary protection or who are registered with the Migration Department) are entitled to work or pursue a self-employed activity without a work permit.

Employers can decide whether professional duties of the job post can be performed without or with limited command of the Lithuanian language. The Decision No. 227 of the Government of the Republic of Lithuania of March 16, 2022 "On the Amendment to the Resolution No. 1688 of the Government of the Republic of Lithuania of 24 December 2003 "On the Approval of the Description of the Procedure for Determining the Proficiency Categories of the State Language and Their Application" indicates that the categories of proficiency in the state language shall not be applied to the employment of foreigners who have or have been granted temporary protection in the Republic of Lithuania for two years.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

Persons enjoying temporary protection from Ukraine do not require a work permit or other forms of authorisation (such as decision of the Employment Service on the compliance of a foreigner's work with the labour market needs of the Republic of Lithuania) or a residence status to have the right to work.

The amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine" indicates that foreigners (who are granted temporary protection or who are registered with the Migration Department):

are entitled to work or pursue a self-employed activity without work permit if they entered to Lithuania on visa-free regime; or have a valid Schengen visa; or have a national visa; or have applied for a temporary residence permit in the Republic of Lithuania or have the right to work or pursue a self-employed activity; or have submitted an application for asylum in the Republic of Lithuania.

shall be released from the obligation to declare the place of residence if this is not possible due to objective reasons if they the temporary residence permit;

can work under a temporary employment contract as defined in the Labour Code of the Republic of Lithuania.

This means that after arriving and receiving the temporary protection, displaced persons from Ukraine can immediately start working in the same way as Lithuanian citizens. There are no requirements for any additional documents. The temporary residence permit for Ukrainians is normally granted within one month.

Persons enjoying temporary protection from Ukraine, like residents of Lithuania, can engage in both individual activities and activities under a business license. When working under an employment contract or working independently, the same taxes and social insurance contributions are applied as for Lithuanian citizens.

After obtaining temporary protection, displaced persons from Ukraine may register as **self-employed** and receive a self-employment certificate form the State Tax Inspectorate (<https://www.vmi.lt/evmi/en/home>). Individuals who are self-employed for one year after starting their first activity are exempted from social security contributions. This rule is applicable also for persons enjoying temporary (or adequate) protection from Ukraine.

On 1 April 2022, the Procedure for Submission of Information on Foreigners Working in Lithuania entered into force on. It has been established that when submitting "1-SD" notification form to an employer, a new field „UK" (which stands for Ukraine) has been introduced in the notification form, which indicates the granted code of the foreigner (ILTU code).

In order to release employees who are citizens of Ukraine to perform their civic duty to Ukraine due to the military actions of the Russian Federation, but at the same time allowing the employees to return to their workplaces in Lithuania, the employers can exempt employees from the obligation to work while preserving their workplace (Article 137 of the Labour Code of the Republic of Lithuania). Also, at the employee's request and with the employer's consent, the employee may be granted unpaid leave pursuant to Article 137 of the Labour Code on a fixed basis (the term is unlimited). It should be noted that if a citizen of Ukraine is granted unpaid leave due to the military actions of the Russian Federation in Ukraine, the employer must select reason 05 ("absence with the permission of the administration") when providing information to the State Social Fund Board (Sodra) when filling out the [12-SD report](#). After submitting the 12-SD report to a Ukrainian citizen in the above-mentioned manner, health insurance contributions will not be calculated for the relevant period.

II. Recognition of qualifications/diplomas

Those who want to practice a regulated profession (there are 44 regulated professions in Lithuania) have to obtain the recognition of professional qualification (list of professions and institutions is available at: [List of regulated professions - Versli Lietuva \(enterpriselithuania.com\)](https://www.versli.lietuva.com)).

Procedure for persons enjoying temporary (or adequate) protection from Ukraine is simplified based on the Law on the Recognition of regulated Professional Qualifications. For the recognition of the qualifications, the employer shall apply to the Centre for quality assessment in higher education (<https://www.skvc.lt/default/en/>). The whole process normally takes up to one month. There is a more flexible procedure, keeping formalities to a minimum: only the most necessary documents need to be provided, the authenticity of these documents can be certified by the applicant (without asking for a notary or the relevant authority). Only the translation of the most necessary documents (diploma or other document experiencing the professional qualification of an architect, civil engineer) into Lithuanian need to be submitted. However, each Ministry is responsible for the procedures (for example, the Ministry of the Environment for architects, civil engineers etc.).

Based on the data from the Ministry of Education, Science and Sports and the Ministry of Health, most common professions where recognition is needed include medical staff and teachers. So far, a large number of applications with very incomplete documents (e.g. no translations) has been filled. For instance, on 27 April 2022, 109 applications have been submitted for the recognition of qualifications (mostly for medical staff – approx. 20 dentists, 50 doctors, 30 nurses and a few for other professions). Main obstacle to acquire recognition is that a large proportion of nurses does not have education and thus cannot be automatically recognized. Only a small proportion of applications is granted. For instance, on 21 April, 2022 the following professional qualifications have been recognized: medical doctor – 5; dermatologist – 1; doctor obstetrician – 2; anaesthesiologist resuscitator – 1; cardiologist – 1; radiologist – 2; rheumatologist – 1; otorhinolaryngologist – 1; ophthalmologist – 1; family doctor – 2; paediatrician and paediatric endocrinologist – 1; dentist – 3. Moreover, on 30 April 2022, 154 applications have been submitted for recognition of qualifications of teachers out of which 54 qualifications have been recognised. A total number of teachers coming from Ukraine and registered at the Employment Service is 1730, out of them pre-school teachers (338), English teachers (253), pre-school education specialists (126), history teachers (98), special teachers (91) etc.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Persons enjoying temporary protection from Ukraine enjoy the same conditions as nationals. All active labour market measures provided by the Employment Service are available since the registration needs to take place at the Employment Service.

Nothing specific has been set up for persons enjoying temporary protection and the general services available to all Ukrainians and national jobseekers.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Persons enjoying temporary protection from Ukraine are eligible to obtain vocational training on the same grounds as Lithuanians. This is because foreigners having temporary residence permit in Lithuania have access to education on equal basis with nationals (Article 25 of the Law on Education).

The study at a vocational school can only be granted when the residence permit obtained.

Nothing specific has been set up for persons enjoying temporary protection.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No exceptions exist. Persons enjoying temporary (or adequate) protection from Ukraine enjoy the same conditions as nationals, including the possibility not to pay social security contributions for self-employed for one year after starting their first activity.

Article 62(3) of Law on Foreigners even indicates that the remuneration of the foreigner cannot be less than of the national employee.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

As explained above, three options of temporary protection exist:

- 1) persons covered by temporary protection in Lithuania from 4 March 2022 (collective protection);
- 2) persons holding a registration certificate (for temporary protection) issued by the Migration Department (registration at the Migration Department);
- 3) persons who have been issued a residence permit in Lithuania (temporary protection).

This distinction is important as social rights depend on the manner of protection (collective protection, registration at the Migration Department, temporary protection).

In the first and second cases the following social protection applies: work without a permit, temporary employment, self-employment, access to labour market and employment support measures (Employment Service), social assistance for pupils (free meals, support for the purchase of school supplies, monthly compensation for child education), social insurance benefits (having social insurance record). The local governments also have the discretion to allocate social benefits in cash individually (to provide a lump sum, targeted, periodic, conditional benefit, etc.) from unused funds for social protection budget (Law on Monetary Cash Social Assistance to Deprived Persons). Food packages and food cards, hygiene packages are provided only after the first 72 hours of arrival in Lithuania. All types of social assistance benefits are applicable in third

case once a person has obtained a residence permit (see Article 62(2) of the Law on Foreigners). **The general principle is that social security and welfare is ensured for Ukrainians as for nationals, without discrimination (in size of benefits, scope of services).**

Social security

Persons enjoying temporary protection, who hold a residence permit, are automatically entitled to the same social security benefits as Lithuanian nationals based on the **Law on Monetary Cash Social Assistance to Deprived Persons**, such as:

Compensation for heating, drinking water and hot water costs;

Social benefit: EUR 107,40 (average amount of social benefit per person).

The social benefit is granted on the basis of the income received: if the average monthly income per person does not exceed EUR 141,90.

Moreover, those who are employed are automatically entitled to the same social security benefits as Lithuanian nationals based on the **laws on social insurances**. Unemployment insurance and other social insurance benefits can be obtained only if a person from has requested a social insurance record (same as nationals).

Additionally, persons enjoying temporary protection are also entitled to the following social security benefits:

1) **Child benefits** — upon obtaining a residence permits on grounds of temporary protection, the following benefits are granted:

Lump sum allowance for the birth of a child: EUR 462;

Child benefit: universal child allowance — EUR 73,50 plus additional allowance of EUR 43,26 for children from multiple families and all children with disabilities;

Lump sum payment for a pregnant woman if mother has no entitlement for social insurance maternity benefit: EUR 270,06.

Support is granted to all children regardless of the income received by foreigners.

2) **Pensioners** who live in Lithuania and who have received pensions from Ukraine also receive assistance (social assistance pension of 150 EUR per month for pensioners, disabled and orphans). Currently, due to the war, Ukraine is not be able to pay them pensions. Therefore, they are able to apply for the social assistance pension, until the situation stabilizes, and Ukraine can pay pensions again.

3) **Funeral allowance** (EUR 336 one-time).

Social welfare

1. Social services

General services: information and counselling; mediation and representation; catering arrangements; provision of clothing and footwear; transport organization; socio-cultural services; personal organization of hygiene and care services.

Special needs (social care): home help; development, maintenance and rehabilitation of social skills; accommodation in a home for independent living; psychosocial assistance; children's day social care; accommodation in a sheltered accommodation; temporary shelter; in-cash support.

Special needs (social custody): daily social care; short-term social care; long-term social care; temporary shelter.

Disabled: support for the technical equipment, personal assistant, accommodation for the disabled, sign language interpreter, targeted compensation, disability assessment.

In addition, where the institution intends to provide institutional social care only to unaccompanied foreigner minor, a license to provide institutional social care may be issued without applying the provisions of the Law on Social Services (regarding the conditions for obtaining licenses).

2. Children rights

There are exceptions to the Civil Code on child custody. In order to ensure the immediate protection of the rights of the child (in connection with the introduction of a specific legal regime in a state due to war, emergency) and in case of possible inter-institutional disruption, the proper representation of a child must be ensured in the shortest possible time and in the best interests of the child.

At present, it is possible to appoint a representative (an individual) as guardian (caregiver) for unaccompanied foreign minor. The readiness to become the child's guardian (caregiver) shall be verified a priori and shall not be in contrary to the child's interests.

3. Compensation for part of the lease

An average of EUR 46 per month is granted (depending on the municipality where the accommodation is rented). The compensation for part of the lease is granted on the basis of the assessment of the available income.

4. Allowance for school-age children

This allowance is meant for the purchase of essential materials for the pupil — lump sum of EUR 63.

5. Foreigners having temporary residence permit in Lithuania, thus also displaced persons from Ukraine, have access to **education on equal basis** with Lithuanian nationals (Article 25 of the Law on Education).

6. According to Articles 32 and 79 of the Law of the status of foreigners, **unaccompanied minors** seeking asylum are from the first moment accommodated in the Refugee Reception Center, which acts as an institutional guardian. Article 22-1 of this Law also indicates that unaccompanied minor foreigners have the right to remain in the territory of Lithuania.

7. Accommodation

In case of the necessity, municipalities organize the transportation of refugees to the accommodation sites (Territorial Units of Migration department and Refugees Reception centres). The Ministry of Social Security and Labour of the Republic of Lithuania coordinates the accommodation of foreigners who have been granted temporary protection in the Republic of Lithuania. "

8. Medical assistance

Medical assistance is limited only to emergency cases (Article 49 of the Law on Health System) unless the foreigner works or belongs to vulnerable group (children under 18, single parents with children, pregnant women, persons with dangerous diseases, and persons at the age retirement) and has a right to a complete medical assistance (Article 6 of the Law on Health Insurance). In case of the employment, persons enjoying

temporary protection have the full medical insurance (including minor). Covid vaccination is available for all displaced persons from Ukraine.

9. Hot-line

In response to the flows of the war refugees from Ukraine and in order to provide displaced persons from Ukraine coming to Lithuania with the information about social and health care, registration centres, returning home, and other important issues, Hot Line 1808 operating 24/7 was launched on 20 June 2022. The operators consult the war refugees in Ukrainian, English and Russian languages.

10. Support in municipalities

Almost half of the country's municipalities provide support to war refugees from Ukraine at own discretion. The amount of support provided to an individual ranges from EUR 150 to EUR 193,50, and for other family members from EUR 50 to EUR 64,50. Some municipalities provide equal support to everyone.

II. Eligibility conditions

Some social security benefits are the same for Lithuanian nationals as well as for persons enjoying temporary protection from Ukraine, while some others have been put in place especially for persons enjoying temporary protection.

However, displaced persons from Ukraine are eligible to full social security benefits only from the moment of granting of residence permit. Moreover, in case of unemployment social insurance benefit, a person from Ukraine needs to first acquire a social insurance record (12 months during 30 last months). This condition also exists for Lithuanian nationals.

The amounts of the general social welfare benefits are the same for Lithuanian nationals and for persons enjoying temporary protection. Full set of benefits is however only applicable with resident permit.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no exceptions to the general rules.

Special provisions apply, however, for pensions. According to the Agreement between Lithuania and Ukraine on the social protection (signed in 2001), the length of service is summed up, and citizens of both countries, who move to live in Lithuania or Ukraine, are paid pensions from that state.

As Ukraine does not pay pensions to its citizens due to the war, Lithuania has made special commitments. Therefore, social assistance pensions are granted to elderly, disabled and orphans, who have arrived in Lithuania based on the Amendments of the Law No I-675 of the Republic of Lithuania „On Social Pensions”. Moreover, if it cannot be verified if a person residing in Lithuania is actually receiving pension granted in Ukraine, such a person is also granted and paid social assistance pension and small pension supplements in Lithuania.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Persons registered in the Migration department and with permission of the temporary residence also receive the following support:

compensation for the expenses for the translation and legalization of the documents;

transfer of wellbeing of persons (when the transfer of wellbeing of the person is not possible, the compensation shall be paid);

compensation of relocation costs;

support for the integration (until 24 months) and financial support (18 months);

proposal for housing (free of charge).

Moreover, through the amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the activities of accommodation centres and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine" Lithuania has introduced a financial compensation mechanism for Lithuanian residents/business who provide temporarily accommodation for displaced persons from Ukraine. Lithuanian residents and businesses who accommodate displaced persons from Ukraine who fled the war receive compensation. In June 2022 more than 1.1 million EUR has been distributed, while in May nearly EUR 300.000 was paid. The period for receiving of such compensations is six months (initially it was three month and in June it was extended to six months).

By the end of May 2022, the Ministry of Social Security and Labour allocated to the non-governmental organizations (the aid service of the Order of Malta, the Lithuanian Red Cross, and the Lithuanian Caritas) EUR 880.000 of state funds for hygiene products and medicines needed by displaced persons from Ukraine. From the end of March, the distribution of EUR 115 value shopping center cards - "[Maisto bankas](#)" cards " began. So far, almost 46.000 "[Maisto bankas](#)" cards have been distributed to displaced persons from Ukraine, with which they can independently purchase goods.

Information on social rights of displaced persons from Ukraine are available on various websites of the public institution in Ukrainian language:

[website](#) of the Ministry of Social Security and Labour,

[this](#) and [this](#) website of the Migration department,

[website](#) of the Ministry of Education, Science and Sports of Lithuania,

[website](#) of the Employment Service,

[website](#) of the State Social Insurance Fund Board,

[website](#) of the Labour Inspectorate,

[website](#) of the Lithuanian Government,

[website](#) of the Bank of Lithuania,

[website](#) of the Vilnius City Social Services Center,

[website](#) of the State Tax Inspectorate,

Special dedicated [website](#).

Several hot-line have also been established like those from [Lithuanian Caritas](#), on [accommodation](#), on [migration service](#) and several NGOs offer additional [information](#) (e.g. [Lithuanian Red Cross](#)).

Displaced persons from Ukraine are also offered psychological support (examples include [this](#) and [this website](#)).

Country fiche for Luxembourg

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁶¹ and Council Implementing Decision (EU) 2022/382⁶²

- [Law of 18 December 2015 on international protection and temporary protection hereinafter 'Law 2015 No. 1'](#), published in Memorial A No. 255 of 28 December 2015 (pp. 6178-6201), Chapter 5 (pp. 6197-6199).
- [Law of 18 December 2015 on reception of applicants for international protection and temporary protection hereinafter 'Law 2015 No. 2'](#), published in Memorial A No. 255 of 28 December 2015 (pp. 6201-6207), Chapter 3 (pp. 6204).

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

- ▶ [Law 2015 No. 2](#): Ukrainian nationals, third-country nationals and stateless persons, who were legally residing in Ukraine prior to 24 February 2022, are exempt from the temporary occupancy authorization provided for in Article 14(1) to (6) of Law 2015 No. 2.

Social Security/welfare:

- ▶ [Law of 10 May 2022 amending Articles 1 and 32 of the Social Security Code](#), published in Memorial A No. 226 of 10 May 2022, in force since 4 March 2022.
- ▶ [Law 2015 No. 2 on international protection and temporary protection](#) of 18 December 2015.
- ▶ [Law No. 8035](#), introduced in Parliament on 15 June 2022, relating to the recruitment of health professionals for the medical and health care of people fleeing war in Ukraine.

⁶¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁶² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	<p>Yes</p> <p>Ukrainian nationals residing in Ukraine before 24 February 2022 and displaced from Ukraine since 24 February 2022 or shortly before, i.e. persons who fled Ukraine shortly before 24 February 2022, when tensions were rising, or who found themselves in the territory of the Union (e.g. on holiday or for professional reasons) before just that date and who, due to the armed conflict, are unable to return to Ukraine.</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons present or residing in Ukraine before 24 February 2022, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>There are <u>three categories of family members</u>:</p> <ul style="list-style-type: none"> ▶ a person's spouse; ▶ the unmarried minor children - of the Ukrainian nationals residing in Ukraine before 24 February 2022 and displaced from Ukraine since 24 February 2022 or shortly before or of stateless persons and nationals of third countries other than Ukraine, who were granted international protection or equivalent national protection in Ukraine before 24 February 2022 and displaced from Ukraine since 24 February 2022 or shortly before – or of his/her spouse, whether they are legitimate, born in or out of wedlock or adopted; ▶ other close relatives, who were living in the family unit at the time of the circumstances surrounding the mass influx of displaced persons and <u>who were wholly or mainly dependent on a person referred to as</u> [Ukrainian nationals residing in Ukraine before 24 February 2022 and displaced from Ukraine since 24 February 2022 or shortly before or of stateless persons and nationals of third countries other than Ukraine, who were granted international protection or equivalent national protection in Ukraine before 24 February 2022 and displaced from Ukraine since 24 February 2022 or shortly before].
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>Stateless persons and nationals of third countries other than Ukraine, who were granted international protection or equivalent national protection in Ukraine before 24 February</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	2022 and displaced from Ukraine since 24 February 2022 or shortly before.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes Stateless persons and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid residence permit issued in accordance with Ukrainian law, and who are unable to return to their country or region of origin in safe and durable conditions and who were displaced from Ukraine since 24 February 2022 or shortly before.
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status)	Immigration Directorate of the Ministry of	Direction de l'Immigration du Ministère des	https://maee.gouvernement.lu/en/directions-du-ministere/immigration.html

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
change in question 2)	Foreign and European Affairs	Affaires Etrangères et Européennes	
Employment rights	Agency for the Development of Employment	Agence pour le Développement de l'Emploi (ADEM)	https://adem.public.lu/en.html Information for <u>jobseekers who have fled Ukraine</u> : https://adem.public.lu/en/actualites/adem/2022/03/ukraine-info.html
Social welfare and social security rights	National Reception Office the Foreign Children's School Service at the Ministry of National Education	Office National d'Accueil (ONA) le Service de scolarisation des enfants étrangers (SECAM) au Ministère de l'Education Nationale	https://ona.gouvernement.lu/en.html https://men.public.lu/fr.html

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

The Immigration Directorate of the Ministry of Foreign and European Affairs works as the contact point. The persons concerned must fill in a [Personal Data Sheet](#) available on the Internet. Next, the Directorate will contact and invite them to an appointment for the purpose of submitting an application for temporary protection.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁶³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Article 77 of [Law 2015 No. 1](#) states that beneficiaries of temporary protection may apply, at any moment, for international protection. During the review of the request for international protection, the benefit of temporary protection cannot be combined with the status of applicant for international protection. If the international protection is not granted, the beneficiary of the temporary protection keeps the temporary protection for the remainder of the term of the temporary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

No.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Not applicable.

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to Article 75 (9) of [Law 2015 No. 1](#), persons who are granted the benefit of temporary protection in another EU Member State, as an individual or a family member, automatically lose the benefit of temporary protection in Luxembourg and their temporary protection certificate ceases to be valid.

According to Article 79 of [Law 2015 No. 1](#), beneficiaries of temporary protection are free to renounce status for voluntary return to their country of origin. Given the situation in their country of origin, they can return to Luxembourg as long as the temporary protection status does not end.

⁶³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Persons enjoying temporary protection do not need a specific work permit and have free access to the Labour Market for as long as their temporary protection certificate is valid.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Persons enjoying temporary protection do not need a specific work permit and have free access to the Labour Market for as long as their temporary protection certificate is valid.

Moreover, they are exempt from the temporary occupancy authorization provided for in Article 14(1) to (6) of [Law 2015 No. 1](#).

- II. Recognition of qualifications/diplomas

There are no specific issues identified for this question. General legislation applies.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Persons enjoying temporary protection can [register](#) as jobseekers with the Agency for the Development of Employment (ADEM). They will be assisted and guided in the job search. They have access to a number of free services, like guidance for the search for employment, employment measures and access to vocational training.

As a jobseeker registered with ADEM, they will have access to the:

- ▶ [JobBoard](#), which means to all job offers registered with ADEM (public and restricted);
- ▶ 'Work in Luxembourg' [portal](#), which presents job offers in various professions.

On the [website](#) of ADEM, under the heading '*Finding job offers*', they will also find a list of private job sites.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

According to Article 14 (8) of the [Law 2015 No. 1](#), beneficiaries of temporary protection have access to vocational training under the same conditions as Luxembourg nationals (Law of 19 December 2008 amending vocational training).

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Sickness benefits in kind

According to Article 1, point 22), of the [Law of 10 May 2022 amending Articles 1 and 32 of the Social Security Code](#), beneficiaries of the temporary protection with the certificate provided for in Article 72 of the [Law 2015 No. 1](#) have mandatory sickness and maternity insurance. Under this provision, guarantees immediate access to the social security system and especially the coverage of hospitalization costs and drugs through the 'third-party payer scheme' is guaranteed.

Costs

The State covers the social contributions regarding the beneficiaries of Article 1, point 22), SSC. The State also covers the social contributions regarding the special provision for children provided in Article 1, point 13), SSC.

Medical Care

According to [Law No. 8035](#), introduced in Parliament on 15 June 2022, people fleeing the war in Ukraine will have access to the following four medical services:

- The medical service for new comers at the Emergency Centre for initial reception ([SHUK](#)), open seven days a week.
- The [Medical Centre](#) (*Maison Médicale*) for people living outside the SHUK, open from Monday to Friday
- The [Ligue Médico-Sociale](#) with its services in Luxembourg, Esch and Ettelbruck. Each person arriving in Luxembourg must undergo a compulsory medico-social control within 6 weeks of arrival. 500 controls are organised per week.

- A Single Window managed by the Health Directorate, which informs people about the various sites made available for primary care.

[Bill No. 8035](#) aims to make it possible to recruit quickly, under a fixed term contract, doctors and paramedics authorised to practise in Luxembourg assigned to these services. See [website](#).

Social welfare:

The Government has set-up an Emergency Centre for the initial reception of persons fleeing the war in Ukraine. It is situated at the [SHUK](#) (*Structure d'hébergement d'urgence au Kirchberg*) in Luxembourg City. This Centre provides shelter during the first couple of days, as well as food and items of primary necessity, for people wishing to request temporary protection in Luxembourg. The Minister for Foreign and European Affairs [announced](#), on 12 May 2022, during an information meeting with residents of the Municipality of Luxembourg, that a new Residential Facility for people under temporary protection fleeing the war in Ukraine will be set up at a former building of the European Court of Justice at Kirchberg. Its capacity will be at the maximum of 1,200 beds. It will host families and isolated women and men, who have stayed previously at the Emergency Centre for initial reception (SHUK). It will offer socio-educational support provided by agents of Caritas and the Red Cross. This Residential Facility will open progressively from Mid-May 2022 on.

According to Article 14(9) of [Law 2015 No. 2](#), beneficiaries of temporary protection have access to 'the material reception conditions' of the National Reception Office (ONA) defined in Article 2, point g), of the same Law.

Material reception conditions include:

- accommodation, food and clothing, provided in kind or in the form of a financial allowance or bonus or by combining these three formulas;
- a monthly allowance; and
- access to medical care

According to Article 14(7) of [Law 2015 No. 2](#), minor children have access to the Education System under the same conditions as Luxembourg nationals, especially regarding mandatory school attendance between the ages of 4 and 16 (Law of 6 February 2009). They are entitled, if necessary, to preparatory courses including language courses. Access to secondary education is still possible for those who have reached the age of majority during schooling.

II. Eligibility conditions

When a temporary protection certificate is issued, the National Reception Office (*Office National d'Accueil – ONA*) registers the persons at the Common Centre for Social Security (*Centre Commun de la Sécurité Sociale – CCSS*) by transmitting their data for affiliation with the sickness insurance. The affiliation will have retroactive effect and will start, at the earliest, at the date of the application for the temporary protection status (from 4 March 2022). Affiliation will be limited in time according to the duration of the temporary protection certificate issued. Temporary protection status is granted in a first phase for an initial period of one year, until 4 March 2023. The initial period may be extended automatically by periods of six months, for a maximum of one year.

Family members:

According to [Article 7 of the Social Security Code](#), family members, like the spouse or partner, children and close relatives, of the insured person are entitled to derived rights.

There is a special provision regarding children under the age of 18 residing in Luxembourg, who are not otherwise insured and who are not covered by Article 7 SSC (derived rights). According to Article 1, point 13), SSC, they are mandatory insured in the sickness and maternity insurance. This Article ensures full support for children from the first day.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Employers wishing to hire beneficiaries of temporary protection can contact the Employers Department at ADEM directly.

The Ministry of Labour, Employment and Social and Solidarity Economy, in collaboration with the Inspectorate for Labour and Mines (ITM) and the Agency for the Development of Employment (ADEM), has published a [flyer](#) with information on labour law, job search and registration with ADEM. Information is available in Ukrainian, French and English.

The Ministry of National Education established a [Single Window](#) for families, the Foreign Children's School Service (SECAM). The school offer is mainly organised by six international public schools. As a first step, children will join reception classes with English as the vehicular language. Afterwards, they will attend international regular classes.

Country fiche for Latvia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁶⁴ and Council Implementing Decision (EU) 2022/382⁶⁵

The TPD, for general implementation purposes, is implemented by the [Asylum Law](#) (*Patvēruma likums*), Official Gazette No. 2, 5 January 2016. The Law entered into force on 19 January 2016.

The [Law on Support to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), Official Gazette No.45A, 4 March 2022, regulates temporary protection of the civil residents of Ukraine within the meaning of the Asylum Law (Art. 1). The Law on Support to Ukrainian Civilians provides for more favourable rights than required by TPD. It contains provisions on social security and welfare benefits. The Law entered into force on 5 March 2022 and was amended already twice through:

[Amendments to Law on Support to Ukrainian Civilians](#), Official Gazette No.101B, 26 May 2022,

[Amendments to Law on Support to Ukrainian Civilians](#), Official Gazette No.120, 22 June 2022.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

[Immigration Law](#) (*Imigrācijas likums*), Official Gazette No.169, 20 November 2002. The Law entered into force on 1 May 2003.

[Cabinet of Ministers Regulation No.55](#), 'Regulation on employment of foreigners' (*Noteikumi par ārzemnieku nodarbināšanu*), Official Gazette No.31, 12 February 2014. The Law entered into force on 13 February 2014.

[Law on State Social Insurance](#) (*Likums "Par valsts sociālo apdrošināšanu"*), Official Gazette No.274/276. The Law entered into force on 1 January 1998.

[Labour Law](#) (*Darba likums*), Official Gazette No.105, 6 July 2001. It provides for rules on the right to employment as well as on social security benefits. The Law entered into force on 1 June 2002.

⁶⁴ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁶⁵ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Law on Regulated Professions and recognition of professional qualification](#) (*Likums par reglamentētajām profesijām un profesionālās kvalifikācijas atzīšanu*), Official Gazette No.105, 6 July 2001. The Law entered into force on 20 July 2001.

[Law on Support of Unemployed and Job-Seekers](#) (*Bezdarbnieku un darba meklētāju atbalsta likums*), Official Gazette No.80, 29 May 2002. The Law entered into force on 1 July 2002.

[Cabinet of Ministers Regulation No. 157](#), 'Regulation on level of knowledge of state language and procedure on inspection of such knowledge' (*Noteikumi par valsts valodas zināšanu apjomu un valsts valodas prasmes pārbaudes kārtību*), Official Gazette No. 50, 11 March 2022. The Law will enter into force on 1 January 2023.

[Law on State Social Insurance](#) (*Likums "Par valsts sociālo apdrošināšanu"*) Official Gazette No.274/276, 21 October 1997. The Law provides for rules on social security benefits. The Law entered into force on 1 January 1998.

[Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), Official Gazette No.168, 19 November 2002. The Law entered into force on 1 January 2003.

[Law on State Social Allowances](#) (*Valsts sociālo pabalstu likums*), Official Gazette No.168, 19 November 2002. The Law entered into force on 1 January 2003.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes No condition of displacement after 24 February 2022.
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022	Yes No condition of factual residence before 24 February 2022, only fact of being Ukrainian national, third-country national or stateless person with residence rights in Ukraine. Also no condition of displacement after 24 February. The Law on Support to Ukrainian Civilians does not provide a definition of family member. However, as it is <i>lex specialis</i> in relation to Asylum Law, the definition of a family member provided in the Asylum law is applicable. Article 1(5) of the Asylum law provides that a family member can be defined as the spouse of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection, and also the minor child of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection and the spouse of such person, who is not

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>married and is dependent on both or one of the spouses or is adopted.</p> <p>In addition, the father, mother or other adult who in accordance with the laws and regulations of the Republic of Latvia is responsible for the beneficiary of international protection, if the above-mentioned beneficiary of international protection is a minor and not married, provided that such family has already existed in the country of origin, is also considered as a family member.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	<p>Yes</p> <p>No condition of factual residence before 24 February 2022</p>
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	<p>Yes</p> <p>No condition of factual residence before 24 February 2022</p>
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	<p>Yes</p> <p>For stateless persons and beneficiaries of international protection.</p>
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	<p>Yes</p> <p>Latvian law does not impose any conditions on when civilians from Ukraine should have arrived in order to qualify for temporary protection.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Office for Citizenship and Migration Affairs	Pilsonības un migrācijas lietu pārvalde	https://www.pmlp.gov.lv/lv
Employment rights	State Employment Agency	Nodarbinātības valsts aģentūra	https://www.nva.gov.lv/lv
Social welfare and social security rights	State Social Insurance Agency (state flat rate benefits, statutory social insurance) Municipalities (social assistance, social services)	Valsts Sociālās apdrošināšanas aģentūra	https://www.vsaa.gov.lv/lv

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

According to Article 2 of the Law on Support to Ukrainian Civilians, the Territorial Civilian temporary Protection Commission coordinates all public and municipal institutions as well as non-governmental organisations with regard to support in all fields of life to civilians from Ukraine. This Commission may decide to establish single contact points in the biggest municipalities. Such single contacts points (centres) are established in Riga and other biggest cities of Latvia.

Those centres provide the following services: application and reception of long-term visa (Office of Citizenship and Migration Affairs), application for minimum subsistence allowance (social service of relevant municipality), job seeking services and registration as a job-seeker (State Employment Services), registration to family doctor/general practitioner (National Health Service), registration at educational establishment - school or kindergarten (relevant municipality) and other services provided by non-governmental organisations (for example, individual needs of transportation, clothes, household goods).

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁶⁶ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The temporary protection status as regulated by the Law on Support to Ukrainian Civilians is more favourable than any other form of protection provided by the Asylum law.

Ukrainians are granted equal rights with regard to access to employment (with the obligation to know Latvian language waived), social benefits, social welfare system, education, temporary shelter and catering, compensation for housing without delay, subject to obligation to apply for long-term visa within 10 days after taking up employment (Law on Support to Ukrainian Civilians). In addition, there are specific social benefits for Ukrainian civilians only. In contrast, an asylum seeker must wait in a refugee centre for several months while authorities adopt positive decision on award of refugee or alternative status, after which person obtain the rights to start (self-) employment under general conditions, including knowledge of Latvian language.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

There is no specific legal regulation envisaging the right of Ukrainian civilians to change status.

At the same time, nothing prevents any Ukrainian civilian from submitting a request for another employment-based residence permit under general legal regulation.

Article 5(1) of the Law on Support to Ukrainian Civilians provides that any Ukrainian civilian who has the right to reside in Latvia, but does not have the right to work (according to the residence permit issued before 24 February 2022), has the right to apply for the temporary protection status of Ukrainian civilian.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No, there are no relevant measures in place.

⁶⁶ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Pursuant to Article 13 of the Law on Support to Ukrainian Civilians, Ukrainian civilians have an unrestricted right to employment. This means that, in what concerns employment, they are entitled to the same employment rights as civilians of Latvia under the Labour Law, which, *inter alia*, provides for the prohibition of discrimination on the grounds of national origin and ethnic origin (Article 29 of the Labour Law implementing Directive 2000/43).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

According to general implementation measures, a person who has been awarded a status of a refugee or alternative status is entitled to access to (self-) employment without restrictions (Article 9(5) of Immigration Law). However, such permission is subject to approval by the Office of Citizenship and Migration Affairs (Article 8(4) of Asylum Law). It means that a refugee or person with an alternative status must obtain a work permit for acquiring access to the labour market.

Ukrainian civilians have the right to start (self-) employment at any time, under the condition that they apply for a long-term visa within 10 days after starting the employment relationship. The Office of Citizenship and Migration Affairs then has to issue a long-term visa with unrestricted right to employment within 20 days (Article 13 of Law on Support to Ukrainian Civilians). Those rights seem to go beyond the requirements of Article 12 of the TPD, as it grants the right to employment to Ukrainian civilians even before they are officially provided temporary protection status.

The Law on Support to Ukrainian Civilians also provides a number of more favourable employment rights than under general regulation regarding conditions for employment. First, there are more favourable rights for access to certain professions – in education, sports, health care, psychology, pharmacy. Ukraine civilians with relevant professional education are subject to a less strict procedure of recognition of diplomas.

Second, in general there are very strict requirements in employment regarding knowledge of Latvian language. Factually, a person can access the Latvian labour market only if they know the Latvian language at least at level A according to the Common European Framework. The required level of knowledge of Latvian language depends on the profession (posts). It is regulated in detail by the Cabinet of Ministers No. 157. These strict national language requirements in employment were introduced to mitigate dominance of Russian language introduced during 50 years of Soviet occupation.

With regard to civilians of Ukraine, such strict requirements are waived. Article 16 of Law on Support to Ukrainian Civilians allows employment of Ukrainian civilians without knowledge of Latvian language under condition such lack of knowledge of Latvian language does not create obstacles for the performance of a work (including medical doctors, pharmacists, teachers, taxi drivers - Articles 15 and 16 of Law on Support to Ukrainian Civilians). In practice it means that, for communication, the Russian language is used as a vast majority of residents of both Ukraine and Latvia are fluent in Russian. It also means that Ukrainian civilians do

not have any problems finding work as there is a common language for direct communication and also the Latvian labour market has been experiencing, since years, a serious shortage of a workforce.

II. Recognition of qualifications/diplomas

The recognition of professional qualification/diplomas in Latvia is regulated by the Law on Regulated Professions and Recognition of Professional Qualification. Previously the Law on Support to Ukrainian Civilians provided that for certain regulated professions, the competent institutions in Latvia must evaluate and could waive the obligation to request all documents needed for the purposes of recognition of professional qualification. This exemption was applicable for certain professions such as healthcare staff (Article 14(5)), teachers and sport trainers (Article 15(4)), and pharmacists (Article 17). As from 27 May 2022 this simplified regime for recognition of professional qualifications is applicable to all professions (new Article 13³ of the May Amendments to Law on Support to Ukrainian Civilians).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Ukrainian civilians have the regular right to employment services as provided by Law on Support of Unemployed and Job-Seekers. The Law on Support of Unemployed and Job-Seekers provides the right to following services: job-seeking assistance, including setting up an individual job-seeking plan; vocational training, retraining; involvement in temporary work for the purposes of developing working skills; training at the employer; support for starting entrepreneurship.

Ukrainian civilians are not entitled to any specific support other than the general system. However, Article 7(5) of Law on Support to Ukrainian Civilians provides that, for the purposes of organising active employment measures and preventive measures for the reduction of unemployment, the State Employment Agency may not apply the normal administrative procedures like public procurement and other procedures applicable for choosing a company to provide such services.

So far, no specific measures have been taken by the State Employment Agency, because in practice there is no need for a specific approach as most of Ukrainians are able to find jobs due to the ability to communicate directly with employers and colleagues (in Russian) and due to the shortage of workforce in Latvia. In addition, the social environment in Latvia is similar to that in Ukraine.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

As described in the previous answer, all relevant employment services including training and educational courses are regulated by Law on Support of Unemployed and Job-Seekers. Ukrainian civilians are entitled to equal treatment with regard to all these services.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

N/A

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

As mentioned in the Law on State Social Insurance, the Latvian statutory social insurance system provides insurance against traditional risks – unemployment, sickness, maternity, paternity, parenting, disability, accidents at work, occupational disease, old-age.

Article 7 of the Law on Support to Ukrainian Civilians provides the following additional rights in the field of social welfare: social services, social assistance and other material assistance (ensured by the local government in the administrative territory where the accommodation site or place of residence is), financial assistance (one-time allowance in the amount of EUR 272 for a person of legal age and EUR 190 per child), paid health care services and exemption of co-payment obligation in certain situations, access to medicinal products intended for the treatment of chronic illnesses in a pharmacy on the basis of a prescription written out in Ukraine which remains valid for three years, access to State-paid services for the termination of pregnancy and health care services related thereto under less strict conditions, and the right to receive childbirth allowance if the child was born in Latvia after 24 February 2022 and to childcare benefit and family allowance under certain conditions.

Initially, Law on Support to Ukrainian Civilians envisaged right to housing and daily catering provided by the state for the period of 90 days (Article 12). By Amendments to Law on Support to Ukrainian Civilians adopted on 26 May 2022 this right to daily catering was limited up to maximum of 30 days. Taking into account the difficulties in finding housing and high cost of rental of the housing, starting from 23 June 2022 the provision of housing by the State was extended up to 120 days by the June Amendments to Law on Support to Ukrainian Civilians. Exception to the limited housing period provided by the State does not apply to certain vulnerable groups of persons, for example, persons with disabilities, however, even such groups will be provided housing for no longer than until 31 December 2022.

II. Eligibility conditions

Ukrainian civilians have the same rights to social services and social assistance as specified for citizens of Latvia and non-citizens of Latvia in the Law on Social Services and Social Assistance. Even more – there are extra services, like right to minimum subsistence allowance without assessment of the income for first three months pursuant to May Amendments to Law on Support to Ukrainian Civilians, free of charge regional transport, and free of charge entrance to state museums.

Pursuant to Article 13 of the Law on Support to Ukrainian Civilians, Ukrainian civilians have an unrestricted right to employment. It means that, regarding employment, they are entitled to the same employment rights as civilians of Latvia under the Labour Law. All employed and self-employed persons in Latvia are subject to mandatory statutory social insurance according to the Law on State Social Insurance, irrespective of their status, provided that they have the right to be (self-) employed. It follows that all (self-) employed persons in Latvia, including Ukrainian civilians, are entitled to the same statutory social insurance benefits.

Regarding social security, general eligibility conditions are applicable. Entitlement to some statutory social insurance allowances may be subject to completion of certain period of (self-) employment, i.e., provision of statutory social insurance contributions, for example, for unemployment benefit.

Regarding social welfare, the only eligibility criterion is the status of Ukrainian civilian which may be proved by documents issued by Office of Citizenship and Migration Affairs, either a long-term residence visa (to holder of biometric passports) or a residence permit (to holders of passport without biometric data).

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Regarding social security, Article 7(7) of the Law on Support to Ukrainian Civilians established that, when commencing employment relationship, a Ukrainian civilian has the right to receive a lump sum employment commencement benefit in the amount of one minimum monthly wage EUR 500 which is not taxed. The person shall, within one month from the day of commencement of employment relationship, submit a submission to the State Employment Agency for the receipt of the abovementioned benefit.

The only relevant exception related to access to the social welfare system and employment is the entitlement of Ukrainian civilians to the minimum subsistence allowance without assessment of their means until 31 August 2022 (Article 7(3) of Law on Support to Ukrainian Civilians).

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

There is a [webpage](#) where all the information is available in Ukrainian, Russian, Latvian and English. This webpage automatically opens when a person goes through webpages of national authorities. This webpage provides contacts to public authorities responsible for different issues (immigration, emergency situations, housing, reception) along with contacts of non-governmental organisations also providing different services (transportation between states and cities, household belongings, clothes etc.).

In Riga, the capital city, and in the biggest cities, there are single-point reception centres. Such centres provide the following services: application and reception of long-term visa (Office of Citizenship and Migration Affairs), application for minimum subsistence allowance (social service of relevant municipality), job seeking services and registration as a job-seeker (State Employment Services), registration to family doctor/general practitioner (National Health Service), registration at educational establishment - school or kindergarten (relevant municipality). As from the end of May Riga reception centre organises “[employment markets](#)” where different employers come in person to meet Ukrainian job-seekers. This initiative was started in order to facilitate more efficient access to the labour market for Ukrainian civilians.

The State Employment Agency, on its [webpage](#) for vacancies, has a specific section with vacancies which employers offer to Ukrainians. On 10 May 2022, there were 5.816 vacancies available for Ukrainian civilians on the webpage. As confirmed on the phone by the Head of Statistics and Analytics Unit of the State Employment Agency, this means that the employers for those 5.816 vacancies indicated that they were particularly interested in employing Ukrainian civilians.

There is, overall, a very wide involvement of residents of Latvia in the assistance provided to Ukrainians. There is an initiative to establish (social) mentoring system (locals help Ukrainians with different social issues).

Taking into account the considerable number of pets in Ukraine which might be an obstacle for fleeing, Article 5 of the Law on Support to Ukrainian Civilians allows immigration into Latvia with pets without required documents and vaccines under the condition that all the required vaccines and medical care will be taken care of within five days after arrival. Those veterinary services are paid for by the State.

Country fiche for Malta

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁶⁷ and Council Implementing Decision (EU) 2022/382⁶⁸

Laws of Malta Ch 420: Refugee Act (ACT XX of 2000, as amended by Act VIII of 2004 and Legal Notice 40 of 2005). No other ad hoc legislation has been enacted.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

No Ukraine-specific measures have been enacted and the Ukraine situation is being handled like all situations involving third-country nationals seeking to settle in Malta.

Access to employment:

- ▶ No specific legislation for persons enjoying temporary protection from Ukraine has been enacted. The procedures are identical to any other third-country national enjoying the same status. These are regulated by [subsidiary legislation 217.17](#).

Social security:

- ▶ No specific legislation for persons enjoying temporary protection from Ukraine has been enacted. Social security benefits are regulated by the [Social Security Act](#).

Social welfare:

- ▶ No special provisions exist for persons coming from Ukraine. Social security benefits and social welfare are regulated by the [Social Security Act](#).

⁶⁷ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁶⁸ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ Residing in Ukraine <p>displaced from 24 February 2022</p>	Yes
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	Yes
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	Yes
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and</p>	No

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
durable conditions to their country or region of origin (Article 2(3) Council Decision).	
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	AWAS: Agency for the Welfare of Asylum Seekers	AWAS Literal Translation: <i>Aġenzija għall-Benessri ta' Dawk li Jfittxu Ażil</i>	https://homeaffairs.gov.mt/en/MHAS-Departments/awas/Pages/Administration.aspx
Employment rights	DIER Department for Industrial & Employment Relations Malta Qualifications Recognition Information Centre (MQRIC)	DIER: <i>Dipartiment għar-Relazzjonijiet Industrijali u x-Xogħol</i>	https://dier.gov.mt/en/pages/home.aspx
Social welfare and social security rights	Ministry for Social Justice and Solidarity, The Family and Children's Rights	<i>Ministeru għall-Ġustizzja Soċjali, għas-Solidarjeta, għall-Familja u għad-Drittijiet tat-Tfal</i>	https://meae.gov.mt/en/public_consultations/mfs/pages/home.aspx

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

No state mechanism exists. There is no coordinated effort between the government and NGOs, who are doing a lot of work through the Refugee Council without any formal guidance or co-ordination.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁶⁹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

There are no specific differences created for displaced persons from Ukraine. The four categories that exist are:

- ▶ **Asylum seeker** with a right to work and to social security, children's education and access to medical services;
- ▶ **Refugee status:** freedom of movement (including residence permit), travel document, employment, social welfare, medical care, education & training, and medical care;
- ▶ **Long-term residents:** access to paid and unpaid employment, education, recognition of professional status, social security, tax benefits, access to procedures for obtaining housing, freedom of association, and medical care;
- ▶ **Temporary protection:** rights include residence permit; access to labour market & accommodation, social & welfare assistance, medical care, and access to education for children & teenagers.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Yes, the possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection to family reunification exists during the temporary protection regime.

⁶⁹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

c) Relevant national legislation on changing the status (including the procedure to be followed).

<p><u>Status change from temporary protection to family reunification</u></p> <p>The conditions set in the legislation to apply for such a status change while remaining in the country:</p> <p>There are no specific measures in Maltese law explicitly referring to the status change from temporary protection to family reunification.</p> <p>However, in the provisions relating to family reunification, Article 8 of the Subsidiary Legislation 217.06 provides an exception to the rule that the family member must reside outside of Malta, and stipulates that in appropriate circumstances the competent authority may accept an application submitted whilst the family members are already in Malta.</p>		
<p>Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:</p> <p>The same procedure for family reunification applies (except the family member will not need to apply for a long-stay visa as they already reside in Malta).</p>		
<p>Any alteration of rights with respect to</p>		
<p>residence:</p> <p>The length of permit is the same length as the person whom the family member is joining in Malta.</p>	<p>employment rights:</p> <p>This depends on the status of the family member being joined in Malta. If the family member being joined has recognised refugee status, the employment rights would not change.</p>	<p>social welfare and social security rights:</p> <p>The family member also has access to social security rights.</p>

d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

<p>Displaced persons from Ukraine can apply for temporary protection in Malta but have to inform the country where they had protection to de-list them.</p> <p>Eligibility covers these categories of persons:</p> <ul style="list-style-type: none"> ▶ Ukrainian nationals who left Ukraine after 24 February; ▶ persons who had international protection in Ukraine and who left Ukraine after the 24 February; ▶ family members of above two categories

- ▶ third-country nationals who had a permanent residence permit in Ukraine as long as they cannot be returned to their country of origin under safe and durable conditions and who left Ukraine after the 24 February.

It is important to note that persons who only have a temporary residence permit in Ukraine are not eligible in Malta for temporary protection, but can apply separately for asylum status.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

No special provisions have been made in respect to displaced persons from Ukraine. Otherwise, third-country nationals enjoy the same status which provides for equal treatment on the labour market as regards working conditions like any gainfully occupied person in Malta.

Full details are available [here](#).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

The procedures are identical to any other third-country national enjoying the same status.

A single permit can be applied for. The single permit authorizes third-country nationals to legally reside and take up employment in Malta for a defined period, which may be further renewed. Third-country nationals may submit an application whilst they are either still-abroad or legally staying in Maltese territory.

Applications for a residence permit have to be endorsed by the employer and the permit would cease to apply if the applicant would no longer remain in the specified employment.

The single permit does not entitle holders to carry out:

- ▶ paid duties assigned by other third parties than the identified employer; and
- ▶ unauthorized work not related to the specific employment activity indicated in their application.

- II. Recognition of qualifications/diplomas

Recognition is not automatic. Recognition can be obtained through the normal channels. The official body charged with this process is the [Malta Qualifications Recognition Information Centre \(MQRIC\)](#). The procedure is based on application. If an identical request had been recorded at MQRIC, a reply is given immediately; in the case of 'unknown' qualifications, MQRIC decides after researching the contents and level of the qualification applied for.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

No official or specific protocols have been set up to meet the needs of displaced persons from Ukraine. They are assisted by JobsPlus once it is established that they have left Ukraine after the 24 February 2022. Training facilities form part of the Training Pays Scheme, ESF.01.001 – Training for Employment Project and it aims to assist individuals to develop and/or improve their skills by participating in further off-the-job education and training. The scheme offers assistance in the form of a training grant to aid participants with costs relating to training. This grant will be awarded to the individual (trainee) after successful completion of their training. Details are available [here](#).

- IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

No official or specific protocols have been set up to meet the needs of displaced persons from Ukraine. But persons coming from Ukraine can benefit from all the facilities and schemes provided/run by Jobsplus (see above).

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

None.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social security: No special provisions have been put in place for displaced persons coming from Ukraine. Displaced persons from Ukraine are entitled to social security benefits under the same conditions as other persons. Social security provisions in Malta are rather complicated. Benefits include: a) social and welfare assistance; b) medical care (including, as a minimum essential emergency care and essential treatment of illness); and access to education for children and teenagers.

Social welfare: No special provisions exist for persons coming from Ukraine. Temporary protection beneficiaries are treated as beneficiaries of subsidiary protection. This means that they may apply for social welfare benefits from any of the [servizz.gov offices](#), where officials will assist them to apply for such benefits. If considered eligible, temporary protection beneficiaries will receive social assistance. For more info, see: [servizz.gov](#).

- II. Eligibility conditions

Persons have to satisfy the complex conditions listed in the Social Security Act which governs both social security and social welfare in a harmonious way. As long as persons contribute regularly in terms of the provisions of this Act, they are entitled to all the contributory benefits provided under this Act.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

None.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Ministry for Home Affairs publishes relevant information on its [website](#).

The NGO [SOS Malta](#) provides online counselling through their [online platform](#) and has engaged a Ukrainian psychologist to provide online face to face counselling to co-nationals in Malta and anywhere in the world including Ukraine. Group therapy sessions are conducted weekly at SOS Malta to Ukrainian women seeking psychological support. The DIER and JobsPlus deal with persons from Ukraine in the same way as they deal with other persons enjoying temporary protection status. The NGOs working in migration are assisting and supporting in every possible way. [Facebook pages](#) transmitting information for displaced persons from Ukraine have been opened.

Specific information for displaced persons from Ukraine has been provided by the [Malta Refugee Council \(MRC\)](#), which is a network of private NGOs.

In May 2020, Aditus (a member of MRC) published a detailed [factsheet](#) (no 24) on *Temporary Protection for Persons Fleeing Ukraine*.

Country fiche for the Netherlands

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁷⁰ and Council Implementing Decision (EU) 2022/382⁷¹

- ▶ [Act of 23 November 2000 for the general revision of the Aliens Act](#), 'Vreemdelingenwet 2000', entered into force on 23 November 2000, Stb. 2000, 495, last amended on 29 September 2021, Stb. 2021, 505. The Act provides the general legal framework regarding access, registration, supervision, asylum and enforcement regarding aliens in the Netherlands. It also implements the TPD in the Netherlands.
- ▶ [Aliens Decree 2000](#), Stb. 2000, 497, entered into force on 23 November 2000, last amended on 13 December 2021, Stb. 2021, 608. The Decree provides more detailed rules and further procedural rules regarding access, supervision and enforcement creating the general asylum system in the Netherlands, and also providing more detailed rules to implement the TPD in the Netherlands.
- ▶ [Act of 16 December 2004 to amend the Aliens Act 2000 in order to implement Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences of it](#), entered into force on 16 December 2004, Stb. 2004, 691. This Act amends the Aliens Act 2000 in order to implement the TPD Directive.
- ▶ [Decision of 12 January 2005 to amend the Aliens Decree 2000 in order to implement Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences of it](#), entered into force on 12 January 2005, Stb. 2005, 25. The Act further amends the Aliens Act 2000 to provide persons benefitting from temporary protection legal residency for the duration of the temporary protection pursuant to the Council Decision.
- ▶ [Regulation of 24 February 2005 issued by the Minister for Alien Affairs and Integration to amend the Aliens Regulation 2000](#), entered into force on 16 March 2005, Government Gazette 2005, 53 p. 17. It amends the Aliens Act 2000 specifically to include Annex I of the TPD in the Aliens Act 2000.
- ▶ [Regulation on the provisions for asylum seekers and other categories of aliens 2005](#) (Rva 2005), entered into force on 26 January 2005, Government Gazette 2005, 24, last amended on 7 December 2021,

⁷⁰ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁷¹ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

Government Gazette 2021, 49409. The Regulation provides general rules on provisions for asylum seekers, including accommodation and care. Provides that temporary protection beneficiaries are accommodated in public reception centres run by the Central Agency for the Reception of Asylum Seekers once it is established (in an application centre) that the persons concerned can benefit from the temporary protection regime.

- ▶ [Regulation on the reception of displaced persons from Ukraine](#), entered into force on 1 April 2022, Government Gazette 2022, 9469. It provides rules regarding accommodation, care and financial allowance for displaced persons. Provides more detailed rules on the reception of and provisions to displaced persons from Ukraine specifically.
- ▶ [Act of July 10, 1952, making provisions for the relocation of population in the event of war, danger of war, related or extraordinary circumstances](#), entered into force on 10 July 1952, Stb. 1952, 406, last amended on 1 July 2020, Stb. 2020, 262. This Act has been used by the Dutch government to confer on municipalities the responsibility for providing shelter and other provisions to displaced persons from Ukraine, rather than the regular procedure where the Central Organ for Reception of Asylum Seekers is responsible, in view of the large amount of displaced persons from Ukraine. This Act therefore facilitates organisation of social welfare provisions to displaced persons eligible for temporary protection.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

- ▶ [Aliens Employment Act](#), entered into force on 21 December 1994, Stb. 1994, 959, last amended on 29 September 2021, Stb. 2021, 505. It provides the general rules on employment of aliens, including displaced persons falling under the TPD, i.a. Article 2a regarding the duty for employers to notify to the competent authority when employing displaced persons.
- ▶ [Decision to implement the Aliens Employment Act 2022](#) (*Besluit uitvoering Wet arbeid vreemdelingen 2022*), entered into force on 13 December 2021, Stb. 2021, 608, last amended on 29 March 2022, Stb. 2022, 130? It provides more detailed rules on certain exceptions and exemption from the prohibition for employers to employ aliens without an employment permit.
- ▶ [Decree of March 29, 2022, amending the Decree on the Implementation of the Aliens Employment Act 2022 in connection with a temporary exemption from the work permit requirement, in view of the Council Implementing Decision establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Council Directive 2001/55/EC of July 20, 2001, and introducing temporary protection in response thereto](#), entered into force on 29 March 2022, Stb. 2022, 130. It forms the legal basis for the exemption from the obligation to apply for a work permit for employers that want to employ persons beneficiary of temporary protection, along with setting other rules and conditions specific to employment of persons under temporary protection.
- ▶ [Act of 27 November 1968 regarding Minimum Wage and Minimum Holiday Allowance](#), entered into force on 27 November 1968, Stb. 1968, 657 (*Wet Minimumloon en Minimum Vakantiebijslag*). It provides rules regarding minimum remuneration.
- ▶ [Working Conditions Act 1999](#), entered into force on 18 March 1999, Stb. 1999, 184 (*Arbeidsomstandighedenwet*). It provides rules regarding employees' health and safety.

- ▶ Work and Income according to [Labour Capacity Act](#), entered into force on 10 November 2005, Stb. 2005, 572 (*Wet WIA*). It regulates the rights to adapted work and allowances in case of sickness.
- ▶ [Act of 16 June 2005 regarding a regulation for a social insurance for health care for the benefit of the entire people](#), entered into force on 16 June 2005, Stb. 2005, 358 (*Zorgverzekeringswet*). It provides rules regarding obligatory health insurance.
- ▶ [Act of 5 June 1913 for the provision of a workers sickness insurance](#), entered into force on 5 June 1913, Stb. 1913, 204 (*ziektewet*). It provides rules on insurance for sickness of employees as a result of work activities.
- ▶ [Act of 6 November 1986 regarding insurance of employees against financial consequences of unemployment](#), entered into force on 6 November 1986, Stb. 1986, 566 (*Werkeloosheidswet*). It provides general rules regarding provisions to unemployed persons.
- ▶ [Act on the Central Organ Reception Asylum Seekers](#), entered into force on 19 May 1994, Stb. 1994, 422, (*Wet COA*). It contains rules concerning the establishment of the COA, an administrative body entrusted with the material and immaterial reception of asylum seekers.
- ▶ [Act of 2 March 1994 providing general rules for the protection against discrimination on the grounds of religion, beliefs, political orientation, race, gender, nationality, sexual orientation or civil state](#) (Equal Treatment Act), entered into force on 1 September 1994, Stb. 1994, 230 (*Algemene Wet Gelijke Behandeling*).

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	Yes
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes Article 3.1a (1), subsection (a) of the Aliens Decree 2000 brings under the scope of temporary protection any alien which belongs to the group specified in the Council Decision as defined in Article 5(3) of the TPD, and in addition its family members, which are qualified in subsections b, c and d, to include: <ul style="list-style-type: none"> ▶ spouse; ▶ unmarried partner with whom the Ukrainian national has a durable relationship;

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<ul style="list-style-type: none"> ▶ unmarried minor children (born in or outside wedlock or adopted) ▶ other close relatives who lived together as part of the family unit at the time of the events leading to the mass influx and who were wholly or mainly dependent on the sponsor, and leaving them behind would constitute extreme hardship.
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	<p>Yes</p> <p>The Ministry of Justice and Security, DG Migration, affirmed in a letter that third country nationals that had a permit to legally reside in Ukraine on 23 February 2022, also benefit from protection, with the condition that this person should not have left Ukraine before 27 November 2021. The Netherlands decided not to apply the test as defined in Article 2(2) of the Council Decision whether safe and durable return to the country or region of origin is possible, in the spirit of a generous application of the TPD as requested in consideration 14 of the preamble of the Council Decision, and considering that such test would imply elements of a regular asylum assessment.</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision)</p>	<p>No.</p> <p>Article 3.1a (e) of the Aliens Decree implements Article 7(1) TPD, providing that a ministerial regulation may determine that an additional group of foreign nationals from the same country or region, displaced for the same reason and who do not already enjoy protection in another EU country, may benefit from temporary protection as provided by the TPD. No such ministerial regulation has been adopted.</p>
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	<p>Yes</p> <p>As set out in the letter to the Parliament by the Migration Ministry, in the spirit of a generous application of the TPD as requested in consideration 14 of the preamble of the Council</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	Decision, the Netherlands decided to also apply the TPD to displaced persons that left Ukraine on or after 27 November 2021 due to the rising tensions, based on the visa-free period for persons from Ukraine of 90 days. In addition, temporary protection is extended for persons from Ukraine that resided in the Netherlands before 27 November 2021, to avoid that persons from Ukraine without a legal residency in the Netherlands have to start a new residency procedure, for which then the regular asylum procedure would be applied.

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Immigration and Naturalisation Service	Immigratie en Naturalisatiedienst (IND)	https://ind.nl/Paginas/home.aspx
Employment rights	Employee Insurance Agency	Uitvoeringsinstituut Werknemersverzekeringen (UWV)	https://www.uwv.nl/particulieren/index.aspx
Social welfare and social security rights	For displaced persons from Ukraine: Association of municipalities Usually: Central Agency for the Reception of Asylum Seekers	Vereniging Nederlandse Gemeenten (VNG) Centraal Orgaan opvang Asielzoekers	https://vng.nl/ https://www.coa.nl/en

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

As can be read on the [webpage](#) of the Central Government, a 'Focal Point Coordination Information Ukraine' (*Knooppunt Coördinatie Informatie Oekraïne*) has been set up, to serve as an information platform between the National government, the 25 security regions and other involved stakeholders such as the Netherlands Red Cross, the Association of Dutch Municipalities and the Central Agency of the Reception of Asylum Seekers (*Centraal Orgaan opvang asielzoekers*). Professionals can refer to this information platform with questions regarding available reception places. The National Coordination Point for the Spread of Refugees (*Landelijk Coördinatiepunt Vluchtelingen Spreiding*) is part of the focal point and provides an overview at national level of available reception places at municipalities. From the viewpoint of displaced persons, the Dutch Council for Refugees is the focal point supporting displaced persons with different types of help needed from the moment of their arrival in the Netherlands until they have found their way independently. Especially for displaced persons from Ukraine the website [RefugeeHelp](#) has been set up as a movement by and for displaced persons from Ukraine, as the online starting point offering information and bundling initiatives from the government, NGOs, companies and individuals, to create an overview and match demand and supply.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁷² under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Dutch legislation. Displaced persons from Ukraine can apply for asylum using the regular procedure based on the Aliens Act 2000, however the time periods for the authorities to take a decision on the asylum application are suspended for the duration of the temporary protection, as determined by the Act of 16 December 2004 amending the Aliens Act 2000 in order to implement the TPD Directive. Hence, there is no separate 'special' residency permit for displaced persons based on the TPD in the Netherlands. This was mentioned in the [letter](#) of the Ministry of Justice and Security, DG Migration. Displaced persons from Ukraine submit a regular asylum application with the Immigration and Naturalisation Service (*IND*), after which the IND determines whether the applicant is eligible for temporary protection. When a displaced person is eligible for temporary protection, they receive a temporary protection status certificate providing the displaced person with access to all facilities and provisions of 'regular' asylum seekers: access to healthcare, education for underaged children and and access to employment.

The procedure for displaced persons from Ukraine to apply for temporary protection nevertheless differs slightly from the 'regular' Dutch asylum procedure. The procedure for displaced persons from Ukraine is set out on the [website of the IND](#). Displaced persons from Ukraine register first at the municipality, as opposed to applicants under the regular procedure who are to register at a special registration centre for asylum seekers. The municipality verifies the documentation of the displaced person and assesses eligibility for temporary protection. In case of doubt regarding any facts or circumstances, the municipality contacts the IND. Displaced persons eligible for temporary protection under the TPD receive a proof of their temporary protection status from the IND which is valid until 4 March 2023. The duration of the time period for IND to decide on the asylum application is suspended for the duration of the temporary protection, and starts after temporary protection ends. The Ministry of Justice and Security, DG Migration, explained it its [letter](#) that this allows the authorities to spread the assessment of the great number of applications by displaced persons from Ukraine, avoids that displaced

⁷² 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

persons from Ukraine need to submit a new asylum application after the duration of temporary protection ends, and also prevents a great peak in asylum applications after the end of the duration of temporary protection. At the end of the temporary protection period, displaced persons from Ukraine that wish to remain in the Netherlands can have their 'regular' asylum application assessed on the merits and will not need to file a new asylum application. Stateless persons and third country nationals not eligible to apply for temporary protection, can apply for asylum following the 'regular' asylum procedure under the Aliens Act 2000.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

No specific rules regarding status change for persons enjoying temporary protection in the Netherlands were found, however, as described under (a) above, the procedure to apply for temporary protection is in essence a 'regular' application for residency under the Aliens Act 2000, with suspension of the time limits for taking a decision by the immigration authority (IND) for the duration of temporary protection. In order to take up work as an employed person after the duration of temporary protection the temporary protection beneficiary needs to apply for an ordinary residence permit for the purpose of employment as defined in Article 14 Aliens Act 2000, and a work permit. A person will be eligible for this work permit when there are no EU / EEA citizens or legally resident third-country nationals who receive unemployment benefits to whom priority can be given. The Ministry of Justice and Security, DG Migration, indicated in its [letter](#) that displaced persons wishing to extend their stay beyond the duration of temporary protection, do not need to submit a new asylum application after the end of temporary protection. The IND has the entire time period of temporary stay until 6 months after the end of the temporary protection period to decide on the application for a residency permit by displaced persons, as follows from Article 43a of the Aliens Act 2000. This decision-making can however be further extended on several individual (Article 42(4) Aliens Act 2000) and categorical grounds (Article 43 Aliens Act 2000). During this decision-making period the asylum seeker can stay in the Netherlands (Article 8(f) Aliens Act 2000). In case of a negative decision, they can lodge an appeal to an administrative court. This appeal has suspending effect: the asylum seeker is allowed to remain in the country and has a right to reception facilities while awaiting the outcome of the appeal (Article 5(1)(a) of the Rva 2005).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to any other form of legal stay in The Netherlands

The conditions set in the legislation to apply for such a status change while remaining in the country:

In case a displaced person is eligible for residency after the end of the temporary protection period on the basis of a work permit, an EU Blue Card or other grounds as indicated in the table above, such residency may be applied for by the displaced person as part of the 'regular' asylum procedure upon arrival in the Netherlands, during or after the end of the temporary protection period, using the regular procedures as set out in the Aliens Act 2000 and the Articles 3.30 and 3.31 of the Aliens Decree 2000. One of the advantages of this approach as indicated upon implementation of the TPD in Dutch legislation, is that displaced persons do not need to submit a new residency application after temporary protection has ended, to have their application assessed on the merits. The IND may decide on the merits of the residency application during the period of temporary protection or until six months after the end of temporary protection, which spreads the time period for assessing the large

influx of applications, whereas displaced persons will have their individual eligibility for prolonged stay assessed by the end of the duration of temporary protection, as explained in the [Explanatory Memorandum](#) to the amendment of the Aliens Act 2000.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

An application for 'change of status' is, according to the procedure in the Netherlands as set out above, in fact a continuation of the first time application for residency, which is only considered on the merits after the end of the duration of temporary protection. Admission criteria and conditions for prolonged stay of displaced persons from Ukraine after the end of temporary protection depends on the type of legal status invoked; legal residency on the basis of employment or other economic activity, or a regular asylum request as refugee.

Any alteration of rights with respect to

<p>residence:</p> <p>Right to residency while the IND considers the displaced person's asylum or residency application on the merits – as the decision making term is prolonged for the duration of temporary protection, a person's right to prolonged stay in the Netherlands should become clear at the moment or shortly after temporary protection ends, but not much information on the practicalities regarding status change is available yet.</p>	<p>employment rights:</p> <p>'Regular' asylum seekers are given limited access to the labour market of a maximum of 24 weeks per year after a six months waiting period from the moment of first application during which the asylum seeker is fully excluded from the labour market. The employer needs to get a work permit for such employment. In practice, displaced persons from Ukraine are likely to have already received a decision regarding their right to prolonged residency prior to expiry of the 6 months period.</p>	<p>social welfare and social security rights:</p> <p>This depends on the type of legal residency applied for. Employed persons enjoy access to the same social security rights as Dutch citizens, as explained further under Section 4 below. Asylum seekers have access to provisions and facilities as set out in the Regulation on the provisions for asylum seekers and other categories of aliens 2005, which is a different system than what displaced persons from Ukraine have access to under the Regulation on the reception of displaced persons from Ukraine. However, it is unclear to what extent and for how long displaced persons from Ukraine will (need to) have access to provisions for 'regular' asylum seekers after the end of temporary protection.</p>
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Article 3.1a (2)(c) Aliens Decree 2000 mentions that the transferral of a person from the Netherlands to another EU/EEA Member State in connection with the TPD has as a consequence that the lawful residence of that person on the basis of temporary protection in the Netherlands will come to an end and that expulsion will no longer be withheld. There is no statutory provision transposing the obligation that Member States have to take

care of the fact that persons who are about to be transferred for reasons of solidarity (Chapter VI of the TPD) must consent.

Furthermore, under Article 3.1a (2)(b) of the Aliens Decree 2000, a displaced person may be expelled from the Netherlands when already under temporary protection in another Member State. Where a person already enjoys temporary protection under the TPD in another Member State but nevertheless travels to the Netherlands without permission, the other Member State is obliged to take the persons back upon request by the Netherlands authorities, as highlighted in the [Explanatory Memorandum](#) to the amendment of the Aliens Act 2000.

[Webpage](#) of the IND provides that after expiry of the standard 'free EU residence period' of 90 days within a period of 180 days for persons coming from Ukraine, displaced persons from Ukraine with Ukrainian nationality may travel within the EU and back and forth to Ukraine, in case they possess a biometric passport with proof of their temporary protection status. It depends on the rules of the destination Member State how long displaced persons with temporary protection status in the Netherlands, may reside in the Member State travelled to. For displaced persons from Ukraine not in a possession of Ukrainian nationality, travelling inside and outside the EU from the Netherlands is at their own risk, as the Netherlands migration service does not provide a return visum, also not for persons with a temporary protection status.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Pursuant to the Equal Treatment Act, people should be treated equally irrespective of among other things their nationality. Paragraph 3 of this Act (Sections 4-6a) contains special provisions in the field of employment and professions. According to Section 5 of the Act it is unlawful to discriminate in or with regard to: a) advertisements for job vacancies and procedures leading to the filling of vacancies; b) job placement; c) the commencement or termination of an employment relationship; d) the appointment and dismissal of civil servants; e) terms and conditions of employment; f) permitting staff to receive education or training during or prior to employment; g) promotion and h) working conditions. Section 6 mentions that it is unlawful to discriminate with regard to the conditions for and access to the professions and opportunities to pursue such professions or for development within them.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Employed activities

The Netherlands had determined upon implementation of the TPD, that employers of displaced persons must apply for a work permit with a full-fledged labour market test, which entails an investigation whether suitable employees are available in the EEA and/or Switzerland, before a work permit may be granted to a displaced person, based on the Aliens Employment Act 2022. However, in view of the need to offer displaced persons from Ukraine the opportunity to work as soon as possible, as of 1 April an exemption from the obligation for

employers to apply for such work permit applies, on the basis of the Decree of 29 March 2022 providing an exemption from the work permit requirement. Therefore, displaced persons from Ukraine immediately have access to the labour market in the Netherlands. However, this is subject to certain requirements. The Decree of 29 March 2022 requires employers to submit a notification at the Employee Insurance Agency (UWV) that they will employ a displaced person based on the exemption, at least two working days in advance of the start of employment, in order to prevent abuse. Not complying with this requirement is punishable with a fine on the basis of the Aliens Employment Act 2022.

The procedure to be followed by employers to employ displaced persons from Ukraine is as follows. First, employers must file a notification with the Employee Insurance Agency (UWV) that they will employ a displaced person on the basis of the exemption, at least two working days in advance of the start of employment (for displaced persons employed prior to 15 April 2022, employers may also notify retroactively after that date).

Displaced persons must register in the Basic Personal Register (BRP) indicating their place of residence and address at the municipality. Upon registration in the BRP, they are automatically registered in the Basic Facility for Aliens (Basisvoorziening Vreemdelingen - BVV), are thereby known at the Immigration and Naturalisation Service and receive a Citizen Service Number (BSN), which is a prerequisite to be able to work in the Netherlands and open a bank account.

As set out in the [letter](#) to the Parliament by the Migration Ministry, in the absence of proof of temporary protection status (in the form of a pass or a sticker in the passport provided upon registration in the municipality as described under 2(a) above), employers may establish whether persons qualify for the exemption based on identify documents indicating the person is from Ukraine, or based on documentation attesting that the person is a third country national or stateless person benefitting from international protection or a legal residency permit on the basis of Ukrainian law. A transition period applied until 31 May 2022 (with a possibility of prolongation) to provide an adequate time period for displaced persons to obtain documents that attest their eligibility for the temporary protection status and thereby access to the labour market based on the exemption. Until 1 September 2022 it is not an obligatory precondition to possess proof of the temporary protection status in the form of a sticker or a pass (pursuant to the procedure described under 2(a) above) and employers may establish a displaced person's right to reside in the Netherlands under the TPD on the basis of proof of nationality (a passport or proof from the Ukraine embassy) or for persons that do not have Ukrainian nationality, a Ukrainian residence permit or proof of international protection valid on 23 February 2022.

Self-employed activities

The Migration Ministry affirmed, in its [letter](#) to the Parliament, that the exemption from the requirement to apply for a work permit does not apply to the self-employed persons. It is mentioned in the explanatory memorandum to the Decree of 29 March 2022 amending the Aliens Employment Act 2022 that at a later moment, the Minister of Social Affairs and Employment may still decide to extend the temporary exemption of the obligation to apply for an employment permit to self-employed persons. At the time of writing (July 2022), the exemption from the obligation to possess a work permit has not been extended to self-employed activities.

If the temporary protection beneficiary wants to engage in a self-employed activity, they have to apply for an ordinary residence permit for the purpose of self-employment. As a general rule this application will be denied if the alien is not in the possession of an authorization for temporary stay (MVV) which has to be applied for at the Dutch Embassy or Consulate in the country of origin. By a Decision of 12 January 2005 to amend the Aliens Decree 2000 in order to implement the TPD, an exemption from this MVV-requirement has been introduced with regard to temporary protection beneficiaries who will be eligible for the residence permit for the purpose of self employment (Article 3.71 of the Aliens Decree). To sum up, displaced persons from Ukraine who want to work as self-employed in the Netherlands and have been granted temporary protection status need to apply for

a special residence for the purpose of self-employment but are exempted from the obligation to ask for MVV authorisation.

II. Recognition of qualifications/diplomas

No special rules apply on recognition of qualifications/diplomas for displaced persons from Ukraine. The [website](#) of the Netherlands organisation for internationalisation of education (*Nuffic*) provides information on recognition of foreign diplomas for working in the Netherlands. In case a displaced person wants to exercise a protected profession, reference is made to the European Commission [database](#) of regulated professions with a recommendation to contact the profession's competent authority in the Netherlands to determine whether and how permission to exercise the profession may be granted and what the rules are in case the person only wants to exercise the profession temporarily. In case the profession is not protected, Nuffic provides an [overview](#) of comparability of foreign diplomas per country, and what type of Dutch diploma is assessed as equivalent, including for diploma's from Ukraine. Employers in the Netherlands may request an official [diploma assessment](#) by the government agency 'International Diploma Assessment' (*IDW*), which is a non-binding advice on diploma equivalence provided to educational institutes or employers.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Displaced persons with a temporary protection status have access to the same assistance services for job seekers as nationals do, which is provided by several public and private agencies. For example, the public Employee Insurance Agency (UWV) has its own '[Work Company](#)', which offers services to match demand of employers with supply of employees. It also offers an online portal accessible to all jobseekers: [werk.nl](#). Moreover, from 1 July 2022, displaced persons with the Ukrainian nationality can also be assisted by [the UWV](#) and municipalities in finding a job. UWV also provides information about entitlements to benefits, how to apply for benefits or general information about illness during employment to displaced persons from Ukraine. Such services are only available for persons with Ukrainian nationality, asylum seekers or other refugees receive assistance and information services via the Central Agency for the Reception of Asylum Seekers and other dedicated services.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Displaced persons from Ukraine have access to vocational training and apprenticeships. If, during this vocational training period, they want to do a work placement, they are exempted from the work permit obligation. One of the conditions mentioned on the Government's [website](#) for access to internships or work placements for displaced persons from Ukraine is that the employer has to dispose of a work placement agreement or an internship agreement between the displaced person, the employer and the educational institution. In-service education will not be considered as vocational training.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

During a transition period, the exemption from the work permit obligation on the basis of the Decree of 29 March 2022, offering displaced persons from Ukraine free access to the labour market without the need for a permit, only applied to Ukraine Nationals. This was [explained](#) by the fact that without further documentation it was not possible for employers to establish whether a displaced person falls in the scope of the temporary protection regime. The transition period ended on 31 May 2022. After 31 May 2022, displaced persons from Ukraine with a different nationality than the Ukrainian can work once they have received proof from the Immigration and Naturalisation Service (*IND*) that they are covered by the Temporary Protection Directive. For eligibility for protection under the TPD, such persons must possess proof that they were a refugee recognized by Ukraine on 23 February 2022 or were in possession of a residence permit valid in Ukraine on 23 February 2022. Displaced persons from Ukraine falling in the scope of protection of the TPD must register at the municipality where they reside, after which subsequent to verification of their documents attesting eligibility under the TPD, they receive proof of their legal residency status under the TPD, from the [IND](#). This proof is a prerequisite for access to work in the Netherlands for displaced persons from Ukraine as of 1 September 2022.

Once displaced persons from Ukraine have access to the Dutch labour market, all the relevant national labour legislation will be applicable, including the Minimum Wage Act (regarding remuneration) and the Working Conditions Act (regarding employer's health and safety).

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security

Displaced persons from Ukraine who conclude an employment contract and whose work is in accordance with the Aliens Employment Act are included in the social security insurances in the same way as Dutch citizens. They enjoy the same social security rights. In the Netherlands, the social security system encompasses mandatory social insurances (pension and disability insurance, health insurance, unemployment insurance and sickness benefits).

Displaced persons from Ukraine that are employed in the Netherlands are also entitled to other social security rights, such as child benefits, healthcare benefits, rent benefits subject to certain conditions. When a displaced person has income from work, the living allowance on the basis of the Regulation on the reception of displaced persons from Ukraine, stops. Displaced persons who lose their employment may apply for the living allowance again, as long as they fall under the TPD regime (i.e. until 4 March 2023).

Social welfare

A person granted temporary protection in the Netherlands will have the following social rights (Article 6 of the Regulation on the Reception of Displaced Persons):

- ▶ shelter in accommodation facilities that provide an adequate level of housing;

- ▶ a monthly financial allowance for food, clothing and other personal expenses, unless the displaced person has income from employment;
- ▶ recreational and educational activities;
- ▶ insurance against the financial consequences of civil liability; and
- ▶ payment of extraordinary expenses;
- ▶ protection of family life;
- ▶ possibility to communicate with family members, legal advisers, UN representatives and other relevant organisations;
- ▶ education for displaced persons for whom education is compulsory pursuant to Dutch legislation.

Pursuant to the Regulation on the Reception of Displaced Persons, municipalities are responsible for making sure the above facilities and provisions are granted to displaced persons from Ukraine and that such provisions comply with regulatory standards. This is a difference with the regular reception regime for asylum seekers, where the Central Agency for the Reception of Asylum Seekers is responsible for reception and provisions on a national level.

Shelter

May be provided in a municipal reception facility or individual facilities or homes registered at the municipality. In case of the latter, displaced persons receive a housing allowance of EUR 215 per month for adults and EUR 55 per month for children.

Financial allowance

Displaced persons from Ukraine are entitled to EUR 260 living allowance, per person per month. The financial allowance for displaced persons from Ukraine consists of an amount for food and an amount for clothing and other personal expenses. The amount for food in a reception facility in which displaced persons provide their own food amounts to EUR 205 per person per month. The amount for clothing and other personal expenses referred to in the first paragraph amounts to EUR 55 per person per month. The amount is the same regardless of the age of the displaced person and allowances for children are paid to the parents or caretakers of the displaced person. The allowances may also be paid in kind.

Extraordinary costs

Such costs are defined in Article 11 of the Regulation on Reception of Displaced Persons as necessary costs which, due to their nature or amount, cannot reasonably be expected to be paid by the displaced person him-/herself. Such costs shall only be paid for if the mayor has given prior permission to the displaced person to incur them, with the exception of costs arising from emergency situations where it was not possible to request permission. This could include costs such as transport to school, as mentioned in the [letter](#) of the Ministry of Justice and Security, DG Migration.

Education

Pursuant to Article 6(2)c of, the Regulation on the Reception of Displaced Persons, displaced persons from Ukraine of an age falling under the education obligation, must be offered education. On the basis of the Compulsory Education Act 1969, education is compulsory in the Netherlands from age 5 to age 16, with an obligation to obtain a starting qualification before age 18. The aforementioned [letter](#) also indicates that students from Ukraine are received in special schools for students coming from abroad, which will receive extra subsidy

from the Ministry of Education, Culture and Science to help schools support children coming from Ukraine. The costs of education are covered by the Ministry of Education, Culture and Science.

Healthcare

Displaced persons from Ukraine initially did not have medical insurance coverage for required medical care. The Subsidy Fund for Medically Required Care provided for a compensation to care providers that provide required healthcare to the uninsured. The Government has [announced](#) it will compensate all costs covered by the Fund for displaced persons from Ukraine until and including the second quarter of 2022. No contribution will be required from displaced persons for necessary medical care while under temporary protection in The Netherlands.

As per 1 July 2022, displaced persons from Ukraine that have been registered at the municipality and received a citizen's service number, receive medical insurance coverage on the basis of a new Regulation on Medical Care for Displaced Persons from Ukraine. At the time of writing, the publication of the regulation was delayed due to ongoing discussions regarding certain details. The regulation will simplify the manner in which medical care is reimbursed to displaced persons from Ukraine. Medical care to which displaced persons from Ukraine are entitled comprises the same entitlements as what asylum seekers are entitled to on the basis of the existing [Regulation on Medical Care for Asylum seekers](#), however, since reception of displaced persons from Ukraine is not arranged via the 'regular' reception centres but via municipalities, a new system of reimbursements had to be set up as explained by the [Dutch Government](#). The medical care package includes standard care and some additional reimbursable services such as dental care, anticonception and abortion care. This special medical care insurance for displaced persons from Ukraine applies to working and non-working refugees from Ukraine, therefore displaced persons from Ukraine that take up employment no longer need to take out their own regular health insurance and are automatically covered by the medical care coverage under the Regulation as explained [here](#). Displaced persons do not need to pay a health care premium under the new Regulation and the new system simplifies the administrative steps required to obtain reimbursement for healthcare costs for displaced persons from Ukraine.

Reimbursements via the Subsidy Fund described in the previous paragraph will continue for displaced persons from Ukraine which have not yet been able to complete the registration at the municipality and therefore have not yet received a citizen's service number.

II. Eligibility conditions

Rules for eligibility for social insurances are the same for nationals as for third country nationals with a right of (temporary) residence in the Netherlands: as a matter of principle, if a person is insured by virtue of being employed; the person resides legally in the Netherlands (which is the case for persons benefitting from temporary protection); and other legal conditions for eligibility for social benefits are complied with, the person has a right to social benefits. Following the [Note](#) of the Secretary of State of Social Affairs and Employment to the Parliament in 2004, the calculation of the allowance is performed on the basis of the Dutch rules, which for risk insurances means that the insured person has a right to provision regardless of the duration of the insurance.

The rights regarding access to social welfare listed above are available to persons enjoying temporary protection.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Persons who possess a legal residency status in the Netherlands are only insured for social benefits as long as they perform 'work' in line with the definition and conditions in the Aliens Employment Act. For economic migrants from whom their residence permit is based on employment, receiving certain allowances such as unemployment benefits may lead to revocation of the residency permit or the non-prolongation of a residency permit, however this does not apply to displaced persons from Ukraine enjoying temporary protection. 'Regular' asylum seekers which have received legal residency under an asylum status and have been allocated a place of residence, have the same rights to social welfare as Dutch citizens, as indicated on the [website](#) of the Dutch Council for Refugees.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

- ▶ The website [Refugeehelp.nl](#) has been set up, which is meant as the online starting point for displaced persons from Ukraine in the Netherlands providing information on a range of topics including housing, healthcare, education, legal aid, travel, food, clothes and employment. The website is also a platform for everyone who wants to help displaced persons from Ukraine, to match displaced persons from Ukraine to the help and facilities offered. Under the chapter 'work and income', it offers ample information on access to work, the notification obligation of employers, rights and working conditions, allowances, insurance, trainings, internships and competent authorities.
- ▶ The public Employee Insurance Agency (UWV) has its own 'Work Company', which offers services to match demand of employers with supply of employees, and provides an online portal accessible to all jobseekers: [werk.nl](#). The website for example provides information and advice on working in the Netherlands, finding a job and entitlement to unemployment benefits. The UWV also provides a lot of [information](#) about working in the Netherlands, illness during work or entitlement to benefits on its website, which can be accessed in English.
- ▶ The SER (Social and Economic Council) advises the Dutch Government and Parliament on social and economic policy. The SER has a special [website](#) with information on (volunteering) work, training, and language, which also contains information on regulations regarding work for displaced persons and refugees.
- ▶ There are various communities, networks, platforms and organisations bringing together employees and job seekers with a refugee background, including [Refugee Start Force](#) (a community and recruitment network that helps displaced persons looking for work to get in touch with employers); [Refugee Talent Hub](#) (brings together employers and job seekers with a refugee background and organises activities that optimise chances on the labour market for displaced persons); the [UAF](#), a foundation dedicated to the development of refugee students and professionals, and their integration into the Dutch labour market, and [Vluchtelingenwerk](#), providing on its website a Q&A with helpful information for and about displaced persons from Ukraine, regarding procedures and regulations, providing shelter and how to offer help.
- ▶ To facilitate access by displaced persons to placement services, the Dutch government is working on a central place of information for displaced persons from Ukraine looking for work on the one hand; and employers, on the other, with professional service providers to support the match. The Ministry of Migration

announced in its [letter](#) that existing infrastructure will be used as much as possible and legislative amendments are being considered to provide displaced persons with public support to work allocation services. At the time of writing, such platform is not live yet.

Country fiche for Norway

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁷³ and Council Implementing Decision (EU) 2022/382⁷⁴

Norway is part of the Schengen Agreement and cooperation under the Dublin Regulation. However, the Temporary Protection Directive does not apply to Norway.

[Immigration Act Section 34](#) is applied to give protection to the mass influx of displaced persons from Ukraine. The Immigration Act entered into force on 1 January 2010. See also the [information](#) from the Norwegian Directorate of Immigration. Temporary residence permit is granted on the basis of a group assessment (collective protection). (Please note that the [English version](#) of the Immigration Act is not updated. Before 1 December 2020, three years of temporary residence permit fulfilled the requirement for permanent residence permit).

[Immigration Regulations Section 7-5a](#) applies to the persons covered by the collective protection. Section 7-5a is a new provision dedicated to displaced persons from Ukraine. It entered into force on 11 March 2022, and some amendments were made on 29 April 2022. The Immigration Regulation entered into force on 1 January 2010.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

- ▶ The Directorate of Integration and Diversity ([IMDi](#)) has the responsibility regarding immigrants participating in working life. [NAV](#) (Norwegian Labour and Welfare Administration) offers work-oriented measures/services. IMDi's and NAV's responsibilities are regulated especially in:
 - ▷ [Integration Act](#) which entered into force on 1 January 2021;
 - ▷ [Act on Labour Market Services](#) which entered into force on 1 July 2005;

⁷³ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁷⁴ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- ▷ [Act on Norwegian Labour and Welfare Administration](#) which entered into force on 1 July 2006;
- ▷ [National Insurance Act](#) which entered into force on 1 May 1997, see [Chapters 4](#) and [11](#);
- ▷ [Regulations on unemployment benefits \(entered into force 1st of October 1998\), see Chapter 3, 4 and 5.](#)
- ▶ [The Working Environment Act](#), which entered into force on 1 January 2006, has provisions about the working environment, working hours, employment protection.
- ▶ Collective agreement comes in addition. See [website](#) of Norwegians largest trade unions, Norwegian Confederation of Trade Unions (*Landsorganisasjonen i Norge (LO)*).
- ▶ [Legislative amendments](#) to handle a large number of refugees quickly and efficiently were sanctioned on 10 June 2022, and entered [into force on 15 June 2022](#). For instance, now there are fewer mandatory requirements for the 'Introductory Programme', see below Section 4. There is no longer an obligation to participate in the programme, and the length of the programme is made shorter for many. Because of the uncertainty on how long displaced persons from Ukraine will stay in Norway, the Norwegian language training is not made mandatory.

Social security:

- ▶ [Regulations on social security coverage for asylum seekers and their family members](#), entered into force on 14 May 2018. Asylum seekers and their family members only get a partial membership in the Norwegian Insurance system.
- ▶ [National Insurance Act Section 2-1](#)

Social welfare:

- ▶ [The Norwegian Immigration Act, Section 95 Paragraph 1](#): Displaced persons from Ukraine applying for protection have the right to accommodation.
- ▶ [Section 1 and Section 2 in Regulation on social services for person without permanent residence in Norway](#), entered into force on 1 January 2012: As long as the displaced persons from Ukraine have the right to accommodation from the Government, they do not have several rights under the [Social Services Act](#).
- ▶ [Social Services Act](#) which entered into force 1 January 2010, aims to improve the living conditions of the disadvantaged by contributing to social and economic security. A person can get financial assistance as a temporary benefit to cover costs to live, help to find a temporary accommodation, participation in qualification programs with payment for persons with reduced ability to work and with limited benefits under National Insurance Act and Labour Market Act. Persons who need long-term and coordinated services has the right to have an individual plan prepared. See especially [Sections 17,18,19,27, 28 and 29](#) in the Social Service Act.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	<p>Yes</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>Spouse, cohabitant, and children are seen as close family members. Other family members are also covered if they have been a part of the main person’s household before 24 February 2022. See Section 7-5a first Paragraph point (d) in above mentioned Immigration Regulations.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>No</p> <p>Not covered by the collective protection. It may be possible to get residence permit on an individual basis on the ground of strong humanitarian consideration, see Section 38 in the Immigration Act.</p> <p>However, the mentioned persons are covered by the collective protection, if they are close family members or others in the main household of third-country nationals and stateless persons, which are beneficiaries of international or equivalent national protection in Ukraine.</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and 	<p>No</p> <p>Not covered by the collective protection. It may be possible to get residence permit on an individual basis on the grounds of strong humanitarian consideration, see Section 38 in the Immigration Act.</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>► nationals of third countries other than Ukraine,</p> <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>Ukrainian citizens who arrived in Norway before 24 February 2022 on the basis of a residence permit and Ukrainians who arrived in Norway after 24 February on the basis of a residence permit, are included. In both cases it is a requirement that the residence permit has expired already or is going to expire within two months after the application for protection, see Section 7-5 first paragraph point (b). Students and seasonal workers are covered by the provisions.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	The Norwegian Directorate of Immigration	Utlendingsdirektoratet (UDI)	https://www.udi.no/
	The Police	Politiet	https://www.politiet.no/tjenester/opphold-i-norge-og-asyl/ukraina/
Employment rights	The Norwegian Directorate of Immigration	Utlendingsdirektoratet (UDI)	https://www.udi.no/
	Norwegian Labour and Welfare Administration	Arbeids- og velferdsforvaltning (NAV)	https://www.nav.no/no/person
	The Norwegian Labour Inspection Authority	Arbeidstilsynet	https://www.arbeidstilsynet.no/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Norwegian Labour and Welfare Administration	Arbeids- og velferdsforvaltning (NAV)	https://www.nav.no/no/person
	The Directorate of Integration and Diversity	Integrerings- og mangfoldsdirektoratet (IMDi)	https://www.imdi.no/

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

[IMDi](#) (The Directorate of Integration and Diversity) is essential for the implementation of the Government's integration policies. IMDi's task is to strengthen the competence of public bodies and others in the field of integration and diversity. Especially NAV (Norwegian Labour and Welfare Administration) is crucial for the displaced person's social welfare and security. It administrates economic welfare schemes and provides jobseekers with help and advice. There are [around 300](#) NAV offices in municipalities and city boroughs.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁷⁵ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Third-country nationals and stateless persons without international or equivalent national protection from Ukraine are not covered by the collective protection given by Norway. There is an exception for persons who are close family members of a Ukrainian Citizen or have been living together with a Ukrainian citizen, or are close family members or have been living together with a third-country national or stateless person with international or equivalent national protection.

The persons not covered by the collective protection may get residence permit on an individual basis on the grounds of strong humanitarian consideration, if they are unable to return in safe and durable conditions to their country or region of origin, see [Section 38 in the Immigration Act](#).

Other third-country nationals must apply for visitor's visa or residence permit to come to Norway. The residence permit could be granted on grounds of work or studies. Specific and strict conditions must be met to receive a residence permit.

If the residence permit is on the basis of work, this would not be given as general rule if the position can be filled by domestic labour or labour from EU, see [Section 23 in the Immigration Act](#). Ordinary residence permit

⁷⁵ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

also requires that such persons are able to cover their living expenses and have got accommodation, see [Section 58](#). It is normally not possible to apply for a residence permit while staying in Norway. The persons have to apply before entering Norway, see [Section 56](#).

The above-mentioned persons would not have right to introductory programmes and introductory benefits, see [Section 9](#) and [Section 19 under the Integration Act](#). Subsistence benefit or help to get accommodation under the [Social Service Act Section 21](#) and [27](#) will not be relevant in the first period of the stay in Norway because of the requirements in [Section 58 in the Immigration Act](#). For more about introduction programme and benefits under the [Social Services Act](#), see Section 4 below.

[The National Insurance Act](#) is applicable for the mentioned people if they have a residence permit, and they also get support to get a new job if they have lost their job. Normally they have six months to get a new job and their residence permit must be valid in this period. What kind of help they receive from NAV (Norwegian Labour and Welfare Administration) may vary. For more about the National Insurance Act, see Section 4 below.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Status change from collective temporary protection to all types of residence permit is possible during the temporary protection and after.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from collective temporary protection to all types of residence permit:

Conditions set out in the legislation to apply for such a status change while remaining in the country:

Residence permit on the basis of work as a general rule would not be given if the position can be filled by domestic labour or labour from EU, see [Section 23 in the Immigration Act](#). Residence permit also requires that the person is able to cover living expenses and have an accommodation, see [Section 58](#). It is normally not possible to apply for a residence permit while staying in Norway, see [Section 56](#). Residence permit on the basis of work is also given for a limited period and it is a requirement that the persons will return to their country.

Family reunification requires that the main persons are able to cover family members living expenses and have an accommodation for their family, see [Immigration Act Section 58](#) and [Immigration Regulation from Section 10-7 to Section 10-12](#). There are also requirements to income level in the past and in the future. If such applicants are already in Norway, their income can also be included when assessing the conditions.

Self-employed persons can also get a residence permit if there is a basis for long-term business. It is a condition that such persons have formal training as skilled persons, see [Immigration Regulations section 6-18](#).

Residence permit may be possible on an individual basis on grounds of strong humanitarian consideration, see [Section 38 in the Immigration Act](#). There are also possibilities for residence permit on the basis of studies, researcher, cultural workers, non-profit organizations, religious organization and humanitarian organizations.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

Normally first-time applicants have to send an application for residence permits before entering Norway. There are some exceptions. Application for residence permit for seasonal work while remaining in Norway is possible also for first time applicants, see [Immigration Regulations Section 10-1 Paragraph 1 point \(c\)](#).

All types of residence permits are possible to be applied from Norway since Norway has suspended the duty to return for Ukrainians, see [UNE's \(The Immigration Appeal Board\) decision of 24 February 2022](#). The requirement to return to the home country for residence permit on the basis of work, studies etc., is set aside for persons from Ukraine.

Granting collective temporary protection does not preclude other application for residence permit. Application of asylum is however put on hold. If the person has a residence permit in another country where it is possible to return to, the application for residence permit based on work etc. will be refused.

See the [information given by UDI \(The Norwegian Directorate of Immigration\)](#) on the topic.

As a general rule, other requirements are the same as those for first time applicants when changing status from resident permit on grounds of protection to other grounds.

The residence permit based on work, studies etc could have restrictions for the renewal. For example the renewal of residence permit on the basis of seasonal work is not possible if the person has already been in Norway for 6 months during a period of 12 months, see [Immigration Regulations Section 6-3 Paragraph 4](#).

After cassation of the collective protection, the requirement of sending an application before entering Norway, may apply. The [Immigration Act Section 56 Paragraph 3](#) gives the possibility to make exception.

Any alteration of rights with respect to

<p>residence:</p> <p>The residence permit requires that the persons have accommodation. If they need help, the Social Service Act could be applicable.</p>	<p>employment rights:</p> <p>Residence permit based on work requires a job. Residence permit based on studies, gives a right to work part-time 20 hours weekly, and full-time in ordinary holiday periods. An unemployed person has the same right to receive help to get a job.</p>	<p>social welfare and social security rights:</p> <p>No, there are generally no differences. There could be differences since some benefits require a period of work or period of stay, see Section 4 below.</p>
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Ukrainians do not need visitors' visa to travel to Norway or other countries in the Schengen area. The duty to attend the introduction program can make it impossible to travel out of Norway, see Section 4 below for introduction program.

It is also assumed that subsistence benefits and other help under the [Social Services Act](#) require the person to stay in Norway, see [Section 1.2.1 NAV's \(Norwegian Labour and Welfare Administration\) circular](#).

Ukrainians could travel to Schengen-countries during the period of collective protection. In normal circumstances Norway can reject asylum applications if the persons have been registered applications for protection in another country, or have already got protection in another country, see [Section 32 in the Immigration Act](#).

However, Section 32 does not apply to Ukrainians who are granted collective protection. That means that displaced persons from Ukraine who have granted protection in another country can arrive in Norway and get granted collective protection in Norway. See [Government's legal understanding on page 50-52](#) in a prepared proposals for legislative amendment to handle the situation of mass influx from Ukraine.

Section 32 will be applicable when assessing protection on an individual basis.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

The Working Environment Act and the collective agreements do not differentiate between Norwegian citizens and others for the application of equal treatment on the labour market as long they are staying lawfully in Norway. Less knowledge of the Norwegian language could probably be a problem, and there are [warnings](#) from Økokrim (the National Authority for investigation and Prosecution of Economic and Environmental Crime) that displaced persons from Ukraine could be exploited for illegal work.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

Temporary residence permit is granted based on a group assessment (collective protection). The permit applies for one year and may be renewed for or extended to three years in total. The temporary residence permit based on [Section 34](#) in the Immigration Act does not give the right to a permanent residence permit. If the displaced person does not get the refugee status, an ordinary temporary residence permit for five years is needed to acquire permanent residence permit.

Temporary residence permit based on a group assessment (collective protection) is enough to start working in Norway. Residence permits give immigrants the right and obligation to participate in an introductory program.

- II. Recognition of qualifications/diplomas

Norway has [ratified](#) the European Lisbon Convention on the recognition of qualification concerning higher education in the European region.

Nokut (the Norwegian Agency for Quality Assurance in the Education) authorizes foreign vocational education and training (craft or journeyman's certificates), foreign tertiary vocational education (vocational education that builds on secondary education programmes) and higher education (bachelor, master and Ph.D.). Different competent authorities authorize for professions regulated by law. Because of the war, Nokut has suspended the apostille requirement when assessing Ukrainian education and qualifications.

Nokut has also a method to authorize qualifications for refugees lacking documents. The method is limited to person who have residence permit in Norway, and who can speak and understand English, Norwegian or another Scandinavian language. Nokut played a central role in the development and implementation of the European qualification Passport for Refugees.

For some qualifications Nokut has developed an automatic recognition. Nokut is currently working in including Ukrainian qualification into the same system. See Nokut's [website](#) for more information.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Services for all jobseekers are primarily handled by [NAV](#) (Norwegian Labour and Welfare Administration), but some services are dedicated to immigrants, see [IMDi](#) (The Directorate of Integration and Diversity) and the Integration Act.

Employers are encouraged to provide employment to displaced persons from Ukraine. Among others see [website](#) of NHO (The Confederation of Norwegian Enterprises).

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

There are vocational training/educational opportunities available for all immigrants. As mentioned above the training is mandatory according to the Integration Act, but to handle displaced persons from Ukraine, [legislative amendments](#) were made in June 2022 establishing fewer mandatory requirements.. However, persons still have the right to vocational training/educational opportunities.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

Immigrants who are freelancers and self-employed get the same help to become an employee. If they want to start their own business, they can get access to funding from [Innovasjon Norge](#) (Innovation Norway), which is the Norwegian Government's most important instrument for innovation and development of Norwegian enterprises and industry.

The persons can also apply for start-up support from municipal [support schemes](#). In addition, there are various funds linked to several industries.

Freelancers and self-employed persons do have less favourable social security rights. For example self-employed persons do not have the right to unemployment benefit, see [The National Insurance Act Section 4-3](#)

[first Paragraph](#). The amount of sickness benefit is less and is not paid from the first day of sick leave, see [the National Insurance Act Section 8-34](#).

The [Social Services Act](#) is applicable for freelancers and self-employed persons when financial assistance is needed to cover costs to live.

The [Working Environment Act](#) does not give protection to freelancers and self-employed persons.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Displaced persons from Ukraine covered by the collective protection are seen as part of the Norwegian Insurance system, which provides with social security for the members through various phases of life, such as unemployment, illness, disability and old age, see the [National Insurance Act Section 2-1](#). Hence, there are no specific benefits for displaced persons from Ukraine granted collective protection. The displaced persons from Ukraine will formally have the same rights as Norwegian citizens and other staying in Norway when it comes to social security. The Norwegian Ministry of Labour and Social Inclusion has given [an overview](#) of the Norwegian Social Insurance Scheme. Freelancers and self-employed persons do have less favourable social security rights.

Social welfare:

Displaced persons from Ukraine applying for protection have the right to accommodation, see [the Norwegian Immigration Act, Section 95 Paragraph 1](#). If the persons stay in an accommodation centre, they receive an amount to cover their personal expenses. See [website](#) of UDI (The Norwegian Directorate of Immigration).

After granting residence permit, [IMDi](#) (the Directorate of Integration and Diversity) can help the person to find a municipality to settle in. The person could get favourable loans from the Government and housing allowances from the state and some municipalities. For loans and benefits from the state, see [website](#) of *Husbanken* (Norwegian State Housing Bank).

Displaced persons from Ukraine could have a right to subsistence benefit under the [Social Services Act](#) if they cannot support themselves. As long as the persons have the right to accommodation from the Government, displaced persons from Ukraine would not have several rights under the Social Services Act, see Section [18](#) or [Section 2 in Regulation on social services for person without permanent residence in Norway](#).

Subsistence benefit under the [Social Services Act](#) is a temporary benefit to cover the living costs. There are some [guidelines](#) about the amount. For example, the monthly amount for a couple with no child is 11.150 NOK. Expenses like housing which vary widely, are not included in the mentioned amount.

An introductory benefit of NOK [222.954](#) on annual basis is given for participation in the introductory program. The amount is lower for persons under the age of 25. The amount is reduced if the immigrant receives other

public benefits. Persons with residence permit based on collective protection have normally the right and obligation to participate in the introductory program. [Legislative amendments](#) were made in June 2022 establishing fewer mandatory requirements for persons granted collective protection. Introductory program is now made voluntary for these persons.

Persons lacking formal qualification such as primary school and high school have the possibility to be part of the introductory program. Displaced persons from Ukraine who do not receive the introduction benefit, can get loans and grants from [Lånekassen](#). Lånekassen is a public administrative body with purpose to make education possible.

Persons whose income capacity is reduced because of illness or injury, can be granted qualification benefit if they follow a qualification programme under the [Social Service Act section 29 and 35](#).

On annual basis, the qualification benefit is NKR [222.954](#). The amount is lower for persons under the age of 25 years.

Displaced persons from Ukraine granted collective protection may be entitled to benefits for improving the ability to work and the ability to function in everyday life. Technical aid could also be an option, such as: hearing aid, guide dog, reading and secretarial aid for blind persons, interpreter for deaf persons, interpreter and escort assistance for deaf-blind persons, motor vehicle or other means of transport, such as orthopaedic aids. The benefits may also be given as a loan for the purchase of technical aids, see [Chapter 6 in the National Insurance Act](#).

Displaced persons from Ukraine in Norway have the right to healthcare for physical and mental issues, addiction problems and dental care. In general, the healthcare for children under 16 years and pregnant women is free. Adults have to pay a small fee at the doctor. There is no payment to be admitted to a medical hospital. Displaced adults have to pay for dental care themselves. See the health authorities' [website](#).

The Government was in [June 2022](#) given the possibility to make temporary exceptions to patient rights to handle the mass influx of displaced persons from Ukraine. For instance, time limits for medical examination and treatment can be extended. The right to a reassessment of state of health (second opinion) can be suspended. The right to choose between treatment locations throughout the country can also be suspended.

[The National Insurance Act Chapter 5](#) makes it possible to have full or partial compensation for a person's necessary expenses for health services. [Chapter 6](#) provides financial compensation for certain additional expenses and special supervision or care due to permanent illness, injury or defect. [Chapter 11 A](#) regulates additional benefits to compensate for expenses like travel expenses and childcare, for implementing work-oriented measure to persons with reduced ability to work because of illness.

In Norway all persons living with children under 18 years are entitled to child benefit without considering the parents income level. Parents with children from 0-5 years get the opportunity of kindergarten, which is subsidized from the Government and there is set a maximum level for parent's payment.. Parents who do not use the opportunity of kindergarten, can get a cash support instead. Compulsory school starts at the age of six.

II. Eligibility conditions

Social security:

The work assessment allowance and disability benefits, benefits to single parents, survivor's benefits and old-age pension require five years qualification period. See respectively section [11-2](#), [12-2](#), [15-2](#), [17-3](#), [19-3](#) and [20-10](#) in the National Insurance Act.

Disabled refugees and old people have the possibility to be granted supplementary allowances under [Act on supplementary benefit in the event of a short period of resident time](#). Other persons have to ask for help under the [Social Services Act](#).

Some benefits require a minimum income period in advance and/or minimum level of income in a specific time period. To be entitled to parental benefits in case of birth, parents have to have been in paid employment for six out of ten months preceding the beginning of the period of paid leave, see [Section 14-6](#) in the National Insurance Act. The right to unemployment benefit requires a minimum income level in a specific period, see [Section 4-4](#) in the National Insurance Act.

The benefit amount is larger if a person has been working and been paying taxes and contributions to the Norwegian Insurance scheme. The amount of the benefits will be affected for displaced persons from Ukraine, who have less working time in Norway.

Social welfare:

As mentioned above, the introductory benefit and qualification benefit require participation in specific programmes. Persons with no place to live are helped with accommodation and subsistence benefit if they do not have money to cover living costs themselves. Persons with need of healthcare are entitled to healthcare in the same way as Norwegian citizens.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Social security:

There are some differences when it comes to social security. Some of these are mentioned below.

Disability benefit is a possibility when the working ability is reduced because of illness or injury. For self-employed persons all income is included when the ability to have income is considered. That means that income from the business the person has not worked in, is also included. For employees only income from their work is counted and not income which is a result of colleagues or employers help, see [Section 12-9 Paragraph 5](#) in the National Insurance Act.

Further, freelancers and self-employed persons are not covered by occupational injury insurance. They could arrange such insurance privately.

Self-employed persons do not have the right to unemployment benefit. Employees and freelancers are entitled to unemployment benefit if the other conditions are met, see [Section 4-3](#) in the National Insurance Act.

Sickness benefit to freelancer and self-employed persons are less favourable than for employees.

The amount of sickness benefit is less and is not paid from the first day of sick leave, see the National Insurance Act [Section 8-34](#). Freelancers and self-employed persons have the possibility to arrange insurance privately to cover 100 % of the income loss because of illness.

In practice many self-employed persons come out unfavourable under the National Insurance Act. Quite a few do not take out full income from the business to avoid tax and contributions to National Insurance Scheme. Accordingly, they receive benefits on the basis of the income taken out of the business.

Social welfare:

Based on desk research no differentiation between employed and self-employed persons when it comes to the social welfare system could be found.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Government has established [websites](#) for private persons who want to help Ukrainians. It could be help with transportation of displaced persons from Ukraine to Norway, help with accommodation, help to take care of Ukrainian children coming alone to Norway etc.

The Government has made some changes to the procedures to make it easier to build accommodation places and kindergartens. See the [temporary regulation](#), which entered into force on 7 March 2022 and [legislative amendments](#) of June 2022, which entered into force 15 June 2022. .

See [legislative amendments](#) to handle a large number of refugees quickly and efficiently were sanctioned on 10 June 2022, and entered [into force on 15 June 2022](#). These also include several other adjustments.

In addition, the Government has [decided](#) to compensate the municipalities if the new built accommodation places are not used.

In order to have a good cooperation between the Government and the municipalities, weekly meetings between the Ministry of Labour and Social Inclusion and all the municipalities have been [established](#).

Employers are encouraged to provide employment to displaced persons from Ukraine. Among others, see the website of [NAV](#) (Norwegian Labour and Welfare Administration), and [NHO](#) (The Confederation of Norwegian Enterprises).

Contractual pension in public sector which allows early retirement, cannot easily be combined with income. The Government allows now pensioners to have a salary from helping Ukrainian displaced persons without reduction of the pension. See Government's [website](#).

For the academic year 2022/2023, higher education institutions can [temporarily](#) make exceptions to the general requirements for individuals with collective protection or asylum in Norway, based on an individual assessment. For further information, see the [website](#) of Direktoratet for høyere utdanning og kompetanse (The Norwegian Directorate for Higher Education and Skills).

The [scholarship scheme](#) for Ukrainian students who were in Norway before the outbreak of the war will continue for the academic year 2022/2023.

In [June 2022](#) several support schemes were established to provide loans and grants to companies with liquidity problems as a result of the war in Ukraine.

Country fiche for Poland

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁷⁶ and Council Implementing Decision (EU) 2022/382⁷⁷

[Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland](#), in force since 1 September 2003, is the main act transposing the Temporary Protection Directive.

[Act of 12 March 2022 on assistance to Ukrainian Nationals in connection with the armed conflict on the territory of that country](#) (“Act on Assistance to Ukrainian Nationals”), in force since 12 March 2022, as amended by the [Act of 8 June 2022 amending the Act on Assistance to Ukrainian Nationals and other acts](#) is the main instrument framing the protection granted to Ukrainian citizens and their families. However, as not all persons displaced from Ukraine are covered by this law, the [Act of 12 December 2013 on foreigners](#), in force since 1 May 2014, is also relevant for the purposes of the implementation of the Council Implementing Decision.

[Regulation from 1 April 2022 on establishing of the Government Plenipotentiary for war refugees from Ukraine](#), in force since 1 April 2022, tasked the Government Plenipotentiary with the coordination between various unspecified branches of the government and civic society.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

In what regards access to employment and the labour market, the following acts are relevant:

[Act of 20 April 2004 on the promotion of employment and labour market institutions](#), in force since 1 June 2004

[Act of 6 March 2018 - provisions introducing the Entrepreneurs Act and other acts concerning economic activity](#), in force since 30 April 2018

[Act of 6 March 2018 on the rules for the participation of foreign entrepreneurs and other foreign persons in economic transactions on the territory of the Republic of Poland](#), in force since 30 April 2018.

⁷⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁷⁷ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

In respect of access to healthcare, the [Act of 27 August 2004 on health care services financed from public resources](#), in force since 1 October 2004, should be mentioned.

In what regards access to education, the [Act of 20 July 2018 on Higher Education and Science](#) ("Law on Higher Education and Science"), in force since 1 October 2018, with the changes introduced in the Act from 23 March 2022 amending the Act on assistance to Ukrainian nationals in connection with the armed conflict on the territory of that country and the Law on Higher Education and Science, which entered into force on 26 March 2022, establishes the relevant framework.

In respect of social security and social welfare, the following acts are relevant:

[Agreement between the Republic of Poland and Ukraine on social security, concluded in Kiev on 18 May 2012](#), in force since 1 January 2014

[Act of 13 October 1998 on social security system](#), in force since 1 January 1999

[Act of 17 December 1998 on old-age and disability pensions from Social Insurance Fund](#), in force since 1 January 1999

[Act of 19 December 2008 on early pensions](#), in force since 1 January 2009

[Act of 30 October 2002 on social insurance against accidents at work and occupational diseases](#), in force since 1 January 2003

[Act of 27 June 2003 on social rent](#), in force since 1 October 2003

[Act of 28 November 2003 on family benefits](#), in force since 1 May 2004

[Act of 11 February 2016 on state assistance in upbringing of the children](#), in force since 1 April 2016

[Act of 12 March 2004 on social assistance](#), in force since 1 May 2004

[Regulation of the Council of Ministers of 15 June 2021 on the detailed conditions for the implementation of the government program "Good Start"](#), in force since 1 July 2021

[Act of 17 November 2021 on family child capital](#), in force since 1 January 2022

[Act of 27 August 1997 on professional and social rehabilitation and employing disabled persons](#), in force since 1 January 1998.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes Article 1.1. and Article 2(1) of Act on Assistance to Ukrainian Nationals
Family members	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</p> <p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>The Act on Assistance to Ukrainian Nationals provides a higher level of protection with more rights within the temporary protection regime for Ukrainian nationals and to spouses of Ukrainian nationals who are not Ukrainian nationals and came to Poland as a result of war actions and who are not Polish citizens (Article 1(2)).</p> <p>Moreover, the Act is applied <i>mutatis mutandis</i> to the "members of the closest family of a Ukrainian national who has a Pole's card" (Article 2(2)). The "Pole's card" is a document confirming that a foreigner belongs to the Polish nation, e.g. on the basis of being a descendant of Poles/member of Polish community living outside of Poland, which facilitates obtaining a national visa, allows for the submittal of an application for granting citizenship or an application for permanent residence permit free of charge, and an easier access to a family relocation visa, allows to resort to the help of Polish embassies in some cases, undertake work and conduct entrepreneurial activity in Poland without the need for a work permit, use free healthcare in Poland in emergencies, benefit from cheaper tickets to rail travel and museums.</p> <p>There's no definition of "members of the closest family" in the Act on Assistance to Ukrainian Nationals. Article 38(2) of that Act provides that the provisions of the Act on Foreigners should apply to the aspects pertaining to the right to stay not regulated in the first Act. The Act on Foreigners defines "members of family" (not of "closest family") as, i.e.: 1) spouse; 2) a minor child of a foreigner and person married to a foreigner, such marriage being recognised under the Polish law in force, including an adopted child; 3) a minor child of a foreigner, including his/her adopted child, if the foreigner exercises actual parental control over the child; 4) a minor child of a person referred to in p.1, including his/her adopted child, if they support and exercise actual parental control over the child.</p> <p>All other persons designated in the Council Implementing Decision (EU) 2022/382 of 4 March 2022 are under standard temporary protection under Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
national protection in Ukraine until 24 February 2022	Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes Article 106(1) of the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	Yes Temporary protection under the Act from 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland can be granted to all foreigners who have fled from their country of origin or from a particular geographical area as a result of invasion, war, ethnic conflict or human rights violations regardless of whether they came spontaneously or as a result of aid provided by Poland or international community (Article 106(1)). The law does not mention the status under which the displaced person was living in the affected area.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes The Act on Assistance to Ukrainian nationals applies also to "members of the closest family of a Ukrainian national who has a Pole's card" (Article 2(2)). Also, it covers the child of a Ukrainian national born on Polish territory while the mother is under temporary protection (Article 2(2)).

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Office for Foreigners	Urząd do spraw cudzoziemców	https://www.gov.pl/web/udsc/urząd-do-spraw-cudzoziemcow
	Coordination programme by Chancellery of the Prime Minister #HelpUkraine	#PomagamUkraine	https://pomagamukrainie.gov.pl/
Employment rights	Labour Inspectorate	Chief Labour Inspectorate	https://www.pip.gov.pl/en
Social welfare and social security rights	Office for Foreigners	Urząd do spraw cudzoziemców	https://www.gov.pl/web/udsc/urząd-do-spraw-cudzoziemcow
	Social Security Institution	Zakład Ubezpieczeń Społecznych	https://lang.zus.pl/en/
	National Health Fund	Narodowy Fundusz Zdrowia	https://www.nfz.gov.pl/dla-pacjenta-z-ukrainy/
	Public Employment Services	Publiczne Służby Zatrudnienia	https://lang-psz.praca.gov.pl/uk/
	Ministry of Education and Science	Ministerstwo Edukacji i Nauki	https://www.gov.pl/web/edukacja-i-nauka

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Regulation from 1 April 2022 on establishing of the Government Plenipotentiary for war refugees from Ukraine established a Government Plenipotentiary tasked with coordinating various unspecified branches of the government and civil society at different levels (including self-governments and NGOs). It is unclear how this cooperation works as the Government Plenipotentiary does not publish reports and very scarcely communicates his operations on social media.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁷⁸ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Ukrainian nationals, their spouses who are not Ukrainian nationals, and members of the closest family of a Ukrainian national who has a Pole's card are not subject to the provisions of Chapter 3 of Section III of the Act on granting protection to foreigners within the territory of Poland, where the more beneficial provisions of Act on Assistance to a Ukrainian nationals apply. These persons can benefit from: easier access to labour market, including additional support in terms of access to employment (support from voluntary labour corps for persons between age of 15 and 25); support from centres for social integration; other rules for establishing temporary guardians for Ukrainian minors; and additional social benefits. On the basis of Article 2(1) of Act on Assistance to Ukrainian nationals, spouses of a Ukrainian national who has a Pole's card who are not Ukrainian nationals, and members of their closest family, as well as children born to Ukrainian nationals on the territory of Poland while the mother benefits from temporary protection, can legally reside on the territory of Poland during 18 months, from 24 February 2022 onwards.

Other beneficiaries of temporary protection are subject to the general temporary protection regime under the provisions of the Act on granting protection to foreigners within the territory of Poland. These persons can work and conduct entrepreneurial activity without having a work permit, as well as benefit from healthcare, accommodation, meal support, and financial support. Temporary protection under the general protection regime under provisions of the Act on granting protection to foreigners within the territory of Poland is granted until the foreigner can return to their previous place of living, but for no longer than a year. If after a year, the foreigner cannot return, in safe and durable conditions, to their original location, the period of temporary protection may be extended twice for 6 months. If the beneficiary of temporary protection cannot return to their country of origin or geographical area from which they came due to their health condition, in particular when it would lead to stopping medical treatment, the Head of the Foreigners' Office can issue a temporary residence permit until the circumstances that prevent the return cease to exist.

Regarding Ukrainian nationals on Polish territory before 24 February 2022 whose right to stay expired after that date, the Act on Assistance to Ukrainian nationals foresees the following extensions:

If visa expired after 24 February 2022, the validity of the visa is extended *ex lege* until 31 December 2022. The visa does not allow to pass Polish border except for Ukrainian nationals who are working in cross-border transportation (Article 42(1)(4)(a)).

If the last day of validity of temporary residence expires after 24 February 2022, the validity of this temporary residence is extended until 31 December 2022 (Article 42(5)).

If the Ukrainian national was obliged to leave Poland and the period for leaving is due after 24 February 2022, this period is extended *ex lege* for 18 months (Article 42(6)).

If the date of voluntary leaving in the decision issued for the Ukrainian national obliging them to leave Poland is due after 24 February 2022, this period is extended *ex lege* for 18 months (Article 42(7)).

⁷⁸ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Under the Act on Foreigners, beneficiaries of temporary protection cannot apply for temporary residence permits, uniform residence and work permits or EU Blue Card status while they are residing in Poland under the temporary protection status (Article 99, 116 and 131) nor can they apply afterwards since application for such status requires that the applicant is legally residing in Poland, which will not be the case once the temporary protection has expired (Articles 105 and 139(t)).

Article 38 of the Act from 12 March 2022 on assistance to citizens of Ukraine establishes an exception to this general rule, providing that Ukrainian nationals under the temporary protection granted by that Act may request a temporary residence permit.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to temporary residence permit:

Article 38 of the Act from 12 March 2022 on assistance to citizens of Ukraine provides that Ukrainian nationals under the temporary protection may request a temporary residence permit. Ukrainian nationals can apply not earlier than nine months from the day of entry and not later than 18 months from 24 February 2022.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

Rejecting the application possible only if: 1) this is necessary from the point of view of defence or safety of the state, or protection of security and public order; 2) Ukrainian national is on a list of foreigners whose residence on the territory of Poland is not desirable; 3) Ukrainian national failed to meet the time for application.

Any alteration of rights with respect to

residence: temporary residence permit may be granted for up to three years (normally issued for a period between three months and three years)

employment rights:

social welfare and social security rights:

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No measures are provided. Under the general framework, foreigners under temporary protection can be transferred to another Member State with their consent (Article 117b of Act on granting protection to foreigners within the territory of the Republic of Poland). A person under temporary protection who leaves the Polish territory loses their visa (Article 117b.4 of Act on granting protection to foreigners within the territory of the Republic of Poland).

In case of Ukrainian nationals, Article 11(2) of the Act on assistance to Ukrainian nationals provides that a Ukrainian national who leaves Poland for a period of over a month loses the right to stay in Poland.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

All persons enjoying temporary protection can undertake work and conduct entrepreneurial activity under the same conditions as Polish nationals (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and Article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland), with standard rules pertaining to equal treatment, non-discrimination, etc., applying (e.g. Article 11 of the Labour Code that prohibits any direct and indirect discrimination in employment, Article 18 and 18 of the Labour Code that establishes principle of equal treatment in employment, prohibits discrimination while concluding and terminating employment relationship, and Article 94(2)(b) of the Labour Code that obliges employers to counteract discrimination).

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

All persons under temporary protection can undertake work and conduct entrepreneurial activity without a work permit (Article 116 of the Act from 13 June 2003 on granting protection to foreigners within the territory of Poland).

Ukrainian nationals can undertake work and conduct entrepreneurial activity in the same conditions as Polish nationals without additional requirements, after receiving a national identification number (PESEL) (Article 23(1)(2) of the Act from 12 March 2022 on assistance to Ukrainian nationals).

- II. Recognition of qualifications/diplomas

Special rules are provided in the Act from 12 March 2022 on assistance to Ukrainian nationals, applicable to Ukrainian nationals and other categories of persons specifically mentioned (all references to Act from 12 March 2022 on assistance to Ukrainian nationals):

- 1) Ukrainian nationals can be hired in public administration without knowledge of Polish language except for certain positions (Article 23(a));
- 2) Academics teachers who are Polish nationals returning from Ukraine or Ukrainian nationals can be hired within academic institutions (universities, research institutes, Polish Academy of Sciences) without normally required job competitions (Article 46-49);
- 3) Teachers without Polish citizenship and with adequate knowledge of Polish (unspecified but not formalized) can be hired as assistant teachers (Article 57);
- 4) Medical staff (doctors, dentists, nurses, midwives) who meet standard criteria can be given a right to work in the profession following standard procedure but without the requirement of knowledge of Polish language, necessary tenure, and training in Poland; the right can be granted for 18 months from 24 February 2022 onwards (Article 61-64);

- 5) Psychologists certified in Ukraine can provide psychological services for Ukrainian nationals in Poland, including health care services in the area of psychiatric care and addiction treatment psychologists for 18 months from 24 February 2022 onwards (Article 64a); the right is granted *ex lege*, without necessity of any application/decision.

No special exemptions for persons under temporary protection on the basis of Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Beneficiaries of temporary protection may benefit from the general services available to all jobseekers (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and Article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland).

Further to this, for Ukrainian nationals the following also applies:

persons above 60/65 years old can benefit from jobseeking assistance;

there are additional services from voluntary labour corps for persons between age of 15 and 25.

- IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Beneficiaries of temporary protection may benefit from the general educational/training opportunities available to all jobseekers (Article 87(6) of the Act of 20 April 2004 on the promotion of employment and labour market institutions and article 116 of the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland).

Ukrainian nationals can additionally benefit from training conducted by centres for social integration (Article 24a of Act from 12 March 2022 on assistance to Ukrainian nationals). Additional funds for teaching Ukrainian nationals Polish language were provided by the Act of 8 June 2022 amending the Act on Assistance to Ukrainian Nationals and other acts that entered into force on 1 July 2022.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

The Polish social security system includes old-age insurance, disability insurance, sickness insurance, and accident insurance.

On the basis of Act from 12 March 2022 on assistance to Ukrainian nationals, Ukrainian nationals have access to:

family benefits (various benefits depending on income) (Article 26)

child benefit independent from income (so called « 500+ » PLN 500 per month per child for parents until the child is 18 years old) (Article 26)

benefit « good start » independent from income (one time PLN 300 benefit for parents of a child that starts attending the school) (Article 26)

family child capital independent from income (PLN 500 for 24 months or PLN 1000 for 12 months for a child that is 12-months old) (Article 26)

co-financing of preschool childcare (Article 26)

additional one-time benefit of PLN 300 per person (requires motion to be filed without additional eligibility criteria) (Article 31)

free psychological help (Article 32)

meals within Fund for European Aid to the Most Deprived (Article 33)

support for disabled persons within National Disabled Persons' Rehabilitation Fund on the basis of the decision of the Fund (Article 34)

programmes supported by the Solidarity Fund (Article 36)

social stipend and student credit for Ukrainian nationals who were studying (Article 41(10))

social support while undertaking education (Article 53)

additionally, local governments can provide additional housing aid, meals, transportation, access to cleaning supplies (Article 11)

residents in Poland who provide help for Ukrainian nationals can benefit from daily lump-sum to claim some of their costs back (Article 13)

full access to healthcare services with the exception of access to health resorts, spa rehabilitation, and provision of health products within the health programmes run by Health Ministry (Article 37). Costs are covered by

the Polish state from the part of the budget assigned to the disposal of minister of health and financed directly by the National Health Fund, with rules to be determined.

On the basis of Act from 13 June 2003 on granting protection to foreigners within the territory of Poland, other persons under temporary protection can benefit from:

healthcare, accommodation, meal support, and financial support on the basis of the decision by the Head of Foreigners' Office (Article 112)

regular financial aid to purchase cleaning supplies or supply of cleaning supplies (Article 112(6))

support in learning Polish and purchasing basic materials to learn Polish (Article 112(6))

teaching aid for children who learn in schools (Article 112(6))

financing of public transportation to heal or vaccinate and in other justified cases (Article 112(6)).

Costs are covered by the Polish state from the part of the budget assigned to the disposal of the Ministry of Interior and financed directly by the Head of Foreigners' Office.

II. Eligibility conditions

The eligibility conditions to access social security benefits are, in principle, the same as in case of Polish nationals.

Participation in social security system is tied to the status and mostly dependent on the type of contract/employment status a person has. The particular status indicates whether contribution is compulsory (C), voluntary (V) or person is not covered at all (N)

Status⇒ Type of insurance↓	Employment contract	Contract for mandate	Contract for a specific task	Entrepreneurial activity	Maternity allowance	Membership in the supervisory board
Old age	C	C	N	C	C	C
Disability	C	C	N	C	C	C
Accident	C	C	N	C	N	N
Sickness	C	V	N	V	N	N

Old-age pension. Same rules as for Polish nationals (reaching retirement age of 60 for women and 65 for men with numerous exceptions for early retirement). On the basis of the Agreement between the Republic of Poland and Ukraine on social security, concluded in Kiev on 18 May 2012, Ukrainian nationals who have a combined seniority at work of 20 (women) or 25 (men) years in both of these countries can receive guaranteed minimum old-age pension in Poland (Ukrainian national must have worked at least a month in Poland to be eligible for a minimum old-age pension).

Benefits for persons with disabilities. Same rules as for Polish nationals – eligibility from the moment of coverage after confirmation of disability.

Benefits for accident at work or occupational disease. Same rules as for Polish nationals – eligibility from the moment of coverage after confirmation of an accident/ occupational disease.

Sickness benefit. Same rules as for Polish nationals – in order to claim sickness benefit, person must pay sickness insurance contributions for at least 30 days (in case of compulsory coverage) or 90 days (in case of voluntary coverage).

Regarding social welfare benefits, the following criteria apply:

Ukrainian nationals

eligibility criteria the same as in case of Polish nationals;

exceptions: Child benefit “500+”, benefit “good start”, family child capital, co-financing of preschool childcare – eligible only if parent lives with a child on the territory of Poland.

access to healthcare is provided *ex lege*. Full access is granted after being provided with a national identification number (PESEL).

Other persons under temporary protection

if income of such persons is above the thresholds from the Act on social benefits, person loses benefits except for accommodation, support in learning Polish and purchasing basic materials to learn Polish, teaching aid for children who learn in schools;

access to healthcare, accommodation, meal support, and financial support on the basis of the decision by the Head of Foreigners' Office.

Regarding healthcare, provided for no less than 2 months but no longer than the period of temporary protection. Healthcare is provided to the extent that “funds are available”. Healthcare is not provided if a person is covered as an employee or self-employed (Article 112 of Act from 13 June 2003 on granting protection to foreigners within the territory of Poland) where general rules apply (i.e. person is already covered as employee/self-employed).

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No exceptions.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The [Public Employment Services run a comprehensive website](#) with information on the labour market, on rights and entitlements, and also job offers (in Polish, English, Ukrainian, Belarussian, Russian). The Public

Employment Services also runs a [Green Line](#) to support job-assistance for persons fleeing Ukraine (help provided in Polish, English, Ukrainian, Russian).

[Employment Offices at the local level organise](#) Polish language programmes as trainings for unemployed, with the right to receive unemployment benefit.

The [Office for Foreigners provides coordination](#) in terms of free legal aid for Ukrainians, covering both access to public free legal aid services and free services provided by NGOs/civil society.

The Labour Inspection [provides free legal aid](#) for Ukrainians in Ukrainian. The Labour Inspection also provides [additional information](#) for Ukrainians in Ukrainian regarding their rights and entitlements at work, including Polish-Ukrainian labour contracts, etc.

The website [#PomagamUkrainie](#) coordinates help where private persons & NGOs can organise collections, financial help, help with transportation, accommodation, volunteer for different types of tasks, including translation, while persons seeking help can seek for accommodation, material help, transportation, health services, legal services, job offers, translation, and other forms of help (website in Polish, English, Ukrainian, Russian).

The Ministry of Family and Social Policy established a programme for foreigners [“Together we can do more”](#) with financing for projects improving labour market participation and integration of persons fleeing Ukraine.

Other relevant websites providing coordination at the level of employers' organization with regard to job seeking for Ukrainian nationals: <https://pracodawcyrp.pl/ukraina>; <https://lewiatan.org/przedsiębiorcy-ruszyli-z-pomocą-dla-ukrainców/>; <https://www.pol-ukr.com/en/>

Country fiche for Portugal

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁷⁹ and Council Implementing Decision (EU) 2022/382⁸⁰

[Law No. 67/2003 of August 23](#), which transposes Directive 2001/55/EC to the national legal order, in force since August 24, 2003, is the main legislation implementing the TPD. [Ordinance No. 105-A/2022 of March 1](#) (which adopts the second amendment to Ordinance No. 1432/2008) approved the model of residence permit for foreign citizens authorised to live in national territory, in force since March 2, 2022.

The Council Implementing Decision was implemented in Portugal mainly through [Resolution of the Council of Ministers No. 29-A/2022, of March 1](#) (in force since March 1, 2022), amended by the [Resolution of the Council of Ministers No. 29-D/2022 of March 11](#) (in force since March 10, 2022) – [consolidated version here](#) -, which sets out the criteria for granting temporary protection to persons displaced from Ukraine as a result of the armed conflicts taking place in that country.

Following the adoption of the aforementioned Resolution of the Council of Ministers, several laws have been adopted to facilitate the reception and integration of beneficiaries of temporary protection:

- ▶ [Decree-Law No. 24-B/2022 of March 11](#), which establishes exceptional measures in the context of the temporary protection granted to displaced persons from Ukraine, in force since March 12, 2022.
- ▶ [Decree-Law No. 28-A/2022, of March 25](#), which establishes measures of support to families and companies in the context of the armed conflict in Ukraine, in force since March 26, 2022.
- ▶ [Decree-Law No. 28-B/2022, of March 25](#), which establishes measures regarding the recognition of professional qualifications of the beneficiaries of temporary protection in the context of the armed conflict in Ukraine, in force since March 26, 2022, as well as [Ordinance no. 144/2022 of May 13](#), which determines the professions excluded from the scope of Decree-Law No. 28-B/2022, of March 25, in force since May 16, 2022.
- ▶ [Ordinance No. 138/2022, of April 8](#), which establishes an exceptional social measure, in the context of duly attested temporary protection, to children displaced from Ukraine, in force since April 9, 2022, but producing effects since February 20, 2022.

⁷⁹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁸⁰ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

[Law No. 23/2007, of July 4](#), which establishes the legal regime for the entry, permanence, departure and removal of foreigners from the national territory, provides the general framework on residence permits for foreigners in Portugal.

On employment, the following acts are relevant:

- ▶ Law no. 7/2009, of February 12, which reviews the [Portuguese Labour Code](#), in force since 17 February 2009;
- ▶ [Law No. 105/2009, of September 14](#), which amends and regulates the Labour Code;
- ▶ [Ordinance No. 136/2022, of April 4](#), that adopts the fifth amendment to [Ordinance No. 128/2009, of January 30](#), which regulates the measures “Employment-insertion contract” and “employment-insertion contract+”, in force since April 5, 2022, but producing effects since April 1, 2022;
- ▶ [Law No. 102/2009, of September 10](#), which establishes the Legal Regime on the Promotion of Safety and Health at work;
- ▶ [Law No. 98/2009, of September 4](#), which establishes the Legal Regime on reparation of work-related accidents and occupational illnesses (in special, [Article 5](#)), in force since October 1, 2010;
- ▶ [Decree-Law no. 394-B/84, of December 26](#), which approved the VAT Code, in force since January 1, 1986;
- ▶ [Decree-Law no. 442-A/88, of November 30](#), which approved the Personal Income Tax Code, in force since 1 November 1989;
- ▶ [Decree-Law no. 47344, of November 25, 1966](#), which approved the Civil Code, in force since 1 June 1967.

On social security and welfare, the following acts are relevant:

- ▶ [Law No. 4/2007, of January 16](#), which approves the basic framework of the Social Security system, in force since 17 January 2007;
- ▶ Agreement on Social Security between the Portuguese Republic and Ukraine, signed in Lisbon, on 7 July 2009, approved by [Decree no. 8/2010, of 27 April](#).

Regulating the contribution scheme:

- ▶ [Decree-Law No. 28/2004, of February 4](#), which establishes the new legal regime of social protection in case of illness, in force since April 1, 2004;
- ▶ [Decree-Law No. 91/2009, of April 9](#), which approves the legal regime of social protection for parenthood, in force since May 1, 2009;
- ▶ [Decree-Law No. 220/2006, of November 3](#), which approves the legal regime of social protection in case of unemployment of dependent workers, in force since January 1, 2007;
- ▶ Law no. 110/2009, of 16 September, [Code of Contribution Schemes of the Social Security Welfare System](#), in force since January 1, 2011, and its [regulation](#).

Regulating the non-contribution scheme:

- ▶ [Law No. 13/2003](#), of May 21, which creates the social integration income, in force since 20 June, 2003;

- ▶ [Decree-Law No. 176/2003, of August 2](#), which institutes the family allowance for children and youngsters, in force since 1 October, 2003;

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ Residing in Ukraine ▶ displaced from 24 February 2022 	Yes (point 1 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022)
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes (relatives, namely akins, spouses or registered partners – <i>vd.</i> point 2 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022)
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes (point 1 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022)
Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	Yes (point 2 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022)
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including <ul style="list-style-type: none"> ▶ stateless persons and 	Yes Point 2 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022, also grants temporary protection to stateless persons and nationals of third countries who hold a temporary residence permit or a long-stay visa and are

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>► nationals of third countries other than Ukraine,</p> <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	unable to return in safe and durable conditions to their country of origin.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	<p>Yes</p> <p>Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022, does not foresee 24 February 2022 nor any particular date before, on or from which the beneficiary must have been present or living in Ukraine/have been displaced.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Borders and Immigration Service (SEF)	Serviço de Estrangeiros e Fronteiras (SEF)	https://www.sef.pt/en/Pages/homepage.aspx
	High Commission for Migration (ACM, IP.)	Alto Comissariado para as Migrações (ACM, IP)	https://www.acm.gov.pt/68
Employment rights	Institute for Employment and Vocational Training (IEFP)	Instituto de Emprego e Formação Profissional (IEFP, IP)	https://www.iefp.pt/
	General-Directorate of Employment and Labour Relations	Direção-Geral do Emprego e das Relações de Trabalho (DGERT)	https://www.dgert.gov.pt/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Social Security Institute (ISS)	Instituto de Segurança Social (ISS, IP)	https://en.seg-social.pt/homepage

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

The Resolution of the Council of Ministers No. 29-A/2022 of March 1, 2022 (point 15) created an inter-ministerial commission chaired jointly by the members of the Government responsible for the areas of integration and migration and internal administration and composed of representatives of the government areas of economy and digital transition, foreign affairs, justice and labour, solidarity and social security; in the meetings of the inter-ministerial commission, depending on the matter, representatives of other government areas may also participate.

The inter-ministerial commission is responsible for evaluating the hosting capacity of the Portuguese State in the context of temporary protection; defining the hosting conditions and how the rights of the beneficiaries of temporary protection will be ensured; evaluating the possibility of extending temporary protection to other beneficiaries; and coordinating the action necessary for the application of the temporary protection regime throughout its duration and proposing supplementary measures.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁸¹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Portugal.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Beneficiaries of temporary protection may request a residence permit for the exercise of an employed/self-employed professional activity from inside the national territory (articles 88 and 89 of the [Law No. 23/2007, of](#)

⁸¹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

[July 4](#), which establishes the legal regime for the entry, permanence, departure and removal of foreigners from the national territory).

Displaced persons from Ukraine can also apply for asylum during the period of temporary protection (Article 9(1) of [Law No. 67/2003 of August 23](#)). Until the refugee status has been granted or, in case of a decision not to grant asylum or other kind of protection, the term of the period of temporary protection, the beneficiary shall continue to enjoy protection under that status.

At the end of the temporary protection regime, the beneficiary is subject to the general legal framework of entry, permanence, exit and removal of foreigners into and out of national territory ([Law no. 23/2007, of July 4](#)).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to single permit for work:

According to articles 88 and 89 of the [Decree-Law No. 23/2007, of July 4](#), which establishes the legal regime for the entry, permanence, departure and removal of foreigners from the national territory, upon expression of interest presented on the SEF website (on the SAPA Portal) or directly at one of its regional offices, a residence permit may be requested for the exercise of an employed/self-employed professional activity, without a visa, to foreign citizens who:

- ▶ In case of employed activity, have an employment contract or promise of employment contract or have an employment relationship proven by a union, by a representative of migrant communities sitting on the Council for Migration or by the Authority for Working Conditions (in case of subordinate professional activity);
- ▶ In case of self-employed activity, have constituted a company under the terms of the law, having declared the start of activity with the Tax Administration and Social Security as a natural person; OR have a Contract for the provision of services for the exercise of a liberal profession and declaration of the professional order proving the respective registration (when applicable); have qualification to exercise an independent professional activity (when applicable).

2) have legally entered national territory;

3) are registered with social security;

4) possess means of subsistence, as provided for in Ordinance No. 1563/2007, of December 11;

5) accommodation;

6) Other requirements: the absence of any fact which, if known by the competent authorities, would prevent the granting of the visa; Absence of conviction for a crime that in Portugal is punishable by deprivation of liberty lasting more than one year; The applicant is not in the period of interdiction of entry into national territory, subsequent to a measure of removal from the country; Absence of indication in the Schengen Information System; Absence of indication in the Integrated Information System of the SEF for the purposes of non-admission, under the terms of article 33 of the Decree-Law No. 23/2007 of July, 4.

The holder of a residence permit for the exercise of an employed/self-employed professional activity may exercise a self-employed/employed professional activity by requesting SEF the replacement of the residence permit.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

Exemption from a residence visa obtained abroad.

Any alteration of rights with respect to

residence: Residence permit valid for one year from its issue, renewable for successive periods of two years.

employment rights: No

social welfare and social security rights: Loss of the right to adequate accommodation, provided for in article 15 (1) of Law no. 67/2003.

Status change from temporary protection to family reunification:

According to article 98 and ff. of the [Decree-Law No. 23/2007, of July 4](#), which establishes the legal regime for the entry, permanence, departure and removal of foreigners from the national territory, a citizen with a valid residence permit is entitled to family reunification with family members who have legally entered national territory and who depend on or cohabit with him.

For this purpose, the applicant must have accommodation and means of subsistence, as defined in the [Ordinance No. 1563/2007, of December 11](#).

Family reunification can be requested to SEF by family members who are in national territory or by the holder of the right.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

It is not necessary for family members to be outside the national territory.

Any alteration of rights with respect to

residence: Residence permit of the same duration as the resident; Two years after the issuance of the first residence permit and insofar as family ties persist or, irrespective of the aforementioned period, whenever the holder of the right to family reunification has minor children residing in Portugal, family members are entitled to an autonomous permit. In exceptional cases, namely legal separation of persons and property, divorce, widowhood, death of an ascendant or descendant, conviction for a crime of domestic violence and when the age of majority is reached, an autonomous residence permit may be granted before the aforementioned period. The first residence permit granted to the spouse under the scope of family reunification is autonomous whenever the spouse has

employment rights: No

social welfare and social security rights: Loss of the right to adequate accommodation, provided for in article 15 (1) of Law no. 67/2003.

been married to the resident for more than five years.		
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to article 26(4) of [Law No. 67/2003 of August 23, 2003](#), whenever a transfer to another Member State is carried out, the temporary protection title in Portugal is cancelled, ceasing the obligations relating to the beneficiaries associated with temporary protection in national territory.

Article 17(8) of the same act determines that the transfer of protected citizens to another host State, for the purpose of family reunification, entails the cancellation of temporary protection titles issued in their favour and the extinction of the rights granted to the persons concerned under the temporary protection regime in Portugal.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Article 14 of [Law No. 67/2003 of August 23](#), determines that beneficiaries of temporary protection in Portugal may engage in employed or self-employed activities.

According to [Article 4](#) of the Portuguese Labour Code, a foreign worker or stateless person who is authorised to carry out a subordinate professional activity in Portuguese territory enjoys the same rights and is subject to the same duties as a worker with Portuguese nationality.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

The temporary protection permit is a residence permit that allows access to the labour market (Article 14 of [Law No. 67/2003 of August 23](#)).

The request for temporary protection can be made online on [SEFforUkraine.sef.pt](#) or in person, on national soil. SEF issues a declaration proving the request for temporary protection and communicates it to the social security and to the tax and customs authority (for the purpose of automatic allocation of the social security identification number and the tax identification number), as well as to the IEFP (for the purposes of registration). This declaration is valid in access to basic services and integration offers.

II. Recognition of qualifications/diplomas

[Decree-Law No. 28-B/2022, of March 25](#), establishes measures concerning the recognition of professional qualifications of beneficiaries of temporary protection under the Resolution of the Council of Ministers No. 29-A/2022 regarding regulated professions where the authorities competent for the recognition are services or entities directly or indirectly administered by the State or independent administrative entities. In this context, it is determined that, when the application has been fully instructed, it refers to a profession in relation to which the competent Portuguese authorities have already recognised the Ukrainian professional qualifications concluding that there are no serious doubts as to its equivalence to the Portuguese qualifications, and in the absence of a decision within the legally prescribed period, the request is considered tacitly granted. However, according to the preamble of [Ordinance no. 144/2022 of May 13](#), on the date of adoption of that ordinance, no procedures for the recognition of Ukrainian qualifications carried out in the aforementioned terms had been identified, as per the consultation of the competent authorities. Moreover, [Ordinance no. 144/2022 of May 13](#), adopted a list of professions excluded from the application of Decree-Law no. 28-B/2022, of March 25, notably, professions exercised within the scope of the operation, management or maintenance of critical infrastructures or that imply a serious risk to the safety of the respective recipients are excluded (see the list contained in Ordinance No. 144/2022).

As for the other professions, it is determined that, in the absence of a decision within the legally prescribed period, the applicant is authorised to exercise the professional activity requested, provided that it is supervised and accompanied by a recognised professional, without prejudice to the continuation of the recognition procedure. When the documentation submitted by the applicant is insufficient due to the situation of war, the certifying entity officially articulates with the European Commission in order to issue duplicates. If this issuance is not possible, it is necessary to distinguish the professional activity in question: (i) if it is a professional activity in relation to which the competent Portuguese authorities have already evaluated the Ukrainian qualifications, under the aforementioned terms, in the absence of a decision within the legally provided, the applicant is authorised to exercise the professional activity in question, in a supervised manner, without prejudice to the continuation of the procedure; (ii) for other professions, a procedure similar to the European Qualifications Passport for Refugees is used.

Pursuant to article 6 of [Decree-Law no. 24-B/2022 of March 11](#), applications for recognition of academic degrees and diplomas submitted by beneficiaries of temporary protection are priority and are exempt from the requirements provided for in specific or sectoral legislation regarding: a) Legalization formalities of documents issued by foreign entities; b) Certification or authentication of translations into Portuguese of documents written in a foreign language; c) Certification or authentication of photocopies of original documents; d) Registration fees and charges of any other nature.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Temporary protection recipients may receive assistance for job seeking from IEFP, IP - the Portuguese public employment service (see [Ordinance No. 319/2012 of October 12](#)). IEFP is responsible for gathering employers' intention to hire Ukrainian citizens, disseminating these job opportunities among Ukrainian citizens, and participating in special attendance teams working in four National Support Centres for the Integration of Migrants (CNAIM) in Beja, Faro, Lisbon and Oporto.

IEFP created [The Portugal for Ukraine platform](#), where companies can publish job opportunities and the professional profiles they are looking for. It also provides a contact centre available in Ukrainian, which helps Ukrainian citizens who are looking for a job to apply up to offers. There is also a form through which displaced citizens of Ukraine can apply for employment, attaching their CV.

IEFP maps out the Ukrainian citizens' skills, their places of residence/hosting and the job offers available and gets in touch with the candidates if the profile matches a company need.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Under Article 14(1) of Law no. 67/2003, beneficiaries of temporary protection have the right to participate in professional training activities. Article 3 of [Decree-Law 28-A/2022 of March 25, 2022](#), guarantees the obtaining of additional training for professionals who, because they have a qualification that does not meet the harmonized minimum requirements, are prevented from having their degree or diploma recognised under the terms already provided for in the domestic legal system (more information about diploma recognition can be found [here](#)).

IEFP also assists temporary protection recipients in entrepreneurship and training, [offering different types of training](#), and also organise the [Portuguese Hosting Language courses for these citizens](#).

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Main general benefits under the Social Security contribution scheme:

- ▶ Sickness Benefit: cash benefit granted to the beneficiary to compensate for the loss of earnings resulting from their temporary absence from work due to sickness;
- ▶ Parental benefits: there are several modalities, such as parental allowance, childcare allowance, grandchildcare allowance, allowance for specific risks, allowance for clinical risk during pregnancy and allowance in case of pregnancy termination;
- ▶ Unemployment Protection: there are several modalities of benefits (unemployment benefit, social unemployment benefit, partial unemployment benefit) with the aim to compensate for the lack of remuneration due to the involuntary loss of employment.

General main benefits of the Non-contribution scheme (more information [here](#)):

- ▶ Social Integration Income (RSI): cash benefit to ensure people have minimum resources to cover their basic needs, plus an integration programme (social integration contract) (more information [here](#) and [here](#));

- ▶ Prenatal Family Benefit: cash benefit granted to pregnant women as of the 13th week of pregnancy;
- ▶ Parental Social Allowance: cash benefit granted to the father or mother or to the other person entitled to parenting benefits who does not work and does not pay social security contributions, or does not fulfil the entitlement conditions to the parental allowance, as from the childbirth;
- ▶ Social Allowance for Clinical Risk during Pregnancy: cash benefit granted to the woman worker during pregnancy to replace lost work income in case of clinical risk for the pregnant woman or for the child to be born;
- ▶ Social Allowance in case of Pregnancy Termination: cash benefit granted to the worker women who are in a situation of economic need, in the event of a medically certified pregnancy termination;
- ▶ Social Allowance for Specific Risks : cash benefit granted to pregnant workers, workers who have recently given birth and are breastfeeding and who, in their professional activity, perform night work or are exposed to specific risks that jeopardize their safety and health, provided that the employer cannot assign them to other tasks;
- ▶ Specific Social Allowance in case of Hospitalisation of the Newborn Child: cash benefit granted in the case of hospitalisation of the newborn child immediately after the recommended hospitalisation period following the birth, due to the need of special medical care provision to the child;
- ▶ Family Benefit for Children and Young People: cash benefit aimed to support families in the care and education of their children and young people and whose amount is determined according to the household income level, which varies according to the household reference income and the year to which it concerns (ore information [here](#));
- ▶ Scholarship : cash benefit to the student enrolled in the secondary level of education or equivalent.

Specific benefits for displaced persons from Ukraine:

- ▶ Housing: The Government created an exceptional regime for the “[Gateway program](#)” to accommodate displaced people from Ukraine; the Gateway allows housing to be made available to people who have become homeless, temporarily or permanently, as a result of an unpredictable and exceptional event, such as the war in Ukraine. Beneficiaries receive a financial contribution, by transferring the support directly to the household or to the accommodation's bank account, to support the costs of: Accommodation in tourist resorts; Renting a house. Support is granted for a period of up to 18 months and can be extended up to a maximum of 30 months.
- ▶ Medical care: The request for Temporary Protection automatically assigns the National Health Service Number (NSNS), all basic health services available through the Portuguese National Health Service, granting automatic access to all basic health services available through the Portuguese National Health Service. The Directorate-General for Health (DGS) published a rule that defines the vaccination strategies of foreign citizens in the context of temporary protection, considering that vaccination is one of the priorities of the reception program in terms of health. According to the norm, the vaccination schedules of citizens' origin must be adapted according to those recommended in Portugal. Considering that there is a greater risk of certain vaccine-preventable diseases in countries with low vaccination coverage and in the face of disruptive situations, such as armed conflict, priorities were defined for vaccination against measles and polio. Additionally, recommendations were issued regarding vaccination against tuberculosis, according to the National Vaccination Program (PNV), the Vaccination Campaign against COVID-19 and the Vaccination Campaign against seasonal flu.

II. Eligibility conditions

Those who are employed or self-employed will also have access to the contribution scheme on the same terms as Portuguese nationals.

Under Article 14(2) of Law no. 67/2003, of August 23, persons enjoying temporary protection may engage in employed or self-employed activities. Notwithstanding, it is established that priority is given to EU citizens, citizens of States bound by the EEA Agreement and to legally resident third-country nationals who receive unemployment benefit. However, this priority rule is not applicable to the access to any employed or self-employed activity by beneficiaries of temporary protection under Council of Ministers Resolution No. 29-A/2022, of March 1 ([Article 6 of Decree-Law No. 28-B/2022 of March 25](#)).

Eligibility conditions to benefits of the contribution scheme (general eligibility conditions):

- ▶ Sickness Benefit: to be in a situation of temporary incapacity for work certified by a physician from the competent health service; Have completed 6 calendar months, continuous or non-continuous, with earnings registration on the date of the sickness beginning (qualifying period); Have completed the minimum working period (not applicable for self-employed);
- ▶ Childcare Allowance: have completed the qualifying period of 6 calendar months with earnings registration ; to take the respective leave as provided for in the Labour Code, in the case of employees, or an equivalent period in other cases;
- ▶ Grandchild Care Allowance: Have completed the qualifying period of 6 calendar months with earnings registration. The qualifying period includes periods completed under other national or foreign social protection schemes covering this type of protection, including the civil servants' scheme; to take the respective leave as provided for in the Labour Code, in the case of employees, or an equivalent period in other cases;
- ▶ Unemployment Protection: concrete eligibility conditions vary with the modality benefit granted; in any case there must be a situation of involuntary loss of employment;
- ▶ Old-age Pension: have reached the age for access to the old-age pension; qualifying period.

Eligibility conditions to benefits of the Non-contribution scheme (general eligibility conditions):

- ▶ Social Integration Income (RSI): Situation of extreme poverty
- ▶ Prenatal Family Benefit: 13th week of pregnancy; household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; household reference income below the threshold value
- ▶ Parental Social Allowance: household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; monthly income per household member is equal to or lower than EUR 354,56.
- ▶ Social Allowance for Clinical Risk during Pregnancy: Carry out a professional activity; household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; monthly income per household member is equal to or lower than EUR 354,56; contributory duties towards social security are fulfilled on the date on which the entitlement to the allowance is recognised, if the person concerned is a self-employed person or is covered by the voluntary social insurance scheme.
- ▶ Social Allowance in case of Pregnancy Termination: Carry out a professional activity; household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; monthly income

per household member is equal to or lower than EUR 354,56; contributory duties towards social security are fulfilled on the date on which the entitlement to the allowance is recognised, if the person concerned is a self-employed person or is covered by the voluntary social insurance scheme.

- ▶ Social Allowance for Specific Risks: household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; monthly income per household member is equal to or lower than EUR 354,56; contributory duties towards social security are fulfilled on the date on which the entitlement to the allowance is recognised, if the person concerned is a self-employed person or is covered by the voluntary social insurance scheme
- ▶ Specific Social Allowance in case of Hospitalisation of the Newborn Child : household movable assets do not exceed the value of EUR 106.368,00 on the date of application submission; monthly income per household member is equal to or lower than EUR 354,56
- ▶ Family Benefit for Children and Young People: household movable assets do not exceed the value of €106.368,00 at the date of the application submission ; families reference income is below the threshold value; accommodated in social support establishments; Young people who are not working, unless the work is carried out under an employment contract during school holidays
- ▶ Scholarship: household reference income corresponds to the 1st or 2nd income level of the family benefit for children and young people; being enrolled in and attending the 10th, 11th or 12th school grade or equivalent; being aged under 18; successfully complete the school grades while attending the secondary level of education or equivalent.

Under Article 15(1) and (2) of Law no. 67/2003 of August 23, beneficiaries of temporary protection are entitled to housing, social allowances and means of subsistence. Pursuant to Points 7, 11, 12 and 13 of the Resolution of the Council of Ministers No. 29-A/2022 of March 1, access to those benefits is dependent on the beneficiary of temporary protection not having sufficient resources. Without prejudice to this, beneficiaries of temporary protection are equated to beneficiaries with refugee status in what regards access to social benefits from the non-contribution scheme. Beneficiaries of temporary protection are also entitled to medical care (Article 15(4) and (5) of Law no. 67/2003 of August 23.

- ▶ Housing: the access to gateway program is available for all IDPs from Ukraine who have been granted temporary protection under Council of Ministers Resolution no. 29-A/2022, of March 1, regardless of financial condition (more information [here](#)); support should be asked in the municipality where people are located. The list of municipalities and contact details can be found [here](#). The municipality will communicate to the High Commissioner for Migration (ACM) the need for housing, in order to access support through the “Gateway Program”. The form is available [here](#).
- ▶ Medical care: The Portuguese National Health Service is mostly free of charge. Any citizen registered with the National Health Service can access a Hospital or Health Center and will have, at most, to pay a user fee. Once chosen the place of residence, people must go to the local Health Centre and register as a resident in the area, so that they can be assigned a Family Doctor and be included in the National Vaccination Plan. The Directorate-General for Health (DGS) published a [rule](#) that defines the vaccination strategies of foreign citizens in the context of temporary protection.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no specific issues or salient points identified for this question.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The Immigration and Border Service (*Serviço de Estrangeiros e Fronteiras* - SEF) provides [service desks exclusively for Ukrainian citizens](#) in its delegations and National Support Centres for Migrant Integration (CNAIM). Moreover, the request for temporary protection can be made online through a [form](#) available also in Ukrainian.

IEFP created [The Portugal for Ukraine platform](#), which aims to concentrate all relevant information on the actions of the Portuguese State regarding the conflict in Ukraine and the relevant information for people displaced from Ukraine. In this platform, companies can publish job opportunities and the professional profiles they are looking for. It also provides a contact centre available in Ukrainian, which helps Ukrainian citizens who are looking for a job to apply for offers. There is also a form through which displaced citizens of Ukraine can apply for employment, attaching their CV.

IEFP maps out the Ukrainian citizens' skills, their places of residence/hosting and the job offers available and gets in touch with the candidates if the profile matches a company need. The IEFP, IP will also organise Portuguese Hosting Language courses for these citizens. Certification varies depending on the different types of routes taken, as shown in [this table](#).

The Program "*Formação +Próxima*", an initiative of "*Turismo de Portugal*", has a new axis of action entitled *Open to Ukraine*. It is a program for the reception and integration of refugees from Ukraine in the tourism sector, with a view to responding to the urgent need to welcome and integrate the Ukrainian refugees who are arriving in Portugal, as a result of the war in their country. 6 different courses will be available that can be carried out autonomously or in itinerary mode, according to the identified needs: Portuguese - "*Bem-Vindos*" - 25 hours; Portuguese - Hospitality and Tourism - 25 hours; English - Hospitality & Tourism - 25 hours; B.I. Portugal - 12 hours; _ Portuguese Products and Flavors- 15 hours; Personal and Professional Development - 8 hours. More information [here](#).

The Portuguese Bar Association (*Ordem dos Advogados – OA*) [decided to provide free legal support to Ukrainian citizens](#). Portuguese lawyers will therefore support them in the preparation of authorisations for minors to leave Ukrainian territory, recognition of signatures, obtaining visas, residence permits, acquisition of nationality, etc. [The list of lawyers available to provide this support free of charge is published on the website of the Portuguese Bar Association](#). The OA will also be available to forward Ukrainian citizens who contact it to one of the registered lawyers, for which purpose a phone and email line is available.

Portuguese notaries provide free support service to Ukrainian citizens through the website www.ucrania.notarios.pt.

Country fiche for Romania

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁸² and Council Implementing Decision (EU) 2022/382⁸³

[Law 122/2006](#) on asylum, published in the Official Gazette no. 428 of 18 May 2006, is the main act implementing the Temporary Protection Directive.

On 27 February 2022, the Romanian Government adopted the [Emergency Government Ordinance no. 15/2022](#) on the granting of support and humanitarian assistance by the Romanian State to foreign citizens or stateless persons in special situations originating from the area of armed conflict in Ukraine, published in the Official Gazette of Romania under no. 193/27.02.2022 (**GEO 15/2022**), which entered into force on the same date.

On 18 March, the [Decision 367/2022](#) on establishing certain conditions for granting temporary protection and amending and supplementing certain acts in the field of aliens have been adopted. This normative act, issued at the proposal of the General Inspectorate for Immigration for the implementation of the Council Implementing Decision (EU) 2022/382, lays down the concrete conditions for ensuring the temporary protection of displaced persons on the territory of Romania and establishes the categories of persons who may benefit from this status.

Several other acts were adopted in the meantime to ensure assistance and adequate reception of persons displaced from Ukraine:

- ▶ [Emergency Government Ordinance no. 20/2022](#) on amending and supplementing certain normative acts and to establish certain support and humanitarian assistance measures, published in the Official Gazette of Romania under no. 231/08.03.2022 (**GEO 20/2022**), entered into force on 8 March. GEO 20 is amending and adding to GEO 15, including regarding the definition of beneficiaries.
- ▶ [Order no. 301/2022](#), which approved the procedure for the employment of 'displaced persons from Ukraine in line with the provisions of GEO 20/2022, published in the Official Gazette of Romania, Part I, no. 240 of 10 March 2022, of the Ministry of Labour and Social Solidarity (MLSS).

⁸² Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁸³ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

- ▶ [GEO No. 36/2022](#) on the establishment of social protection measures for employees in the context of the armed conflict in Ukraine and as a result of international sanctions against the Russian Federation and Belarus, published in the Official Gazette No. 340 of 7 April 2022.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

General legislation on foreigners:

- ▶ [GEO 194/2002](#) on the regime of foreigners in Romania, republished, with subsequent amendments and additions, republished in the Official Gazette no. 421 of 5 June 2008;
- ▶ [Law no. 22/2022](#) for the amendment of Government Emergency Ordinance no.194/2002 on the regime of foreigners in Romania, published in the Official Gazette no 45 of 14 January 2022;

Relevant legislation on access to employment:

- ▶ [Bilateral agreement between Romania and Ukraine on the on mutual recognition and equivalency of education documents and academic degrees](#), signed in Bucharest, on 19 February 1999.

Relevant legislation on social security and welfare:

- ▶ Law no. 263/2010 regarding the unified public pension system published in the Official Gazette no. 852 of 20 December 2010;
- ▶ Emergency Government Ordinance no. 158/2005 regarding leaves and health insurance allowances, published in the Official Gazette no. 1074 of 29 November 2005;
- ▶ Emergency Government Ordinance no. 111/2010 on parental leave and allowance, published in the Official Gazette no. 830 of 10 December 2010;
- ▶ Emergency Government Ordinance no. 96/2003 on protection of maternity at work, published in the Official Gazette no. 750 of 27 December 2003;
- ▶ Law no. 76/2002 regarding the unemployment insurance system and employment stimulation, published in the Official Gazette no. 103 of 6 February 2002;
- ▶ Law no. 346/2002 regarding the insurance system for work accidents and occupational diseases, republished in the Official Gazette no. 251 of 08. April 2014;
- ▶ Law no. 95/2006 on healthcare reform, published in the Official Gazette no. 272 of 28 April 2006; Law no. 448/2006 regarding the protection and promotion of the rights of disabled persons, republished in the Official Gazette no. 1 of 3 January 2008;
- ▶ Law no. 292/2011 regarding the social assistance, published in the Official Gazette no. 905 of 20 December 2011; Law no. 416/2001 regarding the guaranteed minimum income, published in the Official Gazette no. 201 of 20 July 2001;
- ▶ Law no. 61/1993 regarding the state allowance for children, republished in the Official Gazette no. 767 of 14. 11.2012 etc.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	<p>Yes</p> <p>Ukrainian citizens who legally enter Romania and who do not apply for a form of protection under Law 122/2006 on asylum in Romania can be employed without a work permit, and their right to stay for employment purposes is extended without the obligation to obtain a long-stay visa for employment purposes, under GEO no. 15/2022 and GEO no. 20/2022.</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>The definition for family members is the following:</p> <p>Article 2 (1) j) family members - to the extent that, at the time of the application by the principal applicant, the family exists in the country of origin, the following family members of the person displaced from Ukraine beneficiary of refugee or subsidiary protection status:</p> <p>(i) the spouse or, where applicable, the spouse of the beneficiary of refugee status or subsidiary protection status;</p> <p>(ii) the minor children of the beneficiary of refugee or subsidiary protection status or the minor children of the spouse of the beneficiary, provided that they are unmarried, whether by marriage or by adoption under the national law of the country of origin;</p> <p>(iii) the father or mother of the beneficiary of international protection or another person of full age who is responsible for him/her according to Romanian law, when the beneficiary is a minor and unmarried.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes, according to GEO no. 15/2022 and GEO no. 20/2022</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes, according to GEO no. 15/2022 and GEO no. 20/2022</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>The legislation equates these individuals to the other categories listed above and they are entitled to benefit from medical assistance and treatment, to be included in national health programs, and transport.</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>No</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	General Inspectorate for immigrations	Inspectoratul General pentru Imigrari	Inspectoratul General pentru Imigrari
Employment rights	Ministry of Labour and Social Solidarity (MLSS)	Ministerul Muncii si Solidaritatii sociale	Ministerul Muncii si Solidaritatii sociale
	National Agency for Employment	Agentia Nationala pentru ocuparea Fortei de Munca	Agentia Nationala pentru ocuparea Fortei de Munca
	National Centre for the Recognition and Equivalence of Diplomas	Centrul National de Recunoastere si echivalare a diplomelor	Centrul National de Recunoastere si Echivalare a Diplomelor
Social welfare and social security rights	Ministry of Labour and Social Solidarity (MLSS)	Ministerul Muncii si Solidaritatii sociale	Ministerul Muncii si Solidaritatii sociale

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Romania has established a [decision-making and coordination structure](#) to enable agencies with different law enforcement and operational responsibilities at all levels of government to plan, coordinate and interact effectively on the ground in response to the humanitarian refugee crisis. A high-level decision-making Task-Force, under the coordination of the Prime Minister, has been established at Government level since day one of the conflict.

Secondly, an operational Task Force, called the "Ukraine Commission", headed by the Head of the Prime Minister's Chancellery, was set up to oversee the activities of the ministries involved in managing the refugee influx in all areas of intervention.

Thirdly, at the level of the Prime Minister's Chancellery, the [Strategic Coordination Group for Humanitarian Assistance](#), headed by a State Counsellor, was established to provide the strategic framework for humanitarian response and to facilitate cooperation between agencies and partners at national, European and international level.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁸⁴ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Article 130 and following of Law 122/2006 on asylum in Romania regulates the granting of temporary protection in case of a mass influx of displaced persons. This form of protection is exceptional and applies only if the mass influx of refugees is recognised by the Council of the European Union. It is clear from the legal provisions that no application for temporary protection is required, as it is granted by operation of the law. The duration of temporary protection is one year with the possibility of extension.

Temporary protection to persons displaced from Ukraine pursuant to GEO 15/2022 is applicable to those who entered Romania as of 24 February 2022. The protection measures are valid for as long as the European Union (EU) decision is in force, currently set for one year, until March 2023.

GEO 20/2022 extends the application of Article. 1 paragraph (1) of GEO 15/2022 on the granting of support and humanitarian assistance by Romania to foreign citizens or stateless persons in special situations, coming from the area of armed conflict in Ukraine (OUG 15/2022) and beneficiaries of the Council Implementing Decision. In particular, the rules on the provision of food, clothing, personal hygiene materials, transport, medical assistance and appropriate treatment (through the emergency medical assistance and qualified first aid system), as well as the right to be included in national public health programmes (applicable to persons who do not apply for asylum in Romania, but who are settled in temporary accommodation camps or in other accommodation facilities organised by the authorities), applies by extension to Ukrainian citizens residing in Ukraine before 24 February 2022, stateless persons and third country nationals who were beneficiaries of

⁸⁴ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

international protection or equivalent national protection in Ukraine before that date, and members of their families.

The Law 122/2006 on asylum in Romania stipulates that foreigners can benefit from other forms of protection in Romania: refugee status and subsidiary protection.

The refugee status may be granted to a foreign national who, based on a well-founded fear of persecution on the grounds of race, religion, nationality, political opinion or membership in a particular social group, is outside his/her country of origin and, who cannot, or, because of this fear, does not wish to, seek the protection of that country, as well as the stateless person, who, for the same reasons stated above, from outside the country in which they had habitual residence, cannot or, because of that fear, does not, wish to return to that country (provided that the grounds for exclusion under Article 23 of Law 122/2006 on Asylum do not apply). This is different from temporary protection which is granted through the operation of the law and the applicant does not risk seeing his application rejected. Furthermore, war and conflict are not among the reasons for which refugee status can be granted.

Subsidiary protection can be granted to a foreign national or stateless person who does not meet the conditions for recognition of refugee status and for whom there are reasonable grounds for believing that in the event of return to the country of origin or country of habitual residence, they will be exposed to a serious risk, who cannot or, because of this risk, does not want, the protection of that country and to whom the reasons for exclusion from granting this form of protection provided by this law do not apply (see Article 26(1) of Law 122/2006 on Asylum in Romania). The notion of 'serious risk' may include a serious, individual threat to life or integrity as a result of widespread violence in situations of internal or international armed conflict, insofar as the applicant is part of the civilian population (see Article 26 (2) point 3 of Law 122/2006 on asylum in Romania).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Ukrainian citizens may apply for an extension of their right of residence for work purposes and the issuance of a single permit without the obligation to obtain a long-stay visa for employment, according to [GEO 194/2002](#) on the regime of foreigners in Romania, republished, with subsequent amendments and additions.

The extension of the right of residence is materialised by the issuance of a single permit (residence permit attesting the right of residence and work) valid for up to one year. The right of residence may be extended for successive periods of one year, provided that the conditions representing the basis for granting the initial right to work are maintained.

The status change from temporary protection to EU Blue Card is not expressly foreseen in legislation. As such, no legal provision would prevent an Ukrainian citizen, benefiting from temporary protection, from applying for a Blue Card, even while remaining in the country.

A rather new possibility for Ukrainian citizens is that they could be able to work in Romania as "[digital nomads](#)", a status recently regulated by the authorities under Law no. 22/2022 for the amendment of Government Emergency Ordinance no.194/2002 on the regime of foreigners in Romania, published in the Official Gazette no 45 of 14 January 2022. A digital nomad visa allows an individual to obtain a residence permit in Romania while working remotely to another country from Romania. The main requirement for obtaining such a visa is

that the applicant is an employee of a foreign company or has owned a company registered outside of Romania for more than three years.

Also, persons displaced from Ukraine may apply for asylum at any time during the period of temporary protection.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to long-term residence permit/extension of right of residence for work purposes:

The long-term residence visa can be granted to a foreigner carrying out, among others, the following activities in Romania: economic activities, professional activities, commercial activities, and employment, and also for family reunification.

The long-term residence permit cannot be granted simultaneously to asylum seekers or individuals already benefiting from international protection, temporary protection or right of residence as a seasonal worker or *au pair*.

The right of long-term residence shall be granted to aliens referred to in Article 70 para. (1) of GEO 194/2002, if they meet the following conditions: they have had the right of temporary residence or have benefited from international protection on the territory of Romania continuously in the last five years and if during this period they have not been absent from the territory of Romania for more than six consecutive months and not exceeding 10 months of absence in total. The period during which one has travelled abroad in order to carry out international transport activities, is not considered as absence from the territory of Romania (subject to documentary evidence). This period can be reduced to four years in the case of beneficiaries of international protection in Romania who actively participate in the economic, social and cultural life of Romanian society or reduced by half in the case of beneficiaries of international protection in Romania who have been married to a Romanian citizen for at least five years. Moreover, the period of residence for study purposes is calculated at half for long-term residence and does not take into account the stay conferred by a short-stay visa, diplomatic or service visa or that obtained for activities as a seasonal worker or *au pair*. This period is calculated from the date of submission of the application on the basis of which international protection in Romania was granted, in the case of beneficiaries of international protection.

The law does not expressly foresee whether the foreigner can apply for residence while remaining in the country or not. However, it may be interpreted as implying that a beneficiary of any form of international protection could apply for long-term or short term residence only after the expiration of that form of protection.

However, for temporary protection, Ukrainian citizens may apply for an extension of their right of residence for work purposes and the issuance of a single permit without the obligation to obtain a long-stay visa for employment. (GEO 194/2002 on the regime of foreigners in Romania, republished, with subsequent amendments and additions). They do not have to leave the country.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

According to the GEO 194/2002, to apply for a long-term visa for employment, the Ukrainian citizen must meet the following conditions:

- ▶ bring the proof of means of subsistence at the level of the minimum gross basic salary guaranteed in the country for the entire period of the visa;
- ▶ provide criminal record certificate or other document with the same legal value, issued by the authorities of the State of domicile or residence;
- ▶ provide medical insurance for the period of validity of the visa.

The visa for employment is granted without the presentation of a copy of the employment permit to foreigners from Ukraine employed on the territory of Romania with a full-time individual employment contract for a maximum period of nine months in a calendar year.

Any alteration of rights with respect to - *There are no specific issues or salient points identified for this question.*

residence: for Ukrainian citizens beneficiaries of temporary protection, the extension of the right of residence is materialised by the issuance of a single permit (residence permit attesting the right of residence and work) valid for up to 1 year. The right of residence may be extended for successive periods of 1 year, provided that the conditions representing the basis for granting the initial right to work are maintained.

employment rights:

social welfare and social security rights:

Status change from temporary protection to EU Blue Card:

The status change from temporary protection to EU Blue Card is not expressly foreseen in legislation. As such, no legal provision would prevent an Ukrainian citizen, benefiting from temporary protection, from applying for a Blue Card, even while remaining in the country.

If the beneficiary of temporary protection intends to work as a highly-qualified employee in Romania for more than 90 days, they can apply for an EU Blue Card during the temporary protection regime. It would, however, only be applicable after expiry of the temporary protection. The future employer must first apply to the [General Inspectorate for Immigration](#) (GII) for a work authorisation for highly-qualified employees. This authorisation will be issued within the quotas fixed by the Government, unless there is in place an exemption from the quota requirement. To apply for a Blue Card, the applicant must have a valid work contract or binding job offer for highly qualified employment with a duration of at least one year, meet the minimum salary threshold for Romania, for regulated professions: present documents proving that the national legal requirements are met, for unregulated professions: present documents proving that the relevant higher professional qualifications are met.

In Romania, the EU Blue Card is issued for a period of one year and extended for the duration of the employment contract plus three months and up to two years maximum (more information [here](#)). National law provides that the maximum processing time for issuing a Blue Card in Romania is **30 days (more information [here](#))**.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

Not foreseen by law.		
Any alteration of rights with respect to - <i>There are no specific issues or salient points identified for this question.</i>		
residence:	employment rights:	social welfare and social security rights:

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

No, not specifically for this purpose. Romania's Immigration Office is under the obligation, pursuant to Article 140 of Law 122/2006 on asylum, to give all relevant information pertaining to displaced persons when transfer requests are made. No references to such a situation (precluding multiple registration) exists in the specific legal norms adopted to implement the Council Decision 2022/382.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

There are no specific provisions applicable to beneficiaries of temporary protection.

Ukrainians formally recognised in Romania as benefiting from subsidiary protection have the same rights as Romanians citizens, besides the right to vote and be elected in public office, including:

- (a) to be employed by natural or legal persons, under the same conditions as Romanian citizens ((Article 3 (1) letter j) of GO 25/2014),
- (b) to benefit from social insurance, social assistance measures and social health insurance, under the conditions provided by law for Romanians,
- (c) to benefit from equal treatment with Romanians regarding equivalence of studies or periods of study, recognition of diplomas and certificates of competence, as well as professional qualifications that give access to professions in Romania.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

- I. The conditions regulating work permits/work authorisation, if required

During the period of temporary protection, its beneficiaries have the right to be employed and to engage in self-employed activities, under the law. In other words, a foreigner who is in the situation described in the Council Implementing Decision 2022/382 of 04.03.2022 can be directly employed, even if he has not applied for asylum. The GEO no. 20/2022 provides for measures that facilitate the integration of displaced persons from Ukraine into the Romanian labour market. Foreign citizens will be able to work in Romania on the basis of a declaration on their own responsibility, given to the Romanian employer, by which they will assume that they have the

relevant professional training, experience in the activity necessary to fill the position and that they have no criminal record.

According to the national legal provisions, there are three options of employment of a Ukrainian citizen by a Romanian employer. These modalities are derogatory to the general rule that a local employer (company from Romania), in order to employ a natural person from a third country, should obtain an employment permit.

The first option is the one provided for in Article 3 para. (2) letter o) of GO 25/2014, according to which a Ukrainian citizen can be employed on the territory of Romania with a full-time individual employment contract for a maximum period of 9 months in a calendar year (employment without refugee status). According to Article 13 paragraph (3) of GO 25/2014, there is no need for an employment permit for citizens of Ukraine employed on the territory of Romania with a full-time individual employment contract, for a period of maximum 9 months in a calendar year, if they meet the conditions provided for in paragraph (2) of GO 25/2014, that is, the conditions of authorisation provided for by the legislation in force in Romania for the occupation of that job (if such conditions of authorisation exist for the position they are going to occupy) and have no criminal record incompatible with the activity they are going to perform on the territory of Romania. In short, this procedure involves only obtaining the NIF (Tax Identification Number) without the need to obtain a work permit.

The second option is based on the provisions of Article 3 para. (2) letter k) of the GO 25/2014, namely the direct employment, without obtaining a work permit from the employer, of beneficiaries of temporary protection (according to Article VI of GEO 20/2002) or asylum seekers from the date on which they are entitled to receive access to the labour market according to Law no. 122/2006. According to article 20 of Law no. 122/2006, from the moment of recognition of refugee status or from being granted subsidiary protection, the foreign citizen has, among other things, the right to be employed by natural and legal persons, to carry out commercial acts and activities, including independent economic activities, under the same conditions as Romanian citizens. In other words, the direct employment of refugees who are in Romania and are so classified by the local authorities (refugee status). In this hypothesis we must take into account that the procedure for the settlement of the asylum application can take up to 30 days from the date of submission of the application.

According to Article 34 of GO 25/2014, the employer/beneficiary of the provision of services who employs/assigns a foreigner from the category of those referred to in Article 3 para. (2) or Article 20 para. (2) has the obligation to communicate to the General Inspectorate for Immigration, within 10 days from the date of the beginning of their activity on the Romanian territory, a copy of the individual employment agreement, a copy of the secondment letter, as well as the documents attesting the belonging to one of the categories referred to in Article 3 para. (2) or Article 20 par. (2), as appropriate.

The employer/beneficiary of the service provision is also obliged to inform the General Inspectorate for Immigration, within 10 days, of the amendment or termination of the individual employment agreement concluded with the foreigner or, if applicable, of the termination of his/her secondment.

Therefore, after the conclusion of the individual employment agreement and the registration with the General Registry of Employees, the employer must communicate to the General Inspector for Immigration (IGI) a copy of the individual employment agreement (IEA) because a foreigner who is exempt from obtaining the employment permit has been hired.

II. Recognition of qualifications/diplomas

For Ukrainian citizens wishing to be employed in Romania but not having documents attesting to their professional qualification or work experience (according to article VI GEO 20/2022):

- ▶ They can apply to government employment agency and its territorial centres for support and registration.
- ▶ They will have the opportunity to work in Romania based on an [affidavit](#) in which they ascertain that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record. However, these derogations do not apply for work in regulated professions (e.g. physician, pharmacist, architect etc.), irrespective of whether such professions are carried out within a company or independently.
- ▶ Career guidance counsellors will provide them with information and professional counselling services and assist them in filling in the affidavit, which will also be available in Ukrainian. Ukrainian citizens that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.
- ▶ After receiving professional information and counselling services, the Ukrainian citizen is placed in a vacant job that corresponds to the qualifications and experience as declared and receives an assignment order to present to the employer. The work permit is valid for twelve months as of the employment, with the possibility of pre-extension by periods of six months, for a maximum of one year (two years in total).

More generally, if the Romanian State accepts the diploma/degree or certificate as authentic, then it is possible to study and work in Romania. The diploma or certificate shall only be recognised for the purpose stated and, therefore, cannot be used for any purpose other than the one regarding which recognition was requested for (more information [here](#)). Diplomas, certificates or other documents issued by an accredited school, high school or university from abroad may be recognised.

The **National Centre for the Recognition and Equivalence of Diplomas** is the relevant assistance centre in Romania, according to the provisions of Article 37 of the Law No. 200/25.05.2004 on the recognition of professional diplomas and qualifications for regulated professions in Romania, as amended, whose task is to provide *citizens* and [assistance centres in the other Member States](#) with assistance in the recognition of professional qualifications, including information on

- ▶ [national legislation governing their professions and their practice](#),
- ▶ *labour and social security* legislation
 - ▷ [Ministry of Labour and Social Justice](#);
 - ▷ [National House of Public Pensions](#)
- ▶ [deontological norms for the regulated professions in Romania](#).

Furthermore, Ukraine and Romania have concluded a [bilateral agreement on mutual recognition and equivalency of education documents and academic degrees](#).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Career guidance counsellors provide Ukrainian citizens with information and professional counselling services and assist them in filling in an affidavit in which they ascertain that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record, which will also

be available in Ukrainian. Ukrainian citizens that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.

The National Employment Agency, through its territorial structures, offers the following free services to Ukrainian citizens registered in the records of the institution:

- ▶ information and professional counselling - services provided free of charge to jobseekers, aimed at providing information on the labour market and the evolution of occupations; profiling and matching to the level of employability; training in methods and techniques of job search and guidance during the process of socio-professional integration at the new workplace
- ▶ job mediation - putting employers in touch with jobseekers with a view to establishing employment or service relationships. Mediation services are provided free of charge to persons registered in the ANOFM database.
- ▶ vocational training - increasing and diversifying professional skills in order to ensure mobility and integration into the labour market, is provided free of charge for persons registered in the AJOFM database. Access to vocational training programmes is provided following information and vocational counselling or mediation.
- ▶ assessment and recognition of professional competences obtained in non-formal and informal contexts - for people who do not hold a certificate of professional competence, qualification or graduation for certain skills, occupation or qualification and have no medical restrictions. Access to free assessment and certification services for professional competences acquired through non-formal means is provided following information and professional counselling or mediation.
- ▶ EURES support services - information, advice and mediation services for jobseekers in the European Union and the European Economic Area.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Vocational training (increasing and diversifying professional skills in order to ensure mobility and integration into the labour market), is provided free of charge for persons registered in the AJOFM database. Access to vocational training programmes is provided following information and vocational counselling or mediation.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

There are no specific issues or salient points identified for this question.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

There are no special social security benefits for Ukrainian citizens or other beneficiaries of temporary protection measures. The main social security rights regulated under Romanian legislation are: **(i)** old age, invalidity, survivors' benefits; **(ii)** sickness benefits; **(iii)** benefits for accidents at work and occupational diseases; **(iv)** unemployment benefits; **(v)** family benefits (maternity leave, sick child care, parental leave, child allowance).

Persons enjoying temporary (or adequate) protection from Ukraine are entitled to emergency healthcare assistance. Romania provides the following main health care services:

- ▶ Free medical assistance and care services similar to those provided to Romanian citizens, for a period of 90 days, if the entry into Romania meets the legal conditions, i.e. on the basis of the biometric passport⁸⁵.
- ▶ Ukrainian citizens who have a legal right of residence in Romania (but do not benefit from a form of international protection) will benefit from the above-mentioned services upon payment of health contributions for work-related income or from the date they submit a declaration for payment of social security contributions.
- ▶ Primary health care and treatment, emergency hospital care, as well as medical care and treatment, granted free of charge in cases of acute or chronic life-threatening diseases, for citizens applying for asylum in Romania.
- ▶ Free medical assistance and care services for Ukrainian citizens who are beneficiaries of a form of international protection (e.g. asylum), who become insured under the social health insurance system.

Moreover, under GEO no. 20/2022, people with disabilities, accompanied or unaccompanied, who come from the area of armed conflict in Ukraine and enter Romania, can benefit, upon request, from social services provided in all types of residential centres for adults with disabilities, namely sheltered housing, centres for independent living and rehabilitation centres, care and assistance centres or in respite centres/crisis centres.

If, on entering Romania, persons with disabilities declare, individually or through their accompanying person, that they will remain in Romania, they can be registered, on request, in the records of the General Directorate of Social Assistance and Child Protection in order to benefit from the services provided in the centres for adults with disabilities. Adults with disabilities who do not have valid identity documents will be communicated to the General Inspectorate for Immigration in order to establish their legal status, while they will be taken over, upon request, by the General Directorate for Social Assistance and Child Protection in order to provide the services mentioned above.

In addition, foreign citizens or stateless persons in special situations who come from the armed conflict area in Ukraine and enter Romania and who do not apply for asylum can be accommodated for free in temporary accommodation and humanitarian assistance camps or in other accommodation locations established by the county/Bucharest committees for emergencies. Here they will be provided food; clothing; and personal hygiene materials.

The beneficiaries of the temporary protection are also entitled:

- ▶ to be informed, in writing, in a language which they are supposed to understand, of the provisions relating to temporary protection;

⁸⁵ https://ec.europa.eu/migrant-integration/library-document/romania-emergency-ordinance-no-202022-humanitarian-assistance-those-fleeing_en.

- ▶ to be employed, to carry out independent activities, respecting the rules applicable to the profession, as well as activities such as educational opportunities for adults, vocational training and practical work experience, in accordance with the law;
- ▶ to benefit, on request, from the necessary assistance for maintenance, in case they do not have the necessary material means;
- ▶ for beneficiaries of temporary protection with special needs, to receive adequate medical assistance;
- ▶ the right to have access to the state education system under the conditions provided by law for Romanian citizens, in the case of beneficiaries of temporary protection who have not reached the age of 18.

II. Eligibility conditions

In Romania, the social security system is regulated as a public service. The financial organization of the social security system is founded on the principle of contribution and the principle of distribution, thus promoting the idea of solidarity between generations.

Once an Ukrainian citizen is employed under the Romanian system, they benefit from the social rights as a Romanian citizen and thus general rules apply to them. As such, there are no special rules or protection of Ukrainians, when it comes to social security and welfare. Ukrainian citizens have access to the Romanian unemployment insurance system, to statutory measures on preventing unemployment and to employment promoting measures.

As a rule, access to benefits is conditional upon meeting a contributory stage, which varies between 6 months for family and sickness benefits, 12 months for unemployment benefits and to 15 years for state pension. No contribution stage is required in case of benefits for accidents at work and occupational diseases.

All individuals performing work under an employment agreement or assimilated thereto (civil servants, persons who perform their activity in elected or appointed positions within the executive, legislative or judicial branch, during their mandate or cooperative) are compulsory enrolled in the social security system.

Freelancers, as a rule, have the option to enroll indifferent social security systems, with the exception of the pension and health, where they are compulsory ensured if they obtain income beyond a certain threshold.

- ## III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

No.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Foreign citizens coming from Ukraine can travel for free inside Romania with CFR Călători. Also, as a refugee, Ukrainians can leave Romania and go to Hungary for free. CFR Călători will issue the free ticket towards the

border, and the conductor MAV (from Hungary), further on the territory of Hungary to Budapest or to the next border.

Against the background of the armed conflict in Ukraine, the MLSS has taken a number of decisions aimed at protecting disabled people, dependent elderly people, as well as making the conditions of access to the Romanian labour market more flexible for Ukrainian citizens.

- ▶ Ukrainian citizens wishing to be employed in Romania but not having documents attesting to their professional qualification or work experience can apply to government employment agencies for support and registration.
- ▶ Ukrainian citizens will have the opportunity to work in Romania based on an affidavit in which they ascertain that they possess the appropriate professional training and experience in the field of activity in question and that they have no criminal record. However, these derogations do not apply for work in regulated professions (e.g. physician, pharmacist, architect etc.), irrespective of whether such professions are carried out within a company or independently.
- ▶ Career guidance counsellors will provide them with information and professional counselling services and assist them in filling in the affidavit, which will also be available in Ukrainian. Ukrainian citizens that contact an employer directly without requesting the services of the government employment agencies must fill in the affidavit with the employer's assistance.
- ▶ After receiving professional information and counselling services, the Ukrainian citizen is placed in a vacant job that corresponds to the qualifications and experience as declared and receives an assignment order to present to the employer.

There are also sites dedicated to Ukrainians fleeing from the conflict, such as:

- ▶ <https://www.gov.ro/ro/pagina/ukraine-together-we-help-more>
- ▶ <https://romania.iom.int/news/useful-information-people-entering-romania-ukraine>
- ▶ <https://visitukraine.today/blog/183/romania-useful-information-for-ukrainian-refugees>
- ▶ https://mmuncii.ro/j33/images/Documente/MMSS/20220307_pliant_-servicii-UKR-pag4.jpg
- ▶ <https://dopomoha.ro/en>
- ▶ Refugees.ro - platform developed by young cybersecurity researcher Alexandru Panait gathering various initiatives aimed at helping Ukrainian citizens arriving in Romania. Many resources from various areas are mapped on this website, from shelter to food, transport, medicines, child care, pet care, translation, job offers or other services. The platform is available in English, Ukrainian, Romanian, Polish, Russian, and Slovak, offering valuable information for both beneficiaries and people who can provide help.
- ▶ The Romanian Government also launched a platform aimed at streamlining the help offered by individuals, NGOs, and companies. Those who can help can fill out a form (you have to share personal information such as your name or phone number, plus the type of help you can offer - accommodation, essential goods, food, job offer or transport - and the location).

Country fiche for Sweden

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁸⁶ and Council Implementing Decision (EU) 2022/382⁸⁷

[Aliens act \(2005:716\)](#)

[Aliens regulation \(2006:97\)](#)

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Chapter 21 Section 7 of the [Aliens act \(2005:716\)](#) states that a person who is granted a residence permit with temporary protection shall be granted a work permit valid for the entire period of temporary protection.

Social security:

- ▶ the [Social Insurance Code \(2010:110\)](#).

Social welfare:

- ▶ [Act on reception of asylum seekers among others \(1994:371\)](#)
- ▶ [Regulation on the reception of asylum seekers among others \(1994:361\)](#)
- ▶ [Act \(2008:344\) on healthcare for asylum seekers and others](#)

⁸⁶ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁸⁷ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> ▶ residing in Ukraine ▶ displaced from 24 February 2022 	Yes
Family members <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	Yes <p>According to Chapter 21 Section 4 of the Aliens Act (2005:716), if a residence permit with temporary protection has been given to a person, such a permit may also be given to:</p> <ul style="list-style-type: none"> ▶ the person who is the spouse or cohabiting partner of that person; ▶ an alien who is unmarried and who is a child either of the person who has been granted a permit or the person who is the spouse or cohabiting partner of the person who has been granted a permit; and ▶ an alien who is a parent of an unmarried alien child if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been alone after arrival. <p>An alien may only be refused a residence permit on the grounds of family reunification if there are exceptional grounds on account of national security or the alien's previous criminal activity.</p> <p>It should be noted that Sweden has not transposed the passage in Article 15(1) of the Temporary Protection Directive 'where families already existed in the country of origin and were separated due to circumstances surrounding the mass influx'. Hence, the domestic legislation in Sweden concerning family reunification is considerably more favourable than what is required by the Directive.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	Yes
Stateless persons and nationals of third countries, legally residing in Ukraine before 24	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin	
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>According to Chapter 21 Section 3 of the Aliens Act (2005:716), the Swedish Government may issue a regulation prescribing that additional categories of displaced persons, beyond those covered by the decision of the Council of the European Union, may be given residence permits with temporary protection if these persons have been displaced for the same reasons and from the same country or region of origin.</p> <p>The Government has decided that the group of people who is entitled to a residence permit with temporary protection in Sweden will be extended to include those who left Ukraine prior to the invasion (Chapter 4 Section 19(h) of the Aliens regulation (2006:97). This applies to those who travelled to and stayed in Sweden between 30 October 2021 and 23 February 2022.</p>
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	The Swedish Migration Agency	Migrationsverket	https://www.migrationsverket.se
Employment rights	The Swedish Migration Agency	Migrationsverket	https://www.migrationsverket.se

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	<p>Swedish Public Employment Service (responsible for the public employment service in Sweden and the implementation of labour market policies)</p> <p>Swedish Council for Higher Education (UHR)</p>	Arbetsförmedlingen	https://arbetsformedlingen.se/
Social welfare and social security rights	<p>The Swedish Migration Agency</p> <p>Note: In Sweden, 290 municipalities are responsible for social welfare. The Migration Agency, however, has the main responsibility according to the Act on the reception of asylum seekers among others (1994:137) for persons enjoying temporary protection (except for providing housing; see section 4.1 below).</p> <p>Social Insurance Agency (responsible for social security rights)</p>	<p>Migrationsverket</p> <p>Försäkringskassan</p>	<p>https://www.migrationsverket.se</p> <p>https://www.forsakringskassan.se</p>

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

No such a mechanism exists.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁸⁸ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Persons with a permit for temporary protection have the same rights as asylum seekers. This means that they have the right to access education (for children), the right to work, the right to urgent health care and certain financial support if needed (Act on the reception of asylum seekers among others (1994:137)).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

When the period of temporary protection has come to an end, the formerly temporary protected may apply for a residence permit on any ground laid down in the [Aliens Act \(2005:716\)](#). However, as a principal rule (cf. Chapter 5 Section 18 of the [Aliens Act \(2005:716\)](#)) the person must have applied for and been granted a permit before entering the territory of Sweden i.e. an application for a residence permit may not be approved after entry. There are exceptions to this rule; for example, the alien is entitled to a residence permit in Sweden as a refugee, a person otherwise in need of protection (subsidiary protection), if there are particular compassionate grounds allowing the person to stay in Sweden or in cases of family reunification if it cannot reasonably be required that the alien should travel to another country in order to submit the application, or, if there are other exceptional grounds. In these cases, the person may apply for and await the decision in Sweden.

[According to the Swedish Refugee Law Centre](#), the Swedish Migration Agency has said – when the permit according to the Directive expires – that it will be possible to apply for a residence permit for other reasons if the temporary protection is not to be extended: work permit, EU Blue Card, seasonal workers and family reunification. However, it is not certain that permission will be granted from within Sweden.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

⁸⁸ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

Status change from temporary protection to work permit, EU Blue Card, seasonal workers and family reunification:

The conditions set in the legislation to apply for such a status change while remaining in the country:

An application may be done online at the website of the Swedish Migration Board.

Work permit

Conditions according to Chapter 6 Section 2 of the [Aliens Act \(2005:716\)](#):

- ▶ having an employment contract;
- ▶ having a valid passport;
- ▶ having an employment with terms of employment that are at least on par with those set by Swedish collective agreements or which are customary within the occupation or industry;
- ▶ having a salary that is at least on par with that set by Swedish collective agreements or which is customary within the occupation or industry;
- ▶ having an employment that will enable you to support yourself;
- ▶ having an employer who provides insurance covering health, life, employment and pension.

They may apply for an extension while in Sweden.

Blue Card

Conditions according to Chapter 6 a Section 1 of the [Aliens Act \(2005:716\)](#):

- ▶ having a valid passport;
- ▶ having the equivalent of 180 credits of tertiary education or five years of relevant professional experience;
- ▶ having or have applied for comprehensive health insurance that is valid for care in Sweden (the health insurance should cover the first three months in Sweden);
- ▶ having been offered a highly qualified work that lasts for at least one year;
- ▶ having a salary that is at least one and a half times bigger than an average salary in Sweden;
- ▶ offering conditions of employment that are at least at the same level as Swedish collective agreements or what is customary in the profession or industry.

They may apply for an extension while in Sweden.

Work permit for seasonal workers

Conditions according to Chapter 6 c Sections 2-6 of the [Aliens Act \(2005:716\)](#):

- ▶ having a valid passport;
- ▶ having been offered temporary employment as a seasonal worker by an employer established in Sweden;
- ▶ having access to accommodation of an appropriate standard;
- ▶ having taken out or applied for comprehensive health insurance for healthcare in Sweden (health insurance

must be valid for the full duration of the stay);

- ▶ being qualified to practise in Sweden if the work is within a regulated profession;
- ▶ intending to leave Sweden when the permit expires.

The permit must be applied for and approved before entering Sweden (Chapter 6 c Section 7 of the Aliens Act).

Family reunification

Conditions according to Chapter 5 Sections 3-3g of the [Aliens Act \(2005:716\)](#):

- ▶ must have an income that can cover the cost of housing and living expenses for yourself and your family members (maintenance requirement).

The maintenance requirement only needs to be met the first time family members apply for a residence permit. Neither it is applicable if it is a child or an EU-citizen, EEs-citizen or Swiss citizen.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

No difference in admission criteria and conditions.

Any alteration of rights with respect to

<p>residence:</p> <p>If the person is granted a work permit for a period of time less than one year, she or he will not be registered in the Swedish population register. Residence registration is a condition to have right to health care and social welfare (Section 3 of the Population Register Act (1991:453).</p>	<p>employment rights:</p> <p>Working in Sweden – the person has rights to employment rights</p>	<p>social welfare and social security rights:</p> <p>Anyone working in Sweden is entitled to work-based social security benefits (see below 4)</p> <p>To be eligible to residence -based benefits the person must have the intention to stay in Sweden for more than one year (Social Insurance Code, chap. 5, sec. 3) If the person has a work permit for less than a year she or he will not have rights to social security.</p> <p>If the person is granted a work permit for a period less than one year, she or he will not be registered in the Swedish population register and will not have rights to social welfare.</p>
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to Chapter 21 Section 8 of the [Aliens Act \(2005:716\)](#), the residence permit shall expire upon the transfer of the temporary protected person.

Moreover, the benefits provided under the Act on the reception of asylum seekers among others are provided as long as the temporary protected person is in Sweden ([see also the webpage of the Migration Agency](#)).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Minimum wages, insurance and certain terms of employment are covered in collective agreements between the employers represented by employer organisations and the employees represented by the unions. The collective agreements are applicable also to the temporary protected who are working.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

After the Migration Agency has decided to grant residence permit with temporary protection, the beneficiary will receive a [residence permit card \(UT card\)](#) as proof of the residence permit. Chapter 21 Section 7 of the [Aliens Act \(2005:716\)](#) states that a person who is granted a residence permit with temporary protection shall be granted a work permit valid for the entire period of temporary protection.

- II. Recognition of qualifications/diplomas

The Swedish Council for Higher Education (UHR) is the public authority responsible for admission to higher education and the recognition of foreign qualifications. Some professions (around 60) are regulated by legislation that defines the requirements for working within that profession, e.g. a particular qualification or authorisation, or other formal recognition. Each profession has its particular qualifications.

[The website of UHR contains information for persons from Ukraine.](#) On the website there is a Qualifications Assessment Tool to quickly get a comparison of the foreign qualification to a Swedish qualification. The person can then download a PDF document to take with her or him at job interviews.

On 16 June 2022, the Government instructed Stockholm University (after a request from Ukraine) to conduct examinations for the admission to Ukrainian higher education. The assignment includes providing premises and test guards, carrying out the checks that are necessary to identify the test participants, pass on the results and other similar and necessary measures.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The [website](#) of the Swedish Public Employment Service contains information for Ukraine persons looking for work.

In order to obtain such assistance, displaced persons from Ukraine must register with the Swedish Public Employment Service. When registering, such persons must present a valid proof of identity such as a passport, and the residence permit received from the Swedish Migration Agency as well as a coordination number from the Tax Agency (*Skatteverket*). A coordination number is an identification for people who are not registered as living in Sweden (Section 18 of the Population Register Act).

When displaced persons are registered, they will be offered a planning discussion with an employment officer (in English or with an interpreter if necessary). It has been reported that it is very difficult for Ukraine persons to have a Ukraine interpreter. Some persons have been offered to have a Russian interpreter. In the planning discussion it will be decided what kind of support for job seeking is needed or whether displaced persons can apply for work by themselves.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Vocational introduction employment can be for at least six months and up to 12 months. The condition is that the employer has a collective agreement and a vocational introduction agreement for the industry

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

N/A

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Swedish social security benefits are either residence-based, or work-based. To be eligible for residence-based benefits, the person must be considered as resident in Sweden. Chapter 5 Section 4 of the [Social Insurance Code](#) (2010:110) states that persons enjoying temporary protection can be considered resident after three years (cf. the situation for someone moving to Sweden – they are considered resident if the intention is to stay in Sweden for at least one year; according to Chapter 5 Section 3 of the Social Insurance Code). Displaced persons from Ukraine are not registered and do not have access to residence-based social security.

Chapter 5 Section 9 of the [Social Insurance Code](#) lists residence-based social security benefits:

- ▶ Parental leave allowance,
- ▶ Child allowance,
- ▶ Maintenance allowance,
- ▶ Care allowance,
- ▶ Additional costs allowance,
- ▶ Car allowance,
- ▶ Additional costs allowance,
- ▶ Guarantee pension,
- ▶ Assistance benefit,
- ▶ Assistance benefit.

Anyone working in Sweden has access to work-based social-security benefits. This means that displaced persons from Ukraine who do not work do not have access to social security.

Chapter 6 Section 6 of the [Social Insurance Code](#) lists work-based benefits:

- ▶ Pregnancy allowance,
- ▶ Temporary parental allowance,
- ▶ Parental leave allowance,
- ▶ Sickness benefits,
- ▶ Rehabilitation benefit in the form of a rehabilitation allowance,
- ▶ Life annuity,
- ▶ Close relative's benefit,
- ▶ General old-age pension in the form of an income-based old-age pension,
- ▶ Survivor's allowance.

Social welfare:

Persons enjoying temporary protection will, for the first three years, receive the same benefits as asylum seekers (see Section 1 of the [Act on reception of asylum seekers among others \(1994:371\)](#). This includes a daily allowance and a special reimbursement in cases of a particular need (cf. Sections 13-19 and Section 4, 5, 6 and 7 in the [Regulation on the reception of asylum seekers and others \(1994:361\)](#)).

Furthermore, the persons concerned are also eligible for housing benefits. As of 1 July 2022, the municipalities are responsible (before it was the Migration Agency) for arranging housing for those people who have a residence permit under the Temporary Protection Directive and who currently live in one of the Swedish Migration Agency's accommodations (Sections 3 and 3b of the [Act on reception of asylum seekers among others \(1994:371\)](#)). This only applies to those who have been granted a residence permit and who have received

the Swedish Migration Agency's help with housing. The municipality is not responsible for arranging housing for those who have not themselves asked the Swedish Migration Agency for help with a place to live.

In order for all of Sweden's 290 municipalities to share responsibility, many people who currently live in housing provided by the Swedish Migration Agency will need to move from a municipality where many people with residence permits live according to the Temporary Protection Directive, to a municipality where fewer people live.

As for medical care, [Act \(2008:344\) on healthcare for asylum seekers and others](#) states that there is a right to urgent health care. Once such persons have received residence permit under the Temporary Protection Directive, a free health exam is offered. The fees for healthcare for those who have protection under the Temporary Protection Directive are listed [here](#). Types of benefits:

- ▶ obstetric care,
- ▶ abortion care,
- ▶ contraceptive counselling,
- ▶ maternal health care, and
- ▶ care provided under the Communicable Diseases Act (a law intended to prevent the spread of infectious diseases).

II. Eligibility conditions

Social security:

According to Chapter 6 Section 6 of the [Social Insurance Code \(2010:110\)](#) anyone working in Sweden is eligible for work-based social security benefits. No special eligibility conditions for persons enjoying temporary protections with regard to work-based benefits.

Social welfare:

The beneficiary must fall under [the Act on reception of asylum seekers among others](#) and be present in Sweden.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

N/A

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

[Informationsverige.se](#) is a website run by the County Administrative Boards that contains information about Sweden for asylum seekers and people who have recently been granted a residence permit.

Confederation of Swedish Enterprise (Svenskt näringsliv) is a non-profit association consisting of 50 industry and employer organisations. [The website](#) of the organisation has gathered information.

The websites of the [Migration Agency](#), the [Swedish Public Employment Service](#) as well as [the Swedish Tax Agency](#) contain information for employers. The website of the [Swedish Public Employment Service](#) contains information for Ukraine persons looking for work.

The website of the [Social Insurance Agency](#) contains information for displaced persons from Ukraine enjoying temporary protection, however, not in English.

Country fiche for Slovenia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁸⁹ and Council Implementing Decision (EU) 2022/382⁹⁰

Temporary Protection of Displaces Persons Act (*Zakon o začasni zaščiti razseljenih oseb*), adopted on 22 June 2005, published on 8 July 2005 and in force from 23 July 2005. This is the main law implementing the TPD in Slovene legal system.

Rules on the procedure concerning transferal of persons enjoying temporary protection (*Pravilnik o postopku premestitve oseb z začasno zaščito*), adopted on 28 November 2005, published on 9 December 2005 and in force from 10 December 2005. This regulation lays down procedure for the transfer of persons enjoying temporary protection as specified in Article 26 TPD.

Rules on the application for granting temporary protection and on the identity card of persons enjoying temporary protection (*Pravilnik o vlogi za začasno zaščito in izkaznici osebe z začasno zaščito*), adopted on 24 March 2022, published on 25 March 2022 and in force from 26 March 2022. This by-law regulates procedural aspects of making an application of temporary protection and obtaining a special card for persons with temporary protection. Administrative Units are competent to examine an application and to determine to such a person also a unique national identification number (EMŠO).

Instructions on the procedure and method of dealing with persons illegally entering the Republic of Slovenia during the period when covered by temporary protection (*Navodilo o postopku in načinu ravnanja z osebami, ki v času trajanja začasne zaščite nezakonito vstopijo v Republiko Slovenijo*), in force from 1 April 2006, with its amendment adopted on 11 April 2022, published on 29 April 2022 and in force from 30 April 2022. This instruction determined the procedure and manner of dealing with persons who enter Slovenia illegally during the period of temporary protection. In such cases police should verify if a person would like to apply for temporary protection and start with the procedure.

Decision establishing temporary protection for persons displaced from Ukraine (*Sklep o uvedbi začasne zaščite za razseljene osebe iz Ukrajine*), adopted on 9 March 2022, published on 9 March 2022 and in force from 10 March 2022. With this Decision the Government determined the beneficiaries from Ukraine who are eligible to apply for temporary protection.

⁸⁹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁹⁰ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

On 20 May 2022, the Government adopted a [draft proposal of the new Law on Intervention Measures for Comprehensive Regulation of the Situation of Displaced Persons from Ukraine and for Helping the Economy of the Republic of Slovenia on Account of the Ukrainian Crisis](#) (*Predlog Zakona o interventnih ukrepih za celovito ureditev položaja razseljenih oseb iz Ukrajine in za pomoč gospodarstvu Slovenije zaradi posledic ukrajinske krize*). According to the [Government](#), this law aims at improving legislation on temporary protection by eliminating any obstacles detected in practice as well as by providing for better implementation of the Directive; for simplified and faster procedure of temporary protection and for clearer delineation from the procedure for international protection; for clearer division of competences and responsibilities; and for clearer regulation of the rights of displaced persons. The draft law has been sent to the Parliament who will decide on it following an urgent procedure.

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Employment:

Temporary Protection of Displaced Persons Act: Article 23(1) indent 4 in connection with Article 28(1) grant persons enjoying temporary protection the same right to work as to refugees;

Employment, Self-employment and Work of Foreigners Act (*Zakon o zaposlovanju, samozaposlovanju in delu tujcev*), adopted on 16 June 2015, published on 30 June 2015, in force from 15 July 2015 and applicable from 1 September 2015. Article 6(2) No. 7 provides for the right to free access to the labour market to a foreigner who has been granted temporary protection status, as evidenced by a special card;

Employment Relationship Act (*Zakon o delovnih razmerjih*), adopted on 5 March 2013, published on 13 March 2013 and in force from 12 April 2013. Article 3(1) makes clear that its provisions apply to all employees in Slovenia, regardless of their nationality and status;

Minimum Wage Act (*Zakon o minimalni plači*), adopted on 11 February 2010, published on 22 February 2010 and in force from 23 February 2010. Article 2 defines minimum wage in Slovenia;

International Protection Act (*Zakon o mednarodni zaščiti*), adopted on 4 March 2016, published on 25 March 2016 and in force from 24 April 2016. Article 90(1) No. 6 provides refugees with the right to employment and work as defined in the Employment, Self-employment and Work of Foreigners Act;

Labour Market Regulation Act (*Zakon o urejanju trga dela*), adopted on 28 September 2010, published on 12 October 2010, applicable from 27 October 2010 and in force from 1 January 2011. This law provides for rules on the public employment service, active employment police measures, unemployment insurance et. al which is available to everyone who is employed or registered as unemployed person in Slovenia, regardless of nationality and status;

Assessment and Recognition of Education Act (*Zakon o vrednotenju in priznavanju izobraževanja*), adopted on 19 October 2011, published on 2 November 2011, applicable from 17 November 2011 and in force from 16 December 2011. This act regulates recognition of education of foreigners, including those under temporary protection.

Social security/welfare:

Temporary Protection of Displaced Persons Act: Chapter IV. providing social rights of persons enjoying temporary protection;

Labour Market Regulation Act: This law provides for rules on the public employment service, active employment police measures, unemployment insurance et. al;

Health Care and Health Insurance Act (*Zakon o zdravstvenem varstvu in zdravstvenem zavarovanju*), adopted on 12 February 1992, published on 21 February 1992 and in force from 1 March 1992. This law provides general rules on health insurance;

Pension and Disability Insurance Act (*Zakon o pokojninskem in invalidskem zavarovanju*), adopted on 4 December 2012, published on 14 December 2012 and in force from 1 January 2013. General rules on pension and disability insurance are provided in this act;

Decision determining the allowance for private accommodation (*Sklep o določitvi denarnega nadomestila za zasebno nastanitev*), adopted on 5 June 2014, published on 6 June 2014 and in force from 7 June 2014. This old Decision provides only rules on the allowance for private accommodation.

Decree on the methods for ensuring rights of persons enjoying temporary protection (*Uredba o načinu zagotavljanja pravic osebam z začasno zaščito*), adopted on 24 March 2022, published on 24 March 2022 and in force from 25 March 2022. This new Decree regulates procedure for granting rights to persons with temporary protection status and applicants for temporary protection, including for example accommodation and meals in accommodation centres or financial assistance for private accommodation, healthcare, education, financial assistance, pocket money, family reunification, free legal assistance;

Legal Aid Act (*Zakon o brezplačni pravni pomoči*), adopted on 31 May 2001, published on 13 June 2001 and in force from 11 September 2001. This act regulates free legal assistance in general, include for those enjoying temporary protection;

Decree on ways and scope of providing programs of support for integration of third country nationals (*Uredba o načinih in obsegu zagotavljanja programov pomoči pri vključevanju tujcev, ki niso državljani Evropske unije*), adopted on 13 September 2012, published on 17 September 2012 and in force from 1 January 2013. It provides for rules on language courses for third country nationals, including those enjoying temporary protection.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals Residing in Ukraine displaced from 24 February 2022	Yes (see Article 1(2) first indent of the Decision establishing temporary protection for persons displaced from Ukraine)
Family members of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022	Yes (see Article 1(2) first indent of the Decision establishing temporary protection for persons displaced from Ukraine) The term 'family members' is defined in Article 36(2) of the Temporary Protection of Displaced Persons Act as 'close family members' and encompasses:

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>a spouse or an unmarried partner who lived at least one year before arriving in the Republic of Slovenia with a person who is enjoying temporary protection in a community, which is according to the matrimonial law or the law of domestic relations legally equated with marriage;</p> <p>children of a person enjoying temporary protection for as long as he / she is obliged to maintain them;</p> <p>stepchildren when they maintain their stepfather or stepmother, and stepfather or stepmother when they maintain stepchildren;</p> <p>grandchildren and nephews/nieces of a person who is enjoying temporary protection if they are without parents and that person maintains them;</p> <p>other close relatives of the person who obtained temporary protection, if they have lived together as part of the family before coming to the Republic of Slovenia and that person maintained them.</p> <p>Adopted children are, according to the Family Code equal to children born in or out of marriage and therefore are granted a right to be maintained until reaching the age of 18 or even until the age of 26 if taking part in education regularly.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes (see Article 1(2) second indent of the Decision establishing temporary protection for persons displaced from Ukraine)</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes (see Article 1(2) fourth indent of the Decision establishing temporary protection for persons displaced from Ukraine)</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine,</p>	<p>No</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Government Office for the Support and Integration of Migrants	Urad vlade za oskrbo in integracijo migrantov	https://www.gov.si/drzavni-organi/vladne-sluzbe/urad-vlade-za-oskrbo-in-integracijo-migrantov/ (in EN) https://www.gov.si/en/state-authorities/government-offices/government-office-for-the-support-and-integration-of-migrants/
	The Police (responsible for accepting temporary protection applications upon entry to the territory and its submission to the Administrative Authority)	Policija	https://www.policija.si/eng/ (in EN)
	Administrative Units (responsible for dealing with application and taking decisions in individual cases)	Upravne enote	https://www.gov.si/en/state-authorities/administrative-units/ (in EN)
	Ministry of the Interior (dealing with appeals against decisions of the administrative unit competent for the area where an	Ministrstvo za notranje zadeve	https://www.gov.si/en/topics/slovenias-assistance-to-the-citizens-of-ukraine/ (in EN)

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	applicant will be accommodated)		
Employment rights	Employment Service of Slovenia ENIC – NARIC centre within the Ministry of Education, Science and Sport	Employment Service of Slovenia ENIC-NARIC center na Ministrstvu za izobraževanje, znanost in šport	https://english.ess.gov.si/ (in EN) https://www.gov.si/en/state-authorities/ministries/ministry-of-education-science-and-sport/about-us/higher-education-directorate/enic-naric-center/ (in EN)
Social welfare and social security rights	Employment Service of Slovenia Health Insurance Institute of Slovenia	Zavod Republike Slovenije za zaposlovanje Zavod za zdravstveno zavarovanje Slovenije	https://english.ess.gov.si/ (in EN) https://www.zzzs.si/en/ (in EN)

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

No cooperation mechanism in place.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁹¹ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Slovenian legislation. Displaced persons from Ukraine can either apply for asylum or for temporary protection, which is basically a fast-track version of the asylum application process.

During or at the end of the temporary protection regime, a person can apply for asylum (Article 8(1) of the Temporary Protection of Displaced Persons Act). In case a person obtains a permanent residence or citizenship based on the rules governing aliens, asylum and citizenship, temporary protection shall cease to exist (Article 6(1) indent 1 of the Temporary Protection of Displaced Persons Act).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to

⁹¹ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Please note that the [Foreigners Act](#) (*Zakon o tujcih*), adopted on 15 June 2011, published on 27 June 2011, applicable from 28 July 2011 and in force from 28 October 2011, provides for some rules on status change for foreigners enjoying international protection (asylum or subsidiary protection). However, no such rules exist with respect to persons enjoying temporary protection. Article 3(5) of the Foreigners Acts excludes its application to persons, who are enjoying temporary protection under the Temporary Protection of Displaced Persons Act.

Moreover, no other forms of adequate protection exist in Slovenian legal system.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Slovenia is bound to cooperate with other EU Member States and with UNHCR in transferral procedures (Article 9 of the Temporary Protection of Displaced Persons Act, which implements Article 26 of the Temporary Protection Directive). Transfer procedure is laid out in the Rules on the procedure concerning transferal of persons enjoying temporary protection (Rules). The person cannot at the same time enforce rights under the temporary protection in the Republic of Slovenia and in another EU Member State. Once the competent body of another EU Member State issues a final decision on recognition of temporary protection, a decision on ending temporary protection in the Republic of Slovenia is issued to that person (Article 4(2)-(4) of the Rules).

Furthermore, pursuant to Article 6(1) of the Temporary Protection of Displaced Persons Act, temporary protection ceases to exist also when:

the person has acquired the nationality of a third country and enjoys its protection;

the person has acquired refugee status, residence permit or temporary protection in a third country;

the person with temporary protection is transferred to another EU Member State with his/her consent following the procedure in Article 26(1) of the Temporary Protection Directive.

On contrary, the temporary protection shall not terminate to a person who, during the period of temporary protection in Slovenia, attempts to enter or remain illegally in the territory of another Member State, unless otherwise provided by an agreement between Slovenia or such a Member State (Article 6(2) of the Temporary Protection of Displaced Persons Act).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

As explained above, persons enjoying temporary protection, including those from Ukraine, are treated in the same way as refugees and Slovene citizens, when it comes to employment. Article 6 of the Employment Relationship Act prohibits any form of discrimination in recruitment process and employment, in particular with respect to nationality or any other personal circumstances. Prohibition of discrimination is also offset in the Slovene Constitution (Article 14) and in the Protection Against Discrimination Act.

As opposed to other third country nationals, persons enjoying temporary protection from Ukraine do not require any permit to work in Slovenia. However, in practice, their employment might be problematic as employers in Slovenia require knowledge of Slovene language for most job positions. Moreover, employment procedures can take longer in case of regulated procedures.

Although displaced persons from Ukraine have the right to work in Slovenia on different legal basis, including a regular employment contract, in reality, they are typically employed as temporary agency workers. A recent academic [article](#) shows that the response of the labour market in Slovenia was rather inclusive and that temporary work agencies and other employers showed a high willingness to accept candidates from Ukraine into the work process, among which qualified and educated staff were predominant.

b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):

I. The conditions regulating work permits/work authorisation, if required

Persons enjoying temporary protection have the right to work in Slovenia (Article 23(1) indent 4 of the Temporary Protection of Displaced Persons Act). Displaced persons from Ukraine can apply for temporary protection in Slovenia from 10 March 2022 onwards. Temporary protection status lasts until 4 March 2023 and entails the right to work and reside in Slovenia. Due to delays, special cards confirming temporary protection have only started to be issued [from 15 June 2022 onwards](#). Before that temporary protection was granted by a written decision of the relevant Administrative Unit.

While waiting for the application to be processed, a person does not yet have the right to work. Article 28 of the Temporary Protection of Displaced Persons Act provides that persons enjoying temporary protection have equal right to employment as refugees. Based on Article 90(1) No. 6 of the International Protection Act, refugees have the right to employment and work as defined in the Employment, Self-employment and Work of Foreigners Act.

The **right to free access to Slovene labour market** for persons enjoying temporary protection (as well as for refugees) is clearly stated in Article 6(2) of the Employment, Self-employment and Work of Foreigners Act. This means that persons from Ukraine enjoying temporary protection can be employed, self-employed or perform work in Slovenia without a single permit, EU blue card or a permit for seasonal work (Article 6(1) of the Employment, Self-employment and Work of Foreigners Act). After a temporary protection application is approved, a displaced person from Ukraine automatically receives a general work permit enabling him/her to enjoy full access to the labour market in Slovenia.

No other conditions regulating work permits/work authorisation or quotas exist. On a practical note, employees and self-employed persons need to obtain a Slovene tax number, but this condition also applies to Slovene citizens.

II. Recognition of qualifications/diplomas

Procedure depends on whether a profession is regulated or not. For non-regulated profession, employers usually do not require any qualifications/diplomas on formal education.

In case of regulated professions, rules on recognition of qualifications should be followed. The procedure for assessment and recognition of education needs to be conducted in accordance with the Assessment and recognition of Education Act with the ENIC-NARIC centre.

The recognition procedure is free of charge for persons registered in the register of unemployed persons. There are no special rules in place for persons enjoying temporary protection from Ukraine, however, the Medical Chamber of Slovenia offers help to licensed medical doctors or dental practitioners from Ukraine to include them in the Slovene medical system (see also below in Section 5).

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The Government has not yet set up any special assistance for displaced persons from Ukraine. This might change in the future, but for now the number of persons enjoying temporary protection that have registered in the register of unemployed or register of jobseekers with the Employment Service of Slovenia is limited.

Once registered, displaced persons from Ukraine are eligible to receive the same support as Slovene nationals with respect to active employment policy measures. The Employment Service of Slovenia has developed special active employment programs for integration of persons enjoying international protection to Slovene labour market, which are also appropriate for persons enjoying temporary protection (e.g. learning the Slovene language and knowledge of Slovene labour system).

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Persons enjoying temporary (or adequate) protection from Ukraine are entitled to the same vocational training and practical workplace experience as Slovenians.

Article 28(2) of the Temporary Protection of Displaced Persons Act explicitly gives a right to persons enjoying temporary protection to participate in vocational training and to gain practical workplace experience according to the national rules. All costs with regard to enforcement of the right to work and/or vocational training are borne by the employer (Article 28(3) of the Temporary Protection of Displaced Persons Act). These rights may only be enforced during the temporary protection status.

There are no special rules in place specific to persons enjoying temporary protection from Ukraine.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No. Employment relations between employers and employees in the Republic of Slovenia are regulated by the Employment Relationship Act. According to Article 3(1) this act applies to all working relations among employers with registered offices or residences in the Republic of Slovenia, and their employees. Therefore, this act applies also to working relations among employers and foreigners.

Minimum salary in Slovenia is currently set at EUR 1.074,43 gross and applies to all persons employees (regardless of their nationality and status) that are employed in Slovenia for full working time (Article 2(1) of the Minimum Wage Act).

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Displaced persons from Ukraine who conclude an employment contract or start self-employed activity are included in the **social security insurances** in the same way as Slovene citizens. They enjoy the same social security rights. In Slovenia, social security system encompasses mandatory social insurances (pension and disability insurance, health insurance, unemployment insurance and parental protection insurance).

A person granted temporary protection in the Republic of Slovenia shall have the following **social rights** (Article 23 of the Temporary Protection of Displaced Persons Act in connection with Decree on the methods for ensuring rights of persons enjoying temporary protection):

1. accommodation and meals in accommodation centres or financial assistance for private accommodation,
2. healthcare,
3. education,
4. financial assistance,
5. pocket money,
6. family reunification,
7. free legal assistance,
8. information on rights and obligations and assistance in exercising rights arising from Temporary Protection of Displaced Persons Act.

1. Accommodation and financial assistance for private accommodation

A person with a temporary protection status is provided either with accommodation, including meals, in accommodation centres (Article 25 of the Temporary Protection of Displaced Persons Act) or financial assistance for private accommodation (Article 26 of the Temporary Protection of Displaced Persons Act). Further rules are prescribed in Articles 3 – 11 of the Decree on the methods for ensuring rights of persons enjoying temporary protection. The right to accommodation is also provided to applicants during the procedure of obtaining temporary protection (Article 2 of the Decree).

The purpose of financial assistance is to provide aid to pay rent in case of private accommodation and depends on the number of family members and their income. The maximum amount is calculated on the basis of the

minimum income and is approx. 420 EUR per month for a single person, approx. 545 EUR per month for two persons, approx. 670 EUR per month for three persons, 800 EUR for 4 persons, 880 EUR for 5 persons, 965 EUR for 6 persons and 1,050 EUR for 7 persons or more.

2. Healthcare

The Slovenian health system has several layers:

emergency healthcare (free for everyone): it includes free of charge care at any of the emergency medical centres or general medical centres and free of charge medicines for all urgent situations and chronic diseases;

basic health insurance (compulsory): all persons in an employment relationship and their dependant family members are automatically covered by a basic health insurance;

supplementary health insurance (voluntary): most persons in Slovenia conclude a supplementary health insurance with one of the private insurance companies for a price of EUR 35,67 per month. Moreover, every person under 19 years of age with a temporary protection status receives supplementary health insurance automatically;

additional health insurance (which very few people have).

Citizens of Ukraine (applicants for international protection or others who have entered Slovenia because of the war) are entitled to emergency healthcare, which includes (Article 27 of the Temporary Protection of Displaced Persons Act and Article 12 of the Decree on the methods for ensuring rights of persons enjoying temporary protection):

emergency medical assistance, emergency ambulance transport and emergency medical dental services

emergency treatment (including emergency medicines) following a decision made by an attending doctor, comprising of preservation of vital functions, stopping major bleeding or preventing bleeding; the prevention of sudden deterioration of health, which could lead to permanent damage to individual organs or vital functions; shock treatment; treatment of chronic diseases and conditions, the abandonment of which would directly and in a short time lead to disability, other permanent health impairments and death; treatment of fever and the prevention of spreading an infection that could lead to a septic condition; treatment or prevention of poisoning; treatment of bone fractures or sprains and other injuries that require medical intervention; prescription-only medicines prescribed for the treatment of these conditions; and emergency transport by ambulance and other vehicles in the listed cases;

urgent services of specialist outpatient and hospital activities;

healthcare of women, including contraception, termination of pregnancy and medical care during pregnancy and labour;

compulsory medical examinations for children and adolescent before enrolment in education and during primary and secondary education.

Article 13 Decree on the methods for ensuring rights of persons enjoying temporary protection provides for a procedure to obtain a wider emergency healthcare coverage.

3. Education

Based on Article 29 of the Temporary Protection of Displaced Persons Act, persons with temporary protection who are less than 18 years of age have the right under the same conditions as citizens of the Republic of Slovenia to:

inclusion and completion of primary education, and

inclusion and completion of secondary vocational or general education in public and private schools financed from public funds, if they are less than 18 years old at the time of enrolment and meet the enrolment conditions.

The costs of education are covered by the ministry responsible for education to the same extent and under the same conditions applicable to citizens of the Republic of Slovenia. All other related costs are provided by the Government Office for the Support and Integration of Migrants in form of financial aids or pocket money, while costs of transport, meals and textbooks is provided through special funds and subsidies by the Ministry.

Decree on the methods for ensuring rights of persons enjoying temporary protection prescribes further rights, including the right to preschool childcare in Article 16 which exempts parents receiving financial assistance or pocket money to payment for childcare.

4. Financial assistance

Persons, who have a temporary protections status, live in private housing, have no savings and no person that is by law obliged to maintain them and who did not apply for international protection, are eligible for financial assistance (Articles 30 – 34 of the Temporary Protection of Displaced Persons Act and Articles of the Decree on the methods for ensuring rights of persons enjoying temporary protection.). The amount of received financial assistance is calculated based on the minimum income depending on the number of family members and is approx. 420 EUR per month for the first adult in the family or a child (under 18) without an accompanying family member, approx. 295 EUR per month for every next adult in the family, approx. 125 EUR per month for each child under 18 (if both parents are in Slovenia) or approx. 250 EUR per month if only one parent is in Slovenia.

5. Pocket money

Persons living in an accommodation (asylum) centre, who are without income or other benefits or without persons who are by law obliged to support them, are entitled to pocket money of approx. EUR 125 per month (Article 35 of the Temporary Protection of Displaced Persons Act and Articles 14, 21 and 22 of the Decree on the methods for ensuring rights of persons enjoying temporary protection). The application procedure starts automatically as soon as a person is placed at the centre.

6. Family reunification

As per Article 36 of the Temporary Protection of Displaced Persons Act, close family members of a person, who has obtained temporary protection are also entitled to the same protection. Further rules are laid down in the Decree on the methods for ensuring rights of persons enjoying temporary protection. For a definition of a family member please see Section 1.1.2 above.

7. Free legal assistance

Pursuant to Article 37 of the Temporary Protection of Displaced Persons Act, persons enjoying temporary protection have the right to free legal assistance as regulated in the Legal Aid Act.

8. Information on rights and obligations and assistance in exercising rights arising from Temporary Protection of Displaced Persons Act

Persons with temporary protection must be acquainted with their rights and obligations regarding accommodation, financial assistance, health care, education and employment, in a language they understand (Article 38 of the Temporary Protection of Displaced Persons Act). Moreover, the Government Office for the Support and Integration of Migrants also provides assistance in exercising all above listed rights (Article 39 of the Temporary Protection of Displaced Persons Act).

Further rules are prescribed in the Decree on the methods for ensuring rights of persons enjoying temporary protection. Based on Article 25(3), such persons are entitled to Slovene language courses in line with the Decree on ways and scope of providing programs of support for integration of third country nationals, while based on Article 25(5) they are entitled to reimbursement of costs of translating documentation for the purpose of childcare and education.

II. Eligibility conditions

National legislation provides for certain conditions which need to be fulfilled in order to benefit from social insurances (e.g., in order to obtain unemployment allowance, an unemployed person needs to register with the Employment Service and follow special active employment programs). However, these conditions do not differ between Slovene citizens and persons enjoying temporary protection from Ukraine.

The nature of some of the social security benefits requires a person to be insured for a certain minimum period of time (e.g. in order to receive state pension a person need to be insured for at least 15 years). Logically this condition cannot be fulfilled in case of person enjoying temporary protection.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

As opposed to Slovene citizens, unemployed persons from third countries, including displaced persons from Ukraine, need to obtain a certificate on Slovene language knowledge at the entry level A1 within 12 months after registration to the unemployment register. If this certificate is not obtained or not obtained in time, such a person is deleted from the register of unemployed persons at the Employment Service of Slovenia. The consequence of such a deletion is loss of the right to receive unemployment benefits.

All social rights listed above are only available to persons enjoying temporary protection. There are no special rights which would only be available to those coming from Ukraine.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The following public support instruments are available:

Dedicated government [webpage](#) providing info to Ukrainians regarding procedure for obtaining temporary protection and their rights, accommodation, withdrawal of an intent/application for international protection, risk of human trafficking, obtaining tax number and bank account, useful links and contacts, FAQ etc., available in UA, SI and EN language;

Dedicated webpage – [Help for Ukrainian citizens in Slovenia](#) managed by a non-profit, volunteer Sledilnik society, with easily understandable information with respect to entry and arrival to Slovenia and living in Slovenia (e.g. registration and status requirements, health, social security, employment, tax number, bank account, education, finding accommodation, looking for a job);

[Activities of the Employment Service of Slovenia](#) – the Employment Service has prepared guidance and special forms in UE language facilitating employment of displaced persons from UE. A special dictionary with 500 Slovene words has been prepared and field trips to accommodation centres have been organised. Ukrainians can follow a free-of-charge 50-hour Slovene language course. The Employment Service is also planning to train its personnel at the contact point for foreigners to better help displaced persons from UE to access Slovene labour market;

[Kariera.si](#) – an employment agency that has started a specific programme aimed at providing work opportunities for Ukrainians in Slovenia. Several other employment agencies are proactively working to bring displaced persons from Ukraine to Slovenian labour market;

Communication in the health sector – from 5 July 2022 onwards a new Ukrainian and Russian version of a [multilingual guide](#) for easier communication in the health sector is available. This guide aims to help both individuals as well as medical staff to effectively communicate with each other;

Access to legal advice – the Law Faculty of the University of Ljubljana is offering legal help for displaced persons from Ukraine;

[Medical Chamber of Slovenia](#) offers help to licensed medical doctors or dental practitioners from Ukraine to include them in the Slovene medical system;

University education – several Universities have started enrolling Ukrainian students into their programs, also using the Erasmus scheme;

[Language courses](#) – persons with temporary protection are until 25 May 2023 eligible to subscribe to a free-of-charge 180 hours Slovenian language course. Against payment of EUR 22,60 in application fees, such persons can follow a language course at one of the accredited institutions. Additionally, some other private institutions have started to provide free Slovenian-language courses for Ukrainians;

[Transport](#) – all cars with Ukrainian number plates are exempted from tolls for the purpose of entering or crossing the Republic of Slovenia. Moreover, some cities have opened their public transport for free to persons who have applied for temporary protection;

Material help such as food, clothing or sanitary material can be obtained from the Slovene Philanthropy organisation.

[Project for better integration of displaced persons from Ukraine](#) – Fund for Bilateral Relations, which is part of the Norway and EEA Grants, will be used for a project aimed at informing displaced persons from Ukraine about their rights and duties and enabling them to follow orientation programs, also at schools.

Country fiche for Slovakia

1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)⁹² and Council Implementing Decision (EU) 2022/382⁹³

In the context of the current situation in Ukraine caused by the armed conflict, the Slovak Republic has taken certain measures to facilitate the application of those who have left Ukraine to the labour market and at the same time to respond to the Ukrainian employment and social security crisis. The most important measures are:

[Act No. 92/2022 Z. z. on certain other measures in connection with the situation in Ukraine](#), effective from 30 March 2022; and

[Act No. 55/2022 on certain measures in view of the situation in Ukraine](#), effective from 26 February 2022 (the so-called Lex Ukraine).

In connection with the adopted laws the following laws were amended:

[Amendment to the Act No. 480/2002 Coll. on asylum](#), effective from 30 March 2022. This amendment addresses the status of third-country nationals (who are not citizens of Ukraine) and nationals of Ukraine with a document of tolerated stay in the territory of the Slovak Republic;

[Amendment to the Act No. 404/2011 Coll. on the residence of foreigners](#), effective from 30 March 2022. Lex Ukraine has also added transitional provisions to the Act on the Residence of Aliens (Act No. 404/2011 Coll.) in order to extend the validity of temporary residence, permanent residence or tolerated stay that would otherwise expire during an emergency situation, to determine the manner in which third-country nationals who have been granted temporary protection in the territory of the Slovak Republic shall report a change of address of their residence in the territory of the Slovak Republic. The current legal situation continues to require employers to comply with their obligations in relation to the legal employment of their employees;

[Amendment to the Act No. 461/2003 Coll. on Social Insurance](#), effective from 13 April 2022;

[Amendment to the Act No. 580/2004 Coll. on health insurance](#), effective from 1 April 2022;

⁹² Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

⁹³ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

[Amendment to the Act No. 552/2003 Coll. on the performance of work in the public interest](#), effective from 30 March 2022. This amendment relaxed some obligations regarding evidence and documentation requirements for Ukrainians;

[Amendment to the Act No. 5/2004 Coll. on Employment Services](#), effective from 1 April 2022. This amendment brought changes in the area of employment of third-country nationals, specifically in relation to the validity of certificates of the possibility of filling a vacancy and employment permits.

Moreover, Government [Decision of 16 March 2022 on the proposal for a declaration of temporary refuge in accordance with Council Implementing Decision \(EU\) 2022/382 of 4 March 2022](#), effective from 21 March 2022, provides for a wider range of persons who can apply for temporary protection from 17 March 2022 onwards and [Government Resolution No. 93/2022](#) effective from 30 March 2022 defines a person with special protection (displaced persons from Ukraine).

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

The Act regulating employment services as well as social security for persons enjoying the status of temporary protection is the Act on Certain Other Measures in Connection with the Situation in Ukraine, the so-called Lex Ukraine. This Act entered into force on 30 March 2022.

In connection with the adopted law, changes were made to several other laws in the field of employment and social security and social welfare such as:

[Amendment to the Act No. 461/2003 Coll. On Social Insurance](#), effective from 13 April 2022;

[Amendment to the Act No. 131/2002 Coll. On Higher Education Institutions and on Amendments and Additions to Certain Acts](#), effective from 25 April 2022;

[Amendment to the Act No. 552/2003 Coll. On the performance of work in the public interest](#), effective from 30 March 2022;

[Amendment to the Act No. 5/2004 Coll. On Employment Services](#), effective from 1 April 2022;

[Amendment to the Act No. 138/2019 Coll. On pedagogical and professional staff](#), effective from 30 March 2022;

[Amendment to the Act No. 578/2004 Coll. On health care providers, health care workers, professional organisations in health care and on amendment and supplementation of certain acts](#), effective from 1 April 2022;

[Act No. 580/2004 Coll. On health insurance](#), amended with effect from 1 April 2022.

The principle of equal treatment, which also applies to displaced persons from Ukraine, is laid down in [Act No. 365/2004 on equal treatment in certain areas and on protection against discrimination and on amending and supplementing certain acts \(Anti-discrimination Act\)](#), effective from 02 January 2016.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Ukrainian nationals</p> <p>Residing in Ukraine</p> <p>displaced from 24 February 2022</p>	<p>Yes</p> <p>Based on Section 29(2) of the Act No 480/2002 Coll. On Asylum.</p>
<p>Family members</p> <p>of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</p> <p>of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</p>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022</p> <p>A family member is considered to be:</p> <p>spouse,</p> <p>a minor child of the person or his or her spouse,</p> <p>the parent of a minor child (only in the case of a child who is a citizen of Ukraine)</p> <p>another close relative who lived in the same household with the citizen of Ukraine or with the person granted protection and was wholly or partially dependent on his/her relative.</p> <p>The provision of Article 116 of the Civil Code directly defines a close relative as a direct line relative, a sibling and a spouse. Direct line relatives shall be understood as the relationship of ancestors (ascendants) and descendants (descendants). Other persons in a family or similar relationship shall be deemed to be close to each other if the damage suffered by one of them would reasonably be perceived by the other as their own harm.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>Based on the Government Decision of 16 March 2022</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including stateless persons and nationals of third countries other than Ukraine, who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).	No Third-country nationals who are not entitled to temporary protection because they do not have permanent residence in Ukraine or have not been granted asylum, international protection in Ukraine may apply for asylum or subsidiary protection on the territory of the Slovak Republic.
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	No

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	The Ministry of Labour, Social Affairs and Family of the Slovak Republic	Ministerstvo práce, sociálnych vecí a rodiny SR	https://www.mpsvr.sk/sk/uvodna-stranka/informacie-odidencov-z-ukrajiny/informacie-odidencov-z-ukrajiny.html
	Ministry of Interior of the Slovak Republic	Ministerstvo vnútra Slovenskej republiky	https://www.minv.sk/?tlacove-spravy&sprava=pomoc-ukrajine
	Ministry of Foreign and European Affairs	Ministerstvo zahraničných vecí a európskych záležitostí	https://www.mzv.sk/ukrajina#info-pre-ludi-prichadzajucich-z-Ukrajiny
	Central Office of Labour, Social Affairs and Family	Ústredie práce, sociálnych vecí a rodiny	https://www.upsvr.gov.sk/media/medialne-spravy/uzitocne-informacie-pre-obcanov-ukrajiny-korisna-informacia-dla-gromadan-ukraini-useful-information-for-citizens-of-ukraine.html?lang=sk&page_id=1159972
	Relevant departments of the	Príslušné útvary Úradu hraničnej a cudzineckej	

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Border and Alien Police Office of the Presidium of the Police Corps	polície Prezídia Policajného zboru	https://www.minv.sk/?vizova-info-typy-viz-1
Employment rights	National Labour Inspectorate Slovakia	Národný inšpektorát práce Slovenskej republiky	https://www.ip.gov.sk/zamestnavanie-utecencov-z-ukrajiny/
Social welfare and social security rights	The relevant Labour, Social Affairs and Family Offices	Príslušné úrady práce, sociálnych vecí a rodiny	https://www.upsvr.gov.sk/

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Activities related to the influx of people from Ukraine are coordinated by a supra-ministerial working group of the Central Crisis Staff (CCS). All ministries have representatives in the operational headquarters in Sobrance, which operates around the clock in times of crisis.

Furthermore, under the Ministry of Labour, Social Affairs and Family, a working group for the long-term integration of Ukrainians has been established, which aims to facilitate inter-ministerial communication in the field of employment, social security of incoming (and staying) refugees.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection⁹⁴ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

No such other forms of adequate protection exist in Slovakia. Displaced persons from Ukraine can either apply for asylum, subsidiary protection in the event that the applicant is not granted asylum or for temporary protection.

Temporary protection allows quick and unhindered access to the labour market, to health care and for children to access education. The immigration police (and all other offices, the so-called large-scale registration centres) accept applications for temporary protection 24 hours a day, including at weekends. Temporary protection is

⁹⁴ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

granted immediately, if the inhabitants of the country have an identification document with them, otherwise the application is processed within 30 days. Temporary protection is granted until March 2023. This period may be automatically extended by half a year, up to a maximum of one year, unless the Council of the European Union decides otherwise. The process of obtaining temporary protection is simpler than the process of obtaining asylum or subsidiary protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

With reference to Act No 404/2011 Coll. on the residence of foreigners, a foreigner enjoying temporary protection status cannot apply for the EU Blue Card (a permit for highly skilled employment). Also, during the duration of the temporary protection, the individual cannot apply for a so-called long-term stay, referring to Section 52 (2) of Act No 404/2011 Coll. on the residence of foreigners. For this reason, no procedure was put in place for the possibility of status change during the temporary protection regime.

No rules could be identified regarding the status change after the termination of the temporary protection.

Finally, Ukrainians, who have permanent or temporary residence in Slovakia, asylum seekers or people who have already been granted asylum or subsidiary protection, cannot request temporary protection. Due to the adjustment of temporary protection in the context of the emergency situation in Ukraine, the possibility to work without a special permit has been created. In principle, the change of status from temporary protection to temporary residence does not imply additional benefits; a change of status is more desirable only after the expiry of temporary protection.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

Status change from temporary protection to temporary residence:

The conditions set in the legislation to apply for such a status change while remaining in the country:

The standard method is to apply for temporary residence for employment purposes on the basis of a certificate of vacancy. In this case, the foreigner needs to find an employer in advance, who is obliged to notify the local employment office of the vacancy in the prescribed manner at least 20 working days before applying for temporary residence. The foreigner shall then submit an application for temporary residence. This may be done at the Slovak embassy or at the Aliens Police. When submitting the application, it is necessary to submit all documents, otherwise the application will not be accepted by the Aliens Police. In addition to two photographs, the application must be accompanied by documents not older than 90 days confirming:

the purpose of the stay - in the case of employment, this is either a written promise by the employer to employ the third-country national or an employment contract;

good character, i.e. a criminal record extract with an apostille (verification of the signature and stamp on the document);

financial security of residence - in the case of employment, this is either the employer's confirmation of the amount of the agreed salary or a confirmation of the account balance, both of which must be at least 12 times the minimum subsistence level, which until the end of June 2022 is EUR 218.06 x 12 = EUR 2,616.72;

provision of accommodation.

The police decide on the application within 90 days and the residence is usually granted for a period of two years or five years.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

There are no differences.

Any alteration of rights with respect to

residence:

No

employment rights:

No

social welfare and social security rights:

No

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

As explained above, the provision of temporary protection does not apply to Ukrainians who have permanent or temporary residence in Slovakia, asylum seekers, or to people who have already obtained asylum or subsidiary protection in Slovakia.

If a person, who has been granted temporary protection, leaves the territory of the Slovak Republic, temporary protection status does not cease to exist. At the same time, the Slovak Republic has regulated the modalities for the termination of temporary protection so that the temporary protection ceases in the following cases ([Article 32\(1\) No. 480/2002 Coll. on asylum](#)):

if the refugee has applied for asylum or subsidiary protection or has been granted temporary residence or permanent residence in the territory of the Slovak Republic;

if the refugee has been granted asylum or subsidiary protection on grounds of serious injustice by another Member State of the European Union;

if the refugee has been granted residence without time limit by another State;

where the refugee has been granted temporary protection by another State.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

An employer may employ a third-country national within the meaning of Section 23a(1)(k) of the Employment Services Act, who has been granted temporary protection. Third country nationals, including displaced persons from Ukraine, who have been granted temporary protection, have the same access to the labour market as citizens of Slovakia (except for state-employed positions). Employers in Slovakia need to proceed in such a way that the employment of persons does not violate the prohibition of illegal employment within the meaning of Act No. 82/2005 Coll. on Illegal Work and Illegal Employment and on Amendments and Additions to Certain Acts, as amended.

The principle of equal treatment is laid down in Act No. 365/2004 on equal treatment in certain areas and on protection against discrimination and on amending and supplementing certain acts (Anti-discrimination Act). The principle of equal treatment in employment relations shall apply in particular in the areas of access to employment, occupation, other gainful activity or function, including requirements for admission to employment and the conditions and manner in which selection for employment is made, the performance of employment and the conditions of performance of work in employment, including remuneration, promotion and dismissal, and access to vocational training, membership of and participation in workers' organisations, employers' organisations and organisations of persons belonging to certain professions.

The foreigners with temporary protection employed under a valid employment contract, provided that both the employer's and the employee's contributions are paid, is entitled to the standard insurance benefits arising from the employment relationship as in the case of Slovak employees.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

Pursuant to Act No 480/2002 Coll. on Asylum, displaced persons from Ukraine may apply for temporary protection, the purpose of which is to facilitate the employment of war refugees from Ukraine and to help those who have left to gain quick access to offers in Slovakia. The status of temporary protection is confirmed by proof of tolerated stay in the territory of the Slovak Republic.

Displaced persons from Ukraine with a document of tolerated stay in the territory of the Slovak Republic may be immediately employed there on the basis of a concluded employment contract or on the basis of the agreements on work performed outside the employment relationship, or they may be temporarily assigned to perform work for the user employer. In the case of employment of persons enjoying temporary protection, neither a certificate of the possibility of filling a vacancy corresponding to a highly qualified job nor a certificate of the possibility of filling a vacancy nor an employment permit is required.

The conclusion of an employment relationship or agreement with a person who has been granted temporary protection is no different from the conclusion of an employment relationship with a citizen of the Slovak Republic. The employer is obliged to inform the employees with temporary protection status of the rights and obligations arising for them from the employment contract, the working conditions and the wage conditions, in a manner

comprehensible to the employees. The employers of persons who have been granted temporary protection are obliged under the Employment Services Act to submit an information card to the local competent labour, social affairs and family office no later than within seven working days from the beginning and end of the employment of such persons, together with a copy of the employment contract or concluded agreement and a copy of the proof of tolerated stay in the territory of the Slovak Republic with the mark "Odídenec", from 30 March 2022 with the new mark "Dočasné útočisko". A third-country national employed within the meaning of Section 23a(1)(k) of the Employment Services Act may also be temporarily assigned to perform work for a user employer.

II. Recognition of qualifications/diplomas

Recognition procedure depends on whether a profession is regulated or not. There is a legal obligation to have educational qualifications recognised when pursuing regulated professions (e.g. health professions, education, some trades etc.). On the contrary, no such obligation exists in unregulated professions, where the employer decides directly on the qualifications. In addition, recognition is compulsory for continuing studies (e.g., recognition of a secondary school diploma, recognition of a bachelor's diploma when entering a master's programme). The application shall be sent to the authority listed in the database for the relevant profession (in addition, the application may be submitted electronically via the Central Portal of Public Administration - persons or their proxies with an activated electronic mailbox, or at the registry of the competent authority). The central recognition body for regulated professions is the Ministry of Education, Science, Research and Sport of the Slovak Republic - Centre for Recognition of Educational Documents, which recognises professional qualifications as well as educational documents (school-leaving certificate, certificate of education, university diploma) in the case of other regulated professions such as bound and craft trades, professions in the construction industry.

In a matter of recognising skills, the provision of Section 16 (1) of Act No. 124/2006 Coll. on Occupational Safety and Health at Work and on Amendments and Supplements to Certain Acts, as amended (Act No. 124/2006 Coll.) stipulates that a natural person may operate designated work equipment and carry out designated work activities provided for by the legislation to ensure occupational safety and health in its operation only on the basis of a valid licence or a valid certificate, a document of completion of education and training or a document of verification of professional knowledge issued by a review technician, if provided for by the legislation to ensure occupational safety and health.

In accordance with Section 16 (13) of Act No 124/2006 Coll., a natural person may perform activities on the basis of a valid document of recognition of professional competence or a valid document of relevant professional competence issued in another Member State of the European Union instead of the licence, certificate or document referred to in paragraph 1(b), if the natural person is a cross-border service provider or a natural person who is seconded for the performance of work in the course of the provision of services from another Member State of the European Union to the territory of the Slovak Republic.

It follows from the above provisions of the legislation that regulated activities may be carried out in the Slovak Republic only on the basis of a valid document of professional competence issued in the Slovak Republic, a document of recognition of professional competence issued by the National Labour Inspectorate or, in the case of seconded employees, on the basis of a document of professional competence issued in their home country.

Proof of professional competence issued in Ukraine or in any other country is not automatically valid in the Slovak Republic. Documents of professional competence issued in Ukraine cannot be recognised by the National Labour Inspectorate, because the National Labour Inspectorate issues and withdraws from a natural person a document on the recognition of a professional qualification obtained under the legislation of a Member

State of the European Union, a State that is a contracting party to the Agreement on the European Economic Area or the Swiss Confederation (Article 6(1)(e) of Act No. 125/2006 Coll. on Labour Inspection and on Amendment and Supplementation of Act No. 82/2005 Coll. on illegal work and illegal employment and on amending and supplementing certain acts). In case of interest in carrying out regulated activities on the territory of the Slovak Republic, displaced persons from Ukraine must obtain professional competence in accordance with the applicable legislation of the Slovak Republic.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Displaced persons from Ukraine enjoying temporary protection are eligible to the same assistance for job seekers as Slovak nationals.

Additionally, the staff of the Labour, Social Affairs and Family Offices in large refugee centres use a bilingual questionnaire to find out about the refugees' interest in employment as well as the areas in which they would like to work. If a vacancy is available, they contact the employer or refer employees to contacts. All offices also provide information and counselling services to Ukrainian citizens in their job search and adaptation in a new job. At 18 labour offices, expatriates can find information boards with vacancies also in Ukrainian. They can also look for a job on the ministerial [portal](#).

Labour, Social Affairs and Family Offices provide foreigners with temporary protection status with basic information about the Slovak labour market with a specific focus on the particular region in which the advice is provided. The content of the counselling is:

identifying the foreigner's professional goals and matching them with labour market opportunities;

information on ways and means of communication with potential employers;

support in contacting the potential employer, non-profit or other organisations as part of the process of integrating the foreigner into active life;

assistance in drawing up the basic documents needed for finding a job;

information on active labour market measures, e.g. on further training opportunities and support for inclusion in these measures;

assistance in tackling barriers to labour market integration.

The counselling process consists of three face-to-face meetings, each lasting three hours, for a total of nine hours for one foreigner. The meetings can be individual or in groups, depending on the current interest and individual needs of the foreigners. In addition, distance counselling can also be provided to foreigners by telephone or email if they wish. For each personal participation in counselling session, a foreigner receives a travel and board allowance of EUR 4,46, with a maximum of EUR 13,38 (the actual amount of the allowance depends on the number of days during which a foreigner attends the counselling in person). The [form](#) to apply for counselling is available online for download or can be submitted directly at the Office of Labour, Social Affairs and Family.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Free counselling in the field of language education is provided by the Migration Information Centre and the Ministry of Education, Science, Research and Sport of the Slovak Republic is responsible for education. These education/training opportunities are available to all jobseekers in Slovakia and have not been created only for beneficiaries of temporary protection. The education of adult foreigners over the age of 18, who are no longer part of formal education, is provided in Slovakia through further education that takes place in regions such as:

Continuous VET in an accredited training programme - leads to the completion, renewal, extension or deepening of qualifications for professional activity;

Requalification in an accredited training programme leading to a partial qualification or a full qualification;

Continuous education in educational programmes - supplementation, extension, deepening or renewal of qualification (modification by special regulations) for specific professions such as teachers or medical staff;

Interest-based education, civic education, senior education and other education where the learners further meet their interests and develop their personality.

In the framework of the "[Pomáhame odídencom](#)" project:

The Labour, Social Affairs and Family Offices provides financial support for the education of foreigners who have been granted temporary protection. The aim of the training is to help foreigners acquire the theoretical knowledge as well as the practical skills and abilities necessary for their social inclusion and integration into the labour market. Within the framework of the counselling activities of the Labour, Social Affairs and Family Office, the foreigners' need for education and, where appropriate, the field of education suitable for them may be identified. However, it is not possible to select a specific course and a specific education provider. In case of interest in the training support under this project, the foreigners themselves select the specific training course and the training provider, without the interference of the Labour, Social Affairs and Family Office. A list of currently available courses can be found on websites such as [www.skolenia.sk](#), [www.kurzy.sk](#), [www.istp.sk/kurzy](#) or on the websites of individual training providers. Subsequently, the foreigner shall submit to the Labour, Social Affairs and Family Office a completed and signed application for a training course allowance for the expatriate on the prescribed form no later than 15 calendar days before the expected start of the training course. The Labour, Social Affairs and Family Office considers each application submitted on an individual basis in order to ensure that the funds are spent efficiently;

Under this project, foreigners with temporary protection status can volunteer to carry out voluntary activities. The aim of [volunteering](#) is to gain practical experience for the needs of the labour market as well as to support the maintenance and development of work habits. The volunteering activity is carried out by the expatriates within the recommended maximum of 80 hours per month, continuously for a maximum of six calendar months, with the possibility of extending it for a maximum of six months with another eligible entity;

The project also includes an employer placement measure. Under this measure, allowances can be provided for the implementation of a mentored placement with an employer for the foreigner and for the employer providing the placement. During the mentored placement, foreigners can learn theoretical and practical skills under the guidance of a mentor appointed by the employer from among its employees. Mentored placement is carried out for a maximum of four hours per day for a maximum of three months. At the end of the mentored placement, the employer shall issue a certificate of completion of the placement. The financial contribution is paid on the basis of an agreement between the employer and the Labour, Social Affairs and Family Office and an agreement between the foreigner and the Office.

- V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

Foreigners who have been granted temporary protection and who have been granted a document of tolerated stay in the territory of the Slovak Republic cannot run a business (self-employment) during the validity of their stay. If such foreigners want to be self-employed in the Slovak Republic, they must obtain a temporary residence permit for the purpose of doing business, but there are certain exceptions - they can do business even if they have a temporary residence permit for the purpose of study, family reunification, research and development or have been granted the status of a Slovak living abroad / a person with long-term residence in another EU Member State. Foreigners who have temporary residence in the Slovak Republic can be self-employed as a foreign natural person.

According to the information provided on the Migration Information Centre [website](#), foreigners can obtain a trade licence in Slovakia by registering a trade at the district court, trade business department, locally competent according to the address of the place of activity of the enterprise or organisational unit of the enterprise. If foreigners have a permanent residence in Slovakia, the trade licencing office is locally competent according to the place of their residence.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

- I. Types of benefits with description and coverage

Social security

When employing displaced persons from Ukraine, both employees and employers are subject to Slovak legislation. If a Slovak or a foreign employer employs a foreigner with temporary protection, who is subject to Slovak social insurance legislation, the employer fulfils all obligations under the Social Insurance Act in the area of social insurance. Nothing specific is prescribed for displaced persons from Ukraine with a temporary protection status.

The employer is obliged to fulfil registration, deregistration and notification obligations on behalf of the employee within the statutory time deadlines. It is also obliged to pay the insurance premiums on the employee's behalf on time and for the correct amount, as for any other employee. In the case of an employee – foreigners with temporary protection who have been granted tolerated stay (or permanent, temporary stay), the employer needs to register him/her to the Social Insurance Institution by means of the Registration Letter of a Natural Person (RLFO). In Section I, the employer should not indicate "natural person without residence in the Slovak Republic", as this is indicated only for natural persons without residence in the Slovak Republic. Similarly, the address of residence shall not be mentioned in Section II (it is mentioned only for a natural person without residence in the Slovak Republic).

If the employee - foreigner with temporary protection does not have a birth number, the employer shall submit a paper RLFO to the relevant branch of the Social Insurance Institution. The branch of the Social Insurance Institution shall generate a social security identification number for such an employee for social insurance

purposes. The employer is thus obliged to fulfil the registration obligations. Social security contributions are paid by the employee and the employer. The employer shall pay the social security contributions on behalf of the employee.

Social welfare

Foreigners with temporary protection status are not entitled to state social benefits such as child benefit, parental allowance, maintenance allowance, funeral allowance or childbirth allowance. These state social benefits are subject to the condition of temporary or permanent residence. However, the Ministry of Labour, Social Affairs and Family has temporarily modified the procedures for the provision of certain state social benefits and material need assistance to make them more accessible to refugees from Ukraine (see also below Section II on Eligibility conditions).

Material hardship assistance

The material hardship assistance may be provided to foreigners who present a document of residence in the territory of the Slovak Republic marked "*Odídenec*" or a card of a foreigner applying for temporary protection.

This material benefit is provided by the Ministry of Labour, Social Affairs and Family of the Slovak Republic. From 1 May 2022, this assistance is temporarily taken over by a cooperation of international organisations: the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the International Organisation for Migration (IOM) and the Slovak Red Cross with the support of the International Federation of Red Cross and Red Crescent Societies (IFRC). Currently, UNHCR pays financial allowances to foreigners with temporary protection status. If foreigners with temporary protection status are already recipients of material hardship assistance in Slovakia, they do not need to register again as the Ministry of Labour, Social Affairs and Family automatically provides all data on beneficiaries to UNHCR.

Amount of financial contribution:

EUR 80 for an adult,

EUR 160 for a child up to 3 years of age,

EUR 60 for a child aged 3-18 years.

According to the responsible ministry, financial support to foreigners with temporary protection status from international organizations is currently set as a short-term support tool to the Slovak government for a three-month period, until August 2022.

As explained above, re-registration is not necessary. Foreigners with temporary protection status who have not yet applied for material hardship assistance can do so either in one of the large capacity centres (Žilina, Bratislava, Nitra, Michalovce, Humenné) or in one of the Labour, Social Affairs and Family Offices or at one of the Large Capacity Centres on the UNHCR Slovakia [website](#).

Financial support for a carer

Moreover, since 1 May 2022, carers - Ukrainians with temporary protection status who care for Ukrainians with disabilities with temporary protection status, are eligible for financial support from international organisations - UNICEF and the International Organisation for Migration (IOM). The amount of financial support for carers is set at EUR 508 per month.

Subsidy for food for a child

It is also possible to apply for a subsidy for food for a child. Information on the food subsidy must be obtained when the child is enrolled in a kindergarten or primary school, and the school's head teacher or the authority will guide the parent on how to proceed.

Childcare allowance

[Government Resolution No. 93/2022](#) effective from 30 March 2022 defines a person with special protection (displaced persons from Ukraine) as a natural person:

who is granted temporary protection;

who is an applicant for asylum or subsidiary protection;

who has been granted temporary residence.

According to the above-mentioned resolution, displaced persons from Ukraine, with the status of a person with special protection, may claim childcare allowance for a child up to three years of age or up to six years of age or a child with a long-term adverse health condition (both the applicant and the child must be persons with special protection), if the applicant is engaged in gainful employment.

The amount of the childcare allowance per calendar month is:

the payment for the childcare provided, as agreed between the provider and the beneficiary, up to a maximum of EUR 280;

the specified monthly contributions, up to a maximum of EUR 80, if the childcare is provided by a provider which is a kindergarten included in the network of schools and school establishments of the Slovak Republic established by a municipality or a local state administration body in education; or

EUR 41,10 if the child's care is provided by another natural person (e.g. a grandparent) and no parental allowance is paid or by a parent who is gainfully employed and does not otherwise provide care for the child.

Accommodation

Foreigners with temporary protection status can ask for help with accommodation from various social service providers (e.g., emergency housing for families with children, shelter, home for the elderly, etc.). Foreigners with temporary protection status also have the right to take advantage of the possibilities of accommodation in social and rental housing, which is usually provided by municipalities. Workers in the large-capacity centres in Michalovce and Humenne help with accommodation in state and hotel facilities, buses to the large capacity centres are available at the border.

Healthcare

Persons who are not covered by a public health insurance and who reside on the territory of Ukraine and who enter the territory of the Slovak Republic due to the armed conflict on the territory of Ukraine, are entitled to reimbursement for emergency healthcare provided until the date on which they apply for asylum, subsidiary protection or temporary protection, but not longer than 30 days from the date of entry onto the territory of the Slovak Republic. The Ministry of Health of the Slovak Republic reimburses the costs incurred to the health insurance company with the largest number of insured persons.

If temporary protection is requested, the right to urgent and necessary indicated medical care is triggered. This includes medical care that is recommended by a doctor's examination. There is an outpatient emergency service in the relevant county or city, or a central hospital reception. In the event of a life-threatening emergency, medical care is provided immediately to everyone on the territory of the Slovak Republic. When temporary

protection is requested, dental care is covered in acute cases under the conditions set by the insurance company. Contacts of dentists in Slovakia who provide free emergency dental care can be found at www.skzl.sk/stomatologhelp or at www.stomatolog.help.

Once temporary protection is granted, such persons are entitled to the full range of healthcare.

At the same time, the Ministry of Health of the Slovak Republic may determine the scope of medical procedures reimbursed beyond urgent medical care (i.e. necessary medical care) by publishing it on its [website](#). The existing legal framework provides that necessary health care is health care that is required by a person's state of health and must be provided taking into account the nature of the health care and the expected length of the person's stay, so that the person does not have to return to his/her country earlier than originally intended for the necessary treatment. This scope includes any treatment by ambulance and emergency medical services, consultations with a general practitioner, as well as preventive health care and vaccinations. Necessary medical care is not excluded for chronic diseases such as dialysis, oxygen therapy, chemotherapy, specific treatment for asthma, echocardiology.

II. Eligibility conditions

Employees with temporary protection status shall only register with the health insurance company if they are employed on an employment contract or agreement and have an agreed income of at least the minimum monthly wage, which is currently EUR 646. They must choose the health insurance company with which they wish to be insured and must apply to that company no later than within eight days of the date of commencement of the employment contract or agreement and with an agreed income of at least the minimum wage. The employer can help employees with temporary protection status to take out health insurance if they authorise the employer to do so. Furthermore, they must register with the Social Insurance Institution before the employment relationship or agreement is established, just like a regular employee.

Foreigners with temporary protection status are not entitled to state social benefits such as child benefit, parental allowance, maintenance allowance, funeral allowance or childbirth allowance. These state social benefits are subject to the condition of temporary or permanent residence.

The Ministry of Labour, Social Affairs and Family has temporarily modified the procedures for the provision of certain state social benefits and material need assistance to make them more accessible to foreigners with temporary protection (or have already applied for temporary protection). The Office has prepared a simplified bilingual application form for parental allowance or child benefit and requires that both the claimant and the child are persons with special protection (based on Government Resolution 93/2022), and the claimant must be gainfully employed. Displaced persons need to have temporary protection status or have already applied for temporary protection to be able to qualify for such benefits.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

Compulsory sickness insurance and compulsory pension insurance of self-employed persons who are citizens of Ukraine shall be suspended during the period during which they are on the territory of Ukraine in connection with the armed conflict in Ukraine on account of service in the armed forces of Ukraine, performance of military service in Ukraine or performance of conscription duty in Ukraine. This period shall be included in their pension insurance and they shall also be given the option of paying additional insurance premiums for that period. The amendment to Act No 461/2003 Coll. on Social Insurance has brought a guarantee that during the above-

mentioned period Ukrainians performing military service will not be subject to compulsory social insurance and will not be obliged to pay insurance premiums.

Foreigners with temporary protection status who are publicly insured in Slovakia and who are performing their conscription duties are exempt from the public health insurance system. This means that they will not have to pay contributions for health insurance, the above provision is applied in general, not only in relation to citizens of Ukraine.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

The following initiatives have been found through desk research:

In the context of the situation in Ukraine, a number of state institutions have launched websites in the Ukrainian language that offer a brief overview of the procedures and processes in both employment and social security services, both on the part of potential employees and on the part of employers. These are among others: [a dedicated webpage](#) with information for displaced persons from Ukraine entering Slovakia, a [support webpage](#) of the Ministry of Transport and Construction of the Slovak Republic, a [webpage](#) of the Ministry of Labour, Social Affairs and Family of the Slovak Republic, and a dedicated webpage with [job offers](#) for displaced persons from Ukraine;

Employers can also publish their job offers on the [job vacancies portal](#). The Ministry of Labour, Social Affairs and Family provides **translations of job offers into the Ukrainian language** so that Ukrainian expatriates have the opportunity to get as quickly as possible to relevant information and suitable job offers according to their professional knowledge and competences;

The staff of the Labour, Social Affairs and Family Offices in large refugee centres use a **bilingual questionnaire to find out about the refugees' interest in employment** as well as the areas in which they would like to work. If a vacancy is available, they contact the employer or refer employers to contacts. All offices also provide information and counselling services to Ukrainian citizens in their job search and adaptation in a new job. At 18 labour offices, expatriates can find information boards with vacancies also in Ukrainian. They can also look for a job on the [ministerial portal](#);

The current amendment to the Asylum Act also regulates the provision of an **accommodation allowance** for persons granted temporary protection status. This allowance is paid to accommodation providers by local governments from the funds transferred from the Ministry of the Interior of the Slovak Republic. Persons and entities that do not provide accommodation on the basis of a trade licence are entitled to the accommodation allowance. The basic condition for receiving the allowance is the conclusion of an accommodation contract between the property owner and the leaver. The landlord needs to submit the contract to the municipality after concluding the contract with the leaver. At the same time, the landlord shall submit to the municipality, at the end of each calendar month, a statement of the number of nights during which the landlord has actually provided accommodation to the refugee. The allowance is paid to the beneficiary by the municipality - to a bank account or in cash. The funds are paid to the landlord only after the municipality has received the funds from the Ministry of the Interior. Owners of flats and family houses who provide accommodation for persons who have been granted temporary protection status are entitled to the allowance in the amount of:

EUR 8 per night for accommodation of a person granted temporary protection status aged 15 or more;

EUR 4 per night for accommodation of a person granted temporary protection status aged under 15 years of age.

Accommodation establishments intended for short-term accommodation or municipalities and higher territorial units which provide accommodation to persons who have been granted temporary protection status are entitled to the allowance in the amount of:

EUR 12 per night for accommodation of a person granted temporary protection status aged 15 or more;

EUR 6 per night for accommodation of a person granted temporary protection status under 15 years of age.

Accommodation allowances are paid until 30 September 2022.

Persons with a Slovak Help document with a red stamp with text in the Ukrainian language, issued after crossing the border, or with a certificate of temporary protection status, are entitled to free transport. As of July 2022, such persons can travel for free on [trains](#) and suburban [buses](#) on the day such documents are obtained and on the following four days. Exceptions to the 5-day restriction on free services are children aged 6 to 16 enrolled in Slovak schools and seniors over 62 who can obtain free travel passes for trains. In addition, for pupils of kindergartens, primary and secondary schools, one accompanying adult may travel with them free of charge on trains and suburban buses during school days. However, they must have proof of attendance at school. Holders of the first issue of a temporary shelter document continue to benefit from free transport to work for the first 60 days from the day it was issued. However, they must show a certificate from their employer and also a document from their place of habitual residence.

Recognition of health professional qualifications acquired on the territory of non-member countries (all health professions) is carried out in a two-stage process. In the first stage, the applicant shall apply to the Ministry of Education for recognition of the educational qualification.