



The Application of the Temporary Protection Directive in Luxembourg: Challenges and Good Practices in 2023

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The European Migration Network, created by Council Decision no. 2008/381/EC of 14 May 2008, has the objective of supplying up-to-date, objective, reliable and comparable information on migration and asylum in the Community institutions, to the authorities and institutions of the Member States and to the general public with a view to support policy- and decision-making with the European Union.

Preface

The opinions expressed in this report are those of the authors. They do not necessarily reflect the positions of the Luxembourg Ministry of Foreign and European Affairs.

The present report was drafted by Adolfo Sommarribas and Nicole Holzapfel-Mantin, staff members of the National Contact Point Luxembourg within the European Migration Network, under the overall responsibility of Prof. Dr. Birte Nienaber. Continuous support was provided by the members of the national network of the National Contact Point Luxembourg: Sylvain Besch (CEFIS), Charlotte Rauchs (Directorate of Immigration, Ministry of Foreign and European Affairs), François Peltier and Charlie Klein (STATEC), Anne Daems, Pierre Weiss (Department of Integration, Ministry of Family Affairs, Integration and the Greater Region), Pascale Millim (Ministry of Justice) and Pietro Lombardini (National Reception Office, Ministry of Foreign and European Affairs).

Methodology

National reports are produced by the respective National Contact Points (NCPs) on the legal and policy situation in their Member State according to common specifications. Subsequently, a comparative synthesis report is generated by the European Commission with its service provider giving the key findings from each national report, highlighting the most important aspects, and placing them as much as possible within an EU perspective. The various national accounts and the summary report are made publicly available.

The EMN engages primarily in desk research, i.e. it collects and analyses data and information already available or published at the Member State or international level. Legal texts, official documents (such as parliamentary documents) and reports have been used for this study. Furthermore, experts from the Directorate of Immigration at the Ministry of Foreign and European Affairs, Ministry of Equality (MEGA), Ministry of Education, Children and Youth (MENEJ), Ministry of Justice, National Reception Office (ONA), National Employment Agency (ADEM), Caritas, Red Cross, and CEFIS have been consulted.

Disclaimer: The following information has been provided primarily for the purpose of contributing to this EMN Study. The EMN Luxembourg has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of Luxembourg.

SUMMARY

As of March 2023, Luxembourg offers two legal pathways beyond the TPD. BTPs in Luxembourg can, given they fulfil the requirements, and they have adequate housing, apply for a residence permit for salaried workers, or apply for a family member residence permit as family members of BTPs. In both cases, in order to obtain their residence permits, BTPs must renounce their temporary protection status. Nevertheless, the TP certificate must remain valid until the new residence permit is issued.

In case BTPs chose to apply for international protection, their TP-status will also cease the moment the IP-status is granted, and the rights/benefits provided under temporary protection are terminated.

Luxembourg has extended some of the eligibility criteria for TP. However, several third country nationals whose countries of origin are considered safe, and who were residing in Ukraine and fled the war, do not meet these criteria. In these cases, following individual assessments of the requests, the requests for TP are rejected.

BTPs can move freely within the Schengen Area for a period of 90 days out of 180 days if they have a valid biometric passport. The Luxembourgish government does not assist BTPs who want to travel to or return from Ukraine.

In case BTPs chose to establish residence in another MS, they should renounce their TP-status in Luxembourg. If the Luxembourgish authorities found out that a person with TP status in Luxembourg is residing and benefiting from the material reception conditions in another MS while continuing to benefit from Luxembourgish reception conditions, her/his temporary protection status will be revoked, and the benefits will be terminated. Luxembourg used the Temporary Protection Registration Platform (TPP) to verify whether requesters of TP from Ukraine entering Luxembourg or BTPs leaving already received protection elsewhere. In the first six months of 2023, there have been 261 voluntary renunciations of the TP status and the TP status was revoked in 47 cases because individuals had a similar status in another Member State.

The one-stop-shop where Ukrainian refugees can register for TP, which the government established on 30 March 2022, has proven successful and no major changes in the process of registration for and granting of TP have occurred.

When the TP-mechanism was extended to 4 March 2024, the Directorate of Immigration sent out individual letters to BTPs in December 2022 inviting them to schedule an appointment for an interview in person to renew their certificate. By 30 June 2023, 3.633 temporary protection certificates were renewed.

In general, there have been no major (political, legislative or administrative) changes regarding accommodation, access to the labour market, social assistance, healthcare, education and support for vulnerable groups. The measures already taken in 2022 have proven effective and are continued.

The government's reception centre for people fleeing the war in Ukraine is still open 24/7 (albeit almost operating at capacity) and with private accommodation offers continuously decreasing, access to housing remains a major challenge.

The main challenges with accessing the labour market remain the same (i.e. language skills qualifications, lack of childcare, recognition of qualifications). To address lacking language skills, more courses (LU, FR, DE, EN) are offered. Despite not having to undergo the labour market test, the percentage of BTPs active in the labour market remains low.

With regard to healthcare, the Refugee Health Service of the Directorate of Health has set up a psychological unit to serve BTPs in May 2023. Ensuring continuous financial health coverage from when refugees from Ukraine arrive in the country until they are as BTPs affiliated with the national health fund remains difficult. Nevertheless, once BTPs obtained their certificate, they are immediately insured through the National Health Fund. The contributions are covered by the Luxembourgish State (Ministry of Social Security).

In terms of social assistance, a major legislative change was introduced by the Law of 7 August 2023, according to which BTPs benefit from the same redefined material reception conditions as applicants of international protection.

There were no new key challenges in identifying vulnerable persons under the TPD. However, finding adequate support and housing facilities for people with mobility problems and those with special needs is difficult.

In terms of education, the public international schools already in place in 2022 have proven very successful for the education of Ukrainian students. The Law of 14 July 2023 on the reception, guidance, integration and educational support of newly arrived pupils and the creation of the School Integration and Support Service (SIA) introduced several new support measures. According to this law, once a cultural agreement is concluded with another State or a non-profit association (NGO), the law facilitates the provision of public infrastructure for representatives of third countries of origin or NGOs for teaching native languages as well as about the culture(s) of their countries of origin. At the moment, Ukrainian representations in Luxembourg have also entered into such a cultural agreement.

SECTION 1. LEGAL STATUS

Legal Pathways and Transition from Temporary Protection to Other Types and Forms of Residence or Protection

1.1 Possibility for beneficiaries of temporary protection residing in Luxembourg to apply for other types of residence permits/visas/authorization of stay

As of April 2023, the Directorate of Immigration allows Beneficiaries of Temporary Protection (BTPs) who hold a temporary protection certificate valid until 4 March 2024 and who are gainfully employed in the country, as well as their family members, to apply for a residence permit.

This residence permit is seen as an alternative to temporary protection as BTPs will have to renounce their temporary protection status to receive their residence permit.

Before applying for a residence permit, beneficiaries of temporary protection in Luxembourg must:

- have a suitable accommodation in Luxembourg, outside the structures managed by the National Reception Office (ONA); and
- have a valid biometric passport.

When applying for a residence permit, BTPs in Luxembourg must add the following to their application:

- the renunciation form of their temporary protection status, duly completed and signed. The renunciation will take effect, in case of a successful application, on the issuance day of the residence permit in exchange for the temporary protection certificate.

In case the applicant's spouse/registered partner and/or their children or the spouse/registered partner's children are also BTPs in Luxembourg:

- an application for a residence permit for their family members; and
- the form for the renunciation of the temporary protection status in Luxembourg filled out correctly and signed by the spouse/registered partner.

Option 1:

As of April 2023, the Directorate of Immigration allows BTPs to apply for a residence permit for salaried workers if they fulfil the following requirements:

- holding a certificate valid until 4 March 2024; and
- gainfully employed in the territory with a monthly salary equivalent to at least the monthly rate of the social minimum social wage for unskilled workers.

BTPs must submit the following documents with their application for the residence permit as a salaried worker:

- a copy of the valid biometric passport, in its entirety (all pages);
- a recent extract of the Luxembourg criminal record;
- a recent extract of the Ukrainian criminal record;
- a curriculum vitae;
- if applicable, a copy of their diplomas or professional qualifications for the position in question;
- a copy of the employment contract, dated and signed by both the applicant and their employer and compliant with Luxembourg labour law with a monthly salary equivalent to at least the monthly rate of the legal social minimum wage for unskilled workers (2 508,24 EUR)¹;
- a recent certificate of affiliation issued by the Joint Social Security Centre;
- proof of suitable accommodation in Luxembourg (rental agreement, attestation of accommodation, property deed):
 - outside the structures managed by the National Reception Office (ONA); and
 - meeting the minimum legal criteria in terms of health, hygiene, safety and habitability (the surface area of a room cannot be less than 9 m² per occupant, and no room can be occupied by more than 2 adults, etc.);
- proof of health insurance (copy of the Luxembourg social security card);
- the form for the renunciation of the status of temporary protection;

¹ General Inspectorate of the Social Security, Ministry of the Social Security, Social Parameters valid from 1st April 2023. URL: <https://igss.gouvernement.lu/dam-assets/publications/param%C3%A8tres-sociaux/2023/par-soc-202304.pdf>

- proof of payment of a fee of 80 EUR for the issuance of the residence permit.²
- In case of an application for the issuance of a residence permit for the purpose of highly qualified employment (EU Blue Card), this should be indicated on the application form. Whether the applicant fulfils the conditions for obtaining a residence permit will be verified when their application is processed. In particular whether the applicant:
 - possesses high professional qualifications required for the activity or sector mentioned in the employment contract or in regard to the conditions required for the exercise of the regulated profession in question; and
 - earns the monthly salary mentioned in the employment contract, which must be at least equivalent to:
 - 1.5 times the average Luxembourg gross annual salary (EUR 84 780); or
 - 1.2 times the average Luxembourg gross annual salary (EUR 67 824) for jobs in professions for which the government has noticed a particular need to employ third-country nationals.³

Family members of a BTP in Luxembourg who is granted a residence permit as a salaried worker (the 'sponsor') can also request residence permits.

The definition of family members includes:

- the spouse or registered partner of the sponsor;
- the unmarried children under 18 of the sponsor and/or the spouse or registered partner:
 - for whom they have custody and where the children are dependent on them; and
 - in the case of shared custody, where the other party sharing custody has given their consent.

Option 2:

BTPs can also apply for a family member residence permit if they marry⁴ or enter into a legal partnership⁵ with a third-country national legally residing in Luxembourg who fulfils the

² Guichet.lu, Application for a status change for displaced persons from Ukraine who are beneficiaries of temporary protection. URL: <https://guichet.public.lu/en/citoyens/immigration/ukraine/changement-statut-beneficiaire-protection-temporaire-ukraine.html>

³ Ibid.

⁴ Article 70 (1) a) of the amended Law of 29 August 2008.

⁵ Article 70 (1) b) of the amended Law of 29 August 2008.

requirements of the Immigration Law.⁶ However, in order to obtain their residence permit, BTPs have to renounce their temporary protection status first. Nevertheless, the TP certificate remains valid until the new residence permit is issued.

1.2 Special procedures, lowered requirements, dedicated programmes or similar practices in place to assist in obtaining those residence permits/visas/authorization of stay

As described in the answer to Q.1, BTPs who apply for the salaried worker resident permit can benefit from exactly two simplifications: 1) the application can be filed from inside Luxembourg⁷ and 2) they are not submitted to the labour market test.⁸

The Directorate of Immigration has a deadline of a maximum of 3 months to respond to the application. Without a response within this period, the applicant may consider the application as rejected. If the application is approved, BTPs will receive an invitation letter for an appointment with the Directorate of Immigration to take a photo and fingerprints, which will be included in the residence permit. One week after the biometric data has been entered, applicants can collect their residence permit in person and will have to hand in their temporary protection certificate (original document).⁹

The temporary protection regime will end on the day the residence permit is issued.¹⁰

In the case of the family member residence permit the only simplification that applies is that the application can be submitted from within Luxembourg.

There are neither lowered requirements, nor dedicated programmes to assist BTPs in obtaining those residence permits.

1.3 Consequences for temporary protection and/or the access to rights/facilities/benefits provided under temporary protection in the event of granting of such residence permits/visas/authorization

⁶ Article 69 (1) of the amended Law of 29 August 2008 on free movement of persons and immigration (Immigration Law).

⁷ Article 39 of the amended Law of 29 August 2008 requires that the application for a salaried worker has to be made from the country of origin.

⁸ Article 42 (1) 1 of the amended Law of 29 August 2008 in relation with article L. 622-4 (4) of the Labour Code.

⁹ Guichet.lu, Application for a status change for displaced persons from Ukraine who are beneficiaries of temporary protection. URL: <https://guichet.public.lu/en/citoyens/immigration/ukraine/changement-statut-beneficiaire-protection-temporaire-ukraine.html>

¹⁰ Ibid.

As already mentioned in the answer to Q.2, once the residence permit is issued the temporary protection status ends and in consequence the access to rights/facilities/benefits provided under temporary protection are terminated.

1.4 Procedure followed by Luxembourg when a person to whom temporary protection is applied submits an application for international protection (a) if they already have been registered as a beneficiary of temporary protection and (b) if they have not (yet) been registered as a beneficiary temporary protection.

The Asylum Law¹¹ states that:

- a) BTPs also have the possibility to apply for international protection at any time. During their appointment at the Directorate of Immigration for submitting their application for international protection, they are informed of the consequences of their application, i.e. they lose the rights attached to the temporary protection scheme in Luxembourg.
- b) If they have not (yet) been registered as a beneficiary temporary protection, the person follows the procedure applicable to any request for international protection.

1.5 Challenges encountered by Luxembourg with persons claiming to be fleeing the war in Ukraine who do not fall under the scope of temporary protection established by the Council Implementing Decision

Luxembourg was faced with a certain number of profiles who did not meet the criteria established by the Council. In some cases, Luxembourg has also extended the eligibility criteria.¹²

For example, in the case of Ukrainian nationals who were outside of Ukraine before 24 February 2022, the Luxembourgish authorities extended the application of temporary protection to people who have left Ukraine as earlier as December 2021 when tensions began to escalate or Ukrainians

¹¹ Amended Law of 18 December 2015 on international protection and temporary protection (Asylum Law). URL: <https://legilux.public.lu/eli/etat/leg/loi/2015/12/18/n15/jo>

¹² Information obtained from the Directorate of Immigration, 16 August 2023.

who found themselves in the European Union (for example, on holiday or for professional reasons) just before this date and who, because of the armed conflict, could not return to Ukraine.¹³

The main issue that the Luxembourg authorities have been confronted with is that temporary protection can be granted to third country nationals (TCNs) who can establish that they legally resided in Ukraine before 24 February 2022 on the basis of a valid residence permit and cannot return to their country of origin and live there under durable conditions. Students studying in Ukraine from African countries tried to request temporary protection. In case their countries of origin were considered safe, their requests for temporary protection were rejected.

1.6 Addressing challenges and/or what are the legal remedies available

The Directorate of Immigration reviews all incoming requests on a case-by-case basis to determine whether requesters can enter in their countries of origin or not. In case the requesting third country nationals cannot enter their countries of origin in a safe and durable manner, temporary protection will be granted. Otherwise, the application will be rejected but the concerned persons have of course the possibility to apply for international protection at any time.

Traveling to other Member States and outside the EU

1.7 Mechanism to track the movement of the beneficiaries of temporary protection who are travelling to (i) other Member States and (ii) outside the EU

Luxembourg does not have a mechanism in place to track the movement of the beneficiaries of temporary protection who are travelling either to another Member State or outside of the European Union.

¹³ Guichet.lu, Demander une protection internationale. URL : <https://guichet.public.lu/fr/citoyens/immigration/ukraine/protection-temporaire.html>

1.8 Consequences for temporary protection and the related benefits provided when the person travels outside Luxembourg to (i) another Member State and (ii) outside the EU, including to Ukraine

BTPs, except third country nationals who are subject to a visa requirement, can move freely within the Schengen Area for a period of 90 days out of 180 days if they have a valid biometric passport. The temporary protection certificate itself does not constitute an autonomous travel document and is therefore not sufficient for travelling freely within the Schengen Area.¹⁴

For countries of the European Union, which are not members of the Schengen Area, as well as for countries outside the European Union, including Ukraine, the respective national laws apply.

- (i) Since temporary protection is territorial, if BTPs decide to move to another Member State to establish residence, they should renounce their temporary protection status in Luxembourg before leaving. If the Luxembourgish authorities found out that a person with TP status in Luxembourg is residing and benefiting from the material reception conditions in another MS while continuing to benefit from Luxembourgish reception conditions, her/his temporary protection status will be revoked, and the benefits will be terminated. For example, between 1st January and 30th June 2023, the Directorate of Immigration revoked the TP status in 47 cases because the individuals had a similar status in another Member State.¹⁵
- (ii) When travelling to Ukraine and if the situation changes there, the Luxembourgish authorities cannot assist with the return to Luxembourg. As of February 2022, a regularly updated travel advisory for Ukraine is in place, which strongly discourages all travel to the entire Ukrainian territory. According to the Ministry of Foreign and European Affairs, since the beginning of 2022, only two people have requested assistance from the consular office. In both cases, the consular office has declared that it is not competent in the matter and that the travel advice remains valid.¹⁶

¹⁴ FAQ, Ministry of Foreign and European Affairs, Frequently Ask Questions (FAQ) URL:

<https://maee.gouvernement.lu/en/services-aux-citoyens/accueil-de-personnes-ukraine/FAQ.html>

¹⁵ Directorate of Immigration, Statistics concerning temporary protection in the Grand Duchy of Luxembourg, 14 July 2023, p. 3. URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/07-juillet/14-protection-internationale-temporaire/statistiques-protection-temporaire-06-2023.pdf>

¹⁶ Information obtained from the Directorate of Immigration, 17 August 2023

Ministry of Foreign and European Affairs, Updated travel advisory for Ukraine, Press release, 12 February 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/02-fevrier/12-ukraine.html.

1.9 Challenges encountered by beneficiaries of temporary protection when re-entering the EU or Luxembourg when coming back from Ukraine or other Member States

Luxembourg issues its temporary protection certificate on tamper-proof paper and not in the form of a (plastic) residence card with biometric data.¹⁷ These circumstances led to several reports of Ukrainian citizens encountering problems with Polish Border Guards when re-entering from Ukraine. However, these are very few cases, which have been resolved when the Polish Border Guards contacted the Luxembourgish authorities to verify the validity of the document. It should be noted that the Certificate issued to BTPs - under 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 - is included for Luxembourg in the list of residence permits issued by Member States in the Annex 22 of the Schengen Borders Code.¹⁸

Temporary Protection Registration Platform (TPP)

1.10 How and to what extent Luxembourg has made use of the TPP

The TPP has been used by Luxembourg for two purposes. 1. Identify if people have left Luxembourg and received protection somewhere else. This would lead to the cancelation of their protection status. 2. Verify if people arriving in Luxembourg already received a protection elsewhere.¹⁹

1.11 Challenges and good practices encountered by Luxembourg in the use of the TPP

The challenges have mostly been linked to programming issues that would lead to fake hits on the platform. Most of these have been ironed out. Another issue is that some countries do not register minors, making it almost impossible to verify if they receive benefits someplace else.²⁰

¹⁷ LU EMN NCP, answer to AHQ 2022.55 on “Extension of certificates/residence permits for beneficiaries of temporary protection”, launched on 21 October 2022.

¹⁸ Annex 22 of the Practical Handbook for Border Guards (Schengen Handbook).

¹⁹ Information obtained from the Directorate of Immigration, 16 August 2023.

²⁰ Information obtained from the Directorate of Immigration, 16 August 2023.

1.12 Uploading the identity of the adult persons accompanying “separated” children arriving from Ukraine, and respectively, of guardians appointed in Ukraine before departure on the Platform

No, Luxembourg does not upload such information.

Assistance to people wishing to go home (back) to Ukraine

1.13 Support for the beneficiaries of temporary protection who wish to go home (back) to Ukraine

No, Luxembourg does not provide such support.

1.14 Trends in terms of outflows of beneficiaries of temporary protection observed by Luxembourg

No. From 1 January 2023 to 30 June 2023, there have been 261 voluntary renunciations of the temporary protection status, but it is not clear whether the beneficiaries were moving to another Member State or back to Ukraine.²¹

Registration

1.15 Major legal, policy or practical changes regarding registration of beneficiaries of temporary protection during the research period

No. Since the Luxembourgish government established a one-stop-shop on 30 March 2022²², there have not been any major changes in the process of registration and granting of temporary protection except that the one-stop-shop is open once a week instead of on a daily basis in the beginning of the war.

²¹ Information obtained from the Directorate of Immigration, 16 August 2023.

²² Le gouvernement luxembourgeois, Jean Asselborn a visité le guichet unique avec Gonzalo Vargas Llosa, Représentant du Haut Commissariat des Nations Unies pour les réfugiés, 6 April 2022. URL : https://gouvernement.lu/fr/actualites/toutes_actualites/communiqués/2022/04-avril/06-asselborn-gonzalovargasllosa.html

Voir aussi, Office national de l'accueil, guiche unique enregistrement – Ukraine. URL : <https://ona.gouvernement.lu/fr/support/index-page.html#:~:text=Le%20gouvernement%20a%20mis%20en%20place%20un%20guichet,Heures%20d%27ouvertur e%20%3A%20jeudi%20de%2008h00%20%20C3%A0%2011h30>

1.16 Extension of the validity of documentation based on temporary protection after the first year

When the temporary protection mechanism was extended to 4 March 2024, the Ministry of Foreign Affairs issued a communication²³ to inform that the certificates of temporary protection issued with a maximum validity until 3 March 2023 must be renewed.

To this end the Directorate of Immigration sent out individual letters to BTPs in December 2022. The procedure laid out in these letters is very simple: holders a of temporary protection certificate must make an appointment online with the one-stop-shop in order to renew their certificate. On the date of the appointment BTPs must present themselves to the one-stop-shop with the old certificate and a valid passport and pass a short interview. Following the short interview, the certificate will be renewed.

1.17 Challenges encountered and addressed in the registration process

As already mentioned, the procedure is simple and until 30 June 2023, 3 633 temporary protection certificates were renewed.²⁴

²³ Ministry of Foreign and European Affairs, Informations sur la prolongation de l'attestation de bénéficiaire de la protection temporaire, Communication, 10 February 2023. URL : https://maee.gouvernement.lu/fr/actualites.gouvernement%2Bfr%2Bactualites%2Btoutes_actualites%2Bcommuniqués%2B2023%2B02-fevrier%2B10-prolongation-protection-temporaire.html#:~:text=Il%20est%20important%20de%20souligner%20que%20la%20prolongation,droit%20aux%20aides%20mat%C3%A9rielles%20fournies%20par%20l%27%C3%89tat%20luxembourgeois.

²⁴ Information obtained from the Directorate of Immigration, 16 August 2023
Directorate of Immigration, Statistics concerning temporary protection in the Grand Duchy of Luxembourg, 14 July 2023, p. 3. URL: <https://gouvernement.lu/dam-assets/documents/actualites/2023/07-juillet/14-protection-internationale-temporaire/statistiques-protection-temporaire-06-2023.pdf>.

SECTION 2. ACCESS TO RIGHTS PROVIDED BY THE TEMPORARY PROTECTION DIRECTIVE

Accommodation

2.1 Major legal, policy or practical changes regarding access to accommodation for beneficiaries of temporary protection

No. The government has set up a reception centre to accommodate people fleeing the war in Ukraine. The centre is open 24 hours a day, 7 days a week, and is located on rue Tony Rollman in Luxembourg-Kirchberg (near the Centre National Sportif et Culturel "Coque"). It is a mixed structure housing both AIPs and BTPs, respectively, persons fleeing the war in Ukraine expressing their wish to ask for temporary or international protection. The centre offers shelter for the first few days, meals, and basic necessities for people seeking protection in Luxembourg. Pets are not allowed at the Tony Rollman Primary Reception Centre. BTPs with pets can be reallocated to a housing structure specialized in accommodating persons with pets. In general, BTPs are moved to housing facilities as soon as possible (depending on availability).²⁵

There was the possibility to place the BTPs in private housing through the hotline run by Caritas and the Red Cross with the support of an AMIF project funded by the Ministry for the Family Integration and the Greater Region and the National Reception Office. However, since the beginning of 2023 cohabitations between host families and BTPs decreased significantly.²⁶

BTPs have the right to be accommodated in autonomous housing (outside of state-run housing facilities). Since January 2023, BTPs wishing to be housed in private accommodation have to find a host family. Social and administrative support is guaranteed to all BTPs accommodated in private housing, if they have requested and been granted material reception conditions by the ONA.²⁷

At the moment there are no political or legislative changes foreseen regarding accommodation of BTPs.

²⁵ Ministry of Foreign and European Affairs, Reception of persons – Ukraine. URL:

<https://maee.gouvernement.lu/fr/services-aux-citoyens/accueil-de-personnes-ukraine.html>

Information obtained from the National Reception Office (ONA) on 15 September 2023.

²⁶ Information obtained from Caritas Luxembourg, 27 July 2023 and Red Cross Luxembourg, 7 August 2023.

²⁷ Information obtained from the National Reception Office (ONA) on 15 September 2023.

2.2 Key challenges in Luxembourg when providing access to suitable accommodation or the means to obtaining housing to beneficiaries

There have not been any new challenges with providing access to suitable accommodation as the Tony Rollman Primary Reception Centre is still capable to receive the new arrivals. However, reception capacities are currently very low which is why the coming months will be very challenging.²⁸

The past year has shown that living in communal spaces such as collective accommodation structures can lead to difficulties for BTPs, particularly in terms of cohabitation. In addition, BTPs living in such structures may feel a lack of autonomy in their daily lives (imposed schedules, attendance checks, internal rules, etc.).²⁹

However, obtaining housing outside of the reception facilities managed by ONA is challenging. In addition to declining private housing offers, BTPs struggle with Luxembourg's general structural housing problem, which affects everyone.³⁰

2.3 Change of challenges since the initial arrival of beneficiaries of temporary protection in 2022

As mentioned above, at the beginning private housing was offered to match the demand.

However, over time, these private housing offers decreased for several reasons: (i) many homeowners did not anticipate hosting BTPs for an extended period of time and (ii) some did have negative experiences with housing Ukrainians (general difficulties with cohabitation and a mutual longing for more privacy from BTPs and host families).

The financial situation of private households hosting BTPs became increasingly tense. With most hosted families not contributing significantly to the household expenses³¹ and the government not providing (financial) support and recognition for host families,³² the difficulties added by the rising inflation became too much to bear.

²⁸ Information obtained from the National Reception Office (ONA) on 15 September 2023.

²⁹ Information obtained from the National Reception Office (ONA) on 15 September 2023.

³⁰ Information obtained from the National Reception Office (ONA) on 15 September 2023.

³¹ Information obtained Red Cross Luxembourg, 7 August 2023.

³² Information obtained from Caritas Luxembourg, 27 July 2023.

Labour Market

2.4 Major legal, policy or practical changes regarding access to the labour market for beneficiaries of temporary protection

As per decision of the Government Council of 9 March 2022, BTPs have direct access to the Luxembourgish job market. The “Market Test” (Test du Marché du travail), which requires the Employment Agency (ADEM) to check whether the vacant job could also be filled by an EU citizen or a TCN legally residing on the territory, does not apply.

As mentioned in the answer to Q.1, gainfully employed BTPs can change their status and obtain a salaried worker residence permit as of April 2023, and this without the condition of the labour market test.

Beneficiaries of temporary protection granted by Luxembourg have the right to exercise a self-employed activity in Luxembourg, as long as they reside in Luxembourg and as long as their temporary protection certificate is valid, and they fulfil the legal requirements of the Immigration Law.³³

2.5 Key challenges encountered by Luxembourg in (i) providing access to (self-)employment during the research period and (ii) providing measures facilitating employment and labour market activation

Subquestion (i):

- Luxembourg encountered no new challenges with respect to providing access to salaried work or self-employment during the research period arose.

Labour market participation

- The proportion of Ukrainian refugees who have entered the job market is fairly low. More specifically, of the 2 087 applications by BTPs processed by 1 August 2023, ADEM had closed 1 397 files, of which 420, or 30%, led to an "exit to employment". This rate is 47% for other refugees (beneficiaries of international protection) and 59% for all jobseekers.³⁴

³³ Article 51 of the amended Law of 29 August 2008.

³⁴ Information obtained from the National Employment Agency (ADEM) on 14 September 2023.

- The Inspectorate General of Social Security counted 1 020 BTPs between 15 and 64 years in employment in Luxembourg, out of a total of 2 870 beneficiaries in this age bracket residing in the country on 30 June 2023. This represents an employment rate of 35%.³⁵
- ADEM is not always informed why a jobseeker's file is closed, however some Ukrainian refugees stated that they intend to return to their home country. In addition, among the 690 Ukrainian refugees still registered as job seekers to date, there are 263 people on employment measures and 39 on temporary work.³⁶
- In a ranking by ADEM of the jobs most commonly occupied by BTPs who have sought work through ADEM from 1 August 2023, cleaners and domestic helpers top the list with 17%. Next come waiters and barmen (11%), administrative clerks (8%), non-classified elementary workers (6%), kitchen helpers (5%) and hairdressers and aestheticians (4%).³⁷
- BTPs are working in "restaurants, craft/construction companies, cleaning and beauty companies, supermarkets and small shops, large companies in the financial or industrial sector or non-profit organisations", the agency lists. "The employer that took on the most job seeking BTPs was the State, with 6 recruitments."³⁸

Recognition of higher education qualifications:

- Regarding the recognition of higher education qualifications held by refugees from Ukraine, no major problems or challenges have arisen other than linguistic difficulties in the communication at the ministry's reception in some cases. The issuing of bilingual diplomas (in Ukrainian and English) by Ukrainian State universities in recent years has helped to accelerate the processing. For those holding older diplomas issued only in Ukrainian, the requirements for sworn translations have been stretched in order to request such translations where necessary only for the diploma itself (containing the academic title) but not for the transcript of grades.
- According to the Ministry of Higher Education and Research, challenges arose mostly when no copy of the final diploma in its original language was presented and the higher education institution has not entered the data entirely/correctly into the EDBO register of

³⁵ IGSS on 31 December 2022.

³⁶ Mathilde Obert, Un an de guerre en Ukraine. L'intégration nuancée des réfugiés ukrainiens dans le marché de l'emploi, <https://paperjam.lu/article/integration-nuancee-refugies-u>.

³⁷ Information obtained from the National Employment Agency (ADEM) on 14 September 2023.

³⁸ Information obtained from the National Employment Agency (ADEM) on 14 September 2023.

the Ukrainian authorities, thus preventing the holders from producing an attestation of their study period and degree achieved.³⁹

Access to regulated professions

- Access to regulated professions for Ukrainians is granted under the same conditions as for any person. Regardless of a diploma has been issued in or outside Luxembourg, every person wishing to practice a regulated profession is still required to apply for an authorization to practice with the competent authorities, which in most cases differ from the authorities in charge of the professional recognition of foreign qualifications.⁴⁰

Main challenges

The main challenges for job seeking BTPs have not changed:

- Only 40% of BTPs have a sufficient knowledge of English, whereas 60% don't speak French, 90% don't speak German, while in trilingual (French, German, and Luxembourgish) Luxembourg, French is predominant on the labour market;
- Recognition of qualifications: 25% of Ukrainian refugees currently looking for work in Luxembourg have a secondary school diploma, and 73% have a university degree. Despite a certain level of educational attainment, it might be easier for BTPs to adapt to a job, which does not match their formal qualification(s).

According to ADEM, another potential challenge could be the fact that 66% of Ukrainian refugees are mainly women, often with children, who require childcare in order to work. If they cannot find a childcare spot that corresponds to their working hours, they may no longer be looking for work and are closing their file.⁴¹

Subquestion (ii):

Luxembourg encountered no specific challenges regarding the provision of measures for beneficiaries to facilitate employment and labour market activation.

³⁹ Information obtained from the Ministry of Higher Education and Research on 19 September 2022 and 19 July 2023.

⁴⁰ Information obtained from the Ministry of Higher Education and Research on 19 September 2022 and 19 July 2023.

⁴¹ Mathilde Obert, Un an de guerre en Ukraine. L'intégration nuancée des réfugiés ukrainiens dans le marché de l'emploi, <https://paperjam.lu/article/integration-nuancee-refugies-u>.

2.6 Addressing of challenges addressed and good practices

Since missing language skills are a major obstacle for integration into the labour market, ADEM has significantly increased its offer for language courses. Together with the National Language Institute (INL), ADEM has set up intensive language courses in different languages (Luxembourgish, French, German, English) to allow jobseekers to quickly acquire the basic language requirements in business sectors that are urgently looking for personnel.⁴²

Healthcare

2.7 Major legal, policy or practical changes regarding access to healthcare (including mental health support) for beneficiaries of temporary

Yes. In May 2023, the Refugee Health Service of the Directorate of Health set up a psychological unit, which consists of nurses specialising in psychiatry, psychotherapists, a social worker, and a psychiatrist to provide structured care for psychologically distressed patients from third countries, particularly from war zones. This unit also coordinates the identification and referral of patients with psychological vulnerabilities, in collaboration with stakeholders and players in the field. The treating professionals employ a screening tool for emotional distress and mental health among refugees, the Refugee Health Screening 15 (RHS-15).⁴³

2.8 Key challenges in Luxembourg when providing access to medical care to beneficiaries of temporary protection

The key challenges remain the following:

- Continue to provide access to primary care until affiliation with the public health insurance
- Provision of continuous financial coverage of access to healthcare in the period between arrival in the country and effective affiliation with the national health fund
- Continue to be able to manage and fund the human resources deployed as support for already existing urgent care teams in initial reception of BTPs.⁴⁴

⁴² Information obtained from the National Employment Agency (ADEM) on 14 September 2023.

⁴³ Information obtained from the Refugee Health Service of the Directorate of Health, 9th August 2023.

⁴⁴ Information obtained from the Refugee Health Service of the Directorate of Health, 9th August 2023.

2.9 Addressing of challenges related to health care and good practices

- Provision of continuous financial coverage of access to healthcare and ensure that medical costs are covered in the period between arrival in the country and effective affiliation with the national health fund.

This is a challenge for the Health Department's Refugee Health Service who is the initial contact in the field of health for incoming refugees from Ukraine before registering for TP. Each BTP is issued with a health handbook containing for example information on access to healthcare in the Grand Duchy of Luxembourg. This measure can be considered as good practice.

- Continue to provide primary care until affiliation:

An advanced care unit staffed by 1 doctor and 2 nurses in the first reception centre located in Luxembourg-Kirchberg is open Monday to Friday from 8.30h to 17h to provide primary care. For people accommodated in private homes or in other accommodation structures, the Refugee Health Service provides medical services Monday to Friday from 8.30h to 17h. These good practices make it possible to provide medical assistance and on-call services right after the refugees' arrival to avoid overloading emergency services.

As soon as the refugees from Ukraine obtain temporary protection status, they are affiliated with the national health fund and have access to healthcare as any other (legal) Luxembourg resident. This has been the case since the beginning of the migratory crisis linked to the war in Ukraine.

- Continue to be able to manage and fund the human resources deployed as support for already existing urgent care teams in initial reception of BTPs.

Currently, and since the beginning of the migratory crisis linked to the war in Ukraine, a health reserve made up of a multi-disciplinary team is working on the ground to reinforce existing teams and improve care. It is important to have enough trained staff to absorb the large influx of BTPs. Practices and measures are evolving. Medical and paramedical staff have been recruited to meet the various challenges involved in caring for BTPs. Staff participate in specific awareness-raising trainings ("In the shoes of a refugee" LISKO Red Cross training / "Mental health first aid" *Ligue Luxembourgeoise d'hygiène mentale*).⁴⁵

⁴⁵ Information obtained from the Refugee Health Service of the Directorate of Health, 9th August 2023.

Education

2.10 Major legal, policy or practical changes regarding access to education for beneficiaries of temporary protection

No major changes with respect to access to education have been encountered. However, on 24 July 2023, a new law on the reception, guidance, integration and educational support of newly arrived pupils and the creation of the School Integration and Support Service (SIA)⁴⁶ came into force. This law addresses all migrant pupils regardless of their nationality or status. It provides better orientation for incoming pupils and enables individual monitoring of their educational trajectories for up to two years.⁴⁷

Given that a cultural agreement is concluded with another State or a non-profit association, Article 21 of this law the law facilitates the provision of public infrastructure (e.g. classrooms outside school hours or rooms in municipal buildings) for representatives of third-countries of origin or NGOs for teaching native languages as well as about the culture(s) of their countries of origin. The Integration and school reception service (*Service de l'intégration et de l'accueil scolaire*; SIA) coordinates and monitors the implementation of these courses.⁴⁸ Ukrainian representations in Luxembourg have also entered into such a cultural agreement.⁴⁹

2.11 Key challenges and barriers in Luxembourg in providing access to primary and secondary education to persons under 18 years

The key challenges remain the same as in 2022 and are the following:

- Large influxes of refugees
- Offering adapted schooling

⁴⁶ Law of 14 July 2023 relating to the reception, orientation, integration, educational support of newly arrived pupils and the creation of the Service de l'enseignement et de l'accueil scolaire and modifying:

1° the amended Law of 25 June 2004 on the organization of high schools;

2° the amended Law of 6 February 2009 on the organization of basic education. Published in Memorial A424 of 20 July 2023, URL: <https://legilux.public.lu/eli/etat/leg/loi/2023/07/14/a424/jo>

⁴⁷ Dossier de presse, Une école pour tous : une meilleure orientation et un suivi individuel des élèves nouvellement arrivés au Luxembourg, Ministère de l'Éducation nationale et de la Jeunesse, 6 juin 2023.

⁴⁸ Law of 14 July 2023 relating to the reception, orientation, integration, educational support of newly arrived pupils and the creation of the Service de l'enseignement et de l'accueil scolaire and modifying:

1° the amended law of 25 June 2004 on the organization of high schools;

2° the amended law of 6 February 2009 on the organization of basic education. Published in Memorial A424 of 20 July 2023, URL: https://legilux.public.lu/eli/etat/leg/loi/2023/07/14/a424/jo#art_21

⁴⁹ Information obtained from the SECAM, 26 September 2023.

- Finding available classrooms
- Hiring a sufficiently large number of Ukrainian intercultural mediators
- Providing psychological help
- Encouraging distance learning after regular school hours, for example by providing access to school computers.⁵⁰

2.12 Addressing education-related challenges and good practices

The responses provided in 2022 remain valid for 2023 and SECAM (Department of schooling for foreign pupils) of the Ministry of Education, Children and Youth considers them as good practices.

- Large influxes of refugees

Since March 2022, the SECAM runs a one-stop welcome desk for families from Ukraine. All children have been registered and enrolled in a school in Luxembourg very quickly.

- Offering adapted schooling

Following an interview with the families and the children, the department in charge proposes one or more educational options with the goal to provide appropriate schooling for each child as quickly as possible. The final choice between the possible options lies with the parents.

- Finding available classrooms

Public international schools are front and centre in the scheme for Ukrainian refugee pupils. These schools have set up English-speaking reception classes especially for Ukrainian pupils. English was the obvious choice, as Ukrainian pupils learn it from the third year of school. In a second phase, once the children are ready, they can join a regular international class. Depending on the age of the pupils and their progress in learning, a second language will be added, either German or French. If pupils have the appropriate language level, they may join a regular international class directly. To this end, additional school places have been created in existing classes in international schools.

In contrast to previous large influxes of refugees, the public education system in Luxembourg now has public international schools that allow for a more flexible language offer, e.g. English sections.

⁵⁰ Information obtained from the SECAM, 27th July 2023.

Depending on their individual language levels, their needs and demand, Ukrainian children may also be admitted to local municipal schools. They will then attend induction courses in German or French.

- Hiring a sufficiently large number of Ukrainian intercultural mediators

Parents or students may request free help from an intercultural mediator by applying online via the SECAM website.

The intercultural mediator is a resource person, facilitating communication and understanding between education professionals, pupils/students and their parents who do not understand the Grand Duchy's official languages. It is important to note that intercultural mediators only operate in the context of schools.

Mediators support incoming foreign pupils and their parents. They translate information about the children's previous schooling in their country of origin, provide written and oral translations, and help occasionally or regularly in class (upon request).

- Providing psychological help

There is close collaboration between schools and structures called "foyers d'accueil". In public schools and in some of the private schools, the *Service psycho-social et d'accompagnement scolaires* (SePAS), provides psychological, personal, and social guidance for students.

In every high school a social pedagogic service (*Service Socio-Éducatif*, SSE) is in charge of

- organizing educational care activities, extra-curricular activities
- developing students' social and personal skills of
- help students with difficulties.

- Encouraging distance learning after regular school hours, for example by providing access to school computers

SECAM recognizes that the children needed to maintain their connection with their home country. However, at the same time it was essential for the children's learning process that they were able to fully immerse themselves into the Luxembourgish curriculum during school hours.

SECAM communicated this in a letter to the parents and asked them to for a balanced approach to distance learning to maintain a healthy lifestyle, which is vital for well-being and success.⁵¹

Social Assistance/welfare

2.13 Major legal, policy or practical changes regarding access to social assistance for beneficiaries of temporary protection

With the Law of 7 August 2023⁵², which came into force on 1 September 2023, a major legislative change took place. According to this law, BTPs now benefit from the same redefined material conditions as applicants of international protection. The bill determines the amount of aid for food and hygiene. It also introduces identical amounts for basic aids regardless of the age of the applicant. In addition, material aid can now be given in cash. This new measure is part of the government's objective to empower people and give them greater responsibility for their lives.⁵³ BTPs receive regular social support, regardless of where and how they are accommodated (in state-run accommodation facilities or in private housing). A social team is present in the accommodation facilities to guarantee appropriate social and administrative support. For those living in private homes, social support consists of regular meetings with a social worker from ONA, Caritas, or the Red Cross, either at ONA offices and/or at home. In some cases, however, BTPs are independent and do not need any social or administrative support by ONA social workers.⁵⁴

2.14 Key challenges and barriers in Luxembourg in providing access to social assistance/welfare for beneficiaries of temporary protection

⁵¹ Information obtained from the SECAM, 27th July 2023.

⁵² Law of 7 August 2023 amending the

(1) Labour Code;

(2) amended law of 29 August 2008 on the free movement of persons and immigration;

(3) amended law of 18 December 2015 on the reception of applicants for international protection and temporary protection. Published in Memorial A556 of 28 August 2023, URL:

<https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a556/jo>

⁵³ Law of 7 August 2023 amending the

(1) Labour Code;

(2) amended law of 29 August 2008 on the free movement of persons and immigration;

(3) amended law of 18 December 2015 on the reception of applicants for international protection and temporary protection. Published in Memorial A556 of 28 August 2023, URL:

<https://legilux.public.lu/eli/etat/leg/loi/2023/08/07/a556/jo>

⁵⁴ Information obtained from the National Reception Office (ONA) on 15 September 2023.

There are no key challenges identified for 2023.

2.15 Addressing of challenges related to social assistance/welfare and good

BPTs are provided with information during their stay in accommodation facilities.⁵⁵

⁵⁵ Information obtained from the National Reception Office (ONA) on 15 September 2023.

SECTION 3. VULNERABLE GROUPS

Support for vulnerable groups

3.1 Key challenges in Luxembourg in (i) identifying vulnerable persons under the TPD and (ii) providing them the necessary assistance and support during the research period

There were no new key challenges in identifying vulnerable persons under the TPD.⁵⁶

Similar to applicants for international protection (AIPs), if the interview of the requester for TP raises any concerns, all necessary measures are launched to offer assistance to vulnerable profiles. The Ministry of Health is present at the one stop shop. All BTPs are seen upon arrival by the Ministry of Health and undergo a medical check-up a few days later. A follow up can be guaranteed.⁵⁷

Major difficulties with finding adequate support and housing facilities for people with mobility problems and special needs (e.g. linked to senile dementia or advanced age) have been registered. Since the duration of the TP directive is limited in time, and it is currently not known what form of legal status current BTPs will have after March 2024, external services specialized in housing for persons with special needs linked to advanced age (private or public companies and organizations) are reluctant to accommodate BTPs due to lack of financial security after March 2024.⁵⁸

3.2 Addressing of challenges and are there any good practices

Vulnerability criteria have been established⁵⁹ and BTPs identified as vulnerable treated the same as applicants for international protection.

The ONA, in close collaboration with the Ministry of Health, are constantly looking for adequate ad-hoc housing solutions for persons with dependencies related to advanced age.⁶⁰

⁵⁶ Information obtained from the National Reception Office (ONA) on 15 September 2023.

⁵⁷ Information obtained from the Directorate of Immigration, 16 August 2023.

⁵⁸ Information obtained from the National Reception Office (ONA) on 15 September 2023.

⁵⁹ Information obtained from the National Reception Office (ONA) on 15 September 2023.

⁶⁰ Information obtained from the National Reception Office (ONA) on 15 September 2023.

Support for UAMs, separated children, and children accompanied by UA guardians

3.3 Key challenges in Luxembourg in providing assistance to UAMs, separated children, and children accompanied by a guardian appointed in Ukraine?

UAMs coming from Ukraine are treated in the same way as UAMs from other third countries. The actual main challenge is the lack of housing capacities for UAMs. Another challenge is that guardianship is often misunderstood by the people concerned, i.e. people who are not officially responsible for the UAM want to take responsibility.

3.4 Hosting of groups of children evacuated from Ukrainian institutions?

Luxembourg does not host groups of children evacuated from Ukrainian institutions.

Prevention of trafficking in human beings

3.5 Particular steps taken in Luxembourg to protect people fleeing Ukraine and, especially, UAMS, from trafficking in human beings during the research period

No further steps, other than the ones already described in 2022, have been taken:

In a communication from 25 March 2022, the Monitoring Committee for the Fight against Trafficking in Human Beings provided general information on human trafficking and issued a concrete warning that Ukrainian refugees are at an increased risk of becoming victims of exploitation and human trafficking. In addition, representatives of the Monitoring Committee and other stakeholders have had discussions with the administrators of several relevant Facebook pages to raise awareness and warn of the risk of malicious announcements and publications.⁶¹ Victims of exploitation and human trafficking can contact the Fugitive Search and Victim Protection Unit of the Judicial Police.⁶² In addition, accelerated training and audio-visual support

⁶¹ Information obtained from the Ministry of Justice on 17 January 2023.

⁶² Ministry of Family Affairs, Integration and the Greater Region, Ministry of Foreign and European Affairs, Ministry of Justice, Raising awareness on the risks faced by people fleeing the war in Ukraine to become victims of exploitation and human trafficking, Press release, 25 March 2022, URL: https://gouvernement.lu/en/actualites/toutes_actualites/communiqués/2022/03-mars/25-sensibilisation-risquesukraine.html

was disseminated as widely as possible, especially for new employees in charge of welcoming people fleeing the war in Ukraine.⁶³

3.6 Key challenges in Luxembourg in relation to trafficking in human beings

Luxembourg has not encountered specific challenges in relation to trafficking in human beings in this context.

3.7 How were these challenges addressed/planned to be addressed and are there any good practices in responding to the challenges?

Nothing to report.

⁶³ Information obtained from the Ministry of Justice on 17 January 2023.

SECTION 4: CONCLUSION

Overall, most challenges were the same as in 2022. The measures employed back then have proven successful and were – sometimes with adaptations based on gained experience – continued. However, despite their effectiveness, some measures require additional time to fully unfold their positive impacts.

Specific situations, such as the labour market participation of BTPs, take longer to improve as remedying of the identified challenges, lack of language skills and childcare spots, recognition of qualifications takes time. This situation results in low labour market participation of BTPs.

4.1 Legal pathways beyond TPD and transition from temporary protection to other types and forms of residence

- a) Given they fulfil the requirements and have adequate housing (they cannot benefit of this if they remain in the reception facilities), beneficiaries of temporary protection in Luxembourg can apply for a residence permit for salaried workers or,
 - b) as family members of BTPs, they can apply for a family member residence permit.
- In both cases, the moment BTPs are granted their residence permits, their temporary protection status has to be renounced.

4.2 Travel of beneficiaries of temporary protection

BTPs travels within the Schengen area have not posed any greater challenges. The verification whether BTPs enjoy TP or similar statuses in other MS, will remain necessary. Thus, the TPP will continue to be a useful tool. In case BTPs chose to establish residence in another MS, they should renounce their TP-status in Luxembourg first. Otherwise, their TP status will be revoked, and they lose their related benefits.

4.3 Assistance to people wishing to go home (back) to Ukraine

Luxembourg does not assist BTPs wishing to travel or to return from Ukraine.

4.4 Registration

Since the Luxembourgish government established a one-stop-shop on 30 March 2022, there have not been any major changes in the process of registration and granting of temporary protection.

4.5 Access to rights provided under the TPD, including accommodation, labour market, healthcare, education, social assistance and support for vulnerable groups

While a number of challenges under the TPD in Luxembourg and responses have not changed because they have proven successful or because the underlying issue could not (yet) be remedied, some measures have been adapted or tightened based on gained experience as outlined below.

- Accommodation:

Overall, the housing market in Luxembourg is a national structural problem, making it difficult for the majority of residents to find a place to live. With private accommodation offers continuously decreasing, the reception capacities have reached maximum capacity, which will create a challenge for the reception of new applicants for temporary protection fleeing the war in Ukraine.

- Labour market:

No new challenges or changes with respect to providing access to salaried work or self-employment during the research period arose. The main existing challenges, i.e. insufficient language skills and childcare, recognition of qualifications remain the same as they require a lot more time to improve. It is hoped that when the first BTPs reach sufficient language levels, their labour market participation will start to increase.

- Health care:

While several issues have been solved, a main challenge remains assuring continuous financial coverage of healthcare access in the period between when refugees from Ukraine arrive in the country until they are as BTPs affiliated with the national health fund. In May 2023, the Refugee Health Service of the Directorate of Health has set up a psychological unit, which brings together stakeholders and players in the field to coordinate the processes of detection, referral, and networking of psychologically

vulnerable patients. Most patients are from war zones and are screened to detect emotional distress and mental health among refugees, the Refugee Health Screener (RHS-15).⁶⁴

- Education

The key challenges in the area of education are the same as in 2022. The SECAM's actions are considered as good practices. Public international schooling is at the heart of the support and integration of Ukrainian pupils.

- Social assistance

There were no major changes with respect to access to social assistance for BTPs but certain aspects within this field have been fine-tuned by the Law of 7 August 2023. According to the law, beneficiaries of temporary protection benefit from the same redefined material conditions as applicants of international protection.

- Support for vulnerable groups

There were no new key challenges in identifying vulnerable persons under the TPD. With regard to assistance and support for vulnerable persons a key challenge is to find adequate support and housing facilities for people with mobility problems and special needs (e.g. senile dementia, special needs linked to advanced age).

⁶⁴ Information obtained from the Refugee Health Service of the Directorate of Health on 9 August 2023. The RHS-15 was developed together with community mental health agencies as part of The Pathways to Wellness project (P2W). It is available under: <http://philarefugeehealth.org/wp-content/uploads/2015/05/RHS-15-Pathways-To-Wellness.pdf>

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