

Temporary Protection Austria

2024 Update

This annex on temporary protection complements and should be read together with the [AIDA Country Report on Austria](#).

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Temporary Protection Procedure

A. General

Due to the illegal war of aggression by the Russian Federation on Ukraine on February 24, 2022, and the resulting refugee movements, the Temporary Protection Directive¹ (TPD) was activated by implementing decision (EU) 2022/382 at the EU level.²

At the national level, further implementation takes place within the framework of the provisional right of residence for displaced persons according to Section 62 AsylG³ and the Displaced Persons Ordinance (*Vertriebenenverordnung*).⁴ The target group of the ordinance, adopted in March 2022, consists primarily of Ukrainian citizens residing in Ukraine before 24 February 2022, recognised beneficiaries of international protection in Ukraine and family members of these two groups.

The Displaced Persons Ordinance also references the reasons for exclusion set out in Article 28 of the Temporary Protection Directive, which are the same as under the 1951 Convention and §§ 6-7 AsylG.

Title (EN)	Original Title (DE)	Abbreviation	Web Link
Federal Act concerning the Granting of Asylum	Bundesgesetz über die Gewährung von Asyl StF: BGBl. I Nr. 100/2005	Asylum Act (AsylG)	http://bit.ly/1jULWW6 (DE)
Ordinance of the Federal Government on temporary protection for displaced persons from Ukraine	Verordnung der Bundesregierung über ein vorübergehendes Aufenthaltsrecht für aus der Ukraine Vertriebene (Vertriebenen-Verordnung – VertriebenenVO) StF: BGBl. Nr. 92/2022	Displaced Persons Ordinance	https://bit.ly/3WWBTCT (DE)

The right of residence for displaced persons arises *ex lege* (and expires *ex lege*) without a decision to be made. The persons concerned receive an ID card for displaced persons for documentation purposes. The Bundesamt for Fremdenwesen und Asyl (BFA) is responsible for the procedure and the issuing of ID cards. The first registration is carried out by the organs of the public security service or the Provincial Police Directorates (LPD).

There are no official statistics on the number of people displaced, directly or indirectly, by the conflict, that are present in Austria but beyond the scope of TPD, however that is not to say there are none. Given the number of Ukrainian nationals registered in the Central Register of Residents prior to 24 February 2022, it can be estimated that approximately 15,786 Ukrainian nationals are currently residing in Austria on a residence permit, rather than based on the right of residence for displaced persons.⁵ As the scope of the Austrian implementation of the TPD is very restrictive and focuses mainly on Ukrainian nationals, there were several reports in March 2022 about third country nationals (TCNs) fleeing from Ukraine to Austria.⁶

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 [2001] OJ L 212/12, available [here](#).

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71/1, available [here](#).

³ Bundesgesetz über die Gewährung von Asyl StF: BGBl. I Nr. 100/2005, available in German [here](#).

⁴ Verordnung der Bundesregierung über ein vorübergehendes Aufenthaltsrecht für aus der Ukraine Vertriebene (Vertriebenen-Verordnung – VertriebenenVO), 11 March 2022, available in German [here](#).

⁵ Statistics presented as part of a meeting organised by the coordination unit for Ukrainian refugees.

⁶ SWR, 'Zerplatzte Träume – Afrikanische Studierende aus der Ukraine', 13 February 2023, available in German [here](#).

TCNs with a residence permit in Ukraine are allowed to enter Austria for the purpose of organising their onward travel or to legalise their stay in Austria. This concerned mainly students from African and Asian countries who were studying in Ukraine before 24 February 2022. In some cases, the students tried to apply for a status. A Tunisian student was searched and imprisoned by police in Linz. The police argued that the student had asked about possibilities to legalise his stay in Austria and thus showed that he was not willing to travel onward. The Ministry of Interior announced that TCNs who do not show the will to travel onwards to their home countries are viewed to be illegally in the country.⁷

As of 24 March 2023, 464,000 Ukrainian nationals had entered Austria since 24 February 2022. 384,900 had since left Austria again. More recent statistics are not available. Entries and exits to and from Austria have not been recorded since 2023.

According to unpublished information by the office of the Refugee coordinator, Andreas AchRAINER, around 124,895 persons (64.2% female, 35.8% male) have been registered as displaced persons from Ukraine since March 2022 and as of 31 December 2024. 123,108 were Ukrainian nationals. Between March 2022 and 31 December 2024, 119,111 ID cards were issued to displaced persons from Ukraine. As of 31 December 2024, 85,564 have a valid displaced person status. As of 1 January 2025, in the Central Register of Residents, 77,818 Ukrainian nationals have been registered (in January 2024 it was 69,632), of which, as of January 7th 2025, 36,707 received support via Basic care.

The difference between the number of Ukrainian nationals registered in the Central Register of residents and the number of ID cards issued has many reasons: some ID cards are issued to non-Ukrainian nationals (e.g. married partners), some were on short term visits to Ukraine at the time and some moved back or to other countries for indefinite time without de-registering. This number is purged of potential mistakes / double registrations, e.g. if names were entered incorrectly. After the process of sending out the new ID cards at the start of 2024, it is to be expected that the number of ID cards issued will be closer to the number of persons registered in the Central Register of residents.

In 2024, 158 Ukrainian nationals applied for asylum in Austria (as opposed to 130 in 2023 and 628 in 2022) (see [Access to asylum](#)).

Beneficiaries of temporary protection in Austria have almost exclusively Ukrainian citizenship:

Citizenship of beneficiaries of temporary protection in Austria as of 31 December 2024			
Citizenship	Total	Male	Female
Ukraine	123,108	43,621	79,487
Russia	418	184	234
Armenia	131	68	63
Georgia	114	93	21
Moldova	111	61	50
Accumulated top 5	123,882	44,027	79,855
Rest	1,013	700	313
Total	124,895	44,727	80,168

Source: coordination unit for Ukrainian refugees, unpublished

B. Qualification for temporary protection

⁷ ORF.at, "Flucht aus Ukraine: Tunesischer Student festgenommen", www.orf.at, 21 March 2022, available in German [here](#).

The target group for temporary protection essentially includes (§§ 1-2 of the Displaced Persons Ordinance):

- ❖ Ukrainian nationals residing in Ukraine before 24 February 2022 (§ 1 Z 1 Displaced Persons Ordinance);
- ❖ Non-Ukrainian third-country nationals with international protection or equivalent national protection in Ukraine who had to leave Ukraine on or after February 24th, 2022 (§ 1 Z 2 displaced persons regulation). This applies to people with refugee status (asylum) or complementary protection (equivalent to subsidiary protection) in Ukraine, as well as recognised stateless persons;
- ❖ Family members of the two categories mentioned above (including non-Ukrainian nationals, §§ 1 Z 3 in conjunction with 2 Expellees Ordinance). Family members are defined in § 2 Displaced Persons Ordinance as including spouses, registered partners, minor unmarried children of the eligible person and / or that of their spouse or registered partner, other close relatives if they lived in the same household in Ukraine and were substantially or fully dependent on them. These family links must have existed prior to 24 February 2022. This can notably including Ukrainian family members who do not have an independent right to TPD because they were not in Ukraine in February 2022. Concerning TCN family members however, in practice, the AT authorities have refused to grant displaced person status to TCNs, including family members of TPD beneficiaries (see infra, same section, regarding the practice concerning TCNs).

Austria further extended protection to two categories of Ukrainians (§ 3 Displaced Persons Ordinance) who had left Ukraine prior to 24 February 2022 and were lawfully present in Austria on that date:

- ❖ Ukrainian nationals with a residence permit in Austria as of 24 February 2022, if it is not renewed, since these individuals cannot return to Ukraine;
- ❖ Ukrainian nationals lawfully residing in Ukraine as of 24 February 2022 that were in Austria either under a visa exemption on 24 February 2022 (holders of biometric passports) or under a visa for Austria. They are only eligible after the visa expired.

Reasons for exclusion are similar to the reasons for exclusion of the 1951 Convention and § 6 Abs 1 Z 2 and Z 4 AsylG, replicating article 28(1) TPD). The exclusions apply to all of the target groups listed.

Temporal scope re. Ukrainian nationals

Regarding persons who left Ukraine prior to 24 February 2022, Ukrainian nationals lawfully present in Austria on 24 February 2022 are eligible to register as displaced persons under the TPD.

In a ground-breaking case with a decision from 15 March 2023, the Constitutional Court found the practice of the Austrian authorities and BVwG to exclude Ukrainians that were not present in Ukraine on 24 February from temporary protection in Austria was unlawful. In this case, a Ukrainian national who was on vacation to Georgia on the day of the invasion and could not return to Ukraine as planned registered for TP in Austria but was denied a temporary protection status. This decision was ruled arbitrary and thus found unlawful as the Displaced persons ordinance in accordance with the TPD speaks of “residence” in Ukraine and not about “being physically present” in Ukraine on 24 February 2022.⁸

This decision has a certain precedent effect for all those who left Ukraine not long before February 24, 2022. It has clarified a major legal uncertainty. Following this decision, the BFA changed its practice and affected persons are considered fall within the scope of the IDP Regulation and are granted displaced person status.⁹ However, this has not led to a significant rise in the number of beneficiaries.

Third country nationals

⁸ VfGH, E3249/2022-12, 15 March 2023, available in German [here](#).

⁹ Minutes from an exchange meeting with the coordination unit for Ukrainian refugees, unpublished.

The scope of the TPD in Austria is restricted compared to the Council Decision (for further details and information regarding legal action taken in these matters, see [Legal assistance](#)). Notably, Austria chose not to offer temporary or other adequate protection for TCNs covered by the Council Decision (article 2(2) and 2(3)). TCNs are allowed to enter the country but are not eligible for temporary protection unless they were BIPs in Ukraine. Stateless persons are only eligible if they have already received some sort of protection status in Ukraine. All other TCNs are thus dependent on the regular asylum system.¹⁰ This is also the case for family members of Ukrainian nationals covered by TP who are themselves TCNs.

All TCNs that do not fall under the TPD regime have access to the regular asylum system. Applications for titles of stay according to the Residency Law (NAG) generally cannot be submitted in Austria but must be submitted before an Austrian embassy. After the start of the Russian invasion in Ukraine, the embassies in Bratislava, Ljubljana and Munich were empowered by the Ministry of External Affairs to receive applications based on the Residency Law (NAG).

Prolongation of TPD

§ 4 of the Displaced persons Ordinance foresees that temporary protection is granted until 3 March 2023 and will be prolonged automatically by half a year or a year in case the TPD is not withdrawn by a Council decision. The Ordinance was amended by the government on 30 January 2023 stating that the temporary stay will be prolonged until 4 March 2024.¹¹ Since the TPD was prolonged until March 2026, the Ordinance is automatically prolonged until 4 March 2026. An application for renewal is not necessary: ID cards for the beneficiaries will be sent automatically between December 2024 and January 2025 to all those with a main residence registration in Austria.¹² No issues were reported in practice in the automatic redistribution of ID cards upon prolongation e.g. in 2023.

C. Access to temporary protection and registration

1. Admission to territory

Before the activation of the TPD at the EU level and clarification as to on what grounds persons fleeing from Ukraine could enter the country, there were some reports of NGOs such as Mission Lifeline from 1 March 2022 that the Austrian police refused the entry to TCNs fleeing Ukraine that did not apply for asylum.¹³ The Ministry of Interior clarified that TCNs fleeing from Ukraine are allowed to enter the country based on Art. 5(c) of the Schengen Border Code for the purpose of planning their onward travel or regularisation of stay in Austria.¹⁴ Since March 2022, there have been no reports of refusal of entry of TCNs or Ukrainian nationals, including in 2024.

2. Freedom of movement

The Austrian police issued an internal decree on 27 February 2022 enabling Ukrainian nationals without biometric passports to enter the country.¹⁵ There are no reports about Ukrainians having problems with moving onwards to other countries.

3. Registration under temporary protection

¹⁰ Verordnung der Bundesregierung über ein vorübergehendes Aufenthaltsrecht für aus der Ukraine Vertriebene (Vertriebenen-Verordnung – VertriebenenVO), available in German [here](#).

¹¹ Bundesgesetzblatt II 27/2023, 30 January 2023, available in German [here](#).

¹² BFA, 'Formulare', available in German, English, Ukrainian and Russian [here](#).

¹³ „Einreise für Nichtukrainer schwieriger“, [www.orf.at](#), 1 March 2022, available in German [here](#).

¹⁴ Ministry of Interior, Internal decree, GZ 2022-0.183.851, 10 March 2022, unpublished but cited in the judgement by the Federal Administrative Court, L518 2254117-1/20 E, 23 January 2023, available in German [here](#).

¹⁵ Ministry of Interior, Internal decree, GZ 2022-0.183.851, 10 March 2022, unpublished but cited in the judgement by the Federal Administrative Court, L518 2254117-1/20 E, 23 January 2023, available in German [here](#).

The right of residence arises *ex lege* on the basis of the Displaced persons Ordinance (*Vertriebenenverordnung*). The Displaced Persons Ordinance entered into force on 12 March 2022. The protection status was initially granted until 3 March 2023 with the provision that it will be prolonged for another year if the Council will not withdraw the activation of the TPD. Since the European Union has prolonged the TPD, the Displaced Persons Ordinance is automatically prolonged until 4 March 2026.

The ID card for displaced persons is to be issued *ex officio* by the BFA to persons who fall within the scope of the Displaced Persons Ordinance. There is no formal application: An initial registration is carried out by the police and the registration papers are forwarded to the BFA. Displaced persons from Ukraine can register for displaced person status with the police. There are arrivals centres in 2 provinces: Vienna and Vorarlberg. In the other provinces NGOs on behalf of the competent authority for basic care provide displaced persons with emergency beds, medical assistance and food. The police register the personal data – usually this information is taken from the person's Ukrainian passport – and arrange for registration with the health insurance agency as well as the registration in the central basic care information system (GVS BIS) if the wish to do so is expressed. There is no further interview. If the conditions for the status are fulfilled, the ID card for displaced persons is issued and sent to the persons concerned (see [Residence permit](#)).

In the registration process, existing biometric passports with a chip are read out and the signature is recorded on the data entry form. These data points – including the photo stored on the passport – are sent to the BFA. This data can then be used for the print order to the State Printing Office which is responsible for the production of the ID card. Under these circumstances, it is not required that the stranger submit a passport photo to the BFA.

If a person expresses the intention to receive displaced person status at the border, they are referred to one of the 28 regional police registration centres.¹⁶ Upon registration, the person will receive an ID card. If the person wishes to get Basic Care, the person has to register with the responsible Social Care unit of the respective provinces. In the first months of 2022, in every province there was a central first arrival centre designed for Ukrainians where they could register for the ID card, social security, basic care and allocation of accommodation. First arrival centres designed for Ukrainians were closed in Innsbruck, Salzburg, Linz and Graz (except emergency capacity). In Nenzing (federal province Vorarlberg) and Vienna there is still a first arrival centre. In Salzburg, Graz and Linz, there is at least 24/7 accessibility via an emergency telephone number and emergency beds for 1-3 nights. Displaced persons can apply directly to the respective state basic care office for admission to basic care. Referral to basic care usually works within a few days, with the exception of Vienna and Nenzing where referral often takes up to several weeks. This is mainly because there are hardly any free places in basic care in Vorarlberg. In Vienna, there are some people with increased care needs due to disabilities or old age, for example. There are not enough places in basic care for people with increased care needs and for people with disabilities, which is why these people often stay longer in the first arrival centre. The average length of stay in the first arrival centre in Vienna is 3 weeks.

From January to April 2024, the number of new arrivals was around 1,100-1,200 per month. In May, the number of arrivals increased dramatically, to around 1,600 new arrivals, and the number of arrivals continued to rise in July and August. In September (1,945) and October (1,895) the arrival figures were very high, in November they fell again, but have remained constant at a high level since then, around 1,300 new arrivals per month. Most of the displaced people arrive in Vienna and Graz in particular. Due to the high number of arrivals from August to October, there were bottlenecks in the first arrival centres, especially in Vienna, but also in Graz, even though there is no longer an arrival centre but only emergency beds.¹⁷

¹⁶ BBU GmbH, 'Erfassungsstellen der Landespolizeidirektionen', last updated January 2025, available in German, English and Ukrainian [here](#), and Ministry of interior, 'Ukraine', available in German, English, Ukrainian und Russian [here](#).

¹⁷ Minutes from an exchange meeting with the coordination unit for Ukrainian refugees, 13 December 2024, unpublished.

There is no specific time limit for persons to apply for status, although the stay of Ukrainian nationals in Austria is only legal the first 90 days, if they have a biometric passport.

Generally, the persons are advised to bring all sorts of identity documents to the registration. A passport is usually sufficient. If no evidence is available further examinations such as interviews have to take place.¹⁸

The standard proof for residency in Ukraine before 24 February 2022 is the passport stamp upon leaving the country. In case of biometric passports, it is assumed that the persons left Ukraine after 24 February. If there is no passport or no stamped passport, other proofs can be submitted. In case of doubts, an examination proceeding by the authority is started and the person is invited to an interview.

Temporary protection for family members is only relevant if the person does not fulfil the conditions of being eligible for TP themselves. Generally, a birth certificate or any other proofs can be submitted. If this is not sufficient from the perspective of the authority, the person concerned or the relevant family member is invited for an interview at the authority. In practice, this topic is not of relevance as TCNs are not allowed to access TP.

After providing all the necessary documents, applicants are directly provided with an identity card for displaced persons as a [residence permit](#). There is no intermediary document while a person waits for the ID card.

Initially, displaced persons from Ukraine encountered lengthy procedures of issuing the documents. This was mainly a consequence of the high number of arrivals and the lack of established work flows and crisis management. The lack of technical equipment such as fingerprint scanners and the distribution of these throughout the country led to a backlog of cases in the first couple of weeks in 2022. As the registration was the precondition for the persons to enter the basic care system many displaced persons were dependent on the support of civil society organisations that provided shelter and food.¹⁹

In 2024, the opening hours for registration in Vienna were extended, since the number of arriving Ukrainians increased substantially in September, as mentioned above. People usually receive their ID card within 2-4 weeks of registering.

As there is no formal procedure and written decision, there is no appeal and no right to get free legal assistance foreseen. In order to get a written decision, persons have to bring in an application for a declaratory decision before the first instance authority²⁰ which can be appealed in case of rejection.²¹

4. Legal assistance

There is no written decision and therefore no access to free legal assistance foreseen. If the ID card is not issued, the beneficiary of the temporary protection has to apply for a declaratory decision. As soon as the decision is issued, it can be appealed. However, there is no free legal assistance funded by the state for this procedure.

A network of NGOs ([Diakonie](#) and [Caritas](#)) offers free legal counselling and representation in these cases.²² The goal of the counselling project is the equal legal treatment of all people who have fled from Ukraine as some points of the Displaced persons Ordinance were identified to be unlawful, especially with regard to the exclusion of some groups. By means of strategic litigation, selected cases should be

¹⁸ BFA, 'Formulare', available in German, English, Ukrainian and Russian [here](#).

¹⁹ „Ist da jemand? Staat lässt Flüchtlingshelfer in Stich“, profil, 9 May 2022, available in German [here](#).

²⁰ Art 56 AVG, VwGH, E 1994/10/25 92/07/0102, 25 April 1996, available in German [here](#).

²¹ Art 63 AVG.

²² Diakonie Flüchtlingsdienst, Rechtsberatung für Vertriebene aus der Ukraine, available in German and Ukrainian [here](#).

brought in front of the Austrian Constitutional Court and the European Court of Justice. In the focus of the project is the exclusion of certain groups and the fact that decisions are not issued in written form and therefore cannot be challenged in court.

According to the NGOs, the main points of strategic litigations are:

- ❖ Legal protection: The Displaced Persons Ordinance does not provide any legal protection mechanism in the sense of a judicial review in the event that the status of displaced person is not granted. It is questionable whether the rule is in conformity with Art. 47 CFR as an effective remedy is not provided. Thus, in selected cases will be challenged whether national implementation is adequate as the TPD foresees the establishment of a legal remedy.
- ❖ Deadline cases: The Displaced Persons Ordinance foresees in general that only persons who have left Ukrainian territory after 24 February are eligible for the temporary protection status. However, there is no objective justification for the unequal treatment of Ukrainians who, for example, left the country a few days before or a few days after 24 February 2022. In addition to equality law considerations, considerations regarding the meaning of the word “expelled” are also at the centre of the argumentation when it comes to the topic of the “deadline” after which the persons must have left Ukraine. Section 1 (1) of the Ordinance on Displaced Persons provides for a status for persons who have been “displaced” from February 24, 2022. “Expulsion” from the home country is not to be equated with “physical abandonment”.²³ In a ground-breaking case in March 2023 the Constitutional Court issued a decision declaring that the exclusion of Ukrainian nationals from TPD on the basis that the person was not physically present in Ukraine on 24 February 2022 when the person had its residency in Ukraine at that time was arbitrary and thus found unlawful.²⁴
- ❖ Partners instead of spouses: The Ordinance on Displaced Persons only foresees the provision of temporary protection status for “registered partnerships”, although this legal concept is unknown in the Ukrainian legal system and is therefore irrelevant in practice. Art 15 para 1 (a) of the TPD mentions “unmarried partners who have a permanent relationship with the reference person” if they “are treated similarly to married couples in accordance with the legislation or the customs of the respective Member State”. This provision was taken up in Article 2, paragraph 4, letter a of the Council decision, whereby there was a linguistic change in the German language version: “treated in a similar way” became “equal”. This is obviously an editorial mistake under Union law, a translation error, since the English, French and Italian language versions, for example, continue to speak of “comparable” treatment instead of “equal treatment”.²⁵ As a consequence, TCN unmarried partners are currently not afforded TP in the Austrian implementation of the TPD.
- ❖ Third-country nationals with permanent residence in Ukraine: Article 2 (2) of the Council Decision stipulates that the Member States must afford either temporary protection or an equivalent protection status in accordance with their national law to third-country nationals with non-Ukrainian citizenship who were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit and who cannot return to their country of origin under safe and permanent conditions. In the national implementation, these third-country nationals who are entitled to permanent residence are excluded from the status of displaced persons, in practice the BFA refers them to the asylum procedure. However, this does not represent an “equivalent protection status” since the impossibility of returning under “safe and permanent conditions” is a sui generis concept below the threshold of Art. 3 ECHR relevant in the asylum procedure.²⁶

²³ Verordnung der Bundesregierung über ein vorübergehendes Aufenthaltsrecht für aus der Ukraine Vertriebene (Vertriebenen-Verordnung – VertriebenenVO), 11 March 2022, available in German [here](#).

²⁴ VfGH, E3249/2022-12, 15 March 2023, available in German [here](#).

²⁵ Rechtsberatung für Vertriebene aus der Ukraine, available in German and English: [here](#).

²⁶ Rechtsberatung für Vertriebene aus der Ukraine, available in German and English [here](#).

More cases of Russian nationals with this problem have contacted counselling services in 2024. In one case pending at the Court an application has been lodged that the Council Decision has to be applied directly in Austria as it is not implemented correctly on national level.²⁷

- ❖ Care allowance: In one case of an elderly woman, the regional government of the province of Burgenland cut the food allowance arguing that the woman also receives care allowance which has to be deducted from the Basic care. The case is pending at BVwG.²⁸

In general, NGOs like Diakonie Flüchtlingsdienst and Caritas Wien offer free legal counselling to displaced persons from Ukraine. There is no funding for legal counselling by the state.

In practice, there is no free legal assistance provided to displaced persons from Ukraine. NGOs assisting displaced persons are only operating in the major cities. The legal counselling unit of the BBU GmbH that assists asylum seekers in the regular asylum procedure are not available for displaced persons from Ukraine as their scope of work is limited by law. At the borders, there are no NGOs present.

5. Information provision and access to NGOs

There is no specific provision in law on mandatory provision of information for beneficiaries of temporary protection.

The BBU GmbH, BFA and Ministry of Interior offer information on entry into the territory, documentation, protection plans, and administrative procedures through specially designated webpages²⁹ in multiple languages, primarily Ukrainian, Russian, English, and German. Additionally, the BBU Ukraine hotline provides information on a multilingual hotline.³⁰ The office of the Refugee coordinator, Andreas Achrainner, who is also CEO of BBU GmbH, also works together with administrators of Ukrainian telegram groups in Austria and shares relevant information, e.g. information about extension of residence permits.

The majority of Ukrainians is familiar with smartphones, apps, and QR codes. Written info sheets are therefore not as popular for this group or are not used. However, there is a large group, especially people above 60/70 years, who are not reachable via YouTube videos or social messenger groups. This group uses phone hotlines and personal contact is more important. The relevant information material is prepared in a multimedia and multilingual format. There have been improvements in communication processing in 2022 and in 2023. In the meantime, the information channels are running well. Among other things, the staff of the coordination unit keeps an eye on updating the official websites of the ministry of the interior, the federal office of foreign affairs as well as the basic care offices of the federal states.

A small group of deaf Ukrainians came to Austria in March 2022. The deaf community in Austria helped with interpreters right from the start. For this group it was very challenging, especially at the beginning in terms of communication. The support of the Austrian community of deaf persons helped in avoiding chaotic situations.

In March 2022, the Austrian government set up the coordination unit for Ukrainian refugees.³¹ Among other things, its task is to coordinate relevant stakeholders in the area of care and accommodation for displaced persons. In addition, the staff unit supports the coordination of aid and donations and other support offers to Ukraine. The staff unit is obliged to report to the federal government. A key task is to improve the processing of information and the communication of relevant information for Ukrainians with

²⁷ Information received by asylkoordination through lawyer, June 2025

²⁸ Information given by Diakonie Flüchtlingsdienst, June 2025

²⁹ BBU GmbH, Informationen für Schutzsuchende, available in German, English, Ukrainian and Russian [here](#); BFA, Informationen zur Verlängerung des Aufenthaltsrechts für Vertriebene aus der Ukraine, available in German and Ukrainian [here](#); Ministry of Interior, Ukraine, available in German and Ukrainian [here](#).

³⁰ BBU GmbH, Information for Ukrainians, available [here](#).

³¹ ORF.at, 'Bundeskanzleramt bestellt Ukraine-Flüchtlingskoordinator', 13 March 2022, available in German [here](#).

a temporary protection permit.³² In 2022, 2023 and 2024, the coordination unit for Ukrainian refugees organised regularly exchange meetings with many different stakeholders, both governmental and non-governmental, where various topics were discussed, such as people with disabilities, human trafficking, access to the labour market, prospects for displaced persons - what happens after the TPD, notification and professional recognition, etc. Experts are regularly invited to provide information on specific topics. There is a broad discussion in the exchange rounds and suggestions for problems can be given, questions and topics can be suggested, and are taken up by the staff unit.

MEDEVAC (medical evacuation)

One of the tasks of the coordination unit for Ukrainian refugees³³ is the evacuation of seriously injured people³⁴ from Ukraine (medevac). Austria is participating in the European solidarity mechanism³⁵ MEDEVAC programme and has pledged to evacuate up to 100 seriously injured civilians to Austria for medical treatment. Injured soldiers are not treated in Austria, but in other member states such as Germany. As of 31 December 2024, 93 patients and 82 accompanying persons have been evacuated to Austria.³⁶

Authorities,³⁷ police,³⁸ NGOs,³⁹ employment agency,⁴⁰ basic care centres⁴¹, UNHCR⁴² etc. have created their own Ukraine pages on their websites and info sheets. Information has been translated into Ukrainian and Russian. As mentioned above, the BBU GmbH has also set up a hotline which can be reached and that offers advice and information in the first language, Ukrainian and/or Russian. Advice is also available in German and English. There is also audio-video material available.⁴³

Ukrainian volunteers coordinate and support refugees, especially with information on e.g. rules, basic care, education, work, contact persons. They are organised through the social messenger Telegram. There are several different groups, usually one main group with several subgroups per federal state. The coordination unit for Ukrainian refugees as well as asylkoordination österreich work closely together with telegram moderators and tries to improve living conditions for Ukrainian refugees.⁴⁴

Authorities provide information on how to get temporary protection at border crossings. Such information is most typically provided in Ukrainian, Russian, English and German. However, in most cases, the authorities will post this information online, and volunteers will provide it directly at the checkpoints.

D. Guarantees for vulnerable groups

There is no specific mechanism to identify vulnerable groups upon arrival. Similar to asylum seekers, there is the possibility of accommodation in assisted living for people with increased care needs (for further information, see [General Report - Special reception needs of vulnerable groups](#)). However, the mechanism established for asylum seekers is not available in the process of registration of displaced

³² Salzburger Nachrichten, 'BBU-Chef AchRAINER neuer Ukraine-Flüchtlingskoordinator', 30 June 2022, available in German [here](#).

³³ *Stabsstelle Ukraine Flüchtlingskoordination, Tätigkeitsbericht März bis Dezember 2022*, unpublished.

³⁴ OÖN, 'Wenn langsam auch die psychischen Narben heilen', 12 October 2024, available in German [here](#).

³⁵ European Commission, 'Over 3,000 Ukrainian patients transferred to European hospitals since the start of the war', 15 January 2024, available [here](#).

³⁶ Data presented in the meeting on 13 December 2024 organised by the coordination unit for Ukrainian refugees.

³⁷ Eg the Province of Upper Austria, [here](#) Land Tirol, [here](#).

³⁸ Ministry of Interior, 'Erfassung und Aufenthalt', available in German [here](#).

³⁹ Eg Diakonie Flüchtlingsdienst, [here](#) NGO tralalobe, see [here](#). Volkshilfe Wien, see [here](#).

⁴⁰ Labour Market Service, 'Labour Market in Austria for refugees from Ukraine', available [here](#).

⁴¹ Fonds Soziales Wien, 'Anlaufstellen für vertriebene Menschen aus der Ukraine', available in German [here](#).

⁴² UNHCR Austria, 'Information for persons from Ukraine', available [here](#).

⁴³ BBU federal agency for care and support services, see [here](#).

⁴⁴ Profil, 'Ukrainer auf Telegram & Co: die bestorganisierten Flüchtlinge', 31 August 2022, available in German [here](#).

persons from Ukraine as they are never in the responsibility of the first reception centres for asylum seekers where the medical checks take place. The number of places in the framework of increased care needs was already significantly too low before the arrival of displaced persons from Ukraine. There are insufficient places for people with disabilities, elderly people with and without care needs, chronically ill people as well as people with psychological and/or physical disabilities.⁴⁵ This continued to be an issue in 2024.

As Austria started evacuations of vulnerable persons from Moldova, it appeared that there was no mechanism in place to identify capacity available to house handicapped persons. The announcement to evacuate up to 2,000 persons with special needs was followed by the evacuation of only 540 persons.⁴⁶ The reduction of the numbers was partly due to the lack of adequate accommodation and treatment and therefore stopped. No evacuations from Moldova were carried out in 2024.

There is no special separate process for the care of displaced minors. The same standards apply as for other unaccompanied minors seeking protection (see [General Report – Unaccompanied children](#)). As of 14 January 2025, 331 unaccompanied minors with displaced status were in basic care.⁴⁷

In some provinces, some NGOs still offer additional psychosocial services that are now funded by the state to provide help to individuals fleeing Ukraine suffering from mental health problems, including torture survivors and traumatised beneficiaries.⁴⁸ In Vienna, there are projects where outreach psychological support is offered directly in the refugee facilities.⁴⁹ This includes stabilisation and relief talks in individual or group settings, but also crisis intervention. If necessary, referrals are made to other counselling and support systems. Displaced persons, like others seeking protection, have access to the various projects offering psychotherapy and crisis intervention services. There are no statistics available, although NGOs in the field and media reports show that there is more demand than offer.⁵⁰

The staff of the coordination unit for Ukrainian refugees launched a survey among NGOs providing care to find out more in detail about the situation of displaced persons with disabilities and older people in terms of care and support in March 2023. The survey was not published publicly, but was presented at one of the staff unit's exchange meetings and attached to the minutes. The key findings were that a screening process is needed from the outset for all first-time arrivals seeking protection. Funding for people with increased support needs is inadequate and should be adapted to the actual effort involved. Support capacities in the federal states must be increased so that no supply bottlenecks arise. However, a good screening process from the outset also requires corresponding support capacities in the federal states, otherwise people will remain in the initial reception centres.⁵¹ Unfortunately, nothing has changed for the better in this respect in 2024.⁵²

Another problem area is that displaced people and asylum seekers with disabilities cannot assert a legal claim to disability assistance services because they are not included as a target group in the disability laws. As a result, support services for people with disabilities are only provided on a lenient basis and people have no guaranteed option for support, such as day-structuring measures, assisted living arrangements.⁵³

⁴⁵ Quarterly NGO exchange meeting organised by asylkoordination, unpublished.

⁴⁶ Ministry of Interior, *Answer to parliamentary request 11120/AB*, 12 August 2022, available in German [here](#).

⁴⁷ Minutes, exchange meeting refugee coordination unit, unpublished.

⁴⁸ Diakonie Flüchtlingsdienst, *AMIKE*, available in German, Ukrainian, English and Russian: [here](#); Asylkoordination, 'Projekt Reset', available in German [here](#).

⁴⁹ Institut für Frauen- und Männergesundheit, Projekt „NEDA“, available in German and Ukrainian: [here](#).

⁵⁰ Der Standard, 'Lehrkräfte wollen mehr Unterstützung für ukrainische Schüler', 15 February 2023, available in German [here](#).

⁵¹ Minutes, exchange meeting refugee coordination unit, unpublished.

⁵² Minutes, exchange meeting refugee coordination unit, unpublished.

⁵³ Österreichischer Behindertenrat, *Staatenprüfung zur Einhaltung der UN-Behindertenrechtskonvention*, 2023, available in German [here](#).

In addition, Austria was reviewed for its compliance with the Convention on the Rights of Persons with Disabilities in Geneva in August 2023. The UN's final remarks include, among other things, with regard to refugees, the following conclusions:⁵⁴

“For refugees and people with precarious residence status who also have disabilities the UN expert committee recommends:

- Accessible healthcare: Measures should be taken to ensure that these people have full access to healthcare and care.
- Recording of disabilities: Disabilities should be systematically recorded in the asylum and reception process.”

⁵⁴ MonitoringAusschuss, *Zusammenfassung der Handlungsempfehlungen des UN-Fachausschusses 2023*, 2023, available in German [here](#).

Content of Temporary Protection

A. Status and residence

1. Residence permit

Indicators: Residence permit

1. What is the duration of residence permits granted to beneficiaries of temporary protection?
1 year, renewed for prolongation until 4 March 2026⁵⁵
2. How many residence permits were issued to beneficiaries from the activation of the Temporary Protection Directive until 31 December 2024?
119,111⁵⁶

Once the [registration](#) process is finalised, the identity card for displaced persons is sent by mail to the registered address given. In addition, there are also some mobile police units that can be called to go to people with disabilities for the purpose of their registration, especially people with restricted mobility.

The ID card for displaced persons is issued in a uniform EU format (such as Residence permits according to §§ 55-57 AsylG and according to the NAG). The card contains the following information: first name, surname, date and place of birth, nationality, gender, picture, signature, date of issuance, validity date, type of residence permit ("Permit for displaced persons"), reference to labour market access ("Labour market access with labour market document").

According to Section 3 Paragraph 5 AsylG-DV, the photo may also be older than 6 months, provided the foreigner is recognisable. However, it has to meet passport photo criteria. Storing fingerprints on the ID card is permissible (see § 6 AsylG-DV and VO 1030/2002), but not directly mandatory. In any case, there were obstacles in data collection by the police due to the high number of arrivals and lack of technical equipment at the start leading to a backlog of cases which resulted in problems for displaced persons accessing the basic care services. After establishing work flows and distribution of finger print scanners throughout the whole country, the backlog was reduced by the end of the summer 2022. At the time of writing only few new registrations are being conducted. ID cards are usually sent out within 2-4 weeks.

The Displaced persons Ordinance foresees a right to stay in Austria for one year upon arrival with the maximum until 4 March 2026. In June 2024, it was announced that the right to stay was prolonged for another year until 3 March 2026. Starting on 9 December 2024, new ID cards were issued and sent to beneficiaries. A separate application was not necessary. The responsible authority remains the BFA.⁵⁷

With the abolition of the separate working permit in April 2023, TPD beneficiaries have immediate access to the Austrian labour market after registration (see [Access to the labour market](#)).

The right to apply for family allowance and child care subsidies is also directly connected to the residence permit received (see [Social welfare](#)).

In principle, onward travel and registration in other EU member states is possible for displaced persons from Ukraine registered in Austria. In some cases, displaced persons wishing to move to Austria from another MS reported to NGOs that they were advised by the previous host country to opt out of basic care or social welfare systems in the respective member state before moving to Austria. In the process of renewal of ID cards following the prolongation of the TPD, a few cases were detected via the EU coordination platform, where were also registered in the basic care or social welfare system of other MS.⁵⁸

⁵⁵ BFA, 'Informationen zur Verlängerung des Aufenthaltsrechts für Vertireben aus der Ukraine', 8 January 2024, available in German [here](#).

⁵⁶ Unpublished information by the office of the Refugee coordinator, Andreas AchRAINER.

⁵⁷ Date presented in the meeting on 13 December 2024 organised by the coordination unit for Ukrainian refugees.

⁵⁸ Protocol of the Platform Ukraine meeting organised by the Refugee Coordinator on 24 February 2023, unpublished.

According to Section 4 (3) of the Displaced persons Ordinance, the temporary right of residence expires if the person leaves the federal territory for more than just a short time. However, there is no legal definition of the term 'short time' and no court case where this question had to be clarified. In similar cases regarding the interpretation of when the place of residency is permanently moved (e.g. withdrawal of asylum status because of moving to another country) it is observed that a short-term absence of less than three months will not lead to an expiry of status. However, the state institution providing Basic Care in Upper Austria mentions a time period of less than three weeks being unproblematic. The basis of this assumption is unknown and the corresponding paragraph was removed from the website due to requests from the coordination unit for Ukrainian refugees. Moreover, should the temporary right of residence expire, it would arise again *ex lege* when re-entering Austria if the requirements were still met. The BFA has prepared an information sheet⁵⁹ on the procedure for people who have left Austria for more than 90 days and are returning. Persons who have already been registered once do not have to register with the police again, but must send an email to the BFA. The following information must be provided:

- ❖ Date of last departure from Austria
- ❖ Date of last re-entry to Austria
- ❖ Current registration address
- ❖ Copy of a travel document
- ❖ Copy of the most recently issued identity card for displaced persons, if still available

There is no formal procedure to withdraw the status but an automatic expiry once the conditions for granting the temporary protection are not given anymore. There is no declaratory decision to be issued in Austria unless the displaced persons explicitly apply for it.

In some cases reported by NGOs, beneficiaries of temporary protection already registered in other member states were denied registration in Austria. After intervention in the Ministry of Interior, the registration was conducted and the persons received ID cards.

2. Access to asylum and other legal statuses

The temporary right of residence does not exclude the right to apply for asylum. However, according to § 22 (8) of the Asylum Act, the time limit of 6 months for the authorities to take a first instance decision in the asylum procedure is suspended if the applicant is eligible for temporary protection, whether they have registered for temporary protection or not. This means that no further steps need to be taken by the authorities in assessing the asylum procedure as long as the temporary right of residence exists. However, the BFA is also free to decide on the asylum application. Some NGOs are arguing that the suspension of the time limit is unlawful, however there is no judicial decision on the matter yet.

In all known cases reported by NGOs the BFA issued subsidiary protection to Ukrainian nationals applying for asylum. There are no known cases of issued return decisions and enforced deportations. In 2024, 92 asylum applications were submitted by Ukrainian nationals in Austria.

(Residence) prospects for displaced persons

There is, for the moment merely a small possibility (see Red-White-Red Card Plus below) for displaced persons to obtain a follow-up residence permit and social security, affecting possibilities for a self-determined life and end the 'waiting dilemma'. The displaced person status was extended by a further year at EU level in June 2024, until March 2026. However, it is still unclear whether and if so, which residence permit will be accessible for displaced persons after March 2026 in Austria. People need to have a perspective as soon as possible which enables a good arrival and integration as well as a meaningful longer-term stay. A perspective to stay entails a residence title, subsequent or parallel to the displaced person status, with open access to the labour market, as well as social rights oriented towards asylum status, in any case no worse than the previous residence status. A very important consideration

⁵⁹ BFA, „Information for registered displaced persons from Ukraine available in German [here](#), as well as in English, Ukrainian and Russian.

is that there should be no gaps in provision of care and services when changing from displaced person status to another residence title. Transitional periods should be taken into account.⁶⁰

Many displaced persons in Austria are concerned about their legal residence after March 2026. Especially vulnerable groups such as the (seriously ill) elderly, people with caring responsibilities (children or relatives who need care) but also people with disabilities⁶¹.

In October 2024, a new regulation entered into force.⁶² It foresees that beneficiaries of temporary protection from Ukraine can transition to the Red-White-Red Card Plus, which is a regular title of stay to be issued in the regular scheme of the Residency Law (NAG). Due to the conditions to be fulfilled, only a very small number of persons can benefit from this possibility. People must:

- ❖ Have secured employment during at least 12 months of the last 24 months;
- ❖ Have a realistic prospect of income, i.e.
 - Single people: approx. EUR 1,218 net per month,
 - Married couple/registered partner: approx. EUR 1,921 net per month (jointly),
 - Per child additionally approx. EUR 188 net per month; Family allowance is not taken into account, but childcare allowance is;
- ❖ Have German language skills of at least a level A1, certified by an authorised institute (e.g. ÖSD, ÖIF etc.).

In cooperation with NGOs and the coordination unit for Ukrainian refugees, the ministry of the interior has created FAQs for the switch to RWR+, which are quite comprehensive. The coordination unit also involved the Telegram moderators so that they could also give their input. Almost all questions can be answered by referring to the FAQs. If anything is unclear, questions can be sent to the ministry of the interior via the staff of the coordination unit. As of 1 October 2024, displaced persons from Ukraine can apply for the Red-White-Red card plus. The government mentioned that it considers that approx. 7,000 persons would be eligible for this title of stay. This assumption is not shared by NGOs who believe only a maximum of 2,000-3,000 persons (out of 70,000 Ukrainians residing in Austria) would be eligible.⁶³ As of 1 January 2025, 967 displaced persons have been granted the Red-White-Red card plus.⁶⁴ According to feedback from NGOs and displaced persons themselves, the application process is working well. In a few cases there were disagreements regarding the recognition of Ukrainian diplomas.

It is currently only possible to switch to the residence title RWR+, no other title is accessible to beneficiaries of temporary protection.⁶⁵

B. Family reunification

1. Family reunification as provided under the Temporary Protection Directive

Family members of beneficiaries of temporary protection can also come to Austria and register for temporary protection as long as the family members lived in Ukraine before 24 February 2022. Family members are married spouses or registered partners, underage children and partners or other close relatives, if they lived in the same household and were dependent on the beneficiary.

⁶⁰ IOM, UNHCR, UNICEF: Chancen für Flüchtlinge aus der Ukraine verbessern, available in german, [here](#); UNHCR begrüßt erste Ansätze für Bleibeperspektive, available in german, [here](#)

⁶¹ Minutes from exchange meeting with the coordination unit for Ukrainian refugees, unpublished; Ministerratsvortrag 95/8 17.04.2024, Bundeskanzleramt, available in german [here](#)

⁶² Ministry of Interior, 'Informationen zum Umstieg auf eine Rot-Weiß-Rot – Karte plus [Information on switching to a red-white-red card plus]', updated as of 1 September 2024, available in German [here](#), as well as in English, Russian and Ukrainian.

⁶³ Diakonie Österreich, „Diakonie kritisiert: Neues Gesetz schließt die meisten Ukraine-Vertriebenen aus“, 10 April 2024, available in German [here](#).

⁶⁴ Minutes from exchange meeting with the coordination unit for Ukrainian refugees, unpublished.

⁶⁵ Stadt Wien, 'Red-White-Red Card plus for displaced persons from Ukraine', available in English [here](#).

If the criteria also apply to the family member directly temporary protection is to be issued on this basis and not on the fact that the person is a family member.⁶⁶

There are no material requirements to fulfil.

Upon arrival, family members follow the same registration process as beneficiaries of temporary protection. Proofs for the family relationship should be presented at registration (eg birth certificate). If the proofs are not sufficient, the BFA will contact the persons involved for an interview at the authority.⁶⁷

Married partners, registered partners, underage children and partners or close relatives that lived in the same households or were dependent on the beneficiary and lived before 24 February 2022 in Ukraine are considered family members. They get the same protection status as the beneficiaries.

2. Family reunification beyond the Temporary Protection Directive

Temporary protection beneficiaries do not benefit from existing provisions concerning family reunification beyond the TPD framework, such as [family reunification of international protection beneficiaries](#).

C. Movement and mobility

Beneficiaries of temporary protection have freedom of movement within the country. There are no travel restrictions, but a move to another federal state is only possible if you want to stay in private housing – it is possible to receive basic care benefits while living in private housing. To move to a place in an organised housing, the consent of the basic care office of the federal state of destination is necessary. If beneficiaries receive basic care (see [Social welfare](#)), they are allowed to stay away from the organised housing for three days.

As mentioned above, displaced persons from Ukraine who have already received an ID card for displaced persons and who have left Austria for more than 90 days must contact the BFA upon their return. There is no need to register with the police again.⁶⁸ Since the status of displaced person arises *ex lege* upon entry and ceases upon departure, there is no further national policy. Stricter rules apply to basic care: every journey must be reported to the basic care office, and no basic care and health insurance is granted for the period of absence. Therefore, every journey entails an enormous administrative burden, as the calculation of the actual entitlement depends on the duration of the journey.

From March until November 2022 displaced persons could travel free of charge on public transportation.⁶⁹ Displaced persons are accommodated in the basic care assistance system, which also covers asylum seekers. Within the framework of basic care,⁷⁰ some costs are covered in the area of mobility/ticket for public transport. However, these are limited to: summons to authorities, medical appointments, transfers from the arrival centre to reception centres. For school-age children up to 15 years of age, the costs of the ticket from the place of residence to school and back are covered. In fact, the issue of mobility is insufficiently solved and is a known problem in accommodation within the framework of basic care. In the federal province of Vorarlberg, there has been a reduced ticket for social welfare recipients and those seeking protection in basic services since 2016.⁷¹

The coordination unit for Ukrainian refugees has discussed the issue of affordable mobility for those within the basic care system and is trying to find a solution. Discussions with relevant decision-makers at the political level as well as with the transport companies are continuing. Unfortunately, in 2024 there is still

⁶⁶ BFA, 'FAQ Ukraine', available in German, English, Ukrainian and Russian: [here](#).

⁶⁷ BFA, 'FAQ Ukraine', available in German, English, Ukrainian and Russian: [here](#).

⁶⁸ BFA, 'Information for registered displaced persons from Ukraine', available in English [here](#).

⁶⁹ See for instance Orf news, 'Freifahrt für Ukrainer läuft wieder aus', 29 October 2022, available in German [here](#). ÖBB, 'Ukraine-Hilfe', available in Ukrainian, English and German [here](#).

⁷⁰ See Law Grundversorgungsvereinbarung zw Bund und Länder, available in German [here](#).

⁷¹ Vorarlberg, 'Vorarlberger „maximo fair“ österreichweites Vorbild', 14 October 2022, available in German [here](#).

no satisfactory solution; as mentioned above, only Vorarlberg has introduced the option of the affordable ticket.⁷² Unfortunately, there are sometimes problems with covering travel costs to and from German course institutes, as the costs are not always covered.⁷³

For first-time arrivals from Ukraine or those traveling through, there is a free ticket 'first arrival-Ukraine'. It is valid for 24 hours from the date of issue and can be purchased at train stations in Vienna and Graz.⁷⁴

Beneficiaries of temporary protection also enjoy freedom of movement towards other EU Member States once they are registered.

Short-term travel to Ukraine often occurs. There is no known evidence of difficulties experienced by people who have returned to Ukraine and are seeking to re-enter the country, including in 2024. Until December 2024, beneficiaries of temporary protection were permitted to keep their cars, even in cases where they were receiving basic care benefits. However, as of January 2025, certain provinces will implement a new rule requiring that beneficiaries of temporary protection sell their cars and pay any applicable taxes in order to be eligible for basic care.⁷⁵

D. Housing

Indicators: Housing

- | | |
|--|----------|
| 1. For how long are temporary protection beneficiaries entitled to stay in reception centres? | No limit |
| 2. Number of beneficiaries staying in reception centres and state organisation housing as of 13 January 2025 | 16,012 |
| 3. Number of beneficiaries staying in private accommodation as of 13 January 2025 | 20,788 |

The main form of accommodation provided to beneficiaries of temporary protection is private accommodation. For private housing, financial benefits can be applied for within the framework of the Basic Care. The amount of the payments varies depending on the province. On average, mostly everywhere the payments are as follows as of January 2025:

- ❖ Single person: € 260 food allowance and € 165 rent allowance
- ❖ Families (more than one person):⁷⁶ € 260 (per adult) / € 145 (per child) food allowance and € 330 family rent allowance

Moreover, temporary protection beneficiaries are entitled to basic care services (see [Social Welfare](#)), which includes access to reception centres. There are different forms of organised accommodation: the most common form is the one where food allowance is paid per person per day. This depends on the province and is approx. between € 6 to 7 per day. There are also accommodation options where full board (breakfast, lunch and dinner) is provided.

Beneficiaries of temporary protection are entitled to the same basic care services as [asylum seekers](#). Responsible authorities are the Basic care authorities of the province of residency. In practice, organised housing and implementation of pay-out is done by NGOs contracted by the provinces.

There is no time limit for beneficiaries of temporary protection to stay in reception centres and state-organised housing.

⁷² Vorarlberg, 'Vorarlberger „maximo fair“ österreichweites Vorbild', 14 October 2022, available in German [here](#).

⁷³ Minutes of exchange meeting organised by the coordination unit for Ukrainian refugees, unpublished.

⁷⁴ OBB, 'Information for passengers from Ukraine, available in German, English and Ukrainian [here](#).

⁷⁵ Standard, 'Neue Härte geplant, Ukraine-Flüchtlinge mit Auto können Grundversorgung verlieren', 4 December 2024, available in German [here](#).

⁷⁶ Art 9 GVV.

As of 13 January 2025, 20,788 beneficiaries were staying in private accommodation and 16,012 beneficiaries were staying in organised housing. Nobody was accommodated in first reception centres of the BBU GmbH.⁷⁷

There are other types of accommodation used, such as former hotels which were already used as quarantine centres during the Covid-19 pandemic. They now serve as reception centres for displaced persons from Ukraine and for asylum seekers in the context of family reunification. In Salzburg there is also a full board accommodation for refugees from Ukraine.⁷⁸

In 2 out of 9 federal states, namely Vienna and Vorarlberg, there are first arrival centres for Ukrainian refugees.⁷⁹ Due to high numbers of displaced persons from Ukraine, former hotels or former pensioners' accommodation were used to house displaced persons in 2022. Available arrival centres were for example a former university, a former mail distribution centre or former hotels. It is foreseen that displaced persons do not stay there longer than three days. In practice, many stay longer when the alternative housing option is in a rural area for example. Beneficiaries often prefer to stay close to Vienna. They cannot easily be forced to go to a specific area like asylum seekers (see [General Report – Freedom of movement](#)). If they overstay, they are not kicked out, but if people do not accept accommodation offered in a federal state for several times, they must move out of the first arrival centre in Vienna.⁸⁰

In the first month after 24 February 2022, the basic care system could not cope with the high number of arrival of beneficiaries. The system was dysfunctional and in many cases it took months for the authorities to process the application. This resulted in many people having to wait for basic care money to be distributed. Civil society organisations jumped in and provided money and housing for the beneficiaries. As of January 2025, the number of newly registered persons is lower than in September and October 2024 but still remains on a consistent and high level. The number of new arrivals from Ukraine was very high in August, September and October, at around 2,000 people per month.⁸¹ The increased arrivals are attributed to the start of school and university, but also to the tightening of restrictions for displaced persons from Ukraine in Austria's immediate neighbours such as Hungary, Slovakia and the Czech Republic. The waiting time for processing should not exceed 14 days in the provinces.

Reasons for a refusal of basic services is if there is no need for help, e.g. because the person has enough income. Otherwise, the same rules apply as otherwise in basic care in organised accommodation: absolute house bans are possible in case of violence, massive alcohol and drug consumption, noise pollution and constant violation of the house rules.⁸²

Temporary protection beneficiaries are entitled to the following reception conditions:⁸³

- ❖ Financial allowance for private accommodation;
- ❖ Accommodation in reception centres;
- ❖ Meal allowance in reception centres where meals can be prepared by the beneficiaries themselves (between € 6-7 per day per person);
- ❖ Financial allowance or vouchers for clothing (€ 150 per person per year);

⁷⁷ Statistics presented as part of a meeting organised by the coordination unit for Ukrainian refugees, not available for public.

⁷⁸ Red Cross Austria – Salzburg, 'Ein Zuhause auf Zeit: dans Rotkreuz-Grundversorgungsquartier in Wals-Siezenheim', available in German [here](#).

⁷⁹ BBU federal agency for care and support services, see [here](#).

⁸⁰ Information presented as part of a meeting organised by the coordination unit for Ukrainian refugees, unpublished.

⁸¹ Die Presse, „Aufwachen“: Monatlich kommen 2000 Flüchtlinge nach Österreich, 19 January 2024 available in German [here](#).

⁸² Quarterly NGO exchange meeting organised by asylkoordination, unpublished.

⁸³ Agreement between the federal government and the states in accordance with Art. 15a B-VG on joint measures for temporary basic care for foreigners in need of help and protection (asylum seekers, those entitled to asylum, displaced persons and other people who cannot be deported for legal or factual reasons) in Austria (basic care agreement - Art. 15a B-VG), available in German [here](#).

- ❖ Financial allowance for schoolkids (€ 200 per child per schoolyear);
- ❖ In reception centres where meals/food are offered, people receive pocket money (€ 40,-per person per month).

A big part of the private living space was provided by the Austrian civil society. There was a great willingness to provide housing. In practice, many people providing accommodation assumed that the state would take over after a few months if necessary. Many private accommodation providers are in trouble with the costs of permanent accommodation of displaced persons, which means that some beneficiaries have had to switch to organised facilities.⁸⁴

NGOs have demanded an inflation compensation (*Teuerungsausgleich*) for private housing providers and supporting NGOs.⁸⁵ The minister of Interior announced that a single payment of € 300 (for accommodation of a single person) and € 600 (for a family) would be granted to private housing providers. The law was passed in March 2023 and the payout process was completed in 2024.⁸⁶

There are no sufficient safeguards to prevent problems associated with inappropriate private hosting. The Austrian basic care system has focused on organised housing throughout the last years. This is a consequence of the government policy to prevent integration during the asylum procedure.

With the arrival of more than 50,000 persons from Ukraine the government had to backtrack on this point and ask civil society for support. Many problems arose due to the fact that in previous years private accommodation of persons in basic care did not exist. There are no minimum standards for private housing. There is no Ombudsman that would be competent to receive complaints, and NGOs have received several reports in which Ukrainians complained about exploitation or bad housing conditions. As the displaced persons feared that they would get transferred to a rural area in case they complained there is a strong reluctance to make the reports public. In one case in Lower Austria, the regional government of Lower Austria stopped supporting a privately-run accommodation centre financially as some reports alleged substandard living conditions and labour exploitation.⁸⁷ In the specific case, a worn-out former home of the blind was used as accommodation where Ukrainians could live as basic care recipients. The persons living there reported that they had to work for free in the accommodation.⁸⁸

E. Employment and education

1. Access to the labour market

Beneficiaries of temporary protection are allowed to work in principle. The right to work used to be bound to a working permit that has to be applied for separately by the employer at the Labour Market Service.⁸⁹ However, the obligatory working permit was abolished in April 2023 which means that TPD beneficiaries have immediate access to the Austrian labour market after registration.⁹⁰

As displaced persons from Ukraine only have access to the Basic care system (*Grundversorgung*) they do not have to register at labour market service, but it is strongly recommended. For recipients of social assistance, the so-called "Anspannungsprinzip" applies, which means that people who receive social assistance must register with the labour market service (AMS). The head of the AMS would also like to

⁸⁴ Wiener Zeitung, 'Späte Hilfe für Helfer', 2 February 2023, available in German [here](#).

⁸⁵ 'Managementkrise im Asylbereich: NGOs verfassen 7-Punkte-Plan', Kurier, 23 September 2023, available in German [here](#).

⁸⁶ Information presented as part of a meeting organised by the coordination unit for Ukrainian refugees.

⁸⁷ 'Hohe Kosten: Private Flüchtlingsunterkunft sorgt für Wirbel', Kleine Zeitung, 24 August 2023, available in German [here](#).

⁸⁸ Orf.at, 'Aufregung um privates Flüchtlingsquartier', 17 May 2022, available in German [here](#).

⁸⁹ See AIDA, *TPD Annex: Austria, 2022 update*, May 2023, available [here](#).

⁹⁰ Parlament Österreich, 'Vertriebene Ukrainer:innen erhalten uneingeschränkten Zugang zum österreichischen Arbeitsmarkt', Parlamentskorrespondenz Nr. 332, 23 March 2023, available in German [here](#).

see displaced persons transferred to the social welfare system⁹¹. Currently, displaced persons can register with the labour market service, but do not have to (except Vienna and Upper Austria). As a result, only a few displaced persons are registered with the AMS. At the end of December 2024, 8,164 were registered with the AMS (male 34 % / female 66 %), of which were registered as unemployed: 4,861. The services offered by the labour market service are career guidance, support in finding work and, if there is already a good knowledge of German (B1 level), placement in training courses is possible.⁹²

Compared to the number of people who receive basic care, the registration of only around 8,100 displaced persons with the AMS is very low. Even if school-age children and pensioners are deducted from the approximately 37,000 people in basic care, this leaves around 18,200 people of working age. This shows that there is still a need for more information campaigns about the work of the AMS. It is also a reason why there is too little information and statistics about Ukrainians taking up work. The AMS conducted a study on displaced persons and labour market entry in 2024.⁹³ The study showed that precarious income situations, caregiving responsibilities, regional disparities and the uncertainty of the residence permit hinder labour market integration. In addition, basic care was mentioned as an obstacle to entering the labour market. There is a fear of losing basic care, especially in the organised sector. People who already live privately do not lose their place of residence, even if they lose the financial support from basic care. This does not apply to those who live in organised housing; in addition to the financial support, the place of residence is also lost.⁹⁴

Many Ukrainians are afraid of losing their basic care benefits if they register with the AMS. On the other hand, the job vacancies do not match the training and education of Ukrainians. Some do not want to work in a field which has nothing to do with their training and education; some do, and they thus risk deskilling. The Austrian Integration Fund (ÖIF) and NGOs have counselling centres for Ukrainians that focus on labour market placement, job orientation, support with job applications, etc.⁹⁵ In principle, the Austrian Integration Fund (ÖIF) is responsible for language courses for all displaced persons aged 15 and over. Displaced persons are entitled to a German course, but are not obliged to attend one.⁹⁶

In Oberösterreich,⁹⁷ displaced persons are obliged to register with the labour market service. As of July 2024, displaced persons from Ukraine residing in Vienna are also obliged to register with the labour market service.⁹⁸

There is a lack of German courses and qualification measures for displaced persons, especially in rural areas.⁹⁹

In principle, beneficiaries of temporary protection can work as employees or self-employed, have access to vocational training and enjoy equal treatment with workers in EU Member States regarding remuneration and other conditions. It is important not to lose sight of the labour market integration of displaced persons, people with disabilities as well as sick and elderly people.

For employment purposes, all persons with temporary protection are considered foreigners with a residence permit and are granted free access to the labour market and may be included in the register of job seekers.

⁹¹ ORF.at, 'AMS-Chef Kopf für Arbeitsanreize im Sozialsystem', 1 April 2023, available in German [here](#).

⁹² Statistics presented as part of a meeting organised by the coordination unit for Ukrainian refugees, 19 January 2024.

⁹³ Information presented as part of a meeting organised by the coordination unit for Ukrainian refugees, unpublished.

⁹⁴ AMS, 'Aktuelle Daten und Fakten zur Arbeitsmarktsituation von Vertriebenen aus der Ukraine', August 2024, available in German [here](#).

⁹⁵ Tralalobe, 'Brave Jobberatungsstelle', available in German [here](#).

⁹⁶ ÖIF, 'Gesetzliche Aufträge des ÖIF', available in German [here](#).

⁹⁷ OOE ORF.at, '„Bemühungspflicht“ für Ukrainer in OÖ', 27 February 2023, available in German [here](#).

⁹⁸ Der Standard, 'Ukrainische Vertriebenen müssen raus aus der Inaktivitätsfalle', 30 July 2024, available in German [here](#).

⁹⁹ Quarterly NGO exchange meeting organised by asylkoordination, unpublished

In practice, the integration into the labour market is hindered for beneficiaries that also receive basic care. There is a very low maximum limit of money that can be earned additionally to the basic care (€ 110). If beneficiaries earn more they run the risk of losing basic care, access to the social security system, organised housing etc. As the group of displaced persons from Ukraine mainly consists of women and children, it is in many cases not possible to work full time. Therefore, it is risky to start working and losing access to basic care because if the job is lost after few months it might be difficult to access the basic care system again.¹⁰⁰ A separate additional income regulation was created for displaced people from Ukraine in October 2022 (implementation started in 2023), namely the 65/35 regulation (see [Social welfare](#)).

In the case of labour exploitation, counselling services from the Vienna Chamber of Labour and the Undok association can be used free of charge.¹⁰¹

As of 15 December 2024, 20,133 people with Ukrainian citizenship were employed in Austria with full insurance, 4,312 were employed less than part-time (no more than 8 hours per week, only accident insurance, not like with full insurance: health, unemployment, accident and pension insurance).¹⁰² It is important to mention that these statistics include all Ukrainian citizens, including those who worked in Austria before the outbreak of war in Ukraine. In the query system of the main association of all insured people, queries can only be made about nationality, not about residence permit. Before 27 February 2022 5,206 Ukrainian citizens were fully employed and 720 less than part time (Geringfügige Beschäftigung).

The special Covid provisions in the Medical Act have been extended until July 2024. This means that these people can continue to work, even though they, for example, do not have the required level of German. The relief granted during the covid pandemic was in March 2024 extended by law beyond July 2024 to all those already working. All those who already worked as doctors under the covid relief until 31 July 24 must submit an application for nostrification by 31 December 2024 and be entered on the list of doctors (§ 250). However, the benefits only apply to those who are already working and not to future employees.¹⁰³

2. Access to education

In Austria, schooling is compulsory for 9 years for children aged 6-15. At the beginning of 2022, compulsory schooling did not include displaced persons. However, with the start of the new school year in September 2022, compulsory schooling was communicated about more broadly and demanded by the school authorities.¹⁰⁴

In practice many children attend school in Austria in the morning and school in Ukraine via online tools in the afternoon.¹⁰⁵ Language acquisition remains the main focal point in kindergarten, primary school, and secondary school in the school year 2023/2024 and 2024/2025. Depending on how well this is achieved, Ukrainian pupils can achieve considerable success at school.

Children up to 16 years old are entitled to education under the same conditions as nationals. After the end of compulsory schooling, access to education depends on the capacity of the schools. In this area,

¹⁰⁰ Profil, 'Flüchtlingskoordinator Achrainer: Ukraine-Vertriebene im Wartedilemma', 28 December 2023, available in German [here](#).

¹⁰¹ Arbeiterkammer, website available in German [here](#) and UNDOK, 'Aktuelle Veratungsinfos', 12 January 2023, available in German [here](#).

¹⁰² Statistics presented as part of a meeting organised by the coordination unit for Ukrainian refugees 19 January 2024.

¹⁰³ BGBl Nr 21/2024 available in German [here](#).

¹⁰⁴ Stabsstelle Ukraine Flüchtlingskoordination, *Tätigkeitsbericht März bis Dezember 2022*, unpublished; Tiroler Tageszeitung, 'Ab neuem Schuljahr uneingeschränkte Schulpflicht für ukrainische Kinder', 22 August 2022, available in German [here](#).

¹⁰⁵ Wiener Zeitung, 'Gekommen um zu bleiben', 22 February 2023, available in German [here](#).

some problems have been surged because schools simply did not have the capacity to accept all displaced persons under the age of 18.¹⁰⁶

As of September 2024, 5,200 displaced persons from Ukraine were attending primary school (Prim – 6-10 years old), 5,048 were attending middle school (Sek I, 11-14 years old) and 1,586 attended high school (Sek II, 15-18 years old).

Displaced persons from Ukraine in schools as of 3 rd July 2024				
Province	Primary school	Middle school	High school	Total
Burgenland	206.7	156.5	59	422
Kärnten	73.3	51.7	11.5	136.5
Niederösterreich	1,184.6	1,317.5	413.7	2,915.8
Oberösterreich	594.8	625.6	219.6	1,440
Salzburg	264.8	200.4	134.1	599.3
Steiermark	677.9	594.3	224.8	1,497
Tirol	290.3	345.4	78.4	714.1
Vorarlberg	188.7	155.3	34.2	378.2
Wien	1,719.6	1,602	410.7	3,732.3
All provinces	5,200.7	5,048.7	1,586	11,835.4

Source: Ministry of Education. September 24, unpublished¹⁰⁷

So-called transition classes were activated for displaced children in 2022.¹⁰⁸ These were already introduced in 2015/16 and exist to allow those who could not get a school place in the regular class system to access school nevertheless. In the transition classes, the focus is on learning the German language; mathematics, English and physical education are also taught. However, due to a shortage of teachers, there was a backlog in the allocation of school places in 2022-2024. The transition classes are also heavily criticised as being segregational.¹⁰⁹ Transition classes were prolonged for 2024/2025. The possibility of accepting course participants from other refugee countries, which is new and already taking place in some cases, is seen as very positive. Some of the difficulties that have arisen (as the transitional training programmes are not formally schools), such as the provision of free textbooks, have been solved by donations from the ÖBV.¹¹⁰ However, many pupils were transferred to regular classes.

A challenge is the fact that many Ukrainian children still attend Ukrainian school via online tools in the afternoon. 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 or parents putting a lot of pressure and obliging their children to follow the lessons from Ukraine rather than the lessons in the Austrian schools or both. This has to be understood in the general context and the general waiting dilemma that displaced persons are currently facing.¹¹¹ Their willingness to take part in the way of living in Austria depends on for how long the war will last and a sustainable return to Ukraine is not feasible.¹¹² However, it is understandable that 16 or 17 year olds prefer to complete their Ukrainian degree rather

¹⁰⁶ Information presented as part of a meeting organised by the coordination unit for Ukrainian refugees

¹⁰⁷ Minutes of exchange meeting organised by the coordination unit for Ukrainian refugees, 21 November 2024, unpublished.

¹⁰⁸ Standard, 'Ukrainische Flüchtlinge: Deutschklassen nicht für alle sinnvoll', 14 April 2022, available in German [here](#).

¹⁰⁹ Tiroler Tageszeitung, 'Tiroler Landessschulrat: Deutschklassen fördern Segregation', 12 April 2018, available in German [here](#). Standard, 'AK fordert umfangreiche Reform der Deutschförderklassen', 11 October 2022, available in German [here](#).

¹¹⁰ Stabsstelle Ukraine Flüchtlingskoordination, *Quartalsbericht 04.23*, unpublished.

¹¹¹ SN.at, 'Die große Sehnsucht nach zu Hause', 2 January 2024, available in German [here](#).

¹¹² Stabsstelle Ukraine Flüchtlingskoordination, *Tätigkeitsbericht März bis Dezember 2022*, unpublished.

than fully immerse themselves in the Austrian system. Then they have a degree - albeit in Ukrainian - that entitles them to study in Austria.

Due to the lack of knowledge of German, children have had to repeat classes or were downgraded to a lower school level. This 'demotion' is not motivating and is seen as unfair by children and parents as they were already one or two grades ahead in Ukraine as reports from the Ukrainian telegram groups show. At the end of the 2022/23 school year (June 2023), it was possible to amend a regulation in the context of German promotion. Specifically, the Ministry of Education requested that the education directorates and schools allow children and young people to move from one type of school to another (primary school to secondary school, or after the 8th/9th grade when changing school type) even if their German was insufficient. It is also possible for schools to schedule the German tests themselves. This means that the dates can be set so that even if the test result is negative, there is enough time to take another test. A positive test result is a prerequisite for promotion to the next school level.¹¹³

In general, the special needs of some children are addressed, and alternative arrangements are put in place if they cannot enter the regular education system but this depends on the province where the person lives and is not always possible.

Displaced persons from Ukraine are accepted into the universities. They do not have to pay for students' fees.¹¹⁴ This regulation was prolonged in 2024/25.¹¹⁵

As of 1 July 2024, compulsory education¹¹⁶ is applicable to displaced persons from Ukraine over 16 years. Vocational training is possible, but if salary is included it gets more complicated: If the beneficiary is receiving basic care, the 35/65 rule is applied, which implies a heavy bureaucratic process (see [Social welfare](#)).

Dual apprenticeship training is particularly well known in German-speaking countries. Efforts are therefore continuing to promote dual apprenticeship training and explain what the advantages are. Many people believe that it only involves hard labour in construction, but there are many professions, including retail salesperson, in the IT sector, etc.¹¹⁷

As 45% of all displaced persons from Ukraine live in Vienna, transportation was not a big issue until the free transportation was cut. Now, transportation costs are generally an obstacle for taking up training and job¹¹⁸ (see [Movement and mobility](#)).

F. Social welfare

Ukrainian nationals registered as displaced persons receiving basic care as of 14 th January 2025			
Age group/Gender	Male	Female	Total
Under 7 years	1,345	1,301	2,646
7-14	2,604	2,482	5,086
14-18	1,722	1,435	3,157
18-24	1,588	1,762	3,350

¹¹³ Stabsstelle Ukraine Flüchtlingskoordination, *Quartalsbericht 02.23*, unpublished.

¹¹⁴ Federal Ministry of Education, Science and Research, 'Ukrainische Studierende auch im Wintersemester 2023/24 von der Studienbeitragspflicht befreit', available in German [here](#).

¹¹⁵ APA, 'Ukrainische Studierende müssen weiter keine Studiengebühren zahlen', 24 June 2024, available in German [here](#).

¹¹⁶ Ausbildung bis 18, available in German as well as in other languages [here](#).

¹¹⁷ AMS Ausbildungskompass, available in German [here](#).

¹¹⁸ Stabsstelle Ukraine Flüchtlingskoordination, *Tätigkeitsbericht März bis Dezember 2022*, unpublished.

24-60	3,916	10,811	14,727
Over 60	2,059	5,359	7,418
Total	13,319	23,432	36,384

Source: Federal Ministry of Interior, Basic care system (unpublished).

Distribution of beneficiaries of temporary protection receiving Basic Care as of 13th January 2025			
Province	Organised accommodation	Private housing	Total
Burgenland	1,066	364	1,430
Kärnten	156	697	853
Niederösterreich	2,728	5,320	8,049
Oberösterreich	1,082	1,711	2,793
Salzburg	929	341	1,270
Steiermark	3,564	2,110	5,674
Tirol	1,167	859	2,026
Vorarlberg	1,143	324	1,467
Wien	3,203	11,156	14,363
Total	16,012	20,788	36,799

Source: Federal Ministry of Interior, Basic care system (unpublished).

Basic Care

Beneficiaries of temporary protection do not have access to social welfare.

They are in the same basic care system as asylum seekers (see [General report – Reception conditions](#)) and are not a target group of social welfare system. Authorities responsible for granting basic care and social welfare are regional authorities of the provinces. In the area of basic care, the actual implementation and counselling is outsourced to NGOs like Caritas, Volkshilfe etc.

The basic care provided to beneficiaries of temporary protection is linked to a requirement to reside in the province providing it. Contrary to asylum seekers, beneficiaries of temporary protection who come to Austria for the first time choose which province to go to, resulting in an uneven distribution with 40 % in Vienna. As soon as displaced persons have been admitted to basic care in a federal state, this federal state is responsible. A change to another federal state is possible in principle, but not if displaced persons need a place in organised housing. In this case, the approval of the authorities is necessary. For all those who want to or can live privately, it is possible to receive basic care. This is because there are too few places in the organised sector.

Beneficiaries receiving basic care in practice face difficulties, mainly due to unclear rules and different applications of basic care regulations in the federal states. The narrowness of the basic care system contributes to the confusion. The basis for receiving basic care is the need for assistance. Basic care is always subsidiary, which means that if the person has an income, such as from work, pension, etc., this must be reported. Income is always counted towards the basic care provision. For the first time with displaced people from Ukraine, the topic of pension benefits in the basic care system became apparent. The state pension from Ukraine is counted 100% towards the basic care in Austria. Bank statements must be presented to determine the amount of the pension. If people cannot access their UKR pension, an affidavit can be signed. This is usually accepted by the basic care state offices. The argument that many UKR pensioners cover expenses in Ukraine with their pension is not accepted in Austria, the pension is

taken into account in full. In 2024 ongoing efforts on the part of the Ukrainian refugee staff unit with regard to the non-crediting of the UKR pension have so far not been fruitful.¹¹⁹ In addition, many decisions regarding regulations in the basic care system are not transparent and there is a gap in official information.¹²⁰

The regulation in the Basic Care Acts of the state and the federal provinces requires a contribution to Basic Care if persons 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. Also under the regular system, if they have been receiving an income for more than 3 months, Basic Care support should no longer be provided. For beneficiaries of TPD, the rules were modified at the start of 2023: a separate additional income regulation was created for displaced people from Ukraine in October 2022 (implementation starting in 2023), namely the 65/35 regulation. After deducting the exempted amount of € 110, as mentioned above, only 65% of the income is credited towards the basic pension, as long as it is below the basic care entitlement; 35% is not affected at all and remains with the person. Despite all efforts to simplify it, the additional earnings limit for displaced Ukrainian is a bureaucratic hurdle.¹²¹ The calculations are not easily explained, and processing often takes several weeks.

The basic care system is also seen as a **trap of inactivity**. The regulations for additional income are bureaucratic and complicated and can result in a loss of accommodation. Better incentives need to be created so that people go to work without a complicated offsetting system like in basic care system preventing this.¹²² In March 2024, the head of the AMS and refugee coordinator Andreas AchRAINER pointed out the situation of displaced people and emphasised again that basic care system is a trap of inactivity. There must also be relief for nostrification, which is currently lengthy and expensive.¹²³

In addition, not all federal states apply the new additional income regulations for displaced Ukrainians: Salzburg, Lower Austria and Carinthia do not apply them. Tyrol began implementation at the end of 2023.¹²⁴ Unfortunately, there is not enough transparent information about the new additional income regulation on all websites of the basic care offices in the federal states. Only Tyrol, Vienna and Styria provide information.¹²⁵ There is an unofficial calculator developed by a very ambitious a Telegram moderator in Austria.¹²⁶

Family allowance and childcare subsidies

On 31 December 2023, an amendment to the Family Equalisation Act (FLAG) came into force, and extended the entitlement of displaced persons to childcare subsidies and family allowance until 4 March 2025. The aim was to extend family benefits for displaced persons. The entitlement to family benefits was previously limited to 4 March 2024 (and before that to March 2023). Thus, the extension is in line with the

¹¹⁹ Der Standard, Warum nun auch ukrainischen Pensionisten Kürzungen in der Grundversorgung drohen, 6 December 2024, available in German [here](#).

¹²⁰ Quarterly NGO exchange meeting organised by asylkoordination, unpublished.

¹²¹ Ministry of Interior, 'Anhebung der Zuverdienstgrenze für kriegsvertriebene Ukrainerinnen und Ukrainer', available in German [here](#).

¹²² Der Standard, 'AMS-Chef Kopf für Arbeitsanreize im Sozialsystem', 1 April 2023, available in German [here](#).

¹²³ Volksgruppen ORF.at, 'Drängen auf Integration von Ukraine-Vertriebenen', 14 March 2024, available in German [here](#).

¹²⁴ Wien ORF.at, 'Zuverdienstgrenze: Hürde für Ukraine-Vertriebene', 17 October 2023, available in German [here](#). Profil, 'Ukraine-Vertriebene in Österreich: Gefangen im System', 29 August 2022, available in German [here](#).

¹²⁵ Tiroler soziale Dienste, *Information zur Berechnung der Zuverdienstgrenze Tiroler Grundversorgung*, available in German [here](#); Steiermark, "Zuverdienst in der Grundversorgung", available in German [here](#); Fonds Soziales Wien, "Asyl & Arbeit", available in German [here](#).

¹²⁶ asylkoordination österreich, 'Jenia's very unofficial calculator for the Zuverdienstgrenze v. 2.1', available in Ukrainian [here](#).

EU Council's decision to extend the temporary right of residence until 4 March 2025 (Austrian Parliament, 2023a).¹²⁷

The family allowance is not counted as income and therefore does not count towards the basic care. In contrast, 100% of childcare subsidies are counted towards the basic care. Families who decide to apply for childcare subsidies must consider this carefully in advance, as it will be deducted from the basic pension.

As of 1 December 2024, childcare subsidies had been awarded 767 times. The family allowance was received for 15,854 children. Increased family allowance is paid for 435 children.¹²⁸

Increased family allowance can be applied if children have significant disabilities. A significant disability within the meaning of the Family Equalisation Act 1967 exists if a child suffers from a non-temporary health impairment and the degree of disability is at least 50%, or the child is likely to be permanently disabled, or the child is likely to be permanently unable to support themselves. If there is a 50% disability, the increased family allowance is granted for as long as the general family allowance is due. The degree of disability or the probable permanent incapacity to work must be confirmed by a certificate issued by the certificate issued by the Social Ministry Service on the basis of a medical expert's report.¹²⁹

Care Allowance

The Supreme court ruled in its decision of 22 August 2023 that displaced persons are entitled to the care allowance if the other requirements are met. The aim was to clarify the legal question of whether displaced persons can be entitled to care allowance according to the Federal Care Allowance.

In the case at hand, the plaintiff was a Ukrainian citizen with an ID card for displaced persons. Her application for care allowance was rejected on the grounds that she did not belong to the group of people eligible under the federal care allowance act (*Bundespflegegeldgesetz*).¹³⁰

G. Health care

Displaced persons from Ukraine are included in Austrian health insurance via basic care system as soon as they register for temporary protection status.¹³¹ This also applies to displaced persons who do not receive basic care services (General social insurance law § 9 Z21).¹³² In the summer of 2023, an interface was created between the Ministry of the Interior and the health insurance fund. As soon as displaced people register a main residence, health insurance is activated automatically. This interface was necessary to establish, because there were always gaps in health insurance. Health insurance must be active even without receiving basic services. Health insurance is not limited to emergency medical care. Displaced persons are exempt from prescription fees for medication and co-payments for medical aids or hospitalisation.¹³³ Beneficiaries have access to the same health care as Austrian nationals.

Displaced people from Ukraine do not receive an e-card (health insurance card), but a replacement e-card receipt in paper form. The replacement e-card must be picked up quarterly from a health insurance branch office. Displaced persons who are employed receive the usual plastic e-card in credit card format.

¹²⁷ Amendment of the Family Burdens Equalisation Act 1967, BGBl. I Nr. 184/2023.

¹²⁸ Family Burdens Equalisation Act, BGBl. Nr. 376/1967, as amended by BGBl. I Nr. 184/2023.

¹²⁹ Minutes of exchange meeting organised by the coordination unit for Ukrainian refugees 19 January 2024, unpublished.

¹³⁰ Federal Chancellery, 'Erhöhte Familienbeihilfe', available in German [here](#).

¹³¹ Federal care allowance act, BGBl. Nr. 110/1993, as amended by BGBl. I Nr. 109/2023.

¹³² Art 2 (1) (3) GVV.

¹³³ Einbeziehungsverordnung ASVG § 9, available in German [here](#).

¹³⁴ Austrian Health Insurance Fund, 'Ukrainian refugees - health insurance', available in German [here](#).

In the first months after February 2022, persons assisting displaced persons and NGOs (Diakonie Flüchtlingsdienst, Caritas and Train of hope) repeatedly reported that there were problems with the e-card replacement receipt. Hospitals or doctors were not well informed and asked for an e-card. Occasionally there are still ambiguities today. These difficulties continued to exist in 2024, but have become fewer. The coordination unit for Ukrainian refugees reported in several exchange meetings, that there were still people being sent away from doctors or hospitals, although less than before. The problem is discussed in regular meetings with the Austrian health insurance fund (ÖGK), and the ÖGK has promised to start a new internal information campaign to brief employees, hospitals and doctors intensively once more.¹³⁴

A major problem is the lack of consistent language mediation in the medical field. As part of the basic care, costs for language mediation in the medical field are not covered. In justified individual cases, the costs will be covered, but this is not always the case. The hospitals do not feel responsible for organising language mediation, but often require that language mediation be brought along in order to receive treatment. It regularly happens that people are sent away on the grounds that they cannot understand each other. This was an existing problem even before the Ukraine crisis.¹³⁵

¹³⁴ Minutes of exchange meeting organised by the coordination unit for Ukrainian refugees unpublished.

¹³⁵ Minutes of exchange meeting organised by the coordination unit for Ukrainian refugees unpublished.