



Access to socio-economic rights for beneficiaries of temporary protection



ACKNOWLEDGEMENTS

The report was written by Viktoriya Vaitovich at ECRE, with contributions from the following national organisations and experts:

Austria	Asylkoordination österreich
Belgium	Vluchtelingenwerk Vlaanderen
Bulgaria	Bulgarian Helsinki Committee
Cyprus	Cyprus Refugee Council
Germany	Independent expert
Spain	Accem
France	Forum réfugiés – Cosi
Greece	Greek Council for Refugees
Croatia	Croatian Law Centre
Hungary	Hungarian Helsinki Committee
Ireland	Irish Refugee Council
Italy	ASGI
Malta	Aditus foundation
Netherlands	Dutch Council for Refugees
Poland	Independent expert
Portugal	Portuguese Refugee Council
Romania	Independent expert
Sweden	Swedish Refugee Law Centre
Slovenia	PIC
UK	British Refugee Council
Switzerland	Swiss Refugee Council
Serbia	Independent expert

The information contained in this report is up to date as of December 2022, unless otherwise stated.

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Glossary

Asylum seeker(s) or Applicant(s)	Person(s) seeking international protection, whether through recognition as a refugee, as a subsidiary protection beneficiary or through another protection status on humanitarian grounds.
Beneficiary of international protection	Person granted refugee status or subsidiary protection in accordance with Directive 2011/95/EU .
Temporary Protection Beneficiary	Person granted temporary protection in accordance with Directive 2001/55/EC .
Temporary Protection Directive	Directive 2001/55/EC 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.

List of abbreviations

AIDA	Asylum Information Database
CEAS	Common European Asylum System
Charter	Charter of Fundamental Rights of the European Union
CJEU	Court of Justice of the European Union
EASO	European Asylum Support Office (since 01.01.2022, EUAA)
EUAA	European Union Agency for Asylum (formerly known as EASO)
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ECRE	European Council on Refugees and Exiles
EU	European Union
IPBs	International Protection Beneficiaries
TPBs	Temporary Protection Beneficiaries
UNHCR	United Nations High Commissioner for Refugees

Introduction

In the context of activation of the Temporary Protection Directive (TPD) (2001/55/EC)¹ in response to Russia's invasion of Ukraine on 24 February 2022, EU member states facilitated access to protection and services for those fleeing Ukraine. At the same time, countries which are not bound by the Common European Asylum System (CEAS) developed respective national frameworks to ensure direct and speedy access to rights. The figures provided by the Office of the United Nations High Commissioner for Refugees (UNHCR) suggests that as of May 2023, over 8.2 million people who had left Ukraine were recorded across Europe, with more than 5.1 million registered for temporary protection or similar national protection schemes in Europe.²

This report provides a comparative overview of the situation pertaining to access to socio-economic rights by temporary protection beneficiaries (TPBs) in 19 EU member states (AT, BE, BG, CY, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, and SI) and 3 non-EU countries (Serbia, Switzerland, United Kingdom). Information has been drawn primarily from ECRE's Asylum Information Database (AIDA) and supplemented by relevant publications from ECRE, the EU Asylum Agency (EUAA) and UNHCR. It focuses on the following areas: access to housing, employment, education, healthcare and social welfare.

It includes both good practices and worrying trends at national level, and outlines divergences with regard to the level of access to socio-economic rights granted and respective allowances. The chapters are broken down as follows:

- **Chapter I** sets out the situation in terms of access to accommodation by TPBs, covering both the public and private housing sectors. With regard to public housing, this chapter presents the rules of access to reception centres and emergency accommodation, identifying the grounds for possible cancellation of this type of assistance. The section on private housing covers the issues of matching services and screening rules, as well as points to the key problems in access to long-term housing faced by TPBs.
- **Chapter II** focuses on access to employment and education, outlining the good practices of developing facilitating measures in the area of recognition of qualifications and certificates, as well as highlighting existing gaps related to anti-exploitation programmes in particular.
- **Chapters III and IV** focus on access to healthcare and social welfare respectively, providing an overview of the varying degrees of access granted.

The final section draws conclusions and makes targeted recommendations as regards all these areas to ensure continuous access to rights and facilitated inclusion of current TP holders.

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 (TPD), OJ L 212, 7.8.2001

² UNHCR Operational Data Portal: Ukraine Refugee situation, available at: <https://bit.ly/3Mlk5Za>.

Key findings

- The forms of **accommodation** made accessible to TPBs by receiving countries range from emergency accommodation and public reception facilities to private housing, and include accommodation with host families. In addition, new types of emergency accommodation were created via rearranged public spaces. In a number of countries, there is no time limit on access to public housing by TPBs. The majority of states also provide financial support for access to private accommodation. However, screening and vetting measures remain limited.
- Access to **employment** has been significantly facilitated by removing the requirement to obtain an authorisation to work, as well as the provision of vocational training, language courses and career counselling. However, administrative barriers such as the need for recognition of qualifications, language barriers and a lack of information on administrative procedures still represent key obstacles.
- **Education** for children is both a right and an obligation in most of the countries covered by this report. In practice, this implies that many of the children who fled Ukraine are following both Ukrainian and local curricular. While a number of facilitating measures have been developed to ensure a speedy assessment of the level of education, vulnerabilities and language skills of the children, a range of issues in this area remain, including the limited capacity of schools and the need for long commutes to the place of study. Access to higher education has been supported by waived tuition fees for TP holders, as well as the establishment of *ad hoc* scholarships.
- The degree of access to **healthcare** services granted varies across the countries. In most cases, TPBs have full access to the public healthcare system on equal terms with nationals. However, in certain countries beneficiaries of TP or equivalent schemes only have access to emergency medical care. Moreover, the coverage and availability of insurance depend on employment status or age. The requirement to be registered at an address, lack of capacity in terms of psychological support and language barriers represent additional challenges.
- A lack of harmonised rules on access to **social welfare** and the amount of respective benefits result in diverging practices across states. In most countries, partial access entitles TPBs to the same level of benefits as subsidiary protection holders or asylum seekers. In addition, the amount of personal resources may represent a key criterion for defining the degree of access granted to social welfare and the amount of respective allowances. In exceptional cases, TPBs are not explicitly defined as a group eligible for the benefits of social welfare systems.

Article 13 of the TPD sets out the obligation for member states to ensure that persons entitled to temporary protection have access to suitable accommodation or, if necessary, receive the means to obtain housing. It also includes the requirement to provide “necessary assistance” with regards to “social welfare and means of subsistence” if displaced persons do not have sufficient resources. However, it lacks further elaboration on the substance of the potential assistance and a definition of sufficient resources.³ However, the provisions of the Charter of Fundamental Rights of the European Union (the Charter) as a source of primary EU law suggest extensive grounds for interpretation of the aforementioned notions. Of particular relevance is Article 34 (3) which clarifies that social and housing assistance should “ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices.”⁴

The forms of accommodation made accessible to TPBs by the receiving countries range from emergency accommodation and public reception facilities to private housing, including accommodation with host families. This section provides an overview of the situation pertaining to public housing with a focus on reception centres and emergency accommodation. It outlines good practices and challenges in this area, specifying the reasons for a potential refusal of access public housing, as well as the policy trend towards cancelling provision of this type of assistance. This section is followed by a comparison of states’ approaches to private housing and the provision or absence of related assistance, matching and vetting. It concludes with an overview of the alternative forms of accommodation arranged and made available in response to the displacement, as well as the key challenges identified in terms of access to accommodation by TP holders.

1. Public housing

Reception centres

One of the main forms of accommodation provided for those displaced from Ukraine is reception centres, either existing ones also used for accommodating others seeking international protection, or those set up specifically for the needs of TPBs. In the case of **Italy**, those falling within the scope of the temporary protection regime have the right to access different forms of accommodation: a) first reception centres for asylum seekers; b) temporary reception centres (CAS); c) reception facilities within the Reception and Integration System (SAI); and d) a specific form of reception in local communities (*accoglienza diffusa*).⁵

Similarly, in **Sweden** different forms of housing have been made available, varying from short-term reception accommodation to long-term accommodation (usually in the form of apartments shared with other asylum-seekers), as well as housing with private property owners (companies not private individuals).⁶

Whereas public reception centres serve as a key form of housing provided to beneficiaries of temporary protection in some countries, including **Greece**, in **Croatia** reception centres for TP holders are not the same as centres for applicants for international protection. They are special centres intended

³ For a comprehensive analysis of the right to accommodation under the TPD, see ECRE Legal Note 14, available at: <https://bit.ly/3Xyo2of>

⁴ The EU Charter of Fundamental Rights has the same legal status as the treaties, as established by Article 6 of the Lisbon Treaty. Consolidated version of the Treaty on European Union, OJ C 202, 7.6.2016.

⁵ AIDA, *Country Report Italy, 2022, TPD annex*, available at: <https://bit.ly/3D01SSj>

⁶ AIDA, *Country Report Sweden, 2022, TPD annex*, available at: <https://bit.ly/44bVfZ8>

exclusively for people displaced from Ukraine. At the beginning of the displacement crisis, there were three centres in three different cities (Varaždin, Osijek and Gospić). Municipal sports halls were mobilized for this purpose. The Directorate of Civil Protection (part of the Ministry of the Interior), police officers and the Croatian Red Cross are responsible for the provision of reception for beneficiaries of temporary protection.⁷ In terms of reception conditions within reception centres, persons displaced from Ukraine are provided with sleeping spaces, food, internet access, and psychosocial and health support. In collective housing, people are provided with accommodation, food and internet access.

Similarly, the **Belgian** authorities have also established specific reception centres to address needs resulting from the displacement from Ukraine. Three larger reception centres, each with a capacity of 600 places, in Antwerp, Mechelen and, more recently, Ghent were set up to accommodate the influx of displaced persons.⁸ The Government of **Romania** has also been providing persons fleeing the war in Ukraine with housing at collective sites and public buildings such as schools, and community services where assistance, services and protection are available. The collective sites have a total capacity of 51,258 places, the largest being in Constanta county with 10,084 places. According to the interviews conducted by IOM Romania and the records of places available in the collective centres, most of them accommodate people in transit but they are prepared to receive new arrivals at any time if in need short-term accommodation.⁹ In **Serbia**, beneficiaries of temporary protection are also entitled to access reception facilities for as long as they enjoy such protection.¹⁰

In contrast, other states accommodate persons falling within the scope of TP at the same housing facilities as those available for asylum seekers. Although host families and private accommodation with relatives and acquaintances are the main forms of accommodation provided to beneficiaries of status S in **Switzerland**, asylum centres represent one of the primary types of housing available for those fleeing Ukraine. The federal government is therefore responsible for providing reception for beneficiaries of status S in federal asylum centres and consequently distributing those seeking protection among the cantons.¹¹ Reception places are therefore used in a flexible manner for both asylum seekers and persons with status S.¹²

Entitlement to access to reception centres in **Poland** depends on the applied regime of temporary protection. For example, those falling within the scope of *special temporary protection* (Ukrainian nationals and their spouses) are not accommodated at reception centres for asylum seekers. Under Article 12(1) and (4) of the Special Law, regional and other authorities *may* provide special temporary protection beneficiaries with accommodation. Until 1 March 2023, regional authorities (voivodes) were obliged to provide accommodation for at least two months following entry into Poland by the person concerned.¹³ However, Article 12(17) of the Special Law was amended in January 2023 and currently there is no obligation for any Polish authorities to provide accommodation for persons enjoying special temporary protection in Poland; rather, this is a discretionary power.

Moreover, free accommodation has been limited to 120 days since 1 March 2023. This is considered to be in violation of Article 13 of the TPD.¹⁴ After this period, a temporary protection beneficiary must cover

⁷ Croatian Ministry of the Interior web page on Ukraine: <https://bit.ly/44ibpR9>.

⁸ AIDA, *Country Report Belgium, 2022, TPD annex*, available at: <https://bit.ly/3pDhS9W>

⁹ IOM Romania, *Ukraine Response Romania Evolution of Needs Report*, available at: <https://bit.ly/43gzh6T>.

¹⁰ AIDA, *Country Report Serbia, 2022, TP annex*, available at: <https://bit.ly/3XKLILK>

¹¹ For more information in French (and German), see Swiss Refugee Council, *Familles d'accueil pour personnes réfugiées d'Ukraine*, available in French (and German) at: <https://bit.ly/45Q2iHu>.

¹² Information provided by the SEM, 1 May 2023.

¹³ AIDA, *Country Report Poland, 2022, TPD annex*, available at: <https://bit.ly/46DMLvm>. The time limit surrounding accommodation was in contradiction with Article 13 of the TPD, see SIP, Letter of 30 November 2022 to the European Commission, available in English here: <https://bit.ly/3TgHaEX>, 5.

¹⁴ SIP, *Letter to the Ministry of Internal Affairs and Administration*, 28 October 2022, available in Polish here: <https://bit.ly/3VHuyrT>, 3-4. S. Jarosz and W. Klaus (eds), 'Polska szkoła pomagania', *Konsorcjum Migracyjne, OBMF and CeBaM 2023*, available in Polish here: <https://bit.ly/3pmsAB0>, 27.

50 per cent of the costs of his/her accommodation at a rate of no more than PLN 40 per day per person. Since May 2023, if a person concerned lives in accommodation organised by voivodes or other Polish authorities, he/she must cover 75 per cent of the costs (at a rate of no more than PLN 60 per day per person). The aforementioned rules do not apply to the most vulnerable temporary protection beneficiaries.¹⁵ In 2022, benefiting from accommodation organised by the Polish authorities was not dependent on obtaining a PESEL number. However, this has been required since 1 March 2023 to remain in the accommodation beyond 120 days.

In contrast, those under **general temporary protection** in Poland in line with the Act on Protection (international protection beneficiaries in Ukraine, their family members and permanent residence permit holders in Ukraine) are entitled to access accommodation and food at reception centres for asylum seekers upon their request and provided they first receive a certificate for temporary protection beneficiaries.¹⁶ However, if the Head of the Office for Foreigners is unable to offer this kind of accommodation, a financial allowance is paid instead. Beneficiaries must then find accommodation on their own. A temporary protection beneficiary accommodated at a reception centre for asylum seekers is entitled to some additional benefits (i.e., a financial allowance for cleaning and personal hygiene products, Polish lessons, transport expenses).¹⁷

Emergency accommodation

As well as being given access to public reception centres, TPBs have been awarded emergency accommodation for shorter periods of time in some countries to allow for time to find stable accommodation. This has been the case in **Germany**.¹⁸ While some federal states try to avoid mass accommodation, the Arnsberg District Government in North Rhine Westphalia still focuses on larger emergency shelters.¹⁹ However, problems arise because by law beneficiaries of temporary protection are responsible for finding accommodation themselves.²⁰ However, in practice it is difficult for temporary protection holders to find apartments on their own. Therefore, many TPBs are forced to stay in reception centres or emergency shelters for longer periods. In addition, people who were initially accommodated in private flats reported that they had to move to reception centres after several months because the private accommodation was only supposed to be an emergency measure and is not suitable for longer periods.²¹

Special emergency facilities have been also established in **Spain**. As of March 2022, four Emergency and Referral Centres (CREADE) managed by NGOs and the Spanish Red Cross have been made available to those fleeing Ukraine. These centres provide emergency and temporary reception for those who do not have sufficient resources. In principle, individuals are accommodated at these centres for a few days and then referred to reception facilities within the asylum reception system (mainly managed by NGOs) across Spain.²²

Similarly, emergency accommodation in **Slovenia** is provided for the needs of those who have applied for temporary protection and are awaiting the final decision on their application, as well as those who have been granted TP. The respective centres are set up by the Government and managed by the

¹⁵ Article 12(17a-f) of the Special Law. This category was considered too narrow: see SIP, Letter to the Ministry of Internal Affairs and Administration, 28 October 2022, available in Polish here: <https://bit.ly/3VHuyrT>, 4.

¹⁶ Article 112 of the Act on Protection.

¹⁷ Article 112(6-8) of the Act on Protection.

¹⁸ Bundesamt für Migration und Flüchtlinge, Unterbringung und Wohnraum für Geflüchtete aus der Ukraine, available at: <http://bit.ly/3K4dW9y>.

¹⁹ Bezirksregierung Arnsberg, *Ukraine-Krieg, Informationen für Kommunen*, last revised 01.10.2022, available in German at: <http://bit.ly/3ZIMCDr>.

²⁰ Section 22 Social Code II.

²¹ Maria Fischer, *Ukrainer*innen in Privatunterkünften: Immer noch prekäres Wohnen*, taz, 22 September 2022, available in German at: <http://bit.ly/3IYWLPj>.

²² AIDA, *Country Report Spain, 2022, TPD annex*, available at: <https://bit.ly/3rfc074>.

Government Office.²³ Further, the Decree on the methods for ensuring the rights of persons enjoying temporary protection stipulates in Article 2 that, until the final decision on an application for temporary protection is made, an applicant for temporary protection may stay at accommodation centres where they are provided with adequate food. In line with the Decree, the special needs of vulnerable groups of individuals, as referred to in the Act governing temporary protection, are considered on the basis of an individual assessment and at accommodation centres they are housed separately from other individuals with temporary protection.²⁴

New types of emergency accommodation: reorganised public spaces

To respond to the primary needs of those arriving as a result of sudden displacement, a number of countries have resorted to reorganising various public spaces to complement the capacities of available public housing centres and private hosts. For instance, facilities previously used as quarantine centres during the Covid-19 pandemic have been reorganised and used to accommodate displaced individuals from Ukraine in **Austria**,²⁵ as well as in **Italy** where the authorities have also relied on hotel facilities.²⁶ Similarly, in **Belgium** the authorities have encouraged use of hotels or B&Bs, hostels, youth residence centres, holiday chalets and other tourist accommodation, assisted living facilities and service flats which must be available for at least 21 days.²⁷ In **Bulgaria**, empty hotels, guest houses and other resort facilities on the Black Sea coast were also initially used to accommodate those fleeing Ukraine.²⁸ In **Cyprus**, a similar scheme operated under lease agreements between the Council of Ministers and hotels.²⁹ An analogous framework for using tourist facilities has been developed in **Croatia**. Under the supervision of the Directorate of Civil Protection, public tenders for tourist facilities were organised for the purposes of accommodating individuals under temporary protection, with financial compensation for such services provided by the national authorities.³⁰

Alongside the aforementioned types of reorganised spaces used to house people fleeing Ukraine, the authorities in **the Netherlands** have accommodated people on boats and in empty office buildings.³¹ Cultural centres and social and elderly homes were used by the **Hungarian** municipalities. To sustain this type of emergency housing, municipalities were able to receive an allowance of HUF 4,000/day/capita between 24 February and 1 November 2022. After 1 November 2022, this amount increased to HUF 7,000.³² The **German** municipality of Cologne has also resorted to using public spaces such as exhibition grounds and stadium car parks for emergency shelters. The emergency shelters at exhibition grounds and a stadium were first used in March: 1,100 places for people from Ukraine at the exhibition grounds and 600 next to the stadium.³³ Both emergency shelters were closed in the summer 2022 but were used again in November and December of that year. The

²³ Article 17(1)-(3) Temporary Protection of Displaced Persons Act.

²⁴ Article 4 Decree on the methods for ensuring rights of persons enjoying temporary protection. ORF News, 'Hotel de France wird Flüchtlingsunterkunft', 9 November 2022, available in German at: <https://bit.ly/41KSCfm>.

²⁶ As was established by Articles 2 and 3 Ordinance of the Civil Protection no 872/2022.

²⁷ AIDA, *Country Report Belgium, 2022, TPD annex*, available at: <https://bit.ly/3pDhS9W>

²⁸ AIDA, *Country Report Bulgaria, 2022, TPD annex*, available at: <https://bit.ly/3ri9DAA>

²⁹ EUAA, see: <https://bit.ly/40d9sDg>.

³⁰ AIDA, *Country Report Croatia, 2022, TPD annex*, available at: <https://bit.ly/3O0Xp8c>

³¹ AIDA, *Country Report Netherlands, 2022, TPD annex*, available at: <https://bit.ly/44ao8Fa>

³² Section 4 of Gov. Decree 104/2022 (III.12).

³³ 24Rhein, *Ukraine-Flüchtlinge in Köln: Zeltstadt am Südstadion wird aufgebaut*, newspaper article, 05.04.2022, available in German at: <http://bit.ly/3GNS9zX>. Kölner Express, *Ukraine W-Lan, Feldbetten, hohe Sicherheit: So sieht die neue Notunterkunft in der Köln-Messe aus*, 15 March 2022, available in German at: <http://bit.ly/3iH8K0B>.

infrastructure of tents and containers had to be rebuilt but this time with a smaller capacity: 480 places next to the stadium³⁴ and 800 at the exhibition grounds.³⁵

Finally, municipalities in **Poland** also mobilised various types of space to provide emergency accommodation (e.g., conference halls, sports centres, railway stations and offices). However, the conditions and forms of accommodation provided to beneficiaries of temporary protection by the Polish authorities differed greatly within the country.³⁶ Overcrowding at these spaces has been criticized by civil society organisations and human rights institutions that cited poor sanitary and security standards, a lack of privacy, overcrowding, distant locations and management by different entities.³⁷

TPD holders in **Ireland** can obtain various forms of support, such as accommodation and meals (although with some problems as of January 2023). Individuals requiring immediate accommodation within the state have been housed at facilities contracted by International Protection Accommodation Services (IPAS). Accommodation has been provided through different channels including hotels, guest houses, B&Bs, hostels and local authority facilities. Families and adults of the same sex are often required to share rooms. At present, there is a shortage of available accommodation and the type of accommodation provided depends on what is available when it is requested. Beneficiaries of temporary protection do not have a choice in terms of location. If a beneficiary refuses an offer of accommodation, they may not receive any further offers from IPAS. Meals are also provided if the accommodation does not have self-catering facilities. In an effort to ease pressure on the state's accommodation system, Ukrainian beneficiaries of temporary protection staying at IPAS-provided accommodation have been required to pay for their meals at a cost of €10 per day for adults and €5 per day for children since 3 January 2023. Previously, this cost had been covered by the state. Residents are not required to pay for their first two weeks in accommodation. However, if they refuse to pay afterwards they may be asked to leave.³⁸

Grounds for cancellation and challenges surrounding access to public housing

Although a number of forms of public housing have been established or made available within the context of the emergency response to the displacement from Ukraine, certain criteria have been put in place to regulate access to those facilities. For instance, grounds for denying access to public housing and refusing basic services in **Austria** might include the condition of having sufficient income. Moreover, basic care and access to organised accommodation can be refused in cases of violence, excessive alcohol and drug consumption, noise pollution and constant violation of the house rules.³⁹ Provoking tension or any form of nuisance by TPBs can also represent grounds for being expelled from a municipal shelter in **the Netherlands**. The individuals concerned would then have to find another municipality to obtain shelter.⁴⁰

³⁴ Rhein24, *Container statt Party-Festzelt: Erneut Unterkunft für Geflüchtete am Südstadion geplant*, newspaper article, 2 November 2022, available in German at: <http://bit.ly/3wbSo2X>.

³⁵ Rhein24, *Stadt Köln mietet Messehalle für Ukraine-Geflüchtete an*, 29 November 2022, available in German at: <http://bit.ly/3WfEgQQ>.

³⁶ As regards Warsaw, see Warsaw City Hall, 'Warsaw in the refugee crisis. Report for the first three months', June 2022, available at: <https://bit.ly/3NYEw6t>; Human Rights Commissioner, 'Zastępcy RPO odwiedzili centra recepcyjne w Warszawie', 14 April 2022, available in Polish here: <https://bit.ly/44lhCpG>, and 'Wizyta przedstawicieli BRPO w centrum recepcyjnym w hali Global EXPO przy ul. Modlińskiej w Warszawie', 6 May 2022, available in Polish here: <https://bit.ly/44LdpkY>. As regards Lublin, see A. Dąbrowska, 'Lublin Social Committee to Aid Ukraine. 90 days of assistance. Report', available in English here: <https://bit.ly/3HRtMmc>. As regards Przemyśl, see Human Rights Commissioner, 'Problemy uchodźców wojennych w Przemyślu. RPO ponownie pisze do wojewody. Jest odpowiedź', 23 December 2022, 25 January 2023, available in Polish here: <https://bit.ly/3VJSY43>.

³⁷ S. Jarosz and W. Klaus (eds), 'Polska szkoła pomagania', Konsorcjum Migracyjne, OBMF and CeBaM 2023, available in Polish here: <https://bit.ly/3pmsAB0>, 26-27.

³⁸ The Irish Times, 'Ukrainian refugees must start paying for meals or face eviction', 31 December 2022, available at: <https://bit.ly/3CxPDLf>.

³⁹ AIDA, *Country Report Austria, 2022, TPD annex*, available at: <https://bit.ly/3NHDCcH>

⁴⁰ AIDA, *Country Report Netherlands, 2022, TPD annex*, available at: <https://bit.ly/44ao8Fa>

Similarly, **Hungary's** Asylum Act defines in detail the circumstances under which reception conditions provided to a beneficiary of temporary protection may be reduced and withdrawn: a) if a beneficiary repeatedly or seriously violates a reception centre's rules of conduct; b) if a beneficiary repeatedly or seriously breaches the obligation of cooperation; c) if a beneficiary has provided false information or untrue facts concerning his/her assets or income, or if he/she has refused to provide such information with a view to obtaining material reception conditions or aid and assistance provided in accordance with the relevant legislation; or d) if a beneficiary engages in seriously violent behaviour.⁴¹ Furthermore, Government Decree 104/2022 (III.12.) provides that if the person accommodated does not leave the accommodation upon the request of the accommodation provider (if it is private accommodation, for instance), the accommodation provider may notify the police. The police may require the person to leave the accommodation and, upon request, transfer them to another form of accommodation designated by the local defence committee.⁴²

Another criterion surrounding absence has been introduced in the **Irish** system. TPBs who are accessing state-provided accommodation are permitted one 7-day absence over a 6-month calendar period and are obliged to notify their accommodation provider of the same. If a resident is absent for more than seven days or fails to notify the accommodation provider of their proposed absence, their bed may be re-allocated and no further accommodation will be offered.⁴³

Despite regulated terms of access to and refusal or cancellation of assistance with public housing, discrepancies have been identified in several countries, particularly with regard to access by Ukrainian and third-country nationals fleeing Ukraine. For instance, in **Germany** there have been reports of third-country nationals who are applicants for temporary protection receiving social benefits in some cases, as well as cases of expulsions of third-country nationals from reception centres.⁴⁴

Addressing the needs of those displaced from Ukraine, compared to other migrant groups, has been made a priority in some countries. This has been reflected in the situation surrounding access to housing in particular. Amendments to **Italian** legislation stipulated that the reception of vulnerable people from Ukraine was a matter of priority, implying respective prioritisation of the allocation of resources.⁴⁵ In 2022, therefore, additional *ad hoc* funding was mainly directed at granting reception to people who had fled the Ukrainian conflict and to Afghan evacuees.⁴⁶

While addressing the needs of those fleeing Ukraine has therefore been a priority in **Germany** and **Italy**, no places were specifically dedicated to TP beneficiaries at reception centres in **Malta**. TP holders are therefore not entitled to access reception conditions in the same way as asylum-seekers. Holders are entitled to the same rights as subsidiary protection beneficiaries and to accommodation at open reception centres for the maximum permissible period of six months. In contrast, beneficiaries of Swiss status S are entitled to the same reception conditions as asylum seekers. However, despite the absence of formal obstacles to accessing open reception centres, in practice TP applicants and holders refused to be accommodated in them due to abysmal living conditions. A similar trend has been reported in **Hungary** where TPBs resorted to the private accommodation provided within the framework of the agreements concluded between the Government and private entities (e.g., hostels, hotel owners),

⁴¹ Section 32/A (1)a.) - d.) of Asylum Act.

⁴² Section 6 of Gov. Decree 104/2022 (III.12.)

⁴³ Department of Children, Equality, Disability, Integration and Youth, 'Short term accommodation: Refusals Protocol for Beneficiaries of Temporary Protection from Ukraine', 24 November 2022, available at: <https://bit.ly/43fTokZ>.

⁴⁴ Anna-Elisa Jakob, *Geflüchtete in Obdachlosigkeit geschickt*, Hinz&Kunzt, 16 August 2022, available in German at: <https://bit.ly/3HbYZ3N>.

⁴⁵ This refers to Article 17 (1) of the Reception Decree, LD 142/2015.

⁴⁶ Article 44 (3 bis) DL 50 of 17 May 2022, converted by L. 91 of 15 July 2022.

instead of the state-run reception centres. According to this arrangement, accommodation providers may claim an individual allowance for accommodating and caring for people.⁴⁷

Overview of access to housing by temporary protection beneficiaries			
Country	Limit to stay at reception/collective centres	Number of beneficiaries housed at reception/collective centres as of 12/2022 ⁴⁸	Number of beneficiaries housed in private accommodation as of 12/2022 ⁴⁹
AT	No limit	15,992 (as of 21 March 2023)	36,998 (as of 21 March 2023)
BE	No limit	7,392 (as of 3 April 2023, in Antwerp and Mechelen)	Information not available
BG	Not applicable	Not applicable	21,509
CY	Information not available	2,900	Information not available
DE	No limit	Information not available	Information not available
ES	18 months, extendable to 24	Information not available	Information not available
FR	No limit	Information not available	27,000
GR	No limit	Information not available	Information not available
HR ⁵⁰	No limit	1,552 (as of 31/01/2023)	20,855 (as of 17/04/2023)
HU	No limit	Information not available	Information not available
IE	No limit	54,151	10,287
IT	No limit	13,551	2,162
MT	6 months	Information not available	Information not available
NL	Information not available	Information not available	Information not available
PL	Information not available	Information not available	Information not available
PT	Not applicable	Information not available	Information not available
RO	Not applicable	7,700	Information not available
SE	1 month	981	18,942
SI	No limit	545	Information not available
UK	Not applicable	Not applicable	144,853
CH	No limit	311	Information not available
SR	No limit	78	Approx. 26,000

Source: AIDA.

The table above indicates a significant discrepancy as regards state capacities in terms of the rules governing the provision of collective accommodation, as well as the varying availability of collective

⁴⁷ Section 8 of Gov. Decree 104/2022 (III.12).

⁴⁸ If not indicated otherwise.

⁴⁹ If not indicated otherwise.

⁵⁰ In Croatia, forms of accommodation financed from the state budget include both reception and collective centres. Reception centres are established for persons displaced from Ukraine and newly arrived in Croatia who intend to apply for TP and are allowed to stay for up to 48 hours in order to go through medical checks, sometimes submit an application for TP and wait until they are accommodated in some of the collective accommodation centres in Croatia. Stays at reception centres are limited. Collective accommodation is available with no limits and is intended for long-term stays. The information provided in Columns 2 and 3 shows data for beneficiaries accommodated at collective centres, not reception centres. For more details, see AIDA, *Country Report Croatia, 2022, TPD annex*, available at: <https://bit.ly/3O0Xp8c>

reception centres. In **Croatia**, people have been authorised to stay at the reception centres for 48 hours. However, other countries (including **Spain, Malta** and **Sweden**) have allowed stays lasting one or several months. At the same time, most states did not impose specific time restrictions on use of reception centres (**AT, BE, DE, FR, GR, HU, IE, IT, SI, CH, SR**).

While reception centres have served as a more common form of accommodation in **Ireland** and **Italy**, the available data presented in the table underlines the overall trend of the prevailing reliance on private housing compared to public facilities. This is particularly evident in **Austria, Croatia, Sweden** and **Serbia**. The following section focuses on the situation surrounding private housing, identifying good practices in terms of matching and financial support provision, as well as the challenges linked to limited safeguards and exploitation risks.

2. Private housing

To contribute to addressing the primary humanitarian needs, in many cases citizens and residents across Europe promptly offered their houses free of charge to those in need of accommodation. Nevertheless, that initial wave of solidarity, which has been largely sustained in the context of current ongoing humanitarian crises, has been challenged by reception fatigue, the rising cost of living and the increased relevance of issues related to longer-term assistance. Policies surrounding the amount and duration of related support, in both public and private housing, therefore largely depend on the capacities of a given country and the number of individuals hosted.

To support this emerging trend, the European Commission announced the launch of the Safe Home initiative in March 2022. It aimed to support those who are hosting people fleeing Ukraine, particularly by mobilising dedicated EU funds and instruments for initial housing solutions and long-term accommodation.⁵¹ To further address issues relating to the private housing, the Commission introduced the Safe Homes guidance⁵² in July 2022 under the auspices of the Solidarity Platform. This guidance set out principles and recommendations relating to the provision of safe and suitable accommodation for people fleeing the war in Ukraine. It encompasses aspects concerning the assistance of hosts and the matching and vetting procedure to ensure safe and suitable accommodation for TPBs.

Furthermore, to address issues surrounding private housing, the European Union Asylum Agency (EUAA) developed a Practical Guide on Private Accommodation for displaced persons from Ukraine.⁵³ The Guide covers a range of areas concerning assessment and vetting, matching hosts with beneficiaries and monitoring placements.

Given the general housing crisis and the limited supply of affordable accommodation in Europe,⁵⁴ the importance of private households welcoming people who have been displaced by the war is evident. In **Austria**, this has represented the main form of accommodation.⁵⁵ A similar trend was revealed in a study in **Germany** published in October 2022. It suggested that 74 per cent of the 11,225 interviewees lived in private accommodation, 17 per cent in hotels and 9 per cent in reception centres.⁵⁶

The unprecedented feeling of solidarity with those fleeing the war demonstrated across Europe was also translated into the private accommodation offered by host communities and families. This was

⁵¹ European Migration network, 'Arrangements for accommodation and housing and access to services for beneficiaries of temporary protection', available at: <https://bit.ly/443nxVK>.

⁵² European Commission, 'Safe Homes guidance', available at: <https://bit.ly/46xB0GL>.

⁵³ EUAA, 'Practical recommendations on the provision of emergency placement in private accommodation for persons displaced from Ukraine', EUAA Practical Guide Series, May 2022, available at: <https://bit.ly/42K8ShP>

⁵⁴ OECD Policy Responses on the Impacts of the War in Ukraine: Housing support for Ukrainian refugees in receiving countries, 27 July 2022, available at: <http://bit.ly/3Z7jQvJ>.

⁵⁵ AIDA, *Country Report Austria, 2022, TPD annex*, available at: <https://bit.ly/3NHDCcH>

⁵⁶ Federal Institut for Population Research, *Geflüchtete aus der Ukraine in Deutschland - Flucht, Ankunft und Leben*, December 2022, available in German at: <http://bit.ly/3IZldQ>, 8.

particularly the case in the **UK, Poland, Serbia, Malta, Greece, France and Belgium**. Experimental statistics published by the **UK** Government in July 2022 suggested that 92 per cent of accommodation places were in the host's home.⁵⁷ According to similar data from **Poland**, as of November 2022 a total of 1.4 million persons received accommodation from Polish families – this figure is more than three times greater than the one accounting for reception centres which hosted 416,000 people overall (by November 2022, the number had decreased to 80,000).⁵⁸

While Article 13(1) of the TPD requires member states to ensure that those with TP status “have access to suitable accommodation or, if necessary, receive the means to obtain housing”,⁵⁹ the table below provides an overview of the situation with the financial assistance granted for TPBs to be housed privately.

Financial support for private housing	
Direct financial support to TPBs or hosts	No financial support/subsidy
AT, DE, FR, HR, IE, IT, PL, RO, UK	MT, SE, CH

Source: AIDA.

The method, duration and amount of financial support provided for the purposes of housing TPBs privately differ across countries. However, generally speaking this type of assistance is granted either directly to the beneficiaries or to the host.

In **Romania**, nearly 70 per cent of respondent refugee households benefited from the governmental support programme whereby RON 50 (€10) per person per day were provided for accommodation and RON 20 (€4) for food.⁶⁰ In line with this programme, cash payments are received by the owner or person who has the right to use the residential premises hosting a TPB.

In **France**, a state programme adopted in November 2022 authorised financial support for individuals accommodating TPBs free of charge and for a minimum period of 90 days. Eligible hosts are entitled to financial support equivalent to €450 for the first 90 days of cumulative accommodation and subsequently €5 per day for the following days of accommodation, i.e., €150 per month. Applications were open until 30 April 2023.⁶¹

In **Croatia**, in line with the Parliament's decision of 23 March 2022 on financing the costs of housing for persons displaced from Ukraine in individual accommodation, the state is covering the costs of using residential units for the owners who have ceded them to persons from Ukraine.⁶² The costs are paid to the owner of the residential unit on the basis of the rental agreement concluded with the Ministry of the Interior, Civil Protection Directorate. Moreover, the stated amount includes the cost of renting the residential unit and the cost of utilities. The greatest cost of using a residential unit is HRK 3,600 per month (€477.80).

⁵⁷ Office for National Statistics, 'Experiences of Homes for Ukraine scheme sponsors, UK: 7 to 14 July 2022', 10 August 2022, available at: <https://bit.ly/3WDY6qI>.

⁵⁸ Ministry of Internal Affairs and Administration, 'W Brukseli wiceminister Paweł Szefermaker zaprezentował raport podsumowujący działania Polski na rzecz pomocy uchodźcom wojennym z Ukrainy', 10 November 2022, available in Polish here: <https://bit.ly/3B7sTT5>.

⁵⁹ Article 13(1) of the Temporary Protection Directive

⁶⁰ Article 1 (10) Decree 15/2022.

⁶¹ Decree No 2022-1441 of 17 November 2022 establishing an exceptional support measure for natural persons who have sheltered in accommodation or housing, one or more natural persons benefiting from temporary protection under Articles L. 581-1 et seq. of the Code of Entry and Residence of Foreigners and the right of asylum, available in French at: <https://bit.ly/3z1YnbY>.

⁶² Ministry of Interior web page, Croatia for Ukraine: <https://bit.ly/3p1tcMp>.

In **Italy**, an economic contribution was provided for independent accommodation in private lodgings: €300 per month for each displaced adult holder of temporary protection who found independent accommodation. An adult who is the guardian or custodian of minors under the age of 18 is also granted a contribution of €150 per month for each minor.⁶³

In **Ireland**, the Government introduced an Accommodation Recognition Payment in July 2022 for households hosting beneficiaries of TP who had fled the conflict in Ukraine. An initial payment of €400 per month was paid to hosts and backdated to 4 March 2022. The payment is administered by the Department of Social Protection on behalf of the Department of Children, Equality, Disability, Integration and Youth.⁶⁴ In December 2022, the payment was increased to €800 per month.⁶⁵

Beneficiaries of temporary protection may be entitled to apply for state housing support such as Rent Supplement and the Rental Accommodation Scheme if they have independently rented a house or apartment and meet the requisite eligibility criteria.⁶⁶

At the same time, given the general challenges surrounding access to affordable housing, the option of private accommodation is often used but with a reliance on the own means of the TPBs themselves. **France** is a case in point. It has been reported that about 40 per cent of those fleeing Ukraine have been accommodated using their own means, independent of state housing facilities or support.⁶⁷ Similarly, beneficiaries of temporary protection living in private accommodation in **Greece** have largely relied on their relatives, friends and compatriots.⁶⁸ In **Sweden**, the state has not organised or subsidised private accommodation, but private individuals and organisations have nevertheless arranged accommodation for individuals fleeing Ukraine. Short-term accommodation solutions were therefore organised jointly, mainly at municipal level.⁶⁹ Finally, the example of **Malta** also demonstrates the lack of governmental coordination in terms of private housing, shifting the search for solutions to private initiatives with the provision of housing options primarily by friends and/or family of TPBs already based in Malta.⁷⁰

Availability of matching services

In **Ireland**, a voluntary organisation, Helping Irish Hosts, was established in March 2022. Prospective hosts could register and be matched with displaced beneficiaries of temporary protection requiring accommodation. Hosts can also register with Helping Irish Hosts to connect with other host families, share experiences and provide mutual support. As of January 2023, Helping Irish Hosts had matched almost 800 beneficiaries of temporary protection with over 260 Irish host households.⁷¹

In **Belgium**, matching was arranged via the ‘temporary living’ (“tijdelijk wonen”) notification which enabled host families to host TPBs in their house while being legally considered to be separate

⁶³ Ordinance issued by the Head of the Department of Civil Protection, No. 881 of 29 March 2022, available at: <https://bit.ly/3LH2VJ0>.

⁶⁴ Government of Ireland, €400 ‘Accommodation Recognition Payment’ for hosts accommodating people from Ukraine is open for applications, 26 July 2022, available at: <https://bit.ly/3ZuWj8C>.

⁶⁵ Government of Ireland, Accommodation Recognition Payment, 5th January 2023, available at: <https://bit.ly/3QIFnNw>.

⁶⁶ Minister for Social Protection, Heather Humphreys, Response to Parliamentary Question No 211, 22 June 2022, available at: <https://bit.ly/3BO1MNa>.

⁶⁷ Court of Auditors, *L'accueil et la prise en charge par l'Etat des réfugiés d'Ukraine en France en 2022*, February 2023, available in French at: <https://bit.ly/3LwwKiD>, 20.

⁶⁸ AIDA, *Country Report Greece, 2022, TPD annex*, available at: <https://bit.ly/3pu8UvE>

⁶⁹ AIDA, *Country Report Sweden, 2022, TPD annex*, available at: <https://bit.ly/44bVfZ8>

⁷⁰ For example, see: <https://bit.ly/3UXCHb3>.

⁷¹ Open Community, Supports for Hosts and Host Communities, January 2023, available at: <https://bit.ly/3VVSDtr>.

entities.⁷² This meant that there was no negative impact on the taxes or financial benefits of the host family. A campaign was launched and people could indicate they were open to host through the hashtag “#place available” (“#plekvrij”) in Flanders or (“#placedispo”) in Brussels and Wallonia. However, the possibility for host families to sign up and accommodate a family was rather *ad hoc*. A framework was lacking so that when progression to another solution was needed, municipalities were confronted with reception needs they had difficulty accommodating. Ultimately, the local authorities are responsible for the reception of beneficiaries in the sense that they have to take responsibility for re-locating those registered in their municipality.⁷³

In the **Netherlands**, given a 3-month possibility for TPBs to be accommodated with host families, a voluntary organization “Takecarebnb” coordinated the allocation of TPBs to host families.⁷⁴ Takecarebnb works with the Dutch Refugee Council, the Red Cross and the Salvation Army within the framework of the “Refugeehome” initiative. The Dutch Government, in collaboration with Refugeehome and the Association of Dutch Municipalities, issued a guide regarding accommodating TP beneficiaries with host families. In this guide, host families can find information on how to offer shelter, to detect signs of abuse or exploitation, and which services are available for TP beneficiaries from Ukraine, such as healthcare and education.⁷⁵ Finally, another example of a matching framework has been established in **the UK**. However, it contains a special requirement: the procedure must be completed before the visa is issued. Therefore, under the ‘super sponsor’ schemes in Scotland and Wales the Government can identify the beneficiary’s accommodation. Both super sponsor schemes have been suspended since June 2022 (Wales) and July 2022 (Scotland).

Screening rules and safeguards

Given limited supervision of the matching process, the issues surrounding the screening and vetting of the private accommodation offered to those fleeing the war in Ukraine appear even more relevant. While a number of countries developed screening policies, in many cases with the assistance of civil society, the table below indicates the absence of or limited safeguards in **Austria, Greece, Malta, Portugal, and Slovenia** among others.

Availability of screening and vetting services	
Available screening	Unavailable/limited screening
BE, FR, HR, NL, PT, UK, CH	AT, GR, MT, PT, SI

Source: AIDA.

In **Croatia**, the screening process is carried out as follows: a person who owns a unit they want to assign for use fills out the application form.⁷⁶ An inspection of the housing unit is then arranged with the Civil Protection headquarters in the municipality/city where the person is located. If it meets the prescribed conditions, the headquarters issues a certificate to that effect and, after confirmation has been obtained, the owner of the housing unit submits complete documentation to the Civil Protection Directorate (application form, confirmation from headquarters and proof of ownership). The final step is to sign the contract and accommodate the family.

⁷² For Wallonia, see: *Proposition of place of residence*, available in French at: <http://bit.ly/3KURzE6>; for Flanders, see IBZ, *Circular regarding the registration of Ukrainians in registers under the temporary protection statute*, 9 March 2022, available in Dutch at: <https://bit.ly/3JqlxPV>, 3.

⁷³ Fedasil, *Fall in arrivals of Ukrainian refugees*, 5 August 2020, available at: <http://bit.ly/3Y9WtA7>.

⁷⁴ Takecarebnb, information available in English at: <https://bit.ly/3Xs7OMt>.

⁷⁵ Dutch Government, *Handreiking Particuliere Opvang Oekrainers (POO)*, information is only available in Dutch at: <https://bit.ly/3wc05pY>

⁷⁶ Ministry of the Interior, Directorate of Civil Protection web page, available at: <https://bit.ly/45J0OhR>.

In **Belgium**, eased requirements concerning the quality of the housing⁷⁷ still prescribe checks to determine whether accommodation has any severe defects. More specifically, an inventory or register check can be undertaken to ascertain whether the property has a history of housing quality defects. To mitigate the risks of abuse by the hosts, different approaches are used at municipality level. In Flanders, cities are expected to screen the applicant host families to prevent abuse and exploitation. Municipalities are strongly advised to do this, for example by checking for a criminal record and verifying the accommodation where the beneficiary will be housed in terms of any potential security, health or housing quality issues. In Wallonia, a similar check is conducted to ensure the reception locations and the welcome adhere to housing quality requirements. The host family (or individual) will have to sign a charter with the municipality in which they commit to welcoming and hosting the person concerned from the point of view of the values of responsibility, solidarity, open-mindedness and respect. However, reports suggest that, due to the general difficulty of finding appropriate and affordable housing, TPBs face a higher risk of being accommodated in squatted buildings or situations of overcrowding where hygiene, fire safety and general security norms are not respected.⁷⁸

A similar model in **the UK** previously operating under the ‘super sponsor’ schemes in Wales and Scotland included the assessment of private accommodation for suitability by the relevant local authority. Some NGOs have been approved to ‘match’ sponsors and hosts⁷⁹ following reports of irresponsible and inappropriate matching, often through social media.⁸⁰

In **France**, some private housing solutions are overseen by a contract that involves three parties: the host, the TPBs and the referring association. The terms and conditions governing the accommodation are set out in detail and the association will stay in contact with the household to assist them, or in the event of any trouble. At the beginning of September 2022, 14,000 displaced persons from Ukraine were hosted in approved citizen housing, while an undetermined number are accommodated elsewhere.⁸¹ In line with the general approach to mediation in France, the association plays an important role in citizen housing. They provide a safe legal framework and they are the main point of reference in the event of disagreements between parties.

Matching between hosts and S status holders in **Switzerland** is conducted by the Swiss Refugee Council and is not directly organised by the state. The Swiss Refugee Council’s host family project places people seeking protection from the centres with host families.⁸² The host families are carefully selected in advance (visits to the apartment, criminal records check, etc.) and then closely supervised while accommodating the guests. Depending on the canton, contracts are concluded between host families and guests for at least three or six months. If that timeframe is not possible, the Swiss Refugee Council will provide support to find a new solution.

In contrast with these good practices, a lack of safeguards guaranteeing appropriate private housing has been identified in a number of countries. In **Austria**, the absence of minimum standards for private

⁷⁷ VVSG, *Derogations to the housing rental decree*, available in Dutch at: <https://bit.ly/3XMGClu>.

⁷⁸ See, for example, VRTNWS, *350 squatters of vacant office building in Zaventem given until 9 December to vacate premises*, 2 December 2022, available in Dutch at: <http://bit.ly/3JuOM48>.

⁷⁹ Department for Levelling Up, Housing and Communities, ‘Recognised Providers: Organisations who can help UK citizens become sponsors’, 6 May 2022, available at: <https://bit.ly/3N2CtXi>.

⁸⁰ Rajeev Syal, ‘Stop matching lone female Ukraine refugees with single men, UK told’, 13 April 2022, *The Guardian*, available at: <https://bit.ly/43vyMp5>.

⁸¹ Assemblée Nationale, *Rapport fait au nom de la commission des finances, de l’économie générale et du contrôle budgétaire sur le projet de loi de finances pour 2023 (n°273) – annexe 28*, 6 October 2022, available in French at: <http://bit.ly/3FJWC7h>.

⁸² For more information see Swiss Refugee Council, *Familles d’accueil pour personnes réfugiées d’Ukraine*, available in French (and German) at: <https://bit.ly/45Q2iHu>.

housing was reflected in several complaints filed by Ukrainians to NGOs about alleged instances of substandard living conditions and labour exploitation.⁸³

Although private citizens in **Portugal** have been able indicate their availability to host displaced persons since the beginning of the response to the displacement from Ukraine,⁸⁴ it is still unclear what kind of verification and oversight the public authorities conduct in the event of private offers of housing. By mid-2022, reports of abuse of Ukrainian citizens hosted by private citizens emerged in the press due to housing provision not being framed by an institutional agreement/referral.⁸⁵

In **Slovenia**, conditions in proposed private accommodation was not personally checked by the Government Office. The only safeguard was largely based solely on an assessment by Office employees as to whether the proposed accommodation was inappropriate or might potentially even pose a risk (in communication via telephone or email), in view of the vulnerability of the refugees.⁸⁶

Measures against human trafficking and exploitation

Addressing the risks of human trafficking has been presented as one of the core priority areas for the coordinated response to the displacement from Ukraine within the framework of the work of the EU Solidarity Platform. The specific target areas include: (1) strengthening awareness raising; (2) reinforcing prevention; (3) enhancing law enforcement and judicial response; (4) improving early identification, support and protection of victims; (5) addressing the risks of human trafficking in non-EU countries, particularly Ukraine and the Republic of Moldova.⁸⁷ The goals set out in the anti-trafficking plan were therefore sometimes translated at national level into developed anti-trafficking projects and intimidation declination initiatives.

A project for the prevention of the human trafficking of people fleeing Ukraine has been established in **Germany**. Funded by the Federal Government, the project was set up by the organisation “Federal Coordination Circle against Human Trafficking” (*Bundesweiter Koordinationskreis gegen Menschenhandel e.V.*). In its first report on the new project, the organisation criticises the fact that no systematic support is available for those accommodated in private households.⁸⁸ While the number of registered suspected cases of human trafficking is less than ten,⁸⁹ according to the Federal Police and the Federal States’ Police, evidence points to an increase in human trafficking of women and children from Ukraine. The Federal Government formally acknowledges the risks stemming from private accommodation and has extended its funding for projects against human trafficking.⁹⁰

⁸³ ‘Hohe Kosten: Private Flüchtlingsunterkunft sorgt für Wirbel’, *Kleine Zeitung*, 24 August 2023, available in German at: <https://bit.ly/3FXgwwB>; Orf.at, ‘Aufregung um privates Flüchtlingsquartier’, 17 May 2022, available in German at: <https://bit.ly/3ZVxIbR>.

⁸⁴ The online form asks questions such as: name, telephone, email address, type of housing (room, apartment, house); is the housing shared; duration of availability; location; further information (open answer without specific requirements).

⁸⁵ See, for instance: RTP, *Prova dos Factos. Ucrainiana alvo de abusos na família que a acolheu em Portugal*, 6 May 2022, available at: <https://bit.ly/3YK6Db5>.

⁸⁶ AIDA, *Country Report Slovenia, 2022, TPD annex*, available at: <https://bit.ly/3r7R1D4>

⁸⁷ European Commission, Communication from the Commission to the European Parliament and the Council ‘Temporary protection for those fleeing Russia’s war of aggression against Ukraine: one year on’, 8.3.2023 COM(2023), available at: <https://bit.ly/3PHY285>

⁸⁸ Bundesweiter Koordinierungskreis gegen Menschenhandel e.V., *Menschenhandel und Ausbeutung im Kontext des Ukrainekriegs – Eine Untersuchung aus Sicht spezialisierter Fachberatungsstellen zur Situation in Deutschland*”, report, 14 December 2022, available in German at: <https://bit.ly/3ParD9y>, 13f.

⁸⁹ Bundesweiter Koordinierungskreis gegen Menschenhandel e.V., *Menschenhandel und Ausbeutung im Kontext des Ukrainekriegs – Eine Untersuchung aus Sicht spezialisierter Fachberatungsstellen zur Situation in Deutschland*”, report, 14 December 2022, available in German at: <https://bit.ly/3ParD9y>, 21.

⁹⁰ Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, *Geflüchtete Frauen und Kinder aus der Ukraine vor Menschenhandel schützen*, press release, 29 July 2022, available in German at: <http://bit.ly/3Hbruyt>.

In **France**, all the necessary documentation was translated into Ukrainian, English or Russian to raise awareness among migrant populations of the risks of exploitation, in line with the national anti-human trafficking action plan,⁹¹ and make prevention easier.

In **the Netherlands**, organisations provide support to displaced persons from Ukraine when they become victims of (sexual) exploitation, abuse or other forms of violence. If the TP beneficiary is living with a host family, the host family can report the risk to a support worker from the Dutch Salvation Army (*Leger des Heils*). This person is trained to support the host family with these kinds of issues. When there are signs of abuse or other problems, the support worker discusses this with the host household coordinator at the Leger des Heils. The coordinator can refer the victim to relevant organisations (such as CoMensHa) in the event of exploitation.⁹² Information for host families is provided in a guide, *Handreiking Particuliere Opvang Oekraïnen uit Oekraïne*.⁹³ Moreover, on [Refugeehelp.nl](https://refugeehelp.nl) information is provided for displaced persons from Ukraine on how to reach out for help when there is (a suspicion of) a dangerous, insecure or violent situation.⁹⁴ This information is available in Dutch, English, Ukrainian and Russian.

Challenges surrounding access to long-term accommodation

While this overview of and comparison between approaches to housing assistance across Europe demonstrate the varying availability of public accommodation, as well as diverging policies in terms of support with private housing, a number of challenges are characteristic of the general response and its shift from an emergency to the long-term.

Firstly, the crisis in available and affordable housing is aggravated by the reduced financial assistance for accommodation, given that the displacement (and the conflict that provoked it) is now entering a protracted stage. The reduced availability of suitable housing and increased rents make it more difficult for displaced persons to find affordable accommodation.⁹⁵

Secondly, the short-term nature of the current legal status of TPBs, with residency permits valid for a defined period, creates another obstacle to securing long-term accommodation. This factor represents a disincentive for landlords who are more reluctant to rent their homes to migrants who face a high degree of uncertainty about their legal status and income.

Thirdly, it is important to mention the vulnerabilities of minority groups displaced by the war in Ukraine, such as those from Roma communities, who face additional barriers and discriminatory attitudes and prejudice, as well as an increased risk of homelessness.

⁹¹ National consultative commission on human rights, *Evaluation de la mise en œuvre du plan d'action national contre la traite des êtres humains (2019-2021)*, available in French at : <https://bit.ly/3ZuhEhh>.

⁹² CoMensHa is the National Coordination Centre against Human Trafficking, information available in English at: <https://bit.ly/3QYOXpZ>.

⁹³ Dutch Government, *Handreiking Particuliere Opvang Oekraïners (POO)*, information only available in Dutch at: <https://bit.ly/3wc05pY>.

⁹⁴ [Refugeehelp.nl](https://www.refugeehelp.nl/en/get-help/safety/general), information available in English at: <https://www.refugeehelp.nl/en/get-help/safety/general>.

⁹⁵ Human Rights Commissioner, 'Sytuacja mieszkaniowa uchodźców z Ukrainy - posiedzenie komisji Ekspertów ds. Przeciwdziałania Bezdomności', 25 July 2022, available in Polish here: <https://bit.ly/42Ew6VS>; La Vanguardia, 'CEAR alerta del "grave problema" de los refugiados ucranianos "para conseguir vivienda"', 24 February 2023, available at: <https://bit.ly/3xZCnhF>

1. Access to employment

In accordance with Article 12 of the TPD, member states must “authorise, for a period not exceeding that of temporary protection, persons enjoying temporary protection to engage in employed or self-employed activities, subject to rules applicable to the profession, as well as in activities such as educational opportunities for adults, vocational training and practical workplace experience.”⁹⁶ Importantly, this legal provision allows member states to give priority to EU citizens and citizens of states bound by the EEA Agreement, as well as legally residing third-country nationals receiving unemployment benefits.⁹⁷ However, as suggested by the findings of the European Migration Network, the majority of member states do not provide such priority (with the exception of Greece and Malta).⁹⁸

This chapter provides an overview of approaches to accessing employment by TPBs, outlining the good practices developed to facilitate access to labour markets and identifying a number of challenges in this area.

Direct access to the labour market

Access to the labour market	
Direct access (with a residence permit)	Need to obtain work permit
BE, BG, CY, DE, ES, FR, GR, HR, HU, ⁹⁹ IE, IT, MT, NL, ¹⁰⁰ PL, PT, ¹⁰¹ RO, ¹⁰² SE, SI, UK,	AT, NL (for self-employment), CH, SR

Source: AIDA.

As indicated in the table provided above, most countries grant TPBs direct access to their labour markets. The most common exception is a clause covering restricted areas of civil or security service where citizenship of a given state is a requirement (e.g., **HU, PT, RO**). Although a number of challenges and barriers still exist, even in terms of direct access to the labour market granted immediately upon registration for temporary protection (i.e., the need for recognition of qualifications, application for a tax number, high administrative fees), a minority of states introduce a complementary requirement to obtain a separate work permit. This may significantly complicate access to services and impedes the inclusion of displaced persons.

⁹⁶ 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 (TPD), OJ L 212, 7.8.2001

⁹⁷ Ibid.

⁹⁸ European Migration Network, ‘Access to services for beneficiaries of temporary protection’, November 2022, available at: <https://bit.ly/3r3ocaR>.

⁹⁹ With the exception of public service jobs and those in the civil servant sector where Hungarian citizenship is a requirement in line with Section 39 (1) of Act CXIX of 2011 on Public Service Officials and Section 20 (1) c.) of Act XXXIII of 1992 on Civil Servant Status.

¹⁰⁰ This is relevant only for those working as a paid employee.

¹⁰¹ The only restriction on employment enshrined in law impacting beneficiaries of temporary protection is limited access to certain categories of the public sector for all third-country nationals in line with Article 15(2) Constitution and Article 17(1)(a) and (2) Act 35/2014.

¹⁰² For a limited period of time and excluding positions that require Romanian citizenship or that of an EU member state or in public institutions with attributions and responsibilities within the national security sector.

Good practices in terms of direct access to the labour market include the case of **Belgium** where beneficiaries with a residence permit (an A-card) or Annex 15 can work legally.¹⁰³ They may work both as an employee or a self-employed person. Their temporary protection status exempts them from the obligation to obtain a special working permit to perform activities as self-employed persons.¹⁰⁴ In total, 17 per cent of Ukrainians registered as job seekers in Belgium have found a job:¹⁰⁵ an average of 9 per cent in Brussels (538 of 6,248 individuals registered), 10 per cent in Wallonia (623 of 6,140 individuals registered) and 23 per cent in Flanders (4,016 of 17,471 individuals registered).¹⁰⁶ These figures only refer to Ukrainian nationals, rather than those with temporary protection status. If of working age, TPBs registered in Flanders are required to register as a jobseeker – a regulation that has been in place since May 2023.¹⁰⁷

In line with the recent amendments to legislation in **France**,¹⁰⁸ as of April 2022 there is no need to request a specific authorisation to work. The temporary residence permit sets out the person's immediate right to access the labour market.¹⁰⁹ Similarly, in **Bulgaria** TPBs are entitled to the same treatment as nationals with regard to employment, with no exceptions.¹¹⁰

However, in **Romania** direct access to the labour market for Ukrainian citizens is still subject to some obstacles surrounding the recognition of qualifications. Those who do not have documents proving their professional qualifications or experience and wishing to work in Romania do not need a work permit for a period of 12 months. This can be extended by six months for a maximum of one year. They have to provide an affidavit of their professional qualifications and experience, confirming that they do not have a criminal record that is incompatible with the activity they seek to conduct or are going to carry out in Romania.¹¹¹ They have to register with the country's employment agencies and have the right to be employed under the same conditions as Romanian citizens.

In addition, similarly to the Italian approach, exemptions are made for healthcare workers. The provision referred to above does not apply to Ukrainian citizens wishing to access or practice the professions of doctor, dentist, pharmacist, general medical assistant, midwife, veterinarian or architect, either on a freelance basis or as an employee, in Romania.¹¹²

Challenges surrounding access to employment

Administrative and language barriers, high administration fees, the need for recognition of qualifications and a lack of childcare assistance stand out as the most common factors impeding access to employment.

Administrative barriers

Access to the labour market in **Austria** is impeded by the high level of dependence on employers. In addition to residence permits, TPBs require a separate work permit which can only be requested by an employer.¹¹³ Additionally, for beneficiaries who also receive basic care in Austria, access to the labour market is also hindered by a very low maximum limit of money that can be earned in addition to basic

¹⁰³ Article 10, °6, Royal Decree, 2 September 2018, available in Dutch and French at: <https://bit.ly/3Y9wvqg>.

¹⁰⁴ Article 1, °15 Royal Decree, 3 February 2003, available in French and Dutch at: <http://bit.ly/3mj78LC>.

¹⁰⁵ This does not mean that they are all still currently working.

¹⁰⁶ Measurement from 1 January 2022 to 31 December 2023. Numbers provided by the VDAB, as calculated by Statbel/KSZ ("kruispunt databank sociale zekerheid").

¹⁰⁷ Decree of the Flemish Government, 21 April 2023, available in Dutch at: <https://bit.ly/3YqDkM4>

¹⁰⁸ Decree of 1 April, available in French at: <https://bit.ly/3ZuhEhh>

¹⁰⁹ Article R581-4 Ceseda; Article L5221-2 Labour Code.

¹¹⁰ Article 39(1), item 2 LAR.

¹¹¹ Art. VI para. (3) GEO 20/2022.

¹¹² Art. VI para. (6) GEO 20/2022

¹¹³ AIDA, *Country Report Austria, 2022, TPD annex*, available at: <https://bit.ly/3NHDCcH>

care (€110). If beneficiaries earn more, they run the risk of losing their basic care, access to the social security system and organised housing. As the group of displaced persons from Ukraine mainly consists of women and children, in many cases it is not possible to work full-time. It is therefore risky to start working and lose access to basic care because, if the job is lost after a few months, it might be difficult to access the basic care system again.

In **Serbia**, the Employment of Foreigners Act (EFA) explicitly states that persons who have been granted temporary protection are to be issued with personal work permits for the duration of that status.¹¹⁴ The Rulebook on Work Permits¹¹⁵ governs the procedure for issuing and extending work permits, as well as the criteria one must meet to receive the permit. For a personal work permit to be issued, in addition to a completed application a person granted temporary protection needs to submit proof of payment of the administrative fee, a certified copy of their identity card and a certified copy of the decision granting temporary protection, as well as the verified statement confirming that they do not have any informal income or employment.

In **Sweden**, the only administrative requirement for exercising the right to employment is to register with the Swedish Tax agency before starting work. This can be done by individuals or employers. TPBs must be assigned a coordination number at the Swedish Tax Agency. A coordination number is needed to pay taxes in Sweden and this could also be a condition for opening a bank account. In April 2022, the Tax Agency stated that the processing time for tax registry applications was up to 16 weeks.¹¹⁶

In **Poland**, employers must electronically inform a labour office about hiring a Ukrainian national within 14 days of the start of work.¹¹⁷ If an employer does not fulfil this obligation, the Ukrainian national is not fined (an exception from the general rule).¹¹⁸ However, his/her work may be considered illegal in those circumstances and this may lead to a return decision being issued.¹¹⁹

In **Switzerland**, although persons with protection status can work immediately after obtaining S status,¹²⁰ to do this they must obtain a permit from the cantonal employment office. The employment office checks whether the job offer is genuine and whether the wage payments are appropriate.

An additional challenge is the lack of longer-term measures and uncertainty related to the short-term nature of the TP-related status. In this regard, a relevant lesson can be learnt from the relevant policy adopted in **Switzerland**: since it is not clear how long apprentices can stay in Switzerland due to the uncertain duration of status S, from 1 March 2023 the head of the federal Department of Justice and Security sought to solve this problem by allowing young people between the ages of 15 and 20 to begin and complete an apprenticeship in Switzerland, even if the protective status S were to be lifted before the end of the apprenticeship.

Recognition of qualifications

Another practical obstacle relating to labour market access is found in **Germany**. In some sectors, foreigners (irrespective of the type of residence permit) need to have their qualifications recognised to

¹¹⁴ Article 13(6) Employment of Foreigners Act.

¹¹⁵ Official Gazette No. 63/18, 56/19.

¹¹⁶ Information from the Tax Agency website on 28 April 2022, see Swedish Refugee Law Center, *Massflyktsdirektivet aktiveras – Tillfälligt skydd i Sverige*, 2022, available in Swedish at: <https://bit.ly/3Zhfg4F>.

¹¹⁷ Article 22(1) of the Special Law.

¹¹⁸ Article 22(5c) of the Special Law.

¹¹⁹ SIP, *Letter to the Polish Parliament*, 9 December 2022, available in Polish here: <https://bit.ly/3HUXhnc>, 5-6.

¹²⁰ Article 53(1) Ordonnance on admission, residence and employment; Federal Council, *Ukraine: le Conseil Fédéral active le statut de protection S pour les Ukrainiens*, press release, 11 March 2022, available in French (and German and Italian) at: <https://bit.ly/3XaEDgK>.

work in their former profession.¹²¹ A similar approach is adopted in **Hungary**¹²² and **Italy**, except for facilitated direct access to healthcare professions.¹²³

In contrast, the commendable approach to skills recognition in **Portugal** is interesting to note. Following the activation of the temporary protection regime, a number of legislative provisions were enacted regarding recognition of the qualifications and skills of beneficiaries of temporary protection.¹²⁴ Accordingly, such requests have priority and are exempt from a number of bureaucratic requirements such as the legalisation of documents issued by foreign entities, certification of copies and recognition of translations. Applicants are also exempt from the payment of fees. A subsequent Decree-Law¹²⁵ further regulated the recognition of professional qualifications of beneficiaries of temporary protection, establishing, inter alia, procedures in the event that documentation is lacking due to the war.¹²⁶

Language barriers and a lack of familiarity with procedures

The issue of a language barrier has been reported as the most recurrent reason for unemployment among TPBs in **Hungary**.¹²⁷ Similarly, a lack of knowledge of the national language (alongside the necessity to provide care for their children during working hours) have been identified as additional obstacles to exercising the right to employment in **Poland**.¹²⁸ Barriers related to running a business in Poland encountered by Ukrainian nationals included a lack of knowledge of Polish law and practices, overly complicated rules regarding staying and working in Poland, financial difficulties and challenges finding employees and suitable premises in Poland.¹²⁹ The situation in **Slovenia** echoes the recurrent factors of a lack of language skills and familiarity with the system itself, as well as rights under labour law, as contributing to the vulnerability of foreigners in the labour market.¹³⁰

Measures facilitating access to employment

Various measures have been put in place to support TPB access to national labour markets. They range from counselling and information provision to training and childcare assistance. As indicated in the analysis provided below, the most common measures in the countries covered in this report are the provision of vocational training, language courses and career counselling.

In **Belgium**, TPBs also have the option of following free integration courses. This includes a course on integration and a course on Dutch. Due to high demand, this is mainly done via online information sessions. Beneficiaries can apply with their certificate of temporary protection, alongside the A-card or Annex 15.¹³¹ In **Bulgaria**, the Government has provided an additional financial incentive for employers who hire displaced persons from Ukraine: if an employer hires a beneficiary of temporary protection who was already registered at the Labor Bureau as unemployed, the employer is entitled to receive BGN 710 per month (the national minimum wage) as assistance for part of the salary for the period of

¹²¹ AIDA, *Country Report Germany, 2022, TPD annex*, available at: <https://bit.ly/3CY06RG>.

¹²² Information received from the Next Step Hungary Association on 6 February 2023.

¹²³ Article 34 DL 21 of 21 March 2022.

¹²⁴ Article 6 Decree-Law no.24-B/2022, 11 March 2022, available at: <https://bit.ly/3la6RL1>.

¹²⁵ Decree-Law no.28-B/2022, of 25 March 2022, available at: <https://bit.ly/400F6mE>.

¹²⁶ Ibid, Article 4.

¹²⁷ UNHCR, *Hungary: Multi-Sectoral Needs Assessment*, November 2022, available at: <https://bit.ly/3HrxW39>, 16.

¹²⁸ SWPS, 'Hello Entrepreneurship 2022. Czynniki hamujące oraz wspierające przedsiębiorczość migrantek z Ukrainy, które przyjechały do Polski po eskalacji wojny 24 lutego 2022 r.', available in Polish here: <https://bit.ly/3VPavaV>, 6-7, 19.

¹²⁹ See also Dębowska, K., Kłosiewicz-Górecka, U., Szymańska, A., Wejt-Knyżewska, A., Zybortowicz, K., 'Ukraińskie firmy w Polsce po wybuchu wojny w 2022 r.', Polski Instytut Ekonomiczny, January 2023, available in Polish here: <https://bit.ly/42laNJc>, 25-31.

¹³⁰ AIDA, *Country Report Slovenia, 2022, TPD annex*, available at: <https://bit.ly/3r7R1D4>

¹³¹ See Agii (agency for integration and citizenship), pt. 3.8. *Scope of application*, available at: <http://bit.ly/3xZz2in>.

subsidized employment, as well as a contribution to the social and health insurance payable by the employer, both covered by the national budget. These incentives were funded under the EU Solidarity – Human Resources Development Programme.¹³²

In **Croatia**, the Employment Service created leaflets in Ukrainian listing all the services it provides. A website with information about the possibility of work, employment, support and application forms in Ukrainian was also created. Additionally, a protocol was drafted and counsellors were trained to help persons displaced from Ukraine, active employment policy measures were agreed and adjusted, employers were invited for cooperation, etc. Furthermore, the Service joined the "EU Talent Pool" pilot project¹³³ initiated by the European Commission to map and identify the skills and abilities of persons displaced from Ukraine with the aim of finding employers in the EU.¹³⁴ Additionally, employment counsellors in Croatia provide assistance during the job search process and information about the rights of unemployed persons, such as: registration on the Service unemployment register, support with defining employment potential and a job search plan, as well as occupations for which the counsellor will mediate on the labour market, workshops for active search jobs, information about jobs, funding of education to acquire the skills needed on the labour market, inclusion in active employment policy measures, learning Croatian, etc.¹³⁵

In **Hungary**, employers of TPBs have been able to apply for special financial support since 30 April 2022. In order to request the support, the employer must be a company with a registered office, place of business or branch in Hungary as a minimum.¹³⁶ Support is to be provided for a maximum period of 12 months. A request for an extension may be submitted for a further 12 months, but for no longer than the duration of employment. The support shall be paid to the employer monthly in arrears and shall be used by the employer to cover the employee's accommodation and travel expenses. The amount of support may be 50 per cent of the employee's monthly housing and travel expenses per employee, up to a maximum of HUF 60,000 per employee, and an additional HUF 12,000 per child for minor children living in the same household as the employee. The share of accommodation and travel costs not covered by the support shall be covered on a 50-50 basis by the employer and the employee, unless the employer agrees to bear more than 50 per cent of the costs.¹³⁷ By applying for support, the employer undertakes to accommodate the employee and, if necessary, their minor children for the duration of the employment in appropriate conditions and to ensure the commute to work.¹³⁸ The support received is not liable for taxes.¹³⁹

¹³² National Employment Agency portal, see at: <https://bit.ly/3L0ePjB>.

¹³³ European Commission web page: <https://bit.ly/3HrbSqw>.

¹³⁴ Information provided by the Croatian Employment Service on 12 January 2023.

¹³⁵ Croatian Employment Service web page: <https://bit.ly/40WzIB2>.

¹³⁶ Section 4(2) of Government Decree 96/2022 (III.10) as amended by Section 2 of Government Decree 173/2022 (IV.29).

¹³⁷ Section 7(2)-(8) of Government Decree 96/2022 (III.10).

¹³⁸ Section 8(1) of Government Decree 96/2022 (III.10).

¹³⁹ Section 7 (10) of Government Decree 96/2022 (III.10).

Overview of measures developed to facilitate TPB access to employment				
Country	Number of people employed	Language courses	Vocational training	Need for recognition of qualifications
AT	11,776, of which 8,126 were working (2,237 men and 5,889 women) ¹⁴⁰	No	No	Information not available
BE	Information not available	Yes	Yes	Information not available
BG	Information not available ¹⁴¹	Information not available	Yes	Information not available
CY	Information not available	No	No	Information not available
DE	137,150 ¹⁴²	Information not available	Yes	Yes
ES	13,695	Information not available	Yes	Information not available
FR	12,893 ¹⁴³	Information not available	Yes	Information not available
GR	Information not available	No	Yes	Information not available
HR	901 (743 women)	Yes	Yes	Yes ¹⁴⁴
HU	Information not available	Information not available	Information not available	Yes
IE	18,101 (as of 13 March 2023)	Information not available	Not available	Information not available
IT	Information not available	Information not available	Yes	Yes ¹⁴⁵
MT	Information not available	Information not available	Information not available	Information not available
NL	Information not available	Information not available	Information not available	Information not available
PL	970,000 ¹⁴⁶	No ¹⁴⁷	Information not available	Information not available
PT	Information not available	Yes	Yes	Facilitated recognition
RO	2,666	Information not available	Yes	Information not available
SE	Information not available	Yes	Yes	Information not available
SI	101	Yes	Yes	Information not available
UK	Information not available	Information not available	Yes	Information not available
CH	5,245	Information not available	Yes	Information not available
SR	Information not available	Information not available	Information not available	Information not available

¹⁴⁰ Statistics relevant as of December 2022 and presented as part of a meeting organised by the Ukraine Refugee Coordination Unit.

¹⁴¹ The number of TP beneficiaries who found employment through government employment services and schemes. As of 31 December 2022: 2,198. Source: AIDA country report, Bulgaria, available at: <https://bit.ly/46oJcJD>.

¹⁴² This stands for the overall number of Ukrainian nationals employed in Germany as of August 2022. Source: Federal Employment Office, *Migration und Arbeitsmarkt*, last updated December 2022, available in German at: <http://bit.ly/3ZPGp8Y>.

¹⁴³ This figure refers to the overall number of Ukrainian nationals employed in France from March to December 2022. Source: Court of Auditors, *L'accueil et la prise en charge par l'Etat des réfugiés d'Ukraine en France en 2022, February 2023*, available in French at: <https://bit.ly/3LwwKiD>, 28.

Source: AIDA.

In **Poland**, government and local portals have been created to facilitate contact between Ukrainian nationals seeking employment (those with a PESEL number) and employers in Poland.¹⁴⁸ As of 4 January 2023, 3,535 persons had benefited from the governmental database.¹⁴⁹ IOM Poland also activated a special website - in Polish and Ukrainian - on legal employment in Poland.¹⁵⁰ Adverts were published by Polish employers offering jobs to persons displaced from Ukraine on a number of job-seeking websites.¹⁵¹ The Employment Service of the Republic of **Slovenia** provides foreigners with tailored career counselling and programmes to speed up their labour market integration. The Employment Service also provides assistance to unemployed TPBs by enrolling them in active employment policies to acquire the necessary knowledge, skills and competences to improve their employment opportunities. Foreigners who do not speak Slovenian and have no experience of the Slovenian labour market are provided with special tailor-made programmes.¹⁵²

In **France**, Pôle emploi (the Employment Office) has developed an online questionnaire (in [French](#) and [Ukrainian](#)) to facilitate access to the labour market. It can identify the wishes, qualifications, skills and professional experiences of persons with temporary protection. On the basis of the assessment, Pôle emploi can provide support with a job search. For those under 25, *la mission locale*¹⁵³ can offer socio-professional support.

In the **UK**, facilitating measures have been developed by some employers who indicated that they would welcome Ukrainians¹⁵⁴ and develop specific schemes.¹⁵⁵ The UK government assisted with information and some matching.¹⁵⁶ In **Sweden**, the state has not design any particular labour market integration measures for temporary protection beneficiaries from Ukraine.¹⁵⁷ However, the private adult education organisation Folkuniversitetet launched a free programme, 'Work for Ukrainians', in several locations across the country. The programme is co-funded by the European Social Fund and includes individual coaching, skills mapping, language training, and skills development and validation, as well as matching with employers.¹⁵⁸ Similarly, in **Serbia** assistance with access to employment has been provided solely

¹⁴⁴ In Croatia, recognition of qualifications is only required for professions regulated by law. For the list, see *Database of Regulated Professions in Croatia: ENIC*, available at: <https://bit.ly/3YwHC1h>.

¹⁴⁵ With the exception of direct access to healthcare professions facilitated according to Art.34 of Decree Law 21/2022.

¹⁴⁶ This refers to the overall number of Ukrainian nationals employed in Poland as of February 2023. Source: Ministry of Family and Social Policy, 'Polityka społeczna w cieniu wojny w Ukrainie', 24 February 2023, available here in Polish: <https://bit.ly/3MannoV>.

¹⁴⁷ With the exception of Ukrainian doctors, dentists, nurses and midwives who can have their Polish lessons co-financed from a state budget (Article 22i of the Special Law).

¹⁴⁸ Article 22a-22h of the Special Law. See <https://bit.ly/41IMLw4> and e.g. A. Dąbrowska, 'Lublin Social Committee to Aid Ukraine. 90 days of assistance. Report', available in English here: <https://bit.ly/3HRtMmc>, 7-8.

¹⁴⁹ Information provided by the Ministry of Digital Affairs, 1 March 2023.

¹⁵⁰ See: <https://bit.ly/3pcF12b>.

¹⁵¹ A. Chłoń-Domińczak and R. Pater, 'Labour market and the economy', in: M. Bukowski and M. Duszczyk (eds), *Hospitable Poland 2022+*, WiseEuropa 2022, available at: <https://bit.ly/3KvGpoJ>, 36.

¹⁵² AIDA, *Country Report Slovenia, 2022, TPD annex*, available at: <https://bit.ly/3r7R1D4>

¹⁵³ For further information see: <http://bit.ly/3JGOrJS>.

¹⁵⁴ HR World, 'Four in five businesses welcome applications from Ukrainian refugees, 6 April 2022, available at: <https://bit.ly/3IKotWe>.

¹⁵⁵ Financial Times, 'UK companies join scheme helping Ukrainian refugees find jobs', available at: <https://bit.ly/3WGoQH7>.

¹⁵⁶ Department for Levelling Up, Housing and Communities, 'Guidance for businesses offering work to people coming from Ukraine', 6 May 2022, available at: <https://bit.ly/3MXL5oJ>.

¹⁵⁷ Also see Nordic Council of Ministers, *Implementation of temporary protection for refugees from Ukraine – A systematic review of the Nordic countries*, available at: <http://bit.ly/40vi4oi>.

¹⁵⁸ Folkuniversitetet, 'Work for Ukrainians', available at: <http://bit.ly/3JMSMLM>.

by civil society organisations. No measures in this area have been developed in **Cyprus, Greece or Malta**.¹⁵⁹

Use of technology to facilitate employment

Among the supplementary measures developed to facilitate job searches and matching, some states have turned to technology. In **Belgium**, employers can use hashtags to indicate that they are open to newly arrived employees. In Flanders, this can be done through #werkplek vrij; in Brussels, through #Welcome.¹⁶⁰ Wallonia has no such hashtag, although employers open to newcomers are encouraged to avoid imposing certain conditions such as language requirements and to use comprehensible, clear language in their vacancy adverts.¹⁶¹

Meanwhile, in **Switzerland** state and private internet platforms display job offers for status S beneficiaries. In addition, those seeking protection and status S beneficiaries are supported by state social workers in their search for work.¹⁶²

The digitalization trend surrounding job searches and matching is also reflected in the recent EU Talent Pool Pilot initiative implemented by European Employment Services (EURES) – a European cooperation network involving the European Commission, the European Labour Authority (ELA), national public employment services and other members and partners in Europe. This online job search tool aims to help those fleeing Russia's invasion of Ukraine secure employment in the European Union by helping to identify and map their skills and facilitate matching with EU employers.¹⁶³

While the initiative represents a promising foundation for facilitated job searches and matching for TPBs, only a limited number of states are connected to it (Finland, Lithuania, Czechia, Poland, Slovakia, Croatia, Spain and Cyprus). There is also a lack of evidence about the scope of implementation and its effectiveness. Moreover, the portal provides no information on available referral mechanisms in terms of exploitation in the private sector to inform TPBs of the potential risks and services.

Anti-exploitation measures

The vulnerable situation of people fleeing Ukraine further increased opportunities for trafficking and exploitation. On 27 March 2022, Europol issued an Early Warning Notification¹⁶⁴ to alert member states of the risks of criminal networks taking advantage of the crisis to recruit people fleeing Ukraine for sexual or labour exploitation, as well as other purposes such as begging or forced criminality to exploit human tragedies for their own financial gain.

In response to these challenges, the EU Solidarity Platform put forward a Common Anti-Trafficking Plan¹⁶⁵ to address the risks of human trafficking and support potential victims, developed by the EU Anti-Trafficking Coordinator in consultation with EU agencies and EU member states. Moreover, operational guidelines on implementation of the TPD issued by the European Commission in March

¹⁵⁹ AIDA, *Country Report Cyprus, 2022, TPD annex*, available at: <https://bit.ly/3NFAazb>; AIDA, *Country Report Greece, 2022, TPD annex*, available at: <https://bit.ly/3pu8UvE>; AIDA, *Country Report Malta, 2022, TPD annex*, available at: <https://bit.ly/3NYela3>

¹⁶⁰ Actiris, see: <http://bit.ly/3DrOdEn>.

¹⁶¹ Forem, see: <http://bit.ly/3Xlnk77>.

¹⁶² See for example Randstad, *Jobs for ukrainians. Робота для українців*, available at: <https://bit.ly/3XAuvOo>; and Jobrapido, available at: <https://bit.ly/3CT0Nw2>.

¹⁶³ European Commission, 'European Commission launches EU Talent Pool pilot initiative', 10 October 2022, available at: <https://bit.ly/3JEJ3b6>.

¹⁶⁴ Europol, 'War in Ukraine – refugees arriving to the EU from Ukraine at risk of exploitation as part of THB, March 2022', available at: <https://bit.ly/3PElv8M>.

¹⁶⁵ European Commission, 'A Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine', 2022, available at: <https://bit.ly/437TQRR>.

2022¹⁶⁶ stressed, amongst other things, the need for speedy recording of data on smugglers and traffickers by member states, in line with Directive 2011/36/EU (the ‘EU Anti-trafficking Directive’).¹⁶⁷

While in practice there is a lack of evidence to support the trend of significantly increased rates of exploitation in the context of displacement from Ukraine, prevailing low-paid occupations in the host countries indicates a risk for potential abuse at the workplace.

The evidence from **Croatia** suggests that most Ukrainian citizens are employed in catering and tourist activities, sales, production activities and administration.¹⁶⁸ A detailed breakdown of the sectors in which individuals were employed in **Ireland**¹⁶⁹ supports this trend, with the prevailing majority of TP holders employed in sectors such as accommodation and food services, manufacturing and trade:

Financial and insurance activities	125
Transportation and storage	246
Information and communications	315
Public Administration and defence	194
Education	416
Human health and social work activities	416
Real estate activities	378
Professional, scientific and technical activities	508
Agriculture, forestry and fishing	537
Construction	901
Administrative and support service activities	1,515
Miscellaneous sectors	1,048
Manufacturing	1,920
Wholesale and retail trade	2,940
Accommodation and food service activities (I)	6,642
All economic sectors	18,101

Some special information platforms have been established to address potential risks concerning exploitation. In **Bulgaria**, the national TP portal ukraine.gov.bg provides information and helplines in the event of risks of trafficking or other exploitation, as well as some basic advice for prevention.

Meanwhile, in **Switzerland** contracts must be submitted to and approved by the cantonal employment office to protect status S beneficiaries from the risks of work exploitation. At the beginning of the Ukraine war, many displaced persons from Ukraine began work without a contract or with an unauthorised contract and did not receive a salary.¹⁷⁰ Additional concerning challenges include the presence of online recruitment agencies targeting those without temporary protection status, as well as the recruitment of workers for poorly paid or unpaid seasonal, informal or other physical jobs.

Finally, in **Hungary** no adequate preventive measures covering the risks of human trafficking specifically targeting persons fleeing Ukraine have been implemented, even though the arriving population mainly consisted of women and children.¹⁷¹

¹⁶⁶ Communication from the Commission on Operational guidelines for the implementation of Council implementing Decision 2022/382 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 2022/C 126 I/01, OJ C 126I, 21.3.2022.

¹⁶⁷ Official Journal of the European Union, L 101, 15 April 2011.

¹⁶⁸ Information provided by Croatian Employment Service on 12 January 2023.

¹⁶⁹ *ibid.*

¹⁷⁰ AIDA, *Country Report Switzerland, 2022, “Status S” Protection annex*, available at: <https://bit.ly/44cLZDZ>

¹⁷¹ AIDA, *Country Report Hungary, 2022, TPD annex*, available at: <https://bit.ly/3D0Ptxn>

Despite being granted direct access to the labour market, TPBs still face a number of challenges in this area, such as the need for complementary work permits and skills recognition, as well as language barriers and a lack of sufficient information. Moreover, the prevalence of low-skilled occupations taken up by those who fled Ukraine raises potential concerns about the increased risk of exploitation and engagement in informal occupations. Additionally, gaps in the counter-trafficking response must be addressed, with a particular focus on the most vulnerable groups: those who fled Ukraine but who remain outside the temporary protection regime; women and girls; children (especially separated and unaccompanied children, and children in institutional care); non-Ukrainian nationals (including undocumented and stateless people who were living in Ukraine prior to the war); and groups previously marginalised and discriminated against prior to the war such as disabled and elderly people, Roma, and LGBTQI+ persons.

2. Access to education

Article 14(1) of the TPD requires member states to grant all persons aged under 18 and entitled to temporary protection access to the education system under the same conditions as their own nationals.¹⁷² To grant access to this right, countries with TP and equivalent statuses put in place a number of measures aimed at expanding the available schooling capacities, facilitating the recognition of previously acquired education (particularly in case of missing documents) and providing access to language courses. In higher education, most countries ensured access to universities on equal grounds with nationals, in some cases exempting TP holders from tuition fees and developing complementary *ad hoc* measures to support those affected by the war.

Nevertheless, significant challenges remain, particularly in terms of education for children, something reflected in the relatively low enrolment rates in schools among displaced children. In most cases, this is justified by online participation in the Ukrainian curriculum. The following sections provide an overview of the key challenges surrounding access to education, both for children and in higher education, as well as underline the facilitating measures developed to ensure direct access to education systems by persons displaced from Ukraine.

Education for children

Education for children is both a right and an obligation in most of the countries covered in this overview. This implies that children who fled Ukraine are supposed to be enrolled in a relevant institution. While a number of facilitating measures have been developed to ensure a speedy assessment of the educational levels, vulnerabilities and language skills of children, a range of issues in this area remain, including the limited capacity of schools. Moreover, due to the need to follow both curricular (the Ukrainian one online and the host country curriculum in person) children bear an increased burden. Finally, there are significant administrative and language barriers, as well as the need for long commutes to the location of study.

Following both Ukrainian and local curricular

Engaging in two parallel education systems (the online Ukrainian system and that of the host country) has been reported to be one of the most recurrent phenomena across states, accounting for low enrolment rates in host institutions. In **Poland**, many Ukrainian pupils staying in Poland are not attending Polish schools (e.g., 52 per cent of Ukrainian children in Warsaw¹⁷³). Some of them choose to participate in online lessons organised by the Ukrainian authorities. If that is the case, a parent or another guardian must inform the Polish local authorities that the child is continuing their education

¹⁷² Council Directive 2001/55/EC, op.cit.

¹⁷³ SIP, 'Protection of unaccompanied children from Ukraine in Poland – what should be improved', 6 March 2023, available at: <https://bit.ly/3NSA1tX>.

online within the Ukrainian education system.¹⁷⁴ However, some children who were supposed to be attending Ukrainian school online were not actually attending any school in practice. Moreover, power cuts in Ukraine hamper access to the Ukrainian education system.¹⁷⁵ Other children tried to attend both Polish in-person and Ukrainian online schools.¹⁷⁶ Overall in 2022, almost 200,000 new Ukrainian pupils were attending Polish schools, while approximately 500,000 were learning online within the Ukrainian education system.¹⁷⁷

In **Austria**, in practice many children attend school in Austria in the morning and school in Ukraine via online tools in the afternoon.¹⁷⁸ Some of the children are under a lot of stress because they go to school in the morning and follow online Ukrainian lessons in the afternoon. In some cases, there have been reports of parents pressuring and forcing their children to follow the lessons from Ukraine rather than the lessons in the Austrian schools or both. This must be understood in the general context of the war and the general 'waiting' dilemma currently facing displaced persons. Their willingness to take part in life in Austria depends on how long the war will last and whether a sustainable return to Ukraine is considered feasible.¹⁷⁹

Similarly, in **Bulgaria** the Ministry of Education¹⁸⁰ reports that the overall low number of children with temporary protection enrolled in Bulgarian schools and kindergartens is due to the resumption of distance learning organised by schools in Ukraine, as well as the Ministry of Health requirement to unify the two countries' immunization schedules. The two most significant obstacles to Ukrainian children making use of the local education system are therefore national differences between vaccination schedules¹⁸¹ and school curricula. The latter in particular motivated many parents to keep their children enrolled in the widely available and accessible Ukrainian online education forms, in order to avoid any delays in their educational journey. Nearly 20 per cent of children with temporary protection who have enrolled in Bulgarian schools are first-grade students, 224 in total in the current 2022/2023 academic year.¹⁸²

In **Sweden**, concerns were raised over the fact that many children from Ukraine had not started school within one month or longer of their arrival.¹⁸³ It has been reported to be common that children with temporary protection who attend Swedish school also continue to attend Ukrainian school classes online. The Swedish and Ukrainian elementary school curricula differ and this is reported to have an

¹⁷⁴ §15 of the Minister of Education and Science on organisation of education and care of children and youth from Ukraine (Rozporządzenie Ministra Edukacji i Nauki z dnia 21 marca 2022 r. w sprawie organizacji kształcenia, wychowania i opieki dzieci i młodzieży będących obywatelami Ukrainy), available in Polish here: <https://bit.ly/42nRi2K>.

¹⁷⁵ SIP, 'Protection of unaccompanied children from Ukraine in Poland – what should be improved', 6 March 2023, available at: <https://bit.ly/3NSA1tX>; Amnesty International, 'Jesteśmy tutaj razem. Uczniowie i uczennice z Ukrainy w polskich szkołach', 24 January 2023, available in Polish here: <https://bit.ly/3NUAiWg>, 2, 4.

¹⁷⁶ A. Krajewska, 'Dzieci-uchodźcy z Ukrainy w polskim systemie edukacji', in: M. Fuszara (ed), *Masowa pomoc w masowej ucieczce Społeczeństwo polskie wobec migracji wojennej z Ukrainy*, Warsaw University 2022, available in Polish here: <https://bit.ly/42ljmO3>, 87-88.

¹⁷⁷ Human Rights Commissioner, 'Okrągły stół o oświacie – konsultacje w sprawie edukacji dzieci i młodzieży z Ukrainy w Biurze RPO', 3 June 2022, available in Polish here: <https://bit.ly/3nKKGw9>; Amnesty International, 'Jesteśmy tutaj razem. Uczniowie i uczennice z Ukrainy w polskich szkołach', 24 January 2023, available in Polish here: <https://bit.ly/3NUAiWg>, 4.

¹⁷⁸ Wiener Zeitung, 'Gekommen um zu bleiben', 22 February 2023, available in German at: <https://bit.ly/3zJl3go>.

¹⁷⁹ *Stabsstelle Ukraine Flüchtlingskoordination, Tätigkeitsbericht März bis Dezember 2022*, unpublished.

¹⁸⁰ Ministry of Education, exh. N 1104-6 from 5 January 2023.

¹⁸¹ Ministry of Health, Mandatory vaccination schedule, available in Bulgarian at: <https://bit.ly/3OT1q6f>.

¹⁸² Ministry of Education, exh. N 1104-6 from 5 January 2023.

¹⁸³ UNICEF Sweden, Appendix 2, Report on reception of refugees from Ukraine, 2022, available at: <https://bit.ly/3YoPJyw>.

adverse effect on the learning process.¹⁸⁴ Finally, in **the UK** information produced by Ukraine's Parliament is disseminated among those wishing to access the Ukrainian curriculum.¹⁸⁵

Language barriers

Language barriers represent an additional obstacle to swift integration within the educational systems of receiving countries. In **Austria**, a lack of knowledge of German means that children have had to repeat classes or were downgraded to a lower school level. This 'demotion' negatively affects motivation and is seen as unfair by children and parents as they were already one or two grades ahead in Ukraine, as reports from Ukrainian telegram groups indicate.

Despite direct access to education, the language barrier problem is even more evident in **Switzerland**. Depending on the canton of residence, different language lessons are mandatory. For example, children in southern Switzerland must first learn Italian and German or French as a second national language, French in French-speaking Switzerland and German as a second national language, and German in German-speaking Switzerland and French as the second national language. According to the Swiss Refugee Council, this leads to many absences as those seeking protection and beneficiaries of status S are not willing to learn the respective languages as it is unlikely they will stay in the long-term. Among other things, this also means that some people seeking protection and beneficiaries of status S want to change their canton of residence and move to a canton that speaks a different language. In addition, some persons seeking protection and beneficiaries of status S want to continue learning through home schooling at Ukrainian schools but cannot do so due to compulsory schooling in Switzerland.

The evidence from **Romania** suggests that language barriers were one of the reasons for children dropping out of school.¹⁸⁶ In **Malta**, language difficulties and administrative issues surrounding the securing of documentation (in the first months after arrival) are the main issues surrounding access to the education system. The Migrant Learners Unit, a public initiative offering language classes to prepare newly arrived migrants for mainstream education, increased its registration efforts to meet the new increased demand for registrations.¹⁸⁷

As language barriers are also one of the main issues in **Slovenia** in the first year of schooling, emphasis is placed on language empowerment and a condensed approach to beginner Slovene language lessons. Pupils should also be offered various forms of support (supplementary teaching, individual and group assistance, adaptations to teaching methods and approaches) and are entitled to have the option of adjusting their assessment during the school year.¹⁸⁸

Finally, different programmes exist to overcome the issue of a language barrier among pupils in **Germany** to enable foreign children to facilitate their integration into the German school system. "Welcome Classes" or "Preparation classes" exist in several federal states where the schedule is tailored to the need of children whose mother tongue is not German. In other federal states children are directly integrated into regular classes and attend German language courses alongside.

¹⁸⁴ UNHCR presentation at the seminar "Temporary protection for refugees from Ukraine in the Nordic countries – From emergency reception to longer-term sustainable response" on 8 December 2022.

¹⁸⁵ Child.Wales, *Information education sources for Ukrainian children*, March 2022, available at: <https://bit.ly/3MZxInJ>.

¹⁸⁶ IOM Romania, *Ukraine Response Romania Evolution of Needs Report*, available at: <https://bit.ly/43gzh6T>.

¹⁸⁷ See Malta Refugee Council, *Ukraine info: Registering children at the Migrant Learners' Unit* here: <https://bit.ly/3oBOOyM>.

¹⁸⁸ Republic of Slovenia, *Providing education to Ukrainian children living in Slovenia*, available at: <https://bit.ly/3Xi1rup>.

Other challenges

A number of additional issues has been reported in the Netherlands, Romania, Germany and Greece, mainly linked to the lack of specialised staff impeding speedy registration at schools in **the Netherlands**¹⁸⁹ and the limited capacity of the educational system in **Romania** to absorb and meet the educational needs of all Ukrainian refugee children and adults.¹⁹⁰

Similarly, in **Germany**, in addition to existing programmes for foreign children, the German Network of Education Ministers (Kultusministerkonferenz) acknowledges that there are specific challenges stemming from the increased number of children who fled Ukraine. According to a study published in May 2022, the main challenge stems from a lack of teachers. According to the study, 13,500 – 19,400 additional teachers are required to support the rising number of children who fled Ukraine.¹⁹¹ To address the lack of teachers, a task force from the Network of Education Ministers envisages facilitating the recognition of degrees among Ukrainian teachers and several federal states have assured that additional money will be provided to employ teachers.¹⁹²

The issue of transportation to the place of education has been identified in **Greece** and **Austria**. In the latter country, transportation was not a big issue as 45 per cent of all displaced persons from Ukraine live in Vienna - until free transportation was cut. Now, transportation costs are generally an obstacle for accessing the place of education or work.¹⁹³

Finally, despite a number of changes introduced to facilitate access to education in **Poland**, the educational system struggled with admitting such a large number of new foreign pupils.¹⁹⁴ In 2022, the main problems included: schools overcrowding, an insufficient number of schools and teachers, a lack of sufficient support for teachers in teaching the Polish language as a second language, a lack of adequate textbooks, difficulties hiring Ukrainian teachers, and a lack of means to support Ukrainian pupils in their online learning.¹⁹⁵ Hate speech and violence towards Ukrainian pupils were also reported.¹⁹⁶ Moreover, Ukrainian children often unexpectedly disappeared from the Polish education system when they moved back to Ukraine or travelled to another state. Furthermore, teachers and schools were not sufficiently supported by the state.¹⁹⁷

¹⁸⁹ AIDA, *Country Report Netherlands, 2022, TPD annex*, available at: <https://bit.ly/44ao8Fa>

¹⁹⁰ AIDA, *Country Report Romania, 2022, TPD annex*, available at: <https://bit.ly/44AEs1P>

¹⁹¹ Institut der deutschen Wirtschaft (IW), *Mögliche Auswirkungen des Krieges in der Ukraine im deutschen Bildungssystem*, 29 May 2022, available in German at: <http://bit.ly/3XKuXJK>.

¹⁹² Kultusministerkonferenz, *Beschulung der schutzsuchenden Kinder und Jugendlichen aus der Ukraine im Schuljahr 2022/2023*, 23 June 2022, available in German at: <https://bit.ly/3CZx44H>.

¹⁹³ Stabsstelle Ukraine Flüchtlingskoordination, *Tätigkeitsbericht März bis Dezember 2022*, unpublished.

¹⁹⁴ AIDA, *Country Report Poland, 2022, TPD annex*, available at: <https://bit.ly/46DMLvm>.

¹⁹⁵ Human Rights Commissioner, 'Okragły stół o oświacie – konsultacje w sprawie edukacji dzieci i młodzieży z Ukrainy w Biurze RPO', 3 June 2022, available in Polish here: <https://bit.ly/3nKKGw9>; Ministry of Education and Science, Systemowe wsparcie obywateli Ukrainy – konferencja prasowa w KPRM z udziałem ministra Przemysława Czarnka, 24 May 2022, available in Polish here: <https://bit.ly/42lddYg>.

¹⁹⁶ A. Gmiterek-Zabłocka, "Coraz częściej słyszę o wyziskach i mowie nienawiści w szkołach". Pomóc mają specjaliści asystenci, Tok.fm, 7 June 2022, available here in Polish: <https://bit.ly/3pt5B7C>; HNLAC, 'Przemoc fizyczna i psychiczna wobec uczniów z Ukrainy: Poradnik dla uczniów, rodziców i nauczycieli', available in Polish here: <https://bit.ly/3OMGDce>; Amnesty International, 'Jesteśmy tutaj razem. Uczniowie i uczennice z Ukrainy w polskich szkołach', 24 January 2023, available in Polish here: <https://bit.ly/3NUAiWG>, 14-15.

¹⁹⁷ A. Krajewska, 'Dzieci-uchodźcy z Ukrainy w polskim systemie edukacji', in: M. Fuszara (ed), *Masowa pomoc w masowej ucieczce Społeczeństwo polskie wobec migracji wojennej z Ukrainy*, Warsaw University 2022, available in Polish here: <https://bit.ly/42ljmO3>, 81, 91; Amnesty International, 'Jesteśmy tutaj razem. Uczniowie i uczennice z Ukrainy w polskich szkołach', 24 January 2023, available in Polish here: <https://bit.ly/3NUAiWG>, 2.

Facilitating measures

A separate set of measures facilitating access to education has been introduced in **Spain**. The Minister of Education created a dedicated web page containing information on access to education for displaced Ukrainians, also available in Ukrainian.¹⁹⁸ In addition, the Ministry of Education began to hire 200 Ukrainian Language Assistants in May 2022 with the aim of helping regional authorities foster the inclusion of Ukrainian children in schools.¹⁹⁹ Moreover, an unprecedented Contingency Plan for guaranteeing access to schooling by displaced Ukrainian students was adopted by the Ministry of Education with the aim of coordinating uniform education criteria across Spain and to facilitate access to available European funding. This unique plan, never adopted before, foresees a set of measures: immediate enrolment of students in compulsory stages of education; an increase in the number of small group language-immersion classes (ten students) provided for those who do not speak the language; provision of extraordinary quotas for the necessary teaching staff, including support and reception staff (guidance, therapeutic pedagogy, socio-community intervention, etc.); provision of subsidies for humanitarian reasons to NGOs and other non-profit entities with the capacity to hire Ukrainian or Ukrainian-speaking personnel targeting school minors, especially in linguistic and socio-affective areas; extraordinary provision of calls for financial support to guarantee canteen services, transport, books and complementary activities for school students from the conflict in Ukraine; design of options to facilitate their ongoing education in Ukraine or the beginning of new studies at post-compulsory level.

Finally, the Asylum Language Learning Service signed an agreement with the Instituto Cervantes and the Spanish Red Cross to support the socio-cultural integration process for people arriving from Ukraine through free Spanish language courses for foreigners.

In **France**, people who would benefit from enrolment at a higher education institution may be accommodated in public student accommodation provided by Crous (within the limits of existing capacities) and in Île-de-France by CIUP (International Student Housing Centre of Paris), depending on the availability of places. They can also benefit from housing allowances (APL). Specific emergency aid of up to €500 may also be requested from CROUS. The latter is paid after a simplified social assessment by the social services. It is also understood that students benefiting from temporary protection are entitled to access state scholarships based on social criteria, subject to compliance with the conditions applicable to all students. Unlike other students, they also benefit from €1 meals in university cafeterias, whether or not they benefit from State scholarships. The circular also specifies that institutions will be able to mobilize the CVEC (a financial contribution from students requested at registration and used for campus life) to contribute to financial or material aid. If necessary, the students concerned can contact University Health Services to access psychologists.²⁰⁰

In **Croatia**, a flexible assessment of educational level due to a lack of supporting documentation is possible. If a student does not possess documentation about earlier education or it is not possible to prove previous education based on the available documentation, they are enrolled in the appropriate class on the basis of a parental statement. Furthermore, if a student has reached the age of 15 and has not completed primary school, the administrative department for education of the county/City of Zagreb can organize primary school education for them on the basis of an adult education programme.²⁰¹

In **Hungary**, the Asylum Decree, one of the legal instruments providing for the education of temporary protection beneficiaries, sets out that beneficiaries are entitled to reimbursement of the cost of

¹⁹⁸ Ministerio de Educación y Formación profesional, 'Atención educativa a desplazados ucranianos', <https://bit.ly/3wtsBmY>.

¹⁹⁹ Ministerio de Educación, 'Se convocan 200 plazas para auxiliares de lengua ucraniana', 8 April 2022, available at: <https://bit.ly/3WxnYD8>.

²⁰⁰ AIDA, *Country Report France, 2022, TPD annex*, available at: <https://bit.ly/3D2eMiS>

²⁰¹ AIDA, *Country Report Croatia, 2022, TPD annex*, available at: <https://bit.ly/3O0Xp8c>

education.²⁰² Another financial measure was put in place in **Italy**: as an emergency measure, the Ministry of Education allocated an initial loan of one million Euros to educational institutions significantly involved in welcoming and integrating Ukrainian minors.²⁰³

In **Poland**, a set of facilitating measures was adopted under the Special Law and other acts by national and local authorities,²⁰⁴ including amongst other things:

- ❖ Non-Polish teaching assistants have been allowed to perform their tasks in Polish schools if they speak Polish (Article 57);
- ❖ Additional state funding for schools has been provided for in the Special Law (Article 50). Since January 2023, local authorities can also receive additional funding for learning materials for Ukrainian children;²⁰⁵
- ❖ Free transportation for minor special temporary protection beneficiaries to schools or other places where education or childcare is provided may be organised by local authorities (Article 52).

Measures of support in higher education

In addition to ensuring access to education for minors, the TPD also stipulates that, in line with Article 14 (2), member states may allow adults enjoying TP status to access the general education system.²⁰⁶ To facilitate the continuous training and education of adults and in addition to measures ensuring vocational training in some countries (see the section on ‘Access to employment’), access to higher education has therefore been granted through a set of facilitating measures. Whereas in most states persons enjoying TP status may enrol at university on the same footing as the nationals of a given country, in rare cases the rules for third-country nationals apply, particularly with regard to enrolment fees. In contrast, the situation in Austria demonstrates the practice of fee exemption for displaced persons from Ukraine.²⁰⁷

Access to higher education	
No student enrolment fee for TPBs or fee equivalent to the standard fee for nationals of the country	Student enrolment fee for TPBs equivalent to the one for third-country nationals
AT, BE, GR, HR, HU, IE, IT, MT, NL, PT, UK, SR	BG, SE, CH

Source: AIDA.

Although TPBs possess certificates that are unknown to the host educational systems, in some cases governments lifted the need to go through the process of recognition of related documents. In **Portugal**, the law establishes that beneficiaries of temporary protection holding foreign certificates or diplomas that are not sufficient for recognition in Portugal must be ensured access to a higher education institution granting a degree in the same field upon request.²⁰⁸

To provide financial support for enrolling in and pursuing higher education in host countries, a number of *ad hoc* scholarships or loan programmes have been offered to TPBs. For instance, the University of

²⁰² 37/A (1) c.) and 45 of Asylum Decree.

²⁰³ Ministry of Labour, report on unaccompanied minors, December 2022, available at: <http://bit.ly/3kol1b5>.

²⁰⁴ A. Krajewska, 'Dzieci-uchodźcy z Ukrainy w polskim systemie edukacji', in: M. Fuszara (ed), *Masowa pomoc w masowej ucieczce Społeczeństwo polskie wobec migracji wojennej z Ukrainy*, Warsaw University 2022, available in Polish here: <https://bit.ly/42ljmO3>, 78.

²⁰⁵ Article 50b of the Special Law.

²⁰⁶ Council Directive 2001/55/EC, op.cit.

²⁰⁷ Federal Ministry of Education, Science and Research, 'Ukrainische Studierende auch im Wintersemester 2023/24 von der Studienbeitragspflicht befreit', available in German at: <https://bit.ly/3KuEZKj>.

²⁰⁸ Article 3 Decree-Law no.28-A/2022, of 25 March 2022, available at: <https://bit.ly/3Fn4F9V>.

Cyprus provided ten scholarships to Ukrainian refugees whose studies were abruptly interrupted by the Russian invasion. The scholarships cover tuition fees as well as monthly living expenses.²⁰⁹ Frederick University, a private university, introduced a special scholarship scheme for all students whose studies have been affected by the conflict. The scholarships apply to all undergraduate studies and cover tuition fees for the first year in full and 50 per cent of fees for subsequent years.²¹⁰

The **German** Academic Exchange Service (DAAD), together with the Federal Foreign Office, initiated a scholarship programme for people who fled Ukraine. The funding will be awarded to different universities where people who fled Ukraine and want to attend a German university may apply for language and technical support and for full scholarships to obtain a degree (bachelor, master or doctorate).²¹¹ The funding is expected for 2023 and 2024, but currently there is no further information about the exact eligibility criteria.

In **Ireland**, the Department of Further and Higher Education established a Post-Leaving Certificate (PLC) Bursary for Displaced Persons from Ukraine for the 2022/2023 academic year. The Scheme provided students with the opportunity to undertake full-time study for a period of one or two years, with courses leading to major awards at National Framework of Qualifications (NFQ) Levels 5 and 6, while also receiving a bursary worth a maximum of €6,115 in total for the academic year. In order to be eligible for the scheme, students were required to have been granted temporary protection pursuant to s.260 of the International Protection Act 2015 and to be living in Ireland and participating in an approved full-time post-leaving certificate (PLC) course.²¹² It was not clear at the time of writing this report whether or not the Bursary Scheme would be offered for the forthcoming 2023/2024 academic year.

In **Poland**, Ukrainian students enjoying special temporary protection in Poland can apply for a social scholarship and student loan (Article 41(10-12) of the Special Law). Moreover, they can be admitted to study in Poland without proper documentation confirming their education progress in Ukraine, upon verification of the learning outcomes they have achieved (Article 45). The National Science Centre opened special scholarship programmes for Ukrainian students and researchers. In total, 151 students and researchers have benefited from this assistance.²¹³

Challenges surrounding access to higher education

Despite this set of supportive measures, there are still significant challenges to continuing education at a higher level in some countries within the context of the displacement from Ukraine. For example, a lack of entitlement to state scholarships for university studies in **Slovenia** represents an issue for many TP beneficiaries. The School Student Organisation of Slovenia and the Slovenian Student Union also called publicly in 2022 for the Public Scholarship, Development, Disability and Maintenance Fund of the Republic of Slovenia to hold an extraordinary tender for pupils and students from Ukraine, the costs of which would be covered by the relevant ministry.²¹⁴ However, no action has been taken in this direction thus far.

²⁰⁹ Phileleftheros, "University of Cyprus: Scholarships to refugees from Ukraine" available in Greek at: <https://bit.ly/409RKAq>.

²¹⁰ Frederick University, see: <https://bit.ly/40d0O7C>.

²¹¹ German Academic Exchange Service (DAAD), 'Future Ukraine - Scholarship Program for Refugees from Ukraine at German Universities', available at: <https://bit.ly/3QPHCLi>.

²¹² Department of Further and Higher Education, Research, Innovation and Science, 'PLC Bursary for Displaced Persons (Ukraine) Scheme 2022: Your questions answered', 17 August 2022, available at: <https://bit.ly/3WprWix>.

²¹³ Ministry of Education and Science, 'Dodatkowe stypendia NCN dla początkujących naukowców z Ukrainy', 23 February 2023, available in Polish here: <https://bit.ly/3LLq8M1>.

²¹⁴ Študentska organizacija Slovenije, *Javni poziv k zagotovitvi sredstev in izvedbi izrednega razpisa za štipendije dijakom in študentom, prizadetih zaradi ukrajinske krize*, available at: <https://bit.ly/3L8BDOy>.

Additional obstacles to accessing higher education relating to the requirement to pass a knowledge and language exam may also be set as a requirement in **Belgium**.²¹⁵ Some educational degrees require mandatory exams to be passed as a prerequisite for enrolment (e.g., dentistry, medicine).²¹⁶ Similarly, in **Greece** one needs to pass the state exams to enter university, in addition to the language barriers which stand out as major impediments to exercising the right to education.²¹⁷ There is a further requirement to validate previously acquired diplomas in **the Netherlands**. Displaced persons from Ukraine with prior foreign education must have their previous diploma validated in order to study at a college or university. This assessment can be carried out by the Dutch organisation for internationalisation in education (Nuffic)²¹⁸ or by the college or university where the TPB wants to study. After the diploma has been approved, the college or university decides whether the student meets the requirements. These requirements are specific to a course of study and/or a language requirement necessary for a course of study. To be admitted, the student may also have to take entrance exams or a language test.²¹⁹

It is important to point out that in some cases access to university education was not facilitated for TP beneficiaries at national level. For example, as universities in **Bulgaria** enjoy academic autonomy guaranteed by law, universities themselves decide the conditions for admitting students, tuition fees, the structure of the educational process, the certification of teachers and the awarding of an academic degree, as well as all other issues surrounding the management of specific higher education institutions. There is therefore no information indicating that any of the local universities have offered scholarships or other incentives to TP beneficiaries.

With regard to education for children, the low percentage of Ukrainian children enrolled in the educational systems of the host countries due to their participation in distance learning organised by schools in Ukraine also requires further assessment and additional measures. Being part of the school environment can help establish social connections and reduce uncertainty and stress related to the displacement they have experienced. Finally, the main obstacles identified with regard to TPB access to education, such as language barriers and the limited capacities of receiving schools, must be addressed to ensure favourable conditions for continuous learning and the socio-economic inclusion of TPBs.

²¹⁵ Article II.177 Codified Decree on higher education, 11 October 2013, available in Dutch at <http://bit.ly/3JxTwWJ>.

²¹⁶ Flanders education government page, *Conditions of admission to higher education*, available in Dutch at: <http://bit.ly/3JuRrLa>.

²¹⁷ AIDA, *Country Report Greece, 2022, TPD annex*, available at: <https://bit.ly/3pu8UvE>

²¹⁸ Nuffic is the Dutch organisation for internationalisation in education, information available in English at: <https://bit.ly/3XxO6P2>.

²¹⁹ Nuffic, Dutch organisation for internationalisation in education, information available in English at: <https://bit.ly/3XxO6P2>.

Beneficiaries of temporary protection are entitled to access the healthcare system in accordance with the guarantee stipulated in Article 13 (2) of the TPD.²²⁰ Importantly, the degree of access to healthcare services granted varies across countries. In most cases, TPBs have full access to the public healthcare system on equal terms with nationals. However, as the table provided below indicates, some beneficiaries of TP or equivalent schemes have access only to emergency medical care. Moreover, the coverage and availability of insurance may depend on employment status or age.

Access to healthcare: scope of health insurance for TPBs	
Health insurance is not limited to emergency medical care	Health insurance for TPBs is limited to emergency medical care
AT, BE, BG, DE, ES, FR, HR, HU, IE, NL, PL, RO, UK, SR	CY, GR, MT, PT, SE, ²²¹ SI, CH

Source: AIDA.

Healthcare insurance fees are generally supported by the state, while access is granted once displaced persons register for temporary protection or equivalent status. This is the case in **Austria** amongst other countries. Displaced persons from Ukraine are included in Austrian health insurance via the basic care system as soon as they register for temporary protection.²²² Similarly, in **Bulgaria** the Government has taken responsibility for paying the health insurance fees for TPBs aged 18 to 65 for the first three months of temporary protection. However, after the first three months TP beneficiaries become responsible for payment of health insurance fees. If in the meantime they have managed to find a job and employment, the employer must cover the monthly healthcare fee.

In **Cyprus**, the law²²³ stipulates that beneficiaries of temporary protection must have access to medical care if they do not have sufficient resources. This includes first aid care and the necessary treatment of diseases as a minimum. Furthermore, the law states that they must have access to necessary medical or other assistance if they have special needs. This is in line with Article 13 (4) of the TPD which places particular emphasis on this aspect. Unaccompanied children or individuals who have suffered torture, rape or other serious forms of mental, physical or sexual violence are therefore entitled to additional healthcare services.²²⁴

However, TPBs face significant challenges in terms of accessing healthcare, primarily connected to a lack of available medical staff. This has been reported as a key issue in **Greece, Croatia, Serbia and Bulgaria** where there is an overall lack of General Practitioners (GPs).²²⁵ In addition, a lack of language mediation (relevant for AT, GR, HR, PL, RO, SI) represents further obstacles, particularly with regard to the translation of medical documentation. To counteract this difficulty, a special application, LikarPL, for doctors and patients was created in **Poland** and is available in Polish, Ukrainian, Russian and English.

²²⁰ Council Directive 2001/55/EC, op.cit.

²²¹ However, children are entitled to full health and dental care at the same level as Swedish residents.

²²² Art 2 (1) (3) GVV.

²²³ Article 20H (1)(ε), Refugee Law.

²²⁴ Article 20H (1)(σ), Refugee Law.

²²⁵ news.bg, „Личните лекари изчезват до 5 години, недостигът е 73%“, published on 22 March 2022, available in Bulgarian at: <https://bit.ly/3lQhByl>; also, National Association of General Practitioners, „Личните лекари в България се топят“, published on 29 January 2023, available in Bulgarian at: <https://bit.ly/40GKhso>.

Moreover, Ukrainian speakers were hired to provide remote medical assistance.²²⁶ To facilitate access to information and to address the language issue in **Romania**, efforts are made to promote the employment of medical interpreters.²²⁷

Methods for accessing healthcare under TP		
Country	Type of document proving insurance/access to healthcare	Costs covered by the state
AT	'E-card' or replacement receipt in paper form	Information not available
BE	Temporary residence permit	Information not available
BG	Information not available	During the first 3 months
CY	Not applicable	Not applicable
DE	Information not available	Yes
ES	Information not available	Information not available
FR	Temporary residence permit or <i>carte vitale</i>	Yes
GR	Information not available	No
HR	Identity card	Yes ²²⁸
HU	Special identification number	Yes
IE	Medical card	Yes
IT	Application receipt / healthcare card	Yes
MT	Information not available	Information not available
NL	Information not available	Yes
PL	Certificate for temporary protection/PESEL UKR number	Yes
PT	User number	Yes
RO	Information not available	Yes
SE	Information not available	Yes
SI	Information not available	Yes
UK	Information not available	Yes
CH	Information not available	No
SR	Information not available	Yes

Source: AIDA.

An additional bureaucratic obstacle in terms of accessing healthcare is the administrative requirement to be registered at an address. Problems therefore arise when a person cannot register at an address. In **Belgium**, not only is access to healthcare limited to urgent medical healthcare in such cases, but

²²⁶ Human Rights Commissioner, 'Problemy opieki zdrowotnej uchodźców z Ukrainy. Resort zdrowia informuje RPO o swych działaniach', 13 April 2022, 13 May 2022, available in Polish here: <https://bit.ly/41krFyu>.

²²⁷ UNHCR, Inter-Agency Operational Update, March 2023.

²²⁸ In Croatia, the right to healthcare for TPBs includes primary healthcare, specialist-council health care, hospital healthcare, the right to medicines that are determined by the basic and supplementary list of medicines of the Croatian Health Insurance Fund (CHIF), dental aids that are determined by the basic and additional list of dental aids of the CHIF, and orthopaedic and other aids that are determined by the basic and additional list of orthopaedic and other aids of the CHIF. All the costs of these services are covered by the state. In some cases, TPBs need to contribute to costs (i.e., if they are not allowed to take out a supplementary health insurance policy). For more details, see AIDA, *Country Report Croatia, 2022, TPD annex*, available at: <https://bit.ly/3O0Xp8c>.

access to figures crucial for the provision of healthcare information may also be limited. Obtaining the documental proof of access to the social security and healthcare system represents another issue: in **France**, there have been troubles with applying for a social security card (*carte vitale*). The main reported cause is paperwork issues or missing administrative papers (e.g., birth certificate) that appear necessary in this procedure.²²⁹

When it comes to the scope of the available services, limited mental health support has been identified as an issue in **Malta** where mental health support is generally either inaccessible due to long waiting lists or not sufficiently specialised to deal with particular issues faced by refugees and TP holders.²³⁰ Similarly, specialised treatment for victims of torture or traumatised persons or people with mental health problems is available in **Switzerland**, but the capacity is far too small. Not only is there a lack of specialised psychiatrists, but the number of interpreters and funding for interpretation for this purpose are insufficient.²³¹ The experience of **Sweden** shows that there are many children who arrive from Ukraine in need of some form of trauma treatment. As psychiatric care in Sweden was already under great pressure, there is a concern that children fleeing the war in Ukraine are not getting the psychiatric treatment they need in time.²³²

In **Poland**, Ukrainian nationals and their spouses who have been granted special temporary protection *may* be provided with free psychological assistance. Providing such assistance is at the discretion of the local authorities.²³³ Psychological assistance is only guaranteed by law with regard to temporary guardians and unaccompanied minors under their care who benefited from the Ukrainian foster care system.²³⁴ The general discretion of authorities as regards the provision of psychological assistance and the gross limitation of the personal scope of such assistance is considered to be contrary to Article 13 (4) of the TPD.²³⁵ Polish authorities *may* assist special temporary protection beneficiaries with transport to medical establishments.²³⁶ Until 1 March 2023, regional authorities (voivodes) were obliged to provide this assistance for at least two months from an individual's entry into Poland. However, Article 12 (17) of the Special Law was amended in January 2023 and currently there is no obligation for any Polish authorities to provide persons enjoying special temporary protection in Poland with a means of transport to benefit from medical assistance. Provision of such assistance is at their discretion.

A lack of equal access to healthcare was noted in **Cyprus**. Medical care is provided under the same conditions as for asylum seekers: access to the public healthcare system (state hospitals and other state medical services) for care beyond emergency care or essential treatments, but no access to private doctors/professionals and private medical services.²³⁷ Importantly, in **Poland** Ukrainian women also struggled with exercising their reproductive rights, in particular an abortion after being raped in Ukraine.²³⁸ The Federation for Women and Family Planning called on the international community to intervene in Poland to adequately address the sexual and reproductive health needs of women and girls affected by the war in Ukraine.²³⁹ Other relevant issues include discriminatory practices towards

²²⁹ Based on perusal of the national healthcare authority's help forum, available here: <http://bit.ly/40YrjOB>.

²³⁰ AIDA, *Country Report Malta, 2022, TPD annex*, available at: <https://bit.ly/3NYela3>

²³¹ AIDA, *Country Report Switzerland, 2022, "Status S" Protection annex*, available at: <https://bit.ly/44cLZDZ>

²³² UNICEF Sweden, Appendix 2, Report on reception of refugees from Ukraine, 2022, available at: <https://bit.ly/3YoPJyw>.

²³³ Article 32 of the Special Law.

²³⁴ Article 25(3b) of the Special Law.

²³⁵ SIP, Letter to the Ministry of Internal Affairs and Administration, 28 October 2022, available in Polish here: <https://bit.ly/3VHuyrT>, 18-19.

²³⁶ Article 12(1)₍₃₎ of the Special Law.

²³⁷ AIDA, *Country Report Cyprus, 2022, TPD annex*, available at: <https://bit.ly/3NFAazb>

²³⁸ Instytut Praw Migrantów, 'Jak radzą sobie uchodźczynie z Ukrainy, które przyjeżdżają do Polski w niechcianej ciąży? Gdzie szukają dostępu do aborcji?', 25 March 2023, available in Polish here: <https://bit.ly/41oFvjf>.

²³⁹ See FEDERA, 'Stanowisko FEDERY dotyczące zwiększania się zagrożeń dla praw reprodukcyjnych i seksualnych w związku z kryzysem humanitarnym odczytane na sesji Rady Praw Człowieka ONZ', 22 March 2022, available in English here: <https://bit.ly/42G5B2k>.

refugees from Ukraine reported in **Hungary** which particularly affect Roma communities from the Transcarpathia region.²⁴⁰

Reducing the administrative barriers impeding access to healthcare services, as well as increasing the capacity of healthcare systems and improving its facilities in the area of mental health support and assistance to persons with special needs would therefore benefit not only persons currently under the temporary protection schemes but also local populations. Finally, expanding language mediation and interpretation services is crucial for ensuring displaced persons can obtain the necessary assistance.

²⁴⁰ Information received from the IOM by the HHC on 14 February 2023.

1. Access to general social welfare

General social welfare represents all the benefits, subsidies and measures supporting protected categories. Whenever applicable, beneficiaries of temporary protection status should fall within the scope of the aforementioned measures, although this is not always possible given the limited harmonisation of social security services. The right to receive necessary social welfare and means of subsistence if individuals do not have sufficient resources is stipulated in Article 13(2) of the TPD which requires member states to make relevant provisions for those enjoying TP.²⁴¹ However, the comparison below indicates that there are still significant divergences with regard to the degree of access to social welfare provided across states.

Access to social welfare		
Full access	Partial Access	No access
BE, BG, CH, DE, HR, NL, SL, UK	FR, GR, IE, IT, MT, RO, PL, PT, SE, SR	AT, HR, ES (no data)

Source: AIDA.

Full access

Access to the social welfare system and the different types of social assistance available is provided to all TP beneficiaries under the same conditions and on the same level as nationals in **Bulgaria**,²⁴² **Croatia**,²⁴³ and **Germany**.²⁴⁴ In **Switzerland** anyone with status S is granted social welfare in accordance with Articles 81 and 82 of the AsylA. Social welfare is provided to beneficiaries of status S under the same conditions and on the same level as nationals or legally residing third-country nationals. Possessed assets and other income are taken into account when calculating the amount of social benefits, as is the cost of accommodation.²⁴⁵

In terms of when access is granted, in **Belgium** the right to social benefits begins on the day of the request. This means that someone with a temporary protection certificate and an entry in the register (or proof of an appointment with the municipality) can attend the social welfare centre to receive either social revenue or 'social benefits'. The right to receive social benefits will be backdated to the day of the request.²⁴⁶ In the **United Kingdom**, the law provides for access to public funds, including access to social welfare, in all four nations. The law was changed to exempt Ukraine visa scheme beneficiaries from the 'habitual residence test' which can restrict access to those arriving in the UK from overseas for the initial months of their residence.²⁴⁷ Similarly, in **Slovenia** the law provides for access to social welfare for temporary protection beneficiaries in various forms: financial assistance and financial

²⁴¹ Council Directive 2001/55/EC, op.cit.

²⁴² Article 2 (6) Law on Social Assistance.

²⁴³ Article 19 (2) of the Social Welfare Act.

²⁴⁴ Federal Government, *Gesetz zur Regelung eines Sofortzuschlages und einer Einmalzahlung in den sozialen Mindestsicherungssystemen sowie zur Änderung des Finanzausgleichsgesetzes und weiterer Gesetze*, 23 May 2022, available at: <http://bit.ly/3kvHKSh>.

²⁴⁵ AIDA, *Country Report Switzerland, 2022, "Status S" Protection annex*, available at: <https://bit.ly/44cLZDZ>

²⁴⁶ Flanders education government page, *Adult education*, available in Dutch at: Flanders education government page, *Ukraine crisis: lower- and secondary education*, available in Dutch at: <https://bit.ly/3kS0fQS>.

²⁴⁷ AIDA, *Country Report United Kingdom, 2022, Ukraine visa support annex*, available at: <https://bit.ly/46sX5pY>

assistance for private accommodation (for persons not housed at accommodation centres, who do not receive any income or cash benefits and who are unable to rely on someone who is obliged to and capable of supporting them in accordance with the regulations of the Republic of Slovenia). In 2022, this was financed by the Government Office for the Support and Integration of Migrants; and some other forms of social assistance, subsidies and reduced payments.²⁴⁸

Partial access

TPBs enjoy access to some branches of social welfare in **France** where they mainly have access to free healthcare alongside financial and housing help (APL) and allowances based on their family situation. If third-country nationals are legally residing in France (including TPBs), the conditions for accessing social welfare are the same as for nationals. This rests on application of the fundamental principle of equal treatment. Housing and health benefits are granted by, respectively, the French benefit office (CAF) and the healthcare insurance fund (CPAM). Social security offices can be contacted in every French department²⁴⁹ and mobility within the country is not restricted so there is no need for beneficiaries to live in a specific place to access social welfare. Limited access to social welfare is also granted in **Italy** where, in line with Circular No. 41 of 7 April 2023, I.N.P.S., “in agreement with the Ministry of Labour and Social Policies”, TP holders are entitled to receive the same single social security benefit that is granted to Italian families, the “assegno unico.”²⁵⁰

A number of different practices grant limited access to social welfare. In **Malta**, the applicable Regulations state that TP beneficiaries are entitled to “*necessary assistance*”, meaning in concrete terms the same level of benefits as Subsidiary Protection holders. This level of social welfare is lower than that provided to Maltese nationals and recognised refugees.²⁵¹ Meanwhile, rules similar to the reception of asylum seekers apply in **Serbia** and **Sweden**. In **Serbia**, social welfare is provided under the same conditions as for asylum seekers and persons granted asylum. Social assistance is granted by the local social welfare centre where beneficiaries claim residency. The request for social welfare is examined and decided upon by the social welfare centre with jurisdiction over the municipality in which the beneficiary resides.²⁵² Once granted, the conditions for benefiting from social welfare are re-examined by the social welfare centre on an annual basis. Cases can be appealed to the Minister for Social Affairs.²⁵³ In **Sweden**, persons who are granted temporary protection are covered by the Act on reception of asylum seekers and others. They have a right to a daily allowance in accordance with the same legislation as asylum seekers.²⁵⁴ Those covered by the Act on reception of asylum seekers are not entitled to assistance according to the Social Service Act. Temporary protection beneficiaries are not registered as residents in Sweden and are therefore not entitled to financial support based on residency, such as a child benefit and housing allowance.²⁵⁵

In some countries, the amount of personal resources represents a key criterion for defining the degree of access to social welfare and the amount of respective allowances.²⁵⁶ For instance, in **Poland** TPD beneficiaries can access the general social welfare system and be granted financial and non-financial benefits in accordance with the 2004 Law on social assistance.²⁵⁷ Accessing the general social welfare

²⁴⁸ AIDA, *Country Report Slovenia, 2022, TPD annex*, available at: <https://bit.ly/3r7R1D4>

²⁴⁹ For further information see: <http://bit.ly/415oYB2>

²⁵⁰ See ASGI: Circolare INPS sull’Assegno Unico Universale: anche chi è titolare di protezione temporanea ne ha diritto” available at: <http://bit.ly/43h9ivZ>.

²⁵¹ AIDA, *Country Report Malta, 2022, TPD annex*, available at: <https://bit.ly/3NYela3>

²⁵² *Ibid*, Article 8.

²⁵³ *Ibid*, Article 9.

²⁵⁴ Act on Reception of asylum seekers and others.

²⁵⁵ AIDA, *Country Report Sweden, 2022, TPD annex*, available at: <https://bit.ly/44bVfZ8>

²⁵⁶ For family benefits, the income criterion is also applicable. For more details, see AIDA, *Country Report Poland, 2022, TPD annex*, available at: <https://bit.ly/46DMLvm>.

²⁵⁷ Article 29 of the Special Law, Ustawa z dnia 12 marca 2004 r. o pomocy społecznej, available in Polish here: <https://bit.ly/3M8MjNB>.

system is dependent on the financial situation of the person/family concerned. The general rules regarding those benefits apply to Ukrainian nationals and some of their family members granted special TP (the same as for Polish citizens), with some minor exceptions. Ukrainian nationals and their family members have reported experiencing some difficulties in practice with regard to the aforementioned allowances. Similarly, in **Portugal** the Temporary Protection Act provides for the right of beneficiaries of temporary protection to access social welfare benefits and means of subsistence in the absence of personal resources.²⁵⁸ The Council of Ministers determined that such benefits are to be granted to beneficiaries of temporary protection who do not have sufficient resources and that beneficiaries of temporary protection must receive treatment equal to that granted to refugees in accessing non-contributory social welfare benefits.²⁵⁹ Finally, in **Greece** social welfare is provided for beneficiaries of temporary protection (Article 129 of Law 4939/2022). For example, if beneficiaries at accommodation centres do not have sufficient resources for their subsistence, the Ministry of Immigration and Asylum shall provide them with food, clothing and any other possible social assistance. The conditions for social welfare are the same as for nationals but they are provided at a lower level.²⁶⁰

In **Romania**, access to free social welfare is provided for accompanied or unaccompanied persons with disabilities and elderly persons from the area of the armed conflict in Ukraine. The people accompanying them also benefit from social services under the same conditions.²⁶¹ Local public administration authorities are free to hire social workers or other specialised personnel, as appropriate, within public social assistance services at local and county level and within the social services in which there are beneficiaries who come from the armed conflict area of Ukraine, depending on their needs, for a specific period of not more than three years.²⁶²

No access

In a number of cases TPBs are not explicitly defined as group eligible for the benefits of social welfare systems. This is the case in **Austria** where a lack of the clarity over the relevant rules leaves particular uncertainties in terms of the definition of a household, the procedure for calculating eligible basic care and regulations on retirement pensions.²⁶³ Another relevant example is **Hungary** where the law does not provide access to social welfare for beneficiaries of temporary protection. Act III of 1993 on Social Administration and Social Benefits and Act XXXI of 1997 on child protection and childcare administration regulating child welfare services do not apply to temporary protection beneficiaries and applicants. They are therefore not entitled to social services. Care of the population eligible for temporary protection is carried out entirely within the asylum administration system. A maternity allowance is the only available benefit outside the scope of asylum administration.²⁶⁴

In **Spain**, the level of access to social welfare is still unclear and is to be assessed on a case-by-case basis.²⁶⁵

2. Amount of social welfare contributions

In **Austria**, the Basic Care Acts of the state and the federal provinces requires a contribution to Basic Care if individuals have an income. In practice, there is only an allowance of €110 plus €80 for each family member and the rest is used as contribution towards the reception cost. Again under the regular

²⁵⁸ Article 15(2), Temporary Protection Act

²⁵⁹ Resolution of the Council of Ministers no.29-A/2022, of 1 March 2022, last amended by Resolution of the Council of Ministers no.135/2022, of 28 December 2022, par.12 and 13, available at: <https://bit.ly/3HWIUjU>. AIDA, *Country Report Greece, 2022, TPD annex*, available at: <https://bit.ly/3pu8UvE>

²⁶⁰ Art. 2[^]1 paras (1) and (2) and art. 2[^]3 of the Government Emergency Ordinance 15/2022.

²⁶¹ Art. 2[^]5 of the Government Emergency Ordinance 15/2022.

²⁶² AIDA, *Country Report Austria, 2022, TPD annex*, available at: <https://bit.ly/3NHDCcH>

²⁶³ AIDA, *Country Report Hungary, 2022, TPD annex*, available at: <https://bit.ly/3D0Ptxn>

²⁶⁴ AIDA, *Country Report Spain, 2022, TPD annex*, available at: <https://bit.ly/3rfc074>

²⁶⁵

system, if they have been receiving an income for more than three months, Basic Care support should no longer be provided. TPD beneficiaries saw a change in the applicable rules at the start of 2023. They are allowed to stay in the Basic Care system even if they earn more than €110. For every earned Euro they are allowed to keep 35 cents. The rest is deducted from the Basic Care allowance. There is no official information on the practice of these rather complicated rules yet, but there is an unofficial calculator developed by the community of Ukrainians in Austria.²⁶⁶ Not all Basic Care departments in the provinces have started to implement the new rules yet. The province of Carinthia has already announced that it will not implement them at all.²⁶⁷

In **Belgium**, the amount of financial aid given can vary greatly.²⁶⁸ This is because under the “*equivalent leefloon*” system there is no fixed amount, no selected calculation method, and no fixed categories. This results in a high margin of discretion for the social welfare centres and a significant difference between the revenue granted from person to person and from municipality to municipality. The social welfare centre examines the need for financial assistance and decides within 30 days.²⁶⁹ The social welfare centre determines what aid is granted based on the established factual situation (housing, forms of support received, cohabitation, etc.).²⁷⁰

In **Cyprus**, TPD beneficiaries have access to a one-off financial allowance calculated as follows: a single person (and the main applicant if there is a family) is entitled to €340; every dependent family member above the age of 14 is entitled to €170 and every dependent member below the age of 14 is entitled to €100. Benefits are provided in cash in one or two instalments.²⁷¹ In **Germany**, the amount of social benefit contributions for TPD beneficiaries under the Regular Social Code are higher compared to those under the Asylum Seeker Benefits Act.²⁷²

Basic benefits for Temporary Protection applicants and beneficiaries							
	Single adult	Single adult in accommodation centre	Adult partners (each)	Member of household 18-24	Member of household 14-17	Member of household 6-13	Member of household 0-5
Regular Social Benefits	€502	-	€451	€402	€420	€348	€318
Total amount of benefits under Asylum Seekers Benefits Act	€410	€369	€369	€328	€364	€304	€278

Sources: Bekanntmachung über die Höhe der Leistungssätze nach § 3a Absatz 4 des Asylbewerberleistungsgesetzes für die Zeit ab 1. Januar 2023, BGBl. I, Nr. 54, 23 December 2022, 2601, available at: <https://bit.ly/3XKNSUP>; and Federal Employment Office, Erhöhte Regelsätze, press release Nr. 60, 28 December 2022, available at: <http://bit.ly/3iXn98T>

²⁶⁶ Asylkoordination österreich, Jenia’s very unofficial calculator for the Zuverdienstgrenze v. 2.1, available in Ukrainian at: <https://bit.ly/3oXiqzc>.

²⁶⁷ Asylkoordination österreich, Kompetenz Netzwerk Asyl, Ukraine, available at: <https://bit.ly/3nkd8EY>.

²⁶⁸ Institution on social integration (POD MI), *FAQ on Ukraine*, available in French and Dutch at: <https://bit.ly/3Rh1B3L>, 5.

²⁶⁹ Response POD MI on the calculation of the *equivalent leefloon*, 12 August 2022.

²⁷⁰ See VVSG, *Right to Social benefits*, available in Dutch at: <http://bit.ly/41y2kSS>.

²⁷¹ AIDA, *Country Report Cyprus, 2022, TPD annex*, available at: <https://bit.ly/3NFAazb>

²⁷² AIDA, *Country Report Germany, 2022, TPD annex*, available at: <https://bit.ly/3CY06RG>

In **Spain**, the Government adopted a Royal Decree in August 2022 providing for the transfer of 80 million Euros to the Autonomous Communities, with the aim of providing monthly financial support of €400 for a period of six months to beneficiaries of temporary protection.²⁷³ The measure aims to support those beneficiaries who do not have sufficient resources and are not receiving assistance nor accommodated within the international protection reception system.

In **France**, TPD holders have the same access as asylum seekers to the “allocation pour demandeur d’asile (ADA)” a social security benefit managed by the *Office Français de l’Immigration et l’Intégration* (OFII) and paid by the *Agence des services et des paiements* (ASP). This benefit amounts to €14.20 per day (426 per month) for a single non-resident person.²⁷⁴ The Court of Auditors estimated that the total financial cost of the state’s expenses and social welfare expenses for the displacement from Ukraine in 2022 will amount to around €634 M. This includes €25 M for health care and €15 M for the family branches of social welfare.²⁷⁵

In **Greece**, persons enjoying temporary 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.²⁷⁶

In **Ireland**, the Government introduced an Accommodation Recognition Payment in July 2022 for households hosting beneficiaries of Temporary Protection having fled the conflict in Ukraine. An initial payment of €400 per month was paid to hosts and backdated to 4 March 2022. The payment is administered by the Department of Social Protection on behalf of the Department of Children, Equality, Disability, Integration and Youth.²⁷⁷ In December 2022, the payment was increased to €800 per month.²⁷⁸

In **Poland**, a financial allowance for *general temporary protection beneficiaries* (granted to international protection beneficiaries in Ukraine, their family members and permanent residence permit holders in Ukraine) is the same as the one provided for asylum seekers. It amounts to PLN 25 (or less) per day, so a maximum of PLN 750-775 per month per person.²⁷⁹ In practice, a financial allowance is not sufficient to finance all a beneficiary’s basic needs and in particular to rent an apartment (for more see [Reception - Forms and levels of material reception conditions](#)). General temporary protection beneficiaries are therefore not receiving sufficient ‘means to obtain housing’, in violation of Article 13 of the TPD.²⁸⁰ However, unlike asylum seekers, general temporary protection beneficiaries can work or run a business in Poland (see [Access to the labour market](#)). They therefore have supplementary sources of income.

²⁷³ Ministerio de Inclusión, Seguridad Social y Migraciones, ‘Real decreto 673/2022, de 1 de agosto, por el que se regula la concesión directa de subvenciones a las comunidades autónomas para financiar la prestación de una ayuda económica directa a las personas beneficiarias del régimen de protección temporal afectadas por el conflicto en Ucrania que carezcan de recursos económicos suficientes’, 2 August 2022, available at: <https://bit.ly/3R1OUtn>; Newtral, ‘El Gobierno aprueba una ayuda mensual de 400 euros a refugiados de Ucrania durante un máximo de 6 meses’, 2 August 2022, available at: <https://bit.ly/3iVVVips>.

²⁷⁴ Asile en France, *Les droits qu’ouvrent la protection temporaire*, available in French at: <https://bit.ly/46yTN4A>.

²⁷⁵ Court of Auditors, *L’accueil et la prise en charge par l’Etat des réfugiés d’Ukraine en France en 2022, February 2023*, available in French at: <https://bit.ly/3LwwKiD>, 9 and 29.

²⁷⁶ European Labour Authority, *Overview of national measures regarding employment and social security of displaced persons coming from Ukraine Country Fiche – Greece February 2023*, available at: <https://bit.ly/3E7LolI>.

²⁷⁷ Government of Ireland, ‘€400 ‘Accommodation Recognition Payment’ for hosts accommodating people from Ukraine is open for applications, 26 July 2022, available at: <https://bit.ly/3ZuWj8C>.

²⁷⁸ Government of Ireland, Accommodation Recognition Payment, 5 January 2023, available at: <https://bit.ly/3QIFnNw>.

²⁷⁹ AIDA, *Country Report Poland, 2022, TPD annex*, available at: <https://bit.ly/46DMLvm>.

²⁸⁰ SIP, Letter of 30 November 2022 to the European Commission, available in English here: <https://bit.ly/3TgHaEX>, 5-6.

Under *special temporary protection* (granted to Ukrainian nationals and their spouses), a beneficiary with a PESEL number is entitled to a one-off financial allowance of PLN 300.²⁸¹ Moreover, special temporary protection beneficiaries with a PESEL number and staying in Poland with children are, *inter alia*, entitled to²⁸² the family benefits specified in the 2003 Law on family benefits²⁸³ and a financial allowance – for every Ukrainian child aged under 18 with a PESEL number – of PLN 500 per month. Applications can only be made online and it is not available to Ukrainian parents of non-Ukrainian children.²⁸⁴

The general rules regarding these benefits apply to special temporary protection beneficiaries (the same as for Polish citizens), with some minor exceptions. For example, with regard to the benefits that are dependent on the financial situation of the beneficiary (some of the aforementioned allowances), the income of his/her family member who is not staying in Poland (e.g. because he/she stayed in Ukraine) is not taken into account.²⁸⁵ Some of these benefits are also granted to temporary guardians for unaccompanied minors.²⁸⁶ Since 28 January 2023, the Special Law has specified that those benefits are suspended if a person concerned leaves Poland but may be paid upon return to Poland.²⁸⁷

In **Portugal**, an extraordinary support allowance for particularly vulnerable families displaced from Ukraine was created in March 2022.²⁸⁸ According to the law, it was meant to support families that are particularly exposed to the increase of food prices.²⁸⁹ It consisted of a one-off allowance of €60 per family unit, paid in April 2022.²⁹⁰ It was automatically granted by Instituto da Segurança Social (ISS), based on the information available to that body.²⁹¹

In **Slovenia**, applications for financial assistance and financial assistance for private accommodation must be sent by post or submitted in person during office hours at the Government Office, using a prescribed form. The amount of financial assistance and financial assistance for private accommodation depends on the number of family members and their incomes, and is measured as a percentage of the basic amount of the minimum income, as determined by the regulations governing social assistance. In 2022, financial assistance was €421.89 for the first adult person or claimant (this is the 100 per cent benchmark), 70 per cent for every additional adult person in the family, 30 per cent for every child under the age of 18, and 100 per cent for an unaccompanied minor. For minors staying in the Republic of Slovenia with only one parent, financial assistance is increased by 30 per cent of the basic amount of the minimum income.²⁹²

As for the financial assistance for private accommodation, the amount in 2022 was €421.89 for one person (100 per cent), 130 per cent for two people, 160 per cent for three people, etc. If a lower amount of rent and utilities together is specified in the rental agreement, the contractual amount is considered instead of the stated amounts. The decision to grant financial assistance for private accommodation was first issued for a period of three months which was extended to six months after the Decree on the methods for ensuring the rights of persons enjoying temporary protection was amended (amendments

²⁸¹ Article 31 of the Special Law. For more information, see SIP, UNHCR, 'Świadczenia dla obywateli i obywaterek Ukrainy przybyłych do Polski po 24 lutego 2022 r.' (2023), available in Polish and Ukrainian here: <https://bit.ly/3LLYf6C>.

²⁸² Article 26 of the Special Law.

²⁸³ Ustawa z dnia 28 listopada 2003 r. o świadczeniach rodzinnych, available in Polish here: <https://bit.ly/41kHwgm>.

²⁸⁴ SIP, UNHCR, 'Świadczenia dla obywateli i obywaterek Ukrainy przybyłych do Polski po 24 lutego 2022 r.' (2023), available in Polish and Ukrainian here: <https://bit.ly/3LLYf6C>.

²⁸⁵ Article 26(2) of the Special Law.

²⁸⁶ Article 26(4-4f) of the Special Law.

²⁸⁷ Article 26(3g-3h) of the Special Law.

²⁸⁸ Articles 4-8 Decree-Law no.28-A/2022, of 25 March 2022, available at: <https://bit.ly/3Fn4F9V>.

²⁸⁹ *Ibid*, article 4.

²⁹⁰ *Ibid*, article 6.

²⁹¹ *Ibid*, article 7.

²⁹² Article 32, Temporary Protection of Displaced Persons Act.

in force since 3 December 2022). Financial assistance is also issued for six months. If beneficiaries want to continue receiving funds, they must submit a new request before the valid decision has expired.

In **Sweden**, temporary protection beneficiaries are not entitled to the financial assistance set out in the Social Service Act, which covers persons residing in Sweden, but a different model. The amount of the daily allowance is considerably lower than the financial support granted to Swedish residents covered by the Social Services' Act. The amount of the daily allowance has not been adjusted since 1994. A single adult will receive SEK 24 or SEK 71 (SEK 2,130 / €187 per month), depending on whether food is also provided with accommodation. A couple is entitled to SEK 61 per day and children SEK 12 per day. Individuals who can support themselves are not entitled to daily allowances. Those who decide to arrange their accommodation on their own might not be entitled to financial support if they live in residential areas with social and economic challenges.²⁹³ Both SMA and Social services in municipalities may decide to grant daily allowances in accordance with the Act on Reception of asylum seekers.²⁹⁴

In **Switzerland**, the cantons and the communes are responsible for granting social assistance.²⁹⁵ Social benefits are paid by the housing municipality. Anyone who leaves it must officially re-register with another municipality. Changes of municipality and canton can be approved by the authorities. The number of social benefits is often a problem, according to those who have approached the Swiss Refugee Council which reports that it is insufficient. In addition, most people seeking protection and status S beneficiaries are not aware that assets and wages are credited to social benefits.²⁹⁶

Based on the available information, access to social welfare is still fragmented and, in many cases, insufficient. It is also difficult to understand what kind of benefits and subsidies are included in the social welfare concept as this is connected to an understanding of social assistance that varies from one member state to the other as it is not harmonized.

With regard to certain member states, it should also be emphasised that their social security systems have already been put under stress through a combination of economic and pandemic crises. This might therefore explain their reluctance to grant access to social benefits. Considering the limited harmonisation and different interpretations of the concept of social welfare, and despite the guarantees established by the TPD, there is still insufficient coverage of social welfare for TPBs. A more harmonised approach should be at the heart of a future revision of the Directive and should be brought to the attention of member states to avoid a race to the bottom in granting access to social welfare.

However, there are some good practices that might be followed. Belgium, Bulgaria, Switzerland, Croatia, Germany, the Netherlands, Slovenia and the United Kingdom provide substantial access to social welfare. Many of these countries, as well as others (Belgium, France, Germany, Poland, Slovenia, Spain and Switzerland), also provide direct financial contributions to TPD holders (although data on the exact amount is scarce).

²⁹³ For further information, see AIDA Country Report Sweden – 2022 Update, March 2023, available at: <https://bit.ly/40LjcF6>.

²⁹⁴ Information in Swedish on the website of The Swedish Association of Local Authorities and Regions (SALAR), see <http://bit.ly/42DJGJV>.

²⁹⁵ Articles 80-84 of AsylA.

²⁹⁶ AIDA, *Country Report Switzerland, 2022, "Status S" Protection annex*, available at: <https://bit.ly/44cLZDZ>

Concluding remarks

This report underlines a number of challenges relating to the granting of access to the set of socio-economic rights examined herein and the fragmented fulfilment of countries' obligations under applicable international, EU and national laws. Ensuring the inclusion of TPBs in host communities via direct access to socio-economic rights, supporting access to long-term accommodation has particular potential in terms of facilitating access to other interrelated rights and paving the way for displaced persons to lead independent and dignified lives.

This report reveals the uneven implementation of the TPD and equivalent instruments, resulting in divergence in terms of the assistance granted. Moreover, it identifies a number of challenges surrounding implementation of the TPD in terms of access to socio-economic rights, conditioned by the limited capacities of states, existing complex administrative procedures and, in some cases, a lack of equal access to rights compared to nationals or legal residents in states. The key issues include: 1) limited access to long-term independent housing; 2) lack of facilitated procedures for recognition of qualifications and available training; 3) impeded access to education; and 4) limited access to healthcare and social welfare.

This report also identifies numerous positive practices and measures developed within the context of the response to the displacement from Ukraine that can be applied to facilitate access to rights and services by other migrant groups. Based on the findings of the report, the following conclusions can be drawn. Related recommendations to national authorities are made.

1. Improve public housing conditions and create more affordable long-term private housing solutions

In most cases, several housing options are available for TPBs including reception centres (whether established specifically for hosting those fleeing Ukraine or existing facilities also used to accommodate seekers and/or beneficiaries of other forms of protection) and private accommodation which, in some cases, is supported by governmental subsidies. To expand facilities for emergency accommodation, most of the counties reorganised a variety of public spaces, such as, *inter alia*, schools, offices, sports facilities and Covid isolation centres. However, it is essential to:

- Improve public housing conditions in line with EUAA guidelines;
- Continue financial support for independent private housing to facilitate longer-term inclusion of current TPBs in host societies;
- Develop better matching and vetting systems for private housing to tackle the risks of abuse and exploitation given limited safeguards;
- Extend the TP regimes and mitigate the risk of expiring residence permits, something which directly affects access to all types of housing.

2. Ensure direct access to labour markets and reduce administrative barriers to access to education

Whereas direct access to labour markets is provided in most countries, some exceptions requiring additional work permits still exist. This makes it significantly harder for TPBs to exercise their right to work. Moreover, there is a lack of assistance from governments, resulting in high reliance on the limited capacities of CSOs to provide training, language courses and counselling. The following should be addressed to tackle these challenges:

- Reduce administrative barriers, such as the need for recognition of qualifications, and lift the requirements of high administrative fees for TPBs, in both employment and education;
- Facilitate access to language courses and counselling;
- Disseminate information on relevant administrative procedures;

- Introduce long-term programmes to ensure continuity of education despite the short-term nature of TP-related statuses.

3. Apply more flexible conditions for access to healthcare beyond emergency assistance

Despite the fact that there is overall access to emergency care for those falling under TP regimes, there are still significant discrepancies with regard to access to health insurance and complementary healthcare assistance across states which in many cases depend on employment status. It remains vital to:

- Ensure healthcare provision beyond emergency care;
- Sustain aid in terms of health insurance without time limits;
- Enhance translation assistance and increase the capacities of mental healthcare.

4. Provide TPBs with full access to social welfare

Given the ongoing displacement and the precarity of the short-term status afforded to TPBs, something which represents an obstacle in terms of accessing employment and long-term housing, it is fundamental to ensure continuous full access to social welfare, as well as:

- Harmonise the standards of social welfare provision;
- Ensure there is a particular focus on the most vulnerable groups.

THE ASYLUM INFORMATION DATABASE (AIDA)

The [Asylum Information Database \(AIDA\)](#) is a database managed by the European Council on Refugees and Exiles (ECRE), containing information on asylum procedures, reception conditions, detention and content of international protection across 23 countries. This includes 19 European Union (EU) Member States (Austria, Belgium, Bulgaria, Cyprus, Germany, Spain, France, Greece, Croatia, Hungary, Ireland, Italy, Malta, the Netherlands, Poland, Portugal, Romania, Sweden and Slovenia) and four non-EU countries (Switzerland, Serbia, Turkey and the United Kingdom).

- **Country reports**

AIDA contains national reports documenting asylum procedures, reception conditions, detention and content of international protection in 23 countries.

- **Comparative reports**

AIDA comparative reports provide a thorough comparative analysis of practice relating to the implementation of asylum standards across the countries covered by the database, in addition to an overview of statistical asylum trends and a discussion of key developments in asylum and migration policies in Europe. Annual reports were published in 2013, 2014 and 2015. From 2016 onwards, AIDA comparative reports are published in the form of thematic updates, focusing on the individual themes covered by the database. Thematic reports have been published on reception (March 2016), asylum procedures (September 2016), content of protection (March 2017), vulnerability (September 2017), detention (March 2018), access to the territory and registration (October 2018), reception (May 2019), asylum authorities (October 2019), digitalisation of asylum procedures (January 2022) and family reunification (February 2023).

- **Fact-finding visits**

AIDA includes the development of fact-finding visits to further investigate important protection gaps established through the country reports, and a methodological framework for such missions. Fact-finding visits have been conducted in Greece, Hungary, Austria, Croatia, France, Belgium, Germany and Poland.

- **Legal briefings**

Legal briefings aim to bridge AIDA research with evidence-based legal reasoning and advocacy. These short papers identify and analyse key issues in EU asylum law and policy and identify potential protection gaps in the asylum *acquis*. Legal briefings so far cover: (1) Dublin detention; (2) asylum statistics; (3) safe countries of origin; (4) procedural rights in detention; (5) age assessment of unaccompanied children; (6) residence permits for beneficiaries of international protection; (7) the length of asylum procedures; (8) travel documents for beneficiaries of international protection; (9) accelerated procedures; (10) the expansion of detention; (11) relocation; and (12) withdrawal of reception conditions.

- **Statistical updates**

AIDA releases short publications with key figures and analysis on the operation of the Dublin system across selected European countries. Updates have been published for 2016, the first half of 2017, 2017, the first half of 2018, 2018, the first half of 2019, 2019 and the first half of 2020, 2020 and 2021.

AIDA is funded by the European Programme for Integration and Migration (EPIM), a collaborative initiative by the Network of European Foundations, and the European Union's Asylum, Migration and Integration Fund (AMIF).



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