Temporary protection - Spain

Overview

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Relevant EU legislation

Spain transposed the Temporary Protection Directive in 2003 through Royal Decree 1325/2003 | Real Decreto 1325/2003 of 24 October 2003 (the Spanish Temporary Protection Regulation) and activated temporary protection on 4 March 2022.

The Council of Ministers activated temporary protection for displaced persons from Ukraine through Order PCM/170/2022 on the Agreement of the Council of Ministers of 8 March 2022 extending the temporary protection granted by virtue of Council Implementing Decision (EU) 2022/382 of 4 March 2022 to persons affected by the conflict in Ukraine who may find refuge in Spain | Orden PCM/170/2022 por la que se publica el Acuerdo del Consejo de Ministros de 8 de marzo de 2022, por el que se amplía la protección temporal otorgada en virtud de la Decisión de Ejecución (UE) 2022/382 del Consejo de 4 de marzo de 2022 a personas afectadas por el conflicto de Ucrania que puedan encontrar refugio en España of 9 March 2022.

The legal framework is supplemented by Order PCM/169/2022 of 9 March developing the procedure for the recognition of temporary protection for persons affected by the conflict in Ukraine | Orden PCM/169/2022 de 9 de marzo por la que se desarrolla el procedimiento para el reconocimiento de la protección temporal a personas afectadas por el conflicto en Ucrania. Temporary protection is granted for 1 year and may be automatically extended annually unless the protection ceases to apply pursuant to a decision by the Ministry of the Interior.

Order INT/169/2024 of 26 February and Order INT/195/2025 of 27 February 2025 extended the validity of identity cards issued to beneficiaries of temporary protection from Ukraine.

National legislation

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04/10/2003: Royal Decree 1325/2003 of October 2024 which approves the Regulation on temporary protection regime in case of mass influx of displaced persons | Real Decreto 1325/2003, de 24 de octubre, por el que se aprueba el Reglamento sobre régimen de protección temporal en caso de afluencia masiva de personas desplazadas (Spanish Temporary Protection Regulation).

09/03/2022: Order PCM/170/2022 extending the temporary protection to persons affected by the conflict in Ukraine who may find refuge in Spain | Orden PCM/170/2022 por el que se amplía la protección temporal a personas afectadas por el conflicto de Ucrania que puedan encontrar refugio en España.

09/03/2022: Order PCM/169/2022 developing the procedure for the recognition of temporary protection for persons affected by the conflict in Ukraine | Orden PCM/169/2022 por la que se desarrolla el procedimiento para el reconocimiento de la protección temporal a personas afectadas por el conflicto en Ucrania.

Competent authority and stakeholders

Area	Competent national authority	Assistance to the competent authority (if applicable)
Screening at the external border (if relevant)	National police	n/a
Biometric data (if relevant)	National police | Policía Nacional	n/a
Granting temporary protection	Directorate-General for International Protection (DGProInt)| Dirección General de Protection Internacional (DGProInt) under the Ministry of the Interior | Ministerio del Interior	Secretary of State for Migration under the Ministry of Inclusion, Social Security and Migrations

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Area	Competent national authority	Assistance to the competent authority (if applicable)
Issuing the residence permit	National Police | Policía Nacional	n/a
Providing accommodation	Ministry of Inclusion, Social Security and Migration | Ministerio de Inclusión, Seguridad Social y Migraciones	Non-profit entities under the national reception system
Medical care	Ministry of Health	Non-profit entities under the national reception system – NGOs workers may accompany applicants to medical appointments and provide support, but they do not intervene in the provision of medical services and care.
Social welfare	Ministry of Inclusion, Social Security and Migration | Ministerio de Inclusión, Seguridad Social y Migraciones	Non-profit entities under the national reception system

Eligibility

According to the Order PCM/170/2022 on the Agreement of the Council of Ministers of 8 March 2022 extending the temporary protection granted by virtue of Council Implementing Decision (EU) 2022/382 of 4 March 2022 to persons affected by the conflict in Ukraine who may find refuge in Spain, the following categories of people are eligible for temporary protection:

1. Ukrainian nationals residing in Ukraine before 24 February 2022.
2. Stateless persons and nationals of third countries other than Ukraine who received international protection or equivalent national protection before 24 February 2022.

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3. Family members of a person referred to in Sections 1) and 2).
4. Ukrainian nationals who were in a situation of stay in Spain before 24 February 2022 and that, as a result of the armed conflict, are unable to return to Ukraine.
5. Third-country nationals or stateless persons legally residing in Ukraine with a valid legal residence permit (whether permanent or otherwise, such as students) issued in accordance with Ukrainian law and cannot safely and permanently return to their country or region.
6. Ukrainian nationals who were in an irregular situation in Spain before 24 February and that, because of the armed conflict, are unable to return to Ukraine.
7. Family members of a person referred to in Sections 4) and 5).

Family members of a person referred to in Sections 1) and 2) are understood as:

- spouse or unmarried partner;
- unmarried minor children or those of the partner, whether born in or out of wedlock or adopted;
- other close relatives who lived together as part of the family unit at the beginning of the armed conflict, depending totally or mainly on them.

Admission to the territory

According to the Association Agreement concluded between the EU and Ukraine in 2017, Ukrainian citizens who hold a biometric passport can enter visa-free and stay for a total of 90 days within a period of 180 days without a visa. Ukrainian nationals without a biometric passport or travel documents can go to a Spanish Consular office in a neighbouring country (e.g. Poland, Romania, Hungary) to request documentation to enter in Spain (e.g. safe conduct as indicated in the Regulation on the temporary protection, see example here).

Due to the urgent circumstances, they can also show a proof of identity and nationality, as well as any documentation that proves their residence in Ukraine before 24 February 2022, within the national territory and at any time before starting the temporary protection procedure. For minors, the following documents should be provided if available: minor’s birth certificate, certificate that proves the family relationship or relationship with the guardians or people who accompany the minor and are in charge of him.

Security screening is regularly performed at registration by police officers.

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All arrivals are registered in the national foreigners database (which is not limited to displaced persons for Ukraine, it is a database where all arriving foreigners arriving are registered).

Provision of information

Information platforms (websites):

- Ministry of the Interior's dedicated page on temporary protection for displaced persons from Ukraine, including documentation and statistics;
- Ministry of the Inclusion, Social Security and Migration's dedicated page on information on reception for displaced persons from Ukraine under temporary protection.

Leaflets: Information leaflet including Frequently Asked Questions by the Ministry of Inclusion, Social Security and Migration

Dedicated contacts: Telephone lines:

- Phone numbers of the reception entities working with the Ministry of Inclusion, Social Security and Migration (MISSM) by province.
- Helpline set up by the MISSM and the EUAA: 0034 91 399 00 09 (from Monday to Thursday from 9am to 5pm; and Friday from 9 to 4pm)

Email address:

- Ministry of Inclusion, Social Security and Migration (reception): apoyo.ucrania@inclusion.gob.es

Latest statistics: Indicators on migration are published by the Ministry of Inclusion, Social Security and Migration, including figures on displaced persons at the Centre for Reception, Attention and Referral (CREADE):

- people per CREADE and reception needs
- people by date of attention
- level of studies completed and main professions
- arrival mode in Spain
- people by age group
- Ukraine region of origin
- Statistics and analysis on the number of Ukraine nationals in Spain with a valid residence permit from December 2021.

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Additionally, latest statistics on temporary protection are published by the DGProInt.

Other:

- Dedicated page with recommendations to people and organisations in Spain on how to help in the Ukraine crisis by Spanish Cooperation;
- All regions have developed information material for displaced persons from Ukraine and local community interested in providing support, for example Andalucia, Comunidad de Madrid, Generalitat de Cataluña;
- Dedicated page of the Ministry of the Interior;
- Dedicated page of the Ministry of Health on medical care;
- Dedicated page of the Ministry of Education and Vocational Training.

Procedural aspects

Procedure to register and be granted temporary protection

In the event of a mass influx of displaced persons from third countries, an exceptional procedure is triggered, for example for displaced persons from Ukraine who cannot return to Ukraine. The Directorate-General for International Protection (DGProInt) processes the requests through an urgent procedure and resolutions are issued within 24 hours.

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Registration	The registration of an application for temporary protection takes place in person at the Reception and Referral Centres of the Ministry of Inclusion (CREADE) in the provinces of Madrid, Malaga, Barcelona and Torrevieja (Alicante) and at the provincial and local police stations of the national policy (see list). To apply for temporary protection and have access to reception, a person must book an appointment with a CREADE Centre in the dedicated contact lines available here. Applications for the appointment can be submitted online on the Ministry of the Interior's website. Instructions on how to apply for an appointment online are available here; however, applicants must attend the appointment in person and identify themselves with the national police. People who wish to apply for temporary protection and reside in a province where a reception and referral centre is not available can register an application at a designated provincial or local national police station. For minors under the age of 18 who are accompanied by an adult who is responsible for them, the request is formalised on their behalf by the person in charge. On the day of the registration, proof of a request for temporary protection is issued, which includes the person’s main details, the foreigner identification number (NIE), a picture and a fingerprint. This document allows the person to legally stay in Spain and receive corresponding reception services. **Documentation:** People applying for temporary protection must provide documentation, such as identity and travel documents, proving that they are in any of the situations in which the temporary protection applies. Supporting documents for family ties include marriage certificate, birth certificate, adoption certificate and any other essential information to prove that the requirements for temporary protection are met. Persons subject to temporary protection

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Residence permit	Applications for temporary protection are processed through an urgent procedure by the DGProInt. Pursuant to the provisions of the national legislation, applicants for temporary protection must fully collaborate during the procedure, which may exceptionally include conducting a personal interview if necessary. Upon a decision, the Minister of the Interior issues a resolution on the request granting or denying protection within 24 hours from the date of the registration. The decision is notified to the applicant electronically, by post, in person, and ultimately, by publication in the Official State Gazette (BOE). The notification letter is issued only in Spanish, although the page to download it is available also in English and Ukrainian. **Issuance of residence permit:** If temporary protection is granted, the beneficiary is issued a residence permit in the form of a foreigner's identity card (T.I.E.) which is provided by the foreigner's office of the police. The resolution includes instructions for the beneficiary on how to obtain the documentation. Appointments for the application must be scheduled online. A guide on the process is available here. The residence permit is valid for 1 year and may be automatically renewed for another year, provided that there is no decision on termination by Ministry of the Interior. The resolution granting temporary protection also includes a residence authorisation and, when applicable, a work permit. Work authorisation is issued only to beneficiaries aged 16 or older. **Renewal/extension:** Temporary protection and therefore the residence and work authorisation are automatically extended for another year at the end of the first year of the protection's

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Legal aid	Not applicable, the procedure is automatically approved.

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Appeal	A decision on temporary protection can be appealed, in accordance with Article 5.2. of the Order PCM/169/2022 of 9 March 2022, which contains the procedure for the recognition of temporary protection for persons affected by the conflict in Ukraine. It states: “The decision shall terminate the administrative procedure and shall be subject to appeal by means of an optional appeal for reversal and an appeal to the contentious-administrative jurisdiction”. A judicial appeal *(recurso contencioso administrativo)* may be brought against the decision rejecting temporary protection before the National High Court within 2 months from the date of notification of the decision. The filing of an appeal, whether administrative or judicial, does not automatically suspend the enforcement of the decision. A suspension must be requested, and its granting will depend on the weighing of the interests at stake and a preliminary evaluation of the case’s merits, as assessed by the competent authority. If the appeal is administrative, this is established in Article 117 of Law 39/2015 of 1 October (Administrative Procedure Act). If it is judicial, it is regulated in Articles 129 and onward of Law 29/1998 of 13 July (Administrative Jurisdiction Act). Before challenging the decision in court, the person may submit an optional appeal for a reversal *(recurso potestativo de reposición)* before the same authority that issued the contested administrative decision (the Minister of the Interior). The deadline for filing this appeal is 1 month. It does not have automatic suspensive effect, but a suspension may be requested. The Ministry of the Interior must decide on the appeal within 1 month.
	Decisions related to the reception of temporary protection beneficiaries can also be appealed administratively and judicially.

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Exclusion	The grounds for exclusion from temporary protection are laid down in Article 12 of the Spanish Temporary Protection Regulation. According to the provisions of national legislation, temporary protection may be denied when there is a justified reasons to consider that the person: • Has committed a crime against peace, a war crime or a crime against humanity, as defined in the international instruments developed to respond to such crimes. • Has committed a serious common crime outside the Spanish State before being admitted to it as a beneficiary of temporary protection. The seriousness of the persecution to be expected must be considered in relation to the nature of the crime allegedly committed by the person concerned. Especially cruel actions, even if they have been committed with a purportedly political objective, may be classified as serious common crimes. This is valid both for the participants in the crime and for the instigators of it. • Has been guilty of acts contrary to the purposes and principles of the United Nations. • When there are well-founded reasons to consider that the person represents a danger to national security or when, due to having been the subject of a final conviction for a particularly serious crime, he constitutes a threat to public order. The assessment of the reasons are based solely on the behaviour of the person and respect the principle of proportionality.

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Termination/Withdrawal	National legislation provides for the revocation, termination and cessation of temporary protection, which are laid down respectively in Articles 12, 7(2) and 23, and 24 of the Spanish Temporary Protection Regulation. The grounds for revocation of temporary protection are laid down in Article 12, according to which, the Minister of the Interior, at the proposal of the Interministerial Commission for Asylum and Refuge, will revoke temporary protection when any of the following cases occurs: • Proof of non-compliance with the requirements established for temporary protection (e.g. protection has been obtained through data, documents or statements whose lack of veracity); • Supervening concurrence of any of the causes of refusal foreseen in case of massive influx of displaced persons (e.g. person has committed a crime against peace, a war crime or a crime against humanity, or when there are well-founded reasons to consider that the person represents a danger to national security). The resolution will put an end to the administrative procedure, and it will be subject to an appeal for reconsideration with a discretionary character (optional appeal for reversal) and an appeal before the contentious-administrative jurisdiction. The grounds for termination of temporary protection are laid down in Article 7(2) and Article 23, according to which the Ministry of the Interior may terminate protection at any time, at the proposal of the Interministerial Commission for Asylum and Refuge, when the conflict that gave rise to it is resolved and conditions favourable to return exist. If so, the decision is communicated to the parties at the time of renewing the residence permit, who will have a period to

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Reception and accommodation

Overview

The reception and accommodation of applicants and beneficiaries of temporary protection is operated by a State Reception Network comprising the International Protection Reception Centres *(Centros de Acogida de Protección Internacional* (CAPI)) under the Ministry of Inclusion, Social Security and Migration, along with other designated facilities that operate by subsidised, non-profit entities.

Displaced persons from Ukraine and beneficiaries of temporary protection who are in need of material reception conditions enter into the international protection reception system, thus rules and measures are the same as for applicants for and beneficiaries of international protection.

The reception system is structured in phases, depending on the degree of autonomy of recipients.

Once a displaced person requests reception support, an initial assessment of their circumstances and needs is carried out. Based on this evaluation, the person will be referred to the reception facility best suited to their situation. To carry out the first assessment, it is necessary for the displaced person to contact the entity that provides this service in the province where they are.

The first phase consists of accommodation in a reception facility to cover basic needs, helping the beneficiaries to acquire the necessary skills for the development of an independent life. The second phase begins when people end their stay in the reception facility and need to continue receiving support through financial aid for rent and attention to basic needs.

Requirements to access the reception system:

- Being a Ukrainian national or foreign person with permanent residence in Ukraine who has been displaced from Ukraine as of 24 February 2022.
- Being a Ukrainian national or foreign person with permanent residence in Ukraine who were in Spain when the conflict broke out and have not been able to return to their country.
- Lack economic means and meet the rest of the reception system requirements.

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- Request international protection or temporary protection as soon as possible and be documented as such (document of expression of intent to apply for international protection, international protection applicant document or temporary protection beneficiary document).

The reception plan for displaced persons from Ukraine is available here.

Organisation of reception and accommodation

Initial reception is provided at the Reception, Care and Referral Centres *(Centros de Recepción, Atención y Derivación,* CREADE). Four reception centres operate in Madrid, Barcelona, Alicante and Malaga to support the first reception of Ukrainian nationals and streamline initial assistance by centralising services in a single location. These centres serve three key functions:

- Welcoming Ukrainian nationals and providing essential initial information.
- Assisting with the process of obtaining work and residence permits within 24 hours.
- Conducting case-by-case evaluations, including in-depth interviews, to refer vulnerable individuals to the most appropriate facilities

Capacity:

CAPI Sevilla: 126
CAPI Valencia: 120
CAPI Alcobendas: 85
CAPI Madrid-Vallecas: 100
CREADE Pozuelo de Alarcon (Madrid): 405

Accommodation: The accommodation for beneficiaries of temporary protection is provided at collective accommodation centres and other designated facilities as follows:

Collective accommodation centres:

- Public Reception Centres for International Protection Applicants *(Centro de Acogida de Proteccion Internacional,* CAPI) and the CREADE in Pozuelo de Alarcon (Madrid).
- Centres managed by NGOs and subsidised by the Ministry of Inclusion, Social Security and Migration.

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Other facilities:

- Family-based reception: The pilot project called Welcome Ukraine, a foster care programme designed to coordinate a network of families providing accommodation for people displaced from Ukraine, was launched in 2022 in the four provinces with a CREADE (Madrid, Barcelona, Murcia and Malaga). It is now limited to families in Madrid and Barcelona and since 2024, the programme was extended to beneficiaries of international protection of nationalities other than Ukraine. The programme is funded by the Ministry of Inclusion, Social Security and Migration, in partnership with the La Caixa Foundation. Following an initial emergency reception phase, this collaboration allows the ministry to maintain a network of foster families selected by the La Caixa Foundation after evaluating the suitability of each candidate. The minimum period of family-based reception is 6 months, which can be extended to an additional 6 months.
- Private houses: On the basis of offers submitted to the Ministry of Inclusion, Social Security and Migration.

Provision of means to access the housing market: General rules for financial support are provided to beneficiaries of international protection in need of reception material reception conditions also apply for beneficiaries of temporary protection.

Rights of people granted temporary protection

Rights	Description
Access to the labour market	A person who is granted temporary protection has the right to work under the same conditions as beneficiaries of international protection and Spanish nationals. Information is available on the Ministry of the Interior website.
Access to medical care	A person who is granted temporary protection has the right to access medical care under the same conditions as beneficiaries of international protection and nationals. Information is available on the Ministry of Health website.

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Rights	Description
Social welfare assistance and means of subsistence	A person who is granted temporary protection has the right to social welfare assistance under the same conditions as beneficiaries of international protection and nationals.
Education	**Minors:** The competence falls under the autonomous communities *(Comunidades Autónomas)*, which take care of schooling, integration and educational support. The Education Department, together with the autonomous communities, created a Contingency Plan for Educational Support for Displaced Ukrainian Students, which is included as the Annex II of Order PCM/258/2022, and outlines these provisions: • Immediate schooling. • Contact details (both in Spanish and Ukrainian) of education authorities that may be addressed to provide more information on the schooling of Ukrainian children. • Educational material in both languages. • Set up procedures in order to provide support to Ukrainian scholars and students with the help of teaching staff form Ukraine who are beneficiaries of temporary protection. • Monitoring the integration of Ukrainian children and their educational outcomes. **Adults:** have access to education and vocational training. For non-university education, new measures were introduced by Royal Decree-Law 6/2022 to accelerate the recognition of qualifications for beneficiaries of temporary protection. Information is available from the Ministry of Education and Vocational Training.

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Rights	Description
Family reunification	Benefits of temporary protection are granted upon request by the beneficiary to family members as long as they were already constituted in the country of origin and its members had to be separated due to the circumstances that gave rise to the declaration of temporary protection.
Other	**Pets:** There are measures on the sanitary treatment of pets. It falls under the competence of autonomous communities. **Obligations:** The beneficiary of international protection has the following obligations: **Travel title:** A specific travel document for undocumented foreigners is provided by the national police to beneficiaries of temporary protection who do not have a passport or a travel document or when these are no longer valid, in order to justify their need to leave the national territory. It is issued to travel to a specific country or countries and with a limited temporal validity.

Assistance to unaccompanied minors

Each autonomous community is responsible for unaccompanied minors. Unaccompanied minors displaced from Ukraine follow the same procedure as unaccompanied minors applying for international protection. A legal guardian is appointed as soon as the minor arrives in Spain.

Unaccompanied minors are subject to specific regulations and are not included in the international protection reception system. Instead, they are referred to the authorities competent for the protection of children and minors when they apply for international protection.

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Assistance to people with special needs

Assistance provided to persons with special needs follows the same rules as for applicants for and beneficiaries of international protection. The reception system assesses the assistance to be provided to persons with special needs or who are especially vulnerable. When the special needs cannot be addressed by the reception system, the entity responsible for the initial reception will search for suitable attention.

Urgent measures have been taken to protect certain groups as specified in Order PCM/258/2022, Annex I:

- Early detection of human trafficking and sex trade of women and children: development of protocols, specialised training for staff participating in the reception of displaced persons, tracking cases of women and children travelling alone or with someone who is not part of their family unit.
- Resources and programmes for protection against gender-based violence will be adapted to assist women who are beneficiaries of temporary protection.
- Measures to maximise access to information: translation of different guides and documents on health, sexual and reproductive rights, voluntary termination of pregnancy, employment rights; reinforcement of the Women's Institute hotline that will provide information in Ukrainian.
- Public care services for minors up to 16 years old.
- Assistance and protection for LGBTIQ people.
- Information and assistance (on-site, online and by phone) for victims of national, racial or ethnic discrimination and for victims of racist hate crimes.

Solidarity (relocation of people who are eligible for temporary protection)

Not applicable.

Impact of simultaneous application for international protection

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Beneficiaries of temporary protection have the right to apply for international protection, as specified in Article 22 of Spain's Temporary Protection Regulation. However, individuals who apply for both temporary and international protection are not entitled to receive the benefits granted to each status separately. Thus, there is no change in their entitlement to reception conditions.

People who applied for international protection are authorised to work 6 months after lodging the application, provided it has not yet been resolved (14th Additional Disposition of the Royal Decree 1155/2024, the implementing regulation of the Spanish Foreigner's Act).

According to Order PCM 169/2022, temporary protection beneficiaries are issued a 1-year residence and work permit. This permit is renewable annually unless temporary protection ceases to apply, pursuant to a decision by the Ministry of the Interior.

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