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7.12.12 Social welfare

The scope and criteria of beneficiaries' access to social welfare remained highly debated in Austria and Norway. A new law in Austria was passed in June 2019 that made part of the minimum benefit conditional on B1-level German or C1-level English knowledge and cut benefits for families with several children. The draft law was already heavily criticised by civil society organisations,[659] and UNHCR warned that the law was in breach of the Geneva Convention.[660] The Constitutional Court ruled that these provisions were unconstitutional. Beneficiaries of subsidiary protection remain entitled only to a significantly lower level of basic care.

The Ministry of Labour and Social Affairs in Norway proposed a similar amendment to the Social Services Act which would make financial assistance to third country nationals conditional on being enrolled in language training.

Law 4636/2019 in Greece required beneficiaries of international protection to leave the reception facility two months from recognition instead of the previously applicable six months, at which point social welfare support would also cease. UNHCR and civil society organisations[661] were concerned about the negative impact of this measure on the integration opportunities for beneficiaries.[662] New measures were enacted later in March 2020, further decreasing the transition period to 30 days.[663]

Beneficiaries of international protection in Germany are in principle obliged to take up residence in the federal state where their asylum procedure was conducted. The authorities of the federal state are obliged to finance the integration of beneficiaries for three years. The particular residence regulation applicable to a beneficiary can only be lifted when the relevant authority at the place of original residence gives its explicit agreement. (DE LEG 05)

A few countries took steps to strengthen social welfare for beneficiaries of international protection. The law on social inclusion income (REVIS) came into force in Luxembourg, by which all beneficiaries of international protection and their family members aged 25 or older can benefit from this support. Beneficiaries may also be temporarily accommodated with a family without losing their entitlement to REVIS.

The courts clarified that beneficiaries of international protection in France receive access to social rights as soon as they are granted protection. In Croatia, coordinators were appointed to social welfare centres and branch offices to provide support in accessing social welfare and more broadly in fostering inclusion in the local community.

The Irish Supreme Court confirmed that, once a person is granted permission to reside in the state or is granted refugee status, he/she is entitled to child benefit payments.

Civil society organisations from Spain noted that, due to the current design of the Spanish reception system, recognised beneficiaries of international protection who cannot enter the reception system as applicants remain left out of state support services.[664]

lx The Croatian Language, History and Culture Learning Programme offers language courses to asylees and persons under subsidiary protection (Official Gazette no.: 154/2014) lasting 280 hours (70+210 hours). In order to ensure quality integration of persons under subsidiary protection or persons with asylum status, the largest activities are financed within the project "Integration of asylees and persons under subsidiary protection into Croatian society, education and preparation for inclusion in the labour market" approved for financing from the Asylum, Migration and Integration Fund (AMIF) in the amount of EUR560,000.00 (75% of European Union funds and 25% from the State.

659 EASO. (2019). *Annual Report on the Situation of Asylum in the European Union 2018*. /sites/default/files/easo-annual-report-2018-web.pdf

660 UNHCR. (2019, April 14). *Sozialhilfe: UNHCR warnt vor Bruch der Genfer Flüchtlingskonvention*. https://www.unhcr.org/dach/at/29977-sozialhilfe-unhcr-warnt-vor-bruch-der-genfer-fluechtlingskonvention.html

661 AIDA Greece. (2020). *Country Report: Greece - 2019 Update.* Edited by ECRE. Written by Greek Refugee Council. https://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2019update.pdf

662 UNHCR. (2019, November 5). *UNHCR urges Greece to strengthen safeguards in draft asylum law*. https://www.unhcr.org/gr/en/13170-unhcr-urges-greece-to-strengthen-safeguards-in-draft-asylum-law.html

663 AIDA Greece. (2020). *Country Report: Greece - 2019 Update.* Edited by ECRE. Written by Greek Refugee Council. https://www.asylumineurope.org/sites/default/files/report-download/aida_gr_2019update.pdf

664 See for example: Fundación Cepaim. (2020). *Input to "EASO Asylum Report 2020: Annual Report on the Situation of Asylum in the European Union"*. /sites/default/files/easo-annual-report-2019-Fundacion-Cepaim-contribution.pdf

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