

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

***Country Fiche – Belgium***  
**February 2023**

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# 1.0 Legal and institutional framework

## 1.1 Legal framework

### 1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)<sup>1</sup> and Council Implementing Decision (EU) 2022/382<sup>2</sup>

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

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

This law contains the main provisions related to displaced persons.

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

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

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

#### Employment

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

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

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

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

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

[Royal Decree of 3 March 2003](#) exempting certain categories of foreigners from the obligation to hold a professional card for the exercise of a self-employed professional activity, which entered into force on 3 March 2003 (*Arrêté royal dispensant certaines catégories d'étrangers de l'obligation d'être titulaires d'une carte professionnelle pour l'exercice d'une activité professionnelle indépendante*). This Royal Decree was modified by [Royal Decree of 30 July 2022](#) amending Royal Decree of 3 February 2003 exempting certain categories of foreigners from the obligation to hold a professional card in order to exercise a self-employed professional activity, which entered into force on 20 August 2022 (*Arrêté royal modifiant l'arrêté royal du 3 février 2003 dispensant certaines catégories d'étrangers de l'obligation d'être titulaires d'une carte professionnelle pour l'exercice d'une activité professionnelle indépendante*). Through this modification 'persons authorised to stay as beneficiaries of temporary protection' are on the list of exempted categories (Article 1, 15°).

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

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

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

- ▶ [Law of 10 May 2007](#) to combat certain forms of discrimination, which replaces the law of 25 February 2003, which entered into force on 9 June 2007 (*Loi tendant à lutter contre certaines formes de discrimination*);
- ▶ [Law of 10 May 2007](#) to combat discrimination between men and women, which replaces the Act of 7 May 1999 on equal treatment between men and women, which entered into force on 9 June 2007 (*Loi tendant à lutter contre la discrimination entre les femmes et les hommes*);
- ▶ [Law of 30 July 1981](#) to repress certain acts inspired by racism and xenophobia, which entered into force on: 18 August 1981 (*Loi tendant à réprimer certains actes inspirés par le racisme ou la xénophobie*).

### Social security/welfare

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

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

**Regarding social welfare**, [Law of 2 April 1965](#) on the assumption of responsibility for the services granted by the PCSWs (i.e. Public Centres for Social Welfare) should be taken into account (the relevant section entered into force on 10 January 2011 (*Loi relative à la prise en charge des secours accordés par les centres publics*)).

*d'aide sociale*). Article 2 Paragraph 5 of the Law of 2 April 1965 specifies which PCSW is competent to grant social assistance to a candidate refugee or a person benefiting from temporary protection in the context of a mass influx of displaced persons. This indirectly means that persons enjoying temporary protection from Ukraine are entitled to social assistance and social welfare.

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

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

### 1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals <ul style="list-style-type: none"> <li>▶ Residing in Ukraine</li> <li>▶ displaced from 24 February 2022</li> </ul>	Yes
Family members <ul style="list-style-type: none"> <li>▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022</li> <li>▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022</li> </ul>	Yes. The <a href="#">Immigration Office</a> specifies that family members are: <ul style="list-style-type: none"> <li>▶ the spouse or the unmarried partner in a stable relationship in accordance with Belgian legislation for aliens (i.e. <a href="#">Law of 15 December 1980</a> on access to the territory, stay, establishment and removal of foreigners);</li> <li>▶ the minor unmarried children, including those of a spouse, without distinction as to whether they were born in or out wedlock or adopted;</li> </ul>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<ul style="list-style-type: none"> <li>▶ other close relatives that were living within the family unit at the time that circumstances surrounding the mass influx of displaced persons unfolded and who were wholly or mainly dependent at the time.</li> </ul>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>The <a href="#">Immigration Office</a> website specifies that in order to determine if it is possible to return to the country or region of origin under safe and durable conditions, a brief interview will be carried out when the request for temporary protection is submitted and the concerned person must present all elements at their disposal to support their file. After the interview, the concerned person will be given a proof of registration. The Immigration Office will then examine the request and decide if the concerned person can or cannot be considered for receiving temporary protection. The person is notified of the decision, which may be subjected to a non-suspensive appeal to the Council for Alien Law Litigation.</p>
<p>Other persons who are displaced for the same reasons and from the same country or region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> <li>▶ stateless persons and</li> <li>▶ nationals of third countries other than Ukraine,</li> </ul> <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>No</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from Ukraine before 24 February 2022)</p>	<p>No</p>

## 1.2 Institutional framework

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

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



Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	Vocational Training ► Wallonia: Forem ► Brussels: Actiris	<i>en Beroepsopleiding (VDAB)</i> ► Wallonia: Forem ► Brussels: Actiris	► Wallonia: <a href="https://www.leforem.be/particuliers/accompagnement-ressortissants-etrangers.html">https://www.leforem.be/particuliers/accompagnement-ressortissants-etrangers.html</a> ► Brussels: <a href="https://www.actiris.brussels/en/citizens/">https://www.actiris.brussels/en/citizens/</a>
<b>Social welfare and social security rights</b>	Federal public service – Social Security Federal Public Service for Social Integration Programming National Social Security Office (ONSS)	<i>Service public fédéral – Sécurité sociale</i> <i>Service public fédéral de programmation intégration sociale (SPP IS)</i> <i>Office national de sécurité sociale</i>	<a href="https://socialsecurity.belgium.be/fr">https://socialsecurity.belgium.be/fr</a>  <a href="https://www.mi-is.be/fr">https://www.mi-is.be/fr</a>  <a href="https://www.onss.be/">https://www.onss.be/</a>

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

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

## 2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection<sup>3</sup> under national law, in respect of third country nationals and stateless persons coming from Ukraine.

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

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

temporary protection or international protection. However, the [brochure](#) published by the Federal Public Service (Justice) states that the processing of applications for international protection by Ukrainian nationals is currently suspended. More precisely, the [Immigration Office website](#) specifies that displaced persons coming from Ukraine can submit a request for international protection, however, the examination of the request for international protection by a person benefitting from temporary protection is suspended until the temporary protection regime comes to an end.

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

The status change “from temporary protection to other forms” is not regulated in the legislation. However, several webpages imply that during the temporary protection regime such a change is not possible or intended. On the [Brussels Economic and Employment Website](#) it is specified that “*Ukrainian nationals residing in Belgium under temporary protection have unrestricted access to the labour market and are therefore exempt from the requirement to hold a single permit (as workers) or a professional card (as self-employed)*”; in other terms, websites on work refer directly to the option of persons with the temporary protection regime to carry out work. Moreover – regarding the change of status at the end of the temporary regime period – there is no indication that after expiry of the temporary status a new application for other types of permits cannot be requested. It seems that at the end of temporary protection, a person could apply for any other form of employment-based residence but under the same conditions as first time applicants as nothing particular has been agreed in case of change of status. It should be added that according to some Belgian newspapers (such as [RTBF.BE](#) and [La Libre](#)) the Government, and in particular the Secretary of State for Asylum and Migration, Sammy Mahdi, wants to facilitate Ukrainians to obtain a single permit after the expiration of their temporary protection status in order to keep them in the labour market. As for now, this idea has not been put into practice as a policy or a specific law.

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

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

N/A

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

According to Article 57/30( 2) of [Law of 15 December 1980](#) regarding the entry, residence, settlement and removal of foreigners the Minister or their delegate may refuse a residence permit to the beneficiary of the temporary protection in the following cases:

- ▶ when the application for a residence permit is submitted abroad and the number of persons benefiting from temporary protection in Belgium exceeds the reception capacity of Belgium indicated in the Council Decision;
- ▶ when the foreign national is authorised to reside in another EU Member State that is required to apply the Council Decision.

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

The [Immigration Office website](#) adds that if temporary protection is applied for and obtained in another country applying the implementing decision of 4 March 2022 of the Council of the European Union, the temporary protection previously granted in Belgium will come to an end and, where applicable, the residence permit issued (A [Card](#) or Annex 15 issued pending the issue of the A [Card](#)) will be withdrawn.

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

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

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

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

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

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

This means that as a beneficiary of the temporary protection status, the person gets an unlimited access to the labour market. This is specified also on the [dedicated government webpage](#) that provides information to

displaced persons from Ukraine. Nevertheless, the possibility to work is linked to the application for registration in the territory (*see below*).

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

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

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

Therefore, as explained on several official websites (such as the [Immigration Office website](#) and the [Federal Ombudsman website](#)), practically speaking, applicants must present themselves in person at the [registration centre](#) (40 Place Victor Horta, 1060 Brussels) in possession of the documents proving that they belong to the categories that can benefit from temporary protection. At the end of the procedure, provided that the conditions for granting temporary protection are met, a certificate is issued. The person must then go with the certificate to the municipality where they are residing and request the A Card, i.e. a residence permit issued to nationals of third countries admitted or authorized for temporary stay for more than 3 months. The [Immigration Office website](#) specifies that the A card is valid for one year from the date that the temporary protection is implemented (i.e. from 4 March 2022 to 4 March 2023). It adds that the period of validity is automatically renewed for two times six months, until 4 March 2024. Nevertheless, the A Card valid until 4 March 2023 must be renewed. To do so, the person must go to the commune as of 4 January 2023 to request the renewal. This new A Card will be valid until 4 March 2024. If the new card cannot be issued before 4 March 2023, an Annex 15 will be issued. The website specifies also that if the person receives a certificate of temporary protection after 4 January 2023, an A Card valid until 4 March 2024 will be issued.

The time required to issue the A Card **depends on each municipality**.

The Brussels commune states on its [website](#) that, once received the temporary protection status, the person is invited to request the registration with the City of Brussels by e-mail (with attached: the certificate of the temporary protection, a copy of the passport and the address where the applicant lives). While waiting for the A Card, the person will receive a provisional residence document (Annex 15) that is valid for 45 days and gives unlimited access to the labour market. Annex 15 costs 10 euros. If the residence investigation is positive the person will be invited to apply for the A Card at the Administrative Centre of the City of Brussels. The A Card costs 25 euros. The A Card can be collected approximately 10 days after the application.

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

Regarding **self-employed**, the situation changed in July 2022 with the adoption of [Royal Decree of 30 July 2022](#). Before, Ukrainian nationals, who resided in Belgium under temporary protection, had unlimited access to the labour market only as workers, but not as self-employed. Now, according to the new Article 1, 15° of [Royal Decree of 3 March 2003](#) persons authorised to reside as beneficiaries of the temporary protection referred to in Article 57/29 of the Act of 15 December 1980, as well as persons authorised to reside in application of Article 57/34 of the same Act, by the Minister responsible for access to the territory, residence, settlement and removal of foreign nationals or by their delegate, are exempt from the obligation to hold a professional card in order to exercise a self-employed professional activity in Belgium.

## II. Recognition of qualifications/diplomas

Recognition of qualifications and diplomas is needed for persons enjoying temporary protection from Ukraine.

The [website](#) of the Wallonia Brussels federation clearly states that refugees or beneficiaries of subsidiary or temporary protection who wish to have their higher education diploma recognised have to follow a procedure named “*équivalence*”. An *équivalence* is necessary when the job in question requires a diploma issued in Belgium, such as for regulated professions and in case of employment in the public sector or in a publicly funded institution. If such persons want to work in the private sector, an *équivalence* decision is usually not necessary as employers are free to hire persons without prior recognition of their foreign qualifications.

The recognition has to be requested to one of the Belgian Communities. In particular:

- ▶ for Dutch-speaking applications, [NARIC Vlaanderen](#) (for healthcare professions: [Agentschap Zorg en Gezondheid](#), as explained on [this website](#) and confirmed on the [website](#) of the Federal Public Service of Public Health, Safety of the Food Chain and Environment);
- ▶ for French-speaking applications, [service Équivalences de la Fédération Wallonie-Bruxelles](#);
- ▶ for German-speaking applications, [Communauté germanophone](#).

The website [Mondiplome.be](#) gives general information on diploma equivalence and guides job seekers to the procedure to follow, depending on their study path and professional project (languages available: FR, NL and EN).

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

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

Persons enjoying temporary protection are able to receive assistance for job seekers, given the principle of equal treatment. The procedures depend on each Community in Belgium (given that work is a regional

competence). The [Federal Ombudsman website](#) suggests that displaced persons from Ukraine should register as jobseekers with the competent employment agency in the region in which they have their residence ([Actiris](#), for Brussels; [Forem](#), for Wallonia and [VDAB](#), for Flanders).

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

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

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

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

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

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

I. Types of benefits with description and coverage

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

- ▶ annual holidays
- ▶ family allowances
- ▶ incapacity for work
- ▶ occupational accidents
- ▶ occupational diseases
- ▶ pension
- ▶ social security contributions
- ▶ unemployment.

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

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

- ▶ help with housing: [Fedasil](#), a Belgian authority responsible for the reception of asylum seekers, will direct the displaced persons to accommodation offered by the country's municipalities. Moreover, financial assistance is granted by the PCSW to help with the purchase of furniture;
- ▶ financial aid: the amount depends on the situation of the person (single person, family with children, etc.). The PCSW determines the need and type of aid to be provided. If the aid is financial, the PCSW determines its amount so that the person can live in a way that is compatible with human dignity.
- ▶ psychosocial support;
- ▶ other types of assistance such as: basic needs (e.g. clothes), food aids, help for families in difficulty, energy assistance.

The information above is complemented by the [FAQ](#) prepared by the Federal Public Service for Social Integration Programming (updated in November 2022).

Regarding **medical healthcare**, the same Brochure specifies that while waiting for temporary protection status, it is possible to get emergency medical assistance from the PCSW for free. As clarified in the [dedicated webpage](#) set by the Government for Ukrainians, once the eligibility conditions for receiving medical healthcare are fulfilled (see *below*) the person can consult a general practitioner, dentist or another health care provider for medical care. The Federal Public Service for Social Integration Programming specifies in its [FAQ](#) that for persons with temporary protection status from Ukraine, membership fees and contributions paid to an insurer for health care and benefits insurance are reimbursed by the State. This includes basic supplementary insurance. In the [FAQ](#) it is also stated that urgent medical healthcare is granted to people who have left Ukraine because of the war and who declare to the PCSW that they are claiming a temporary protection status. This category of people includes: those who have not yet taken any steps but declare that they want to submit the request for temporary protection; those who declare having been to the registration center to register but have not received the certificate; those who have received a certificate of temporary protection but who have not (yet) presented themselves to the municipality.

## II. Eligibility conditions

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

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

normal rules of the unemployment regulation apply (i.e. [Royal Decree of 25 November 1991](#) regulating unemployment).

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

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

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

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

## 5.0 Public support instruments

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

The following public support instruments are available.

- ▶ [Dedicated government webpage](#) providing info to Ukrainians regarding procedure for obtaining temporary protection and their rights available in NL, FR, DE, EN, UA and RU.
- ▶ Dedicated webpages from different regions in Belgium: [Flemish Region website](#) (NL), [Wallonia website](#) (FR,EN) and [City of Brussels](#) (EN, FR, NL).
- ▶ [Dedicated webpage from the Immigration Office](#) available in UA, EN, FR, NL.
- ▶ **Employments agencies:** The Flemish Service for Employment and Vocational Training (VDAB) is the employment service of Flanders. VDAB provides for matching with employers and professional sectors (for which 47 extra mediators were recruited to carry out this task). The VDAB established a [welcome page](#) where employers can announce their vacancies and where Ukrainians themselves can find suitable vacancies. The page also refers to the support that employers and employees can call during recruitment and employment. In addition, the VDAB provides language and vocational training courses. The agency can start extra courses if there is a large demand, but the majority of the training must take place at the work place. Also, [Actiris](#), the competent employment agency in the region of Brussels, set up a [webpage](#) specific



for Ukrainians in order to give them more specific information. Finally, also Forem, the competent employment agency of Wallonia, created a [dedicated webpage](#) for Ukrainians.

- ▶ **Recognition of qualifications/diplomas:** The general website [Mondiplome.be](#) gives general information on diploma equivalence and guides job seekers to the procedure to follow, depending on their study path and professional project (available in FR, NL and EN).
- ▶ **Housing and accommodation:** the Immigration Office set up a [dedicated website](#) which summarises all the relevant information related to the housing for displaced persons from Ukraine. Many municipalities in Belgium offer crisis accommodation. [Fedasil](#) helps displaced persons from Ukraine under the temporary protection regime to be redirected to one of their centres. In some cases, Fedasil provides emergency accommodation for one or two nights in Brussels. The [Red Cross](#) is also helping the authorities to welcome and guide Ukrainians by providing information, drinks and snacks and medical assistance.
- ▶ **Healthcare:** The National Institute for Health and Disability Insurance created a [dedicated webpage](#) for Ukrainians beneficiaries of temporary protection in order to give relevant information regarding healthcare.
- ▶ **Brochure informative (social assistance):** The Federal Public Service for Social Integration Programming published a [brochure](#) on social assistance for beneficiaries of temporary protection status; available in FR, NL, DE, EN, UA and RU.
- ▶ **Brochure informative (work):** The Federal Public Service (Justice) published a [brochure](#) related to temporary protection and the right to work (title: “You have received temporary protection and you want to work?”), available in FR, NL, EN, UA and RU. It gives an overview of the temporary protection status, the application procedure, and the employment rights related to it. There is also an auto-test that helps the person to understand if their rights as a worker are respected. There is a list of useful services (e.g. social security services and main trade unions).
- ▶ **Febelfin (basic banking service):** In Belgium recognised refugees, asylum seekers and other temporarily protected persons are eligible for basic banking service, i.e. the possibility to open a current account at a Belgian bank in order to perform basic transactions such as withdraw money, pay by transfer or debit card, and create standing orders and direct debits. There is a [dedicated webpage](#) for Ukrainians which gives more information (available in EN, FR and NL). In the same webpage FAQs (available in: UA, EN, NL and FR) and an informative leaflet (available in: UA, EN, RU, NL, FR and DE) are published.
- ▶ **Family reunification:** People who have lost contact with their families as a result of the situation in Ukraine, because they have fled, because they have taken shelter somewhere, or because they no longer have access to a telecommunications network, can contact the Red Cross, Restoring Family Links. Moreover, on the [website of Missing children Europe](#), information can be found about: how to report a missing Ukrainian child across Europe; list of Ukrainian children currently reported missing and resources for support to missing children and their families fleeing Ukraine.
- ▶ **Unaccompanied minors:** Information is provided via the email address: [ukraine-agaj@cfwb.be](mailto:ukraine-agaj@cfwb.be). These minors have to be duly registered and reported to the Guardianship Service (*Service des tutelles*). More information about reporting an unaccompanied foreign minor can be found [here](#).
- ▶ **Federal Ombudsman:** It helps displaced persons from Ukraine with problems with Federal Public Service (e.g., registration managed by the Foreigners Office; reception and accommodation provided by Fedasil; registration with a mutual insurance company; recognition of benefits (unemployment, disability); taxes.

- ▶ **Flemish Refugee Action (*Vluchtelingenwerk*) [Information line](#)**: The Infoline gives specific answers to questions about residence, reception, housing, access to education and labour, etc (available in NL, EN and UA).
- ▶ **[Brochure informative \(living in Flanders\)](#)**: Information brochure of the Flemish Agency for Integration on living in Flanders. The brochure provides very practical information about the residence procedure and rights derived from the residence status under temporary protection, access to education and the educational system in Flanders, work, healthcare, integration, learning Dutch and where to live.