

# What comes after temporary protection comes to an end?

Case study: Czech Republic

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# Terminology and abbreviations

| TPD       | Temporary Protection Directive      |
|-----------|-------------------------------------|
| TP        | Temporary protection                |
| TP-holder | Beneficiary of temporary protection |

By the end of March 2025, around 4.25 million people who fled Ukraine were under temporary protection in the EU.¹ Around 365,000 of those were living in Czechia,² the country with the highest proportion of beneficiaries compared to its population (33.5 per 1,000 inhabitants).³ New arrivals have slowed, but 12,845 new permits were still issued in the first quarter of 2025.⁴

What type of residence permit or status do people who fled Ukraine receive?

Individuals granted temporary protection (TP) in the Czech Republic fall under the Lex Ukraine<sup>5</sup> legislation, introduced on 17 March 2022. It has been amended

several times, with the latest amendment taking effect on 11 February 2025.

#### Specifics of the permit

Article 4 of the law states that the procedures for granting temporary protection follow similar rules to those for long-term (>90 days) 'tolerance visas' under the Act on the Residence of Foreigners. For legal and administrative purposes, individuals under temporary protection are considered holders of a long-term visa (>90 days) under Section 33(1)(a) of the Residence Act. Lex Ukraine determines their residence rights, access to services, and employment rights.

Regarding employment and social security,<sup>6</sup> TP-holders are treated as permanent residents in the labour market, meaning they have unrestricted access to employment opportunities. They can participate in retraining programmes, engage in self-employment, or, if eligible, receive unemployment benefits.

Should their financial and income situation require it, TP-holders are also entitled to financial support called 'humanitarian benefit'. It decreases after a period of 150 days,<sup>7</sup> except for vulnerable persons, for whom it remains slightly higher.<sup>8</sup> In addition, they may be entitled to housing support.<sup>9</sup> However, any income received (whether it is from e.g. employment in the Czech Republic and/or from pensions from Ukraine) is carefully examined when claiming the benefit. All family income is deducted from the financial support (including housing support) and only the difference, if any, is paid out to the beneficiary.

<sup>1</sup> Eurostat, Temporary protection for persons fleeing Ukraine - monthly statistics, update of 6 May 2025

<sup>2</sup> Eurostat, Beneficiaries of temporary protection at the end of the month by citizenship, age and sex - monthly data, update of 2 June 2025

<sup>3</sup> Eurostat, Temporary protection for persons fleeing Ukraine - monthly statistics, update of 6 May 2025

<sup>4</sup> Eurostat, Decisions granting temporary protection by citizenship, age and sex - quarterly data, last update on 2 June 2025

<sup>5</sup> Lex Ukraine, Law on certain measures in connection with the armed conflict in the territory of Ukraine provoked by the invasion of the troops of the Russian Federation

<sup>6</sup> European Commission, European Website on Integration, <u>Czech Republic: "Lex Ukraine" law package enters into force</u>

<sup>7</sup> The initial amount paid is CZK 4,860 per month ( $\pm$  194 euros) for adult, after 150 days it is reduced to 3130 CZK ( $\pm$  125 euros) per month for adult. To qualify, in most cases you must be employed or registered with the Employment office (this does not apply to vulnerable persons).

<sup>8</sup> Such as children, pregnant women, elderly persons, persons with disabilities and their carers.

<sup>9 6,000</sup> CZK (± 239 euros) for a vulnerable person and 4,000 CZK (± 159 euros) for others.

### How long is it valid for?

The validity of temporary protection in the Czech Republic is tied to the war in Ukraine. <sup>10</sup> The government has said that the status will remain in place until the war ends, or a ceasefire is reached. <sup>11</sup> The most recent amendment, effective from 11 February 2025, has prolonged temporary protection

until March 2026, in line with the EU. To prolong their status until then, TP-holders have to fulfil two steps: first, register online by mid-March 2025, and secondly, arrange an in-person visit to the Immigration Office to get a new visa sticker by September 2025.

Has the government announced what will happen when temporary protection comes to an end?

Although no concrete plan has been drafted by the government, the Czech Minister of Interior has stated that they are preparing for post-ceasefire scenarios on an EU-level, together with Poland, that holds the presidency of the Council until the end of June  $2025.^{12}$ 

What permits can people with temporary protection apply for or convert their permit to?

The latest amendment introduces a way for some temporary protection holders to transition to a "special long-term residence" status. <sup>13</sup> Those who do not meet the criteria for the new permit retain their temporary protection status. Those who do meet the criteria and access the long-term residence status cannot choose to return to temporary protection later on. <sup>14</sup>

People had from 1 to 30 April 2025 to express interest in the long-term residence status. People had to express interest through an online portal, which included creating 'households' by connecting profiles to each other (see below).

<sup>10</sup> Visit Ukraine.today, Temporary protection for Ukrainians in the Czech Republic: Czech parliament supports extension of status

<sup>11</sup> Visit Ukraine.today, Temporary protection for Ukrainians in the Czech Republic: Czech parliament supports extension of status, Novinky.cz, 18 February 2025, After the declaration of a ceasefire or the end of the war, no Ukranian will receive temporary protection, said Rakušan [checked on 26 March 2025]

<sup>12</sup> Novinky.cz, 18 February 2025, After the declaration of a ceasefire or the end of the war, no Ukranian will receive temporary protection, said Rakušan [checked on 26 March 2025]

<sup>13</sup> INFORMAČNÍ PORTÁL PROCIZINCE, Temporary protection and the possibility of obtaining long-term residence in 2025

<sup>14</sup> The person could return to temporary protection if the 'special long-term status' is revoked. To be seen how this is implemented.

## Specifics of the permit and procedure

#### Eligibility criteria

There is no legal entitlement to special long-term residence.<sup>15</sup> To be eligible for the permit/status, individuals must first complete the process of extending their temporary protection until March 2026.

All of the following criteria must be met:16

- Expression of interest in the permit after extending their temporary protection in 2025;<sup>17</sup>
- Have continuously resided in the Czech Republic under temporary protection for at least two years by 31 March 2025 (not applicable to those under 18 who apply with their parents);
- Demonstrate good character/moral integrity, verified by a (blank) criminal record check (not required of those under 15);
- Prove economic independence, with a government-set income threshold: the required annual gross income is 440 000 CZK (± 17,680 euros) for an individual, and an additional 110 000 CZK (± 4,400 euros) for each dependent in the household;<sup>18 19</sup>
- Not having received humanitarian benefits between 1 October 2024 and 31 March 2025;
- Maintain continuous (public) health insurance coverage at least two years (not applicable to those under 18 if they apply with their parents), and have no outstanding debts related to it;
- Secure their own accommodation, which must be officially registered with the Ministry of the Interior;

- Possess a valid travel document;<sup>20</sup>
- Ensure school attendance for children aged 6 to 14 in the Czech school system.

Where an adult shares/has a household<sup>21</sup> with others who also have temporary protection status, then all members of the household must express their interest. The above conditions must be met by everyone who expresses an interest in obtaining the 'special long-term stay', including all members of the household.<sup>22</sup>

#### Fees

There is no charge for expressing interest, but once issued the long-term permit, people must pay CZK 2 500 per permit (± 100 euros). The fee is reduced to 1 000 CZK for children under 15 years of age (± 40 euros).<sup>23</sup>

#### Permit issued

The 'special long-term residence permit' is valid for five years and provides unrestricted access to the labour market. Unlike other residence permits, holders are not required to complete an 'adaptation-integration course'. However, adults must remain insured through the public health employer or by paying for health insurance themselves if they are not employed. People are not entitled to 'non-insurance social benefits' such as housing support, parental or child support. They are also not entitled to a Czech 'birth number' (Rodné číslo, similar to a social security number).<sup>24</sup> <sup>25</sup>

<sup>15</sup> Email exchange with Consortium of Migrants Assisting Organisations on 22 May 2025.

<sup>16</sup> INFORMAČNÍ PORTÁL PROCIZINCE, Special long-term stay [checked on 23 May 2025]

<sup>17</sup> Note that every adult must express interest themselves. Parents of underage children must express interest for the child.

<sup>18</sup> Exchange with PICUM Member on 7 April 2025; Czech Radio, 19 March 2025, <u>The Czech government has approved conditions for Ukrainian refugees to obtain a special residence permit</u> [checked on 8 April 2025]

<sup>19</sup> Currency converted on 23 May 2025. Note that the average gross monthly income for full time employment was CZK 49,229 in the last quarter of 2024 (± 1,975 euros). Czech Statistical Office, Employees and wages [checked on 22 May 2025]

<sup>20</sup> The person must have a valid travel document on the day their biometric data is recorded and on the day the residence card is issued.

<sup>21</sup> Households had to include spouses and underage children, but could also include adult dependent children, parents over 65 and parents or adult children of any age who could not take care of themselves for health reasons. All household members must have temporary protection when expressing interest (ie, no other residence permit). Unmarried life partners had to express interest separately.

<sup>22</sup> INFORMAČNÍ PORTÁL PROCIZINCE, Special long-term stay [checked on 23 May 2025]

<sup>23</sup> Ibid. Currency converted on 23 May 2025.

<sup>24</sup> Ibid.

<sup>25</sup> The birth number is used as a personal identifier in Czechia. Not having one may cause problems to access services, open bank accounts or file tax declarations. Pexpats.com, <a href="Maintenancements">Czech birth number (rodné číslo)</a> [checked on 23 May 2025]

#### Concerns

The Czech 'special long-term residence' status has some strong points: applications are free of charge, people can apply themselves (they do not need a lawyer) and the procedure and eligibility criteria are clear. The resulting permit is also valid for five years, which helps with stability, predictability and securing housing, and people have unrestricted access to the labour market.

However, there are significant challenges to this new permit too, not the least of which is meeting the (income) requirements.

One of the challenges is the online application and fact that people must create households by inviting their family members. While online platforms do have benefits for both the government and the applicant, they also create barriers for people who may have limited access to the Internet and/or challenges in computer literacy.

According to information received from PICUM members,<sup>26</sup> the 'special long-term residence permit' is expected to benefit only a limited group of people due to the income requirement.<sup>27</sup> The Czech Government Commissioner for Human Rights, Klára Šimáčková Laurenčíková, has stated that less than one percent could meet the income requirements, and that they are "completely unattainable" for single parent households.<sup>28</sup>

While there are more than 300,000 TPD holders in the Czech Republic, only about 20,000 are expected to qualify for the new 5-year permit according to the government. However, more than 80,000 temporary protection holders had applied for special long-term residence by 1 May 2025.<sup>29</sup> It is not clear yet how many will receive the permit, as some have applied without meeting all of the required criteria. According to the Ministry of Interior, in the first phase (assumed to coincide with 2025), a maximum of twenty thousand people will be granted long term residence.

Those who do receive the 'special long-term residence' status will also not have access to the same benefits as TP-holders. They will not be entitled to the humanitarian benefit, for example. They will also not be entitled to most (non-insured) social benefits from the Czech social system. Temporary protection holders have state health insurance, for example, but long-term residents have state health insurance only in some cases (if they are employed in the Czech Republic or children under 18³0); otherwise they must purchase private insurance, which can be expensive.

Special long-term residence holders under this scheme also do not have access to the same services as other long-term residence permits, like 'employment cards'. While the latter can be entitled to some of the (non-insured) social benefits, Ukrainians with special long-term residence will not, even if they meet the requirements.<sup>31</sup>

<sup>26</sup> PICUM Taskforce on the Temporary Protection Directive, meeting of 16 January 2025, meeting notes.

<sup>27</sup> For comparison, the average salary in the Czech Republic last year was CZK 550 000 (± 22 000 euros).

<sup>28</sup> Novincky.cz, 9 May 2025, <u>Přes 80 tisíc uprchlíků z Ukrajiny chce v Česku získat dlouhodobý pobyt</u> [checked on 23 May 2025]

<sup>29</sup> Ibid.

<sup>30</sup> The child's parents must pay into it.

<sup>31</sup> The Czech Migration Consortium, 8 October 2024, <u>LEX Ukraine VII: Immigrants from Ukraine will not receive social benefits, even if they contribute more to the system than they receive [checked on 26 March 2025]</u>





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