

# Forms of protection - Spain | DIP

## EUAA

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### Overview

### Relevant EU legislation

Spain is bound by the recast Qualification Directive (Standards Qualification Regulation) and has transposed its provisions through the Law 12/2009 of 30 October 2009, regulating the law of asylum and subsidiary protection [[Ley 12/2009, de 30 de octubre, reguladora del derecho de asilo y de la protección subsidiaria](#)]; the Asylum Regulation - Royal Decree 203/1995 of 10 February 1995 approving the Regulation implementing Law 5/1984 of 26 March 1984, regulating the law of asylum and criteria for refugee status, as amended by Law 9/1994 of 19 May 1994 [[Real Decreto 203/1995, de 10 de febrero, por el que se aprueba el Reglamento de aplicación de la Ley 5/1984, de 26 de marzo, reguladora del Derecho de Asilo y de la condición de Refugiado, modificada por la Ley 9/1994, de 19 de mayo](#)]; and the Aliens Law - Organic Law 4/2000 of 11 January 2000 on rights and liberties of aliens

in Spain and their social integration [[Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social](#)].

## National legislation

<b>Refugee status</b>	Article 3 of the <a href="#">Asylum Law</a> .
<b>Subsidiary protection</b>	Article 4 of the <a href="#">Asylum Law</a> .

## Temporary protection

Spain transposed TPD in 2003 by the Royal Decree 1325/2003 | [Real Decreto 1325/2003](#), of 24 October 2003, approving the Regulation on the Temporary Protection Regime in the event of a mass influx of displaced persons -Temporary Protection Regulation-.

The Council of Ministers activated temporary protection for displaced persons from Ukraine in Spain by 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 | [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.

Successive extensions of temporary protection have been agreed at EU level since 2023. The latest extension until March 2026 was substantiated in Spain through Order INT/195/2025 | [Orden INT/195/2025, de 27 de febrero, por la que se prorroga la validez de las tarjetas de identidad de extranjero expedidas a las personas afectadas por el conflicto en Ucrania beneficiarias de protección temporal](#). Temporary protection granted has been extended in this last case by virtue of Council Implementing Decision (EU) 2024/1836 of 25 June 2024.

The legal framework is supplemented by the Order PCM/169/2022 of 9 March developing the procedure for the recognition of temporary protection for persons affected by the conflict in

## National forms of protection

In Spain, there are temporary residence permits based on exceptional circumstances (Section III, Chapter I, Title VII of [Aliens Regulation](#)). One of these exceptional circumstances is humanitarian reasons.

Third country nationals can be authorised to reside in Spain for humanitarian grounds, in accordance with Article 31(3) of [Aliens Law](#), in the cases listed in Article 128 of [Aliens Regulation](#):

- **Humanitarian residence permit linked to international protection.** These are cases in which the international protection (refugee and/or subsidiary protection) has been denied but the third country national is authorised to reside in Spain for humanitarian grounds (art. 37b and 46.3 of the Asylum Law) Following national case law ruled in the last years, this type of permit has been granted to Venezuelan applicants who are denied asylum.
- **Humanitarian residence permits based on medical reasons.** This protection can be granted to third country nationals who are suffering from a serious sudden illness that requires a specialised treatment which is not accessible in his/her country of origin or residence, when not receiving this treatment poses a serious risk to life or health of the applicant (Article 128(3) of [Aliens Regulation](#)) It is not directly related to international protection.
- **Other humanitarian residence permits** . There are other cases that allow the granting of a temporary residence permit on humanitarian grounds, listed in Article 128 of [Aliens Regulation](#). For instance, may be granted to victims of particularly aggravated crimes or to people whose return to their country of origin may pose a danger to their safety or that of their family

## Competent authority and stakeholders

<b>Refugee status</b>	Spanish Directorate General for International Protection  <a href="#">Dirección General de Protección Internacional (DGPROINT)</a> , under Ministry of the Interior   <a href="#">Ministerio del Interior</a>
<b>Subsidiary protection</b>	Spanish Directorate General for International Protection  <a href="#">Dirección General de Protección Internacional (DGPROINT)</a> , under Ministry of the Interior   <a href="#">Ministerio del Interior</a>
<b>Temporary protection</b>	<p>Spanish Directorate General for International Protection  <a href="#">Dirección General de Protección Internacional (DGPROINT)</a>, under Ministry of the Interior   <a href="#">Ministerio del Interior</a></p> <p>For further information, Ukrainian applicants for temporary protection may request appointments at Centers of Reception, Care and Referral Centers (CREADE) in Barcelona, Pozuelo (Madrid) or Málaga   Centros de Recepción, Atención y Derivación (CREADE), under the Ministry of Inclusion, Social Security and Migration   Ministerio de Inclusión, Seguridad Social y Migraciones</p>
<b>National forms of protection</b>	Humanitarian residence permits: Immigration Offices of the Government Delegations   <a href="#">Oficinas de Extranjería de las Delegaciones del Gobierno</a> of the province where the third country national is residing.

## Renewal and withdrawal of international protection and national forms of protection

### Refugee status

**Legal provisions relating to review, renewal and withdrawal of refugee status:** Title IV of the [Asylum Law](#) (Articles 42, 44 and 45) and the [Asylum](#)

[Regulation](#) regulates the withdrawal of refugee status.

**Length of the first and subsequent residence permits:** The granting of refugee status entails the granting of a long-term residence permit which does not need renewal, since it is linked to the international protection status. However, beneficiaries will need to obtain a TIE, proving their residence permit. More information on the TIE is provided in Section 3.3.

### **Review of the status**

There is no review of status as a standalone procedure. Review takes place when there is a cause for its withdrawal.

### **Renewal of the status**

There is no need to renew the international protection status over time since international protection statuses (both refugee and subsidiary protection) are granted indefinitely.

### **Withdrawal of the status**

International protection may be withdrawn when a cause of revocation or cessation is applicable. The competent authority to review the refugee status is the Directorate General for International Protection, under the Ministry of Interior.

Refugee status is revoked when (Article 44 [Asylum Law](#)):

- any of the cases of exclusion arises;
- the beneficiary has misrepresented or omitted facts, including the use of false documents, which were decisive for the granting of refugee or subsidiary protection status;
- the beneficiary constitutes, for well-founded reasons, a danger to the security of Spain, or which, having been convicted by a final judgement for a serious

offense, constitutes a threat to the community.

Causes for cessation are described in Article 42 of [Asylum Law](#)). It may occur in the specific cases listed on this article, when refugees:

1. Expressly request it;
2. Have voluntarily accepted the protection of the country of their nationality;
3. having lost their nationality, they have voluntarily recovered it;
4. have acquired a new nationality and enjoy the protection of the country of their new nationality;
5. have been established, again, voluntarily, in the country they had left, or out of which they had remained, for fear of being persecuted;
6. they have left Spanish territory and settled in another country;
7. cannot continue to refuse protection of the country of their nationality due to the disappearance of the circumstances under which they were recognized as refugees; the Spanish State will take into account whether the change in circumstances is significant enough, without being of a temporary nature, so as to stop considering the fears of the refugee to be persecuted well founded;
8. not having nationality, may return to the country of their previous habitual residence because the circumstances under which they were recognized as refugees have disappeared.

The procedure is common for both cessation and revocation (Article 45 of the Asylum Law).

The Directorate General for International Protection initiates ex officio or at the request of a party, when there is sufficient legal cause, the procedures for the cessation and revocation of the international protection granted, informing the interested parties.

In cases of cessation and revocation of refugee status, the affected person enjoys the following guarantees:

- a. that he/she is informed in writing that its right of asylum or subsidiary protection is being reconsidered, as well as the reasons for such reconsideration.
- b. that he/she is granted a hearing procedure for the formulation of allegations.
- c. that the competent authority can obtain accurate and up-to-date information from various sources, such as, where appropriate, the Office of the United Nations High Commissioner for Refugees (UNHCR), on the general situation in the countries of origin of the persons affected, and
- d. that when information on the specific case is collected for the purpose of reconsidering refugee status, such information is not obtained from those responsible for the persecution in such a way that those responsible are directly informed that the person concerned is a refugee whose status is being reconsidered, nor endanger the physical integrity of the person concerned and the people under his or her care, nor the freedom and security of their family members who still live in the country of origin.

The Directorate General for International Protection may close the case, if the causes of cessation or revocation initially warned were not proven.

Once the case is instructed, a proposal of decision is sent by the Directorate General for International Protection to the Inter-ministerial Commission for Asylum and Refuge (CIAR). If the latter considers that there are not sufficient grounds to proceed



with the declaration of cessation or revocation, it orders the file is archived. If, on the contrary, the CIAR deems the withdrawal well founded, it submits the proposed resolution to the Minister of the Interior, who decides.

The decision to withdraw the status is subject to an optional request for reversal (*recurso de reposición*) before the Ministry of the Interior, which may be lodged in a month within the notification of the decision, and to a contentious-administrative appeal before the National Court (Audiencia Nacional), which may be lodged within two months since the notification of the contested decision.

**Consequences:** the cessation and revocation entail the cessation of the enjoyment of all the rights inherent to the condition of refugee.

Cessation of refugee status will not prevent the continuation of residency in Spain in accordance with the regulations in force regarding immigration. For this purpose, the period that the interested parties have resided legally in the country is considered.

The decision to revoke the status may give rise to a sanctioning proceeding according to the current legislation on immigration to forcefully return the migrant in irregular situation

## **Subsidiary protection status**

**Legal provisions relating to review, renewal and withdrawal of subsidiary protection:** Title IV of the [Asylum Law](#) (articles 43-45) regulates the withdrawal of subsidiary protection status.

**Length of the first and subsequent residence permits:** The granting of subsidiary protection status entails the granting of a long-term residence permit which does not need renewal, since its linked to the international protection status duration. However, beneficiaries will need to obtain a TIE, proving their residence permit.

## **Review of the status**

There is no review of status as a standalone procedure. Review takes place when there is a cause for its withdrawal.

### **Renewal of the status**

There is no need to renew the international protection status over time since international protection statuses (both refugee and subsidiary protection) are granted indefinitely.

### **Withdrawal of the status**

International protection may be withdrawn when a cause of revocation or cessation is applicable. The competent authority to review the refugee status is the Directorate General for International Protection, under the Ministry of Interior.

The causes for revocation are the same as for refugee status. Cessation causes are different. According to Article 43 of [Asylum Law](#), cessation of the subsidiary protection status can only occur when:

- the beneficiary expressly requests it;
- they have left Spanish territory and settled in another country;
- or the circumstances that led to the granting of subsidiary protection cease to exist or change to such an extent that international protection is no longer necessary. The Directorate General for International Protection will consider if these change in circumstances is sufficiently significant and not of a temporary nature, so that the person no longer faces a real risk of suffering serious harm.

The procedure, guarantees, and consequences are the same as explained above regarding refugee status.

### **National forms of protection**

**Exceptional residence permits based on humanitarian grounds** are regulated by Article 128 of [Aliens Regulation](#).

The granting of temporary protection for exceptional causes will entail the granting of a residence permit of 1 year. This permit will be renewed ex officio renewable if the circumstances that provided the protection persist (Article 132 of [Aliens Regulation](#)). The beneficiary will need to obtain a TIE. More information is provided in Section 3.3.

#### **Review of the status:**

This type of permits is not subject to reviews.

#### **Renewal of the status:**

The residence permit will no longer be valid when the period of one year for which it was granted expires. The renewal application must be submitted during the two months prior to the expiration date permit. Submission within this period extends the validity of the permit until an administrative decision on the renewal is issued. If the application is submitted within the three months following the expiration of the permit, its validity will also be extended; however, this will constitute an infringement of Article 52 of the [Aliens Law](#).

#### **Withdrawal of the status:**

The validity of the permit may be extinguished in the cases established in Article 200 of [Aliens Regulation](#), by decision of the competent authority.

#### **Grounds for the withdrawal of the status:**

These cases include the following:

1. The individual falls within a ground for refusal of entry. This may have occurred prior to entry into Spain—unknown to the authorities—or during their stay in Spain.
2. The documents submitted or the permit itself were obtained through fraud, forgery, or manipulation.

3. The permit is used for purposes different than those for which it was granted.
4. The individual ceases to meet the requirements to hold the permit; changes or loses their nationality; or fails to hold a valid passport (unless they can prove they undertook the steps to recover it).
5. On grounds of public order, public security, or public health.
6. Following a final criminal conviction for an offense under Articles 177 bis (human trafficking) or 318 bis (illegal immigration related crimes) of the Criminal Code.

In addition, if a person is expelled, such expulsion shall result in the termination of the residence permit (Article 57.4 of the [Aliens Law](#)).

### **Consequences of the withdrawal of the status:**

The procedure is regulated in Article 202 of [Aliens Regulation](#). It will initiate ex officio, there will be a hearing for the interested party and the decision shall be issued and notified by Government Delegations or Sub-delegations within a maximum period of six months since its initiation.

The decision declaring the termination due to the loss or withdrawal of permits shall determine the scope of its effects as of the time it is issued (Article 203 of Aliens Regulation).

The administrative decision may be challenged by means of an optional administrative appeal (*recurso de reposición*) or a judicial appeal.

## **Content of protection**

### **Overview**

Legal provisions detailing content of protection for international protection status (refugee or subsidiary protection):

- Asylum Law - Law 12/2009 of 30 October 2009, regulating the law of asylum and subsidiary protection [Ley 12/2009, de 30 de octubre, reguladora del derecho de asilo y de la protección subsidiaria](#);
  - Chapter IV, title I, article 36 (effects of granting the right to asylum or subsidiary protection).
  - Title III, article 39, 40 and 41 (family reunification).
- Asylum Regulation - Royal Decree 203/1995 of 10 February 1995 approving the Regulation implementing Law 5/1984 of 26 March 1984, regulating the law of asylum and criteria for refugee status, as amended by Law 9/1994 of 19 May 1994 [Real Decreto 203/1995, de 10 de febrero, por el que se aprueba el Reglamento de aplicación de la Ley 5/1984, de 26 de marzo, reguladora del Derecho de Asilo y de la condición de Refugiado, modificada por la Ley 9/1994, de 19 de mayo](#);
  - Chapter IV, Section 1, articles 32 to 35 (rights and obligations).

General legal provisions on rights of aliens in Spain:

- Aliens Law - Organic Law 4/2000 of 11 January 2000 on rights and liberties of aliens in Spain and their social integration [Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social](#).
- Aliens Regulation -Royal Decree 1155/2024, f 19 November, approving the Regulation of Organic Law 4/2000 [Real Decreto 1155/2024, de 19 de noviembre, por el que se aprueba el Reglamento de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social](#).

Legal provisions of the Reception System:

- Royal Decree 220/2022, of March 29, approving the Regulation governing the reception system in matters of international protection | [Real Decreto 220/2022, de 29 de marzo, por el que se aprueba el Reglamento por el que se regula el sistema de acogida en materia de protección internacional.](#)
- Order ISM/680/2022, of July 19, by which the management of the international protection reception system is developed through coordinated action | [Orden ISM/680/2022, de 19 de julio, por la que se desarrolla la gestión del sistema de acogida de protección internacional mediante acción concertada.](#)

General provisions on fees:

- Order PJC/617/2025, of June 13, establishing the amount of fees for the processing of administrative authorizations and identity documents in matters of immigration and foreign affairs.

## **Provision of information on the content of protection**

Applicants for international protection in Spain receive information on the rights they would be entitled to if they were granted refugee status or subsidiary protection status. This information is provided through a leaflet, which is given to them by police officers or case officers from the Directorate General for International Protection.

The information contained in the leaflet covers all rights granted to beneficiaries of protection, such as a detailed explanation of rights to reception, as well as access to public services. The leaflet also provides important guidelines regarding obligations such as the duty to cooperate with the authorities or informing about changes in their address..

With regard to integration activities, applicants who reside in reception centres will be informed from the outset. This information is provided by staff from the Ministry of

Inclusion, Social Security, and Migrations, as well as staff from NGOs that receive public funding. The information is shared through workshops, mentoring programs, and assistance programs.

According to Articles 19 and 22 of [Royal Decree 220/2022](#) (Reception System Regulation), there are actions focused on integration activities to be carried out during the reception and autonomy phases. The activities include, for example, language classes, cultural orientation and access to employment.

Beneficiaries of protection receive information regarding employment and labour market in Spain, access to healthcare, residence permit and education early in the reception phase.

## **Residence permits**

### **Refugees and beneficiaries of international protection**

The granting of refugee or subsidiary protection status entails the granting of the long-term residence permit provided for in Article 32.3 bis of the Aliens Law.

Beneficiaries of international protection must obtain the Foreigner Identity Card | *Tarjeta de Identidad del Extranjero (TIE)*, which is delivered by the National Police | *Policía Nacional* at the police stations or offices for foreigners.

The TIE will be issued for 5 years, having to be renewed from that point onwards (Article 185 of Aliens Regulation). Subsequent permits will have the same length (5 years) until the holder reaches the age of thirty. Since then, the TIE will be issued for 10 years.

### **Humanitarian residence permits**

The granting of temporary protection for exceptional circumstances entails the granting of a temporary residence permit for one year. The assessment of whether the conditions for renewing this permit are met is currently carried out ex officio prior to expiration. Renewal must be requested by the applicant within the two months prior to expiration (Article 132(3) of [Aliens Regulation](#)). This means

beneficiaries of temporary protection must request and collect personally the Foreigner Identity Card (TIE) proving their residence permit, which is issued by the offices for foreigners.

The request must be submitted in during the two months immediately preceding the expiration date of the current TIE. This will extend the validity of the TIE until a decision on the procedure is issued. Within a maximum period of three months from the application, the competent authority shall issue and notify a decision. If no decision is issued within this period, the application shall be deemed approved.

## **Travel documents**

### **Refugees**

The National Police| Policía Nacional under the General Commissariat for Immigration and Borders is the authority responsible for delivering the travel document.

The Geneva Travel Document is granted for 5 years.

Beneficiaries need to request an appointment online and submit the request personally. Several documents must be provided: the administrative decision granting international protection, photographs for the documents and proof of payment of fee.

### **Beneficiaries of subsidiary protection**

The National Police| Policía Nacional under the General Commissariat for Immigration and Borders is the authority responsible for delivering the travel document.

The Geneva Travel Document is granted for 5 years.

Beneficiaries need to request an appointment online and submit the request personally. Several documents must be provided: the administrative decision granting international protection, photographs for the documents and proof of payment of fee.



## **Freedom of movement**

Beneficiaries of international protection have the right to freely move around the country, as stated by article 36.1.(h) of the [Asylum Law](#).

## **Access to employment and employment-related education**

### **Refugees and beneficiaries of subsidiary protection**

Beneficiaries of international protection have access to the labour market in the same conditions as nationals, however unemployment is one of the main problems refugees face when accessing to the job market.

No additional documents are needed to have access to the Spanish labour market, they have access, in the same conditions as nationals, from the moment the status is granted. Beneficiaries receive a foreigners identification card (TIE), which specifies they are authorized to work.

Beneficiaries of international protection have the same rights to access to employment related educational programmes as nationals, such as continuous or occupational training and to internship work, as well as procedures for the recognition of academic and professional diplomas and certificates and other official qualification tests issued abroad is provided.

Measures aimed to improve the integration of foreigners (including beneficiaries of international protection) in the labour market have been implemented by the Ministry of Inclusion, Social Security and Migration. The [employment support program](#) of the Directorate General of Humanitarian Assistance and the International Protection Reception System, is based on the development of individualized support programs, designed and managed by professionals from the network of specialized centres and entities. These programs include cross-cutting measures aimed at language learning, developing basic skills, accessing training opportunities, and entering the labour market. In recent years, various initiatives have been launched in collaboration with the private sector in areas of logistic, wholesale trade, e-

commerce, hospitality and tourism and agri-food sector.

## **Access to education**

### **Refugees and beneficiaries of subsidiary protection**

Beneficiaries, adults and minors, have the right to access education in the same conditions as nationals. The schooling of children in Spain is compulsory from age six to sixteen. All children in Spain have the right to education. Access to education by beneficiaries of international protection is explicitly guaranteed in Article 36.1 (f), as well as by other regulations concerning aliens and children.

To help the minors with the transition to education the responsible authorities provide learning support measures by developing and implementing education pathway orientation and assistance projects or learning support and reinforcement programmes in primary and secondary education centres.

Preparatory classes will depend on each region. Some regions offer preparatory classes, including language courses and specialised support (e.g. psychologist) for children with special needs. Other regions provide tutors within the normal class.

Beneficiaries have the same rights as nationals in terms of access to grants and loans to support education.

## **Access to procedures for recognition of qualifications and validation of skills**

### **Refugees and beneficiaries of subsidiary protection**

Beneficiaries of international protection can follow the procedure established for the homologation or declaration of equivalence of their foreign academic certificates. The [homologation](#) will allow them to exercise a regulated profession under the same conditions as the holders of a Spanish qualification (i.e doctors, architects, lawyers). The [declaration of equivalence](#) recognises the foreign diploma the same effects of a

Spanish diploma or certificate in the educational area and specific professional field.

The procedure is regulated by the [Royal Decree 889/2022](#) published the 18th October 2022 and the [Resolution of 21 February 2024](#) of the General Secretariat of Universities by which the Royal Decree is developed.

A decision shall be issued and notified within a maximum period of six months from the date of the application. If no decision has been notified within this period, the application may be considered rejected by administrative silence (Article 18.3 of Royal Decree 889/2022).

## **Social security and social assistance**

### **Refugees**

Refugees have access to social security and social assistance in the same conditions as nationals, such as access to education, healthcare, housing, social assistance and social services. They have access to the rights recognized by the legislation applicable to victims of gender-based violence, where applicable, to social security and to the integration programs.

Special social assistance for refugees: According to Article 36.1(f) of Asylum Law, beneficiaries will have access to social security, social services and integration programs under the same conditions as nationals. Nonetheless, authorities may establish programs to facilitate the integration of beneficiaries (36.2 of Asylum Law).

### **Beneficiaries of subsidiary protection**

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Special social assistance for beneficiaries of subsidiary protection: According to Article 36.1(f) of Asylum Law, beneficiaries will have access to social security, social

services and integration programs under the same conditions as nationals. Nonetheless, authorities may establish programs to facilitate the integration of beneficiaries (36.2 of Asylum Law).

## **Healthcare**

### **Refugees and beneficiaries of subsidiary protection**

Public healthcare in Spain is universal. This means that beneficiaries of international protection have the right to access to the national health system in the same conditions as nationals. Access rights include basic and more specialised health care, and it is for free.

## **Access to accommodation**

### **Refugees**

Refugees have access to social housing and private housing market with no restrictions. However, some practical issues can be found with regards to private housing, for instance, guarantees for rent payments. NGOs and other social organisations support refugees through different activities to help them to find adequate housing. For instance, mediation role with apartments owners, providing refugees' information and advice, and, in some cases, providing them financial support to overcome these obstacles.

Reception support is also provided to refugees who lack sufficient financial resources for a period of 6 months. They may receive financial support to support them to pay rent in private accommodations, among other types of support (Article 22 of Royal Decree 202/2022). There are not specific facilities only for beneficiaries, but they can stay in facilities where applicants are also hosted for a maximum of six months since the granting of international protection, if beneficiaries are in a situation of vulnerability (Article 20.2 of Royal Decree 202/2022). There is not a dispersal mechanism for refugees in place, refugees can establish themselves anywhere

within the country.

The total duration of the itinerary will not exceed eighteen months since its start (when the person is an applicant). In cases of vulnerability, an extension may be exceptionally authorized by the competent administration (11(7) of Reception System Regulation). It may terminate earlier if the conditions of Article 32.2 of Reception System Regulation occur.

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### **Access to integration measures**

## **Refugees**

Access to integration measures is provided, but participation is not compulsory.

Integration support is provided in kind and cash benefits. In specific cases, due to social or economic difficulties, public administrations may launch complementary services to public systems of access to employment, housing and general education services, as well as specialized services for interpretation and translation of documents, permanent aid for the elderly and people with disabilities and emergency financial aid.

UNHCR Spain provides information on courses for beneficiaries of international protection provided by NGOs and languages courses provided by the Spanish University of Distance Education (UNED).

Authorities may establish programs to facilitate the integration of beneficiaries of international protection (36.2 of Asylum Law).

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UNHCR Spain provides information on [courses](#) for beneficiaries of international protection provided by NGOs and [languages courses](#) provided by the Spanish University of Distance Education (UNED).

Authorities may establish programs to facilitate the integration of beneficiaries of international protection (36.2 of Asylum Law).

## **Family reunification for beneficiaries of international protection**

## Refugees

The Asylum Law reflects two statuses (article 39 to 41 of the [Asylum Law](#)):

1. Extension of the international protection status of the beneficiary to their family members.
2. Family reunification.

There is not a maximum time limit to apply for family reunification, and not a waiting period before the refugee can apply for family reunification.

Beneficiaries of international protection can request the extension of their status or family reunification for the following family members:

- first degree ascendants who can prove dependency;
- first degree descendants who are minors;
- spouse or person who is linked by analogous relationship or cohabitation (including same sex couples). This does not apply in cases of different nationality, divorce, legal or de facto separation. Neither applies if the granting of refugee status was gender-based and it was considered proven the spouse/partner of the refugee inflicted on her individualized persecution due to gender-based violence.
- any other adult who is responsible for the beneficiary of international protection in accordance with current Spanish legislation, when the beneficiary is an unmarried minor.
- Other family members of a beneficiary, in cases where dependence and cohabitation with these individuals in the country of origin has been proved.

Family members for what a clause of exclusion applies cannot be reunited.

In case of family members with different nationality, refugees can only apply for family reunification.

The sponsor will need to present family documentation proving the family ties, economic dependence and previous cohabitation in the country of origin.

The extension of the status can be requested once the person has already been granted protection.

The applicant should submit all documentation proving the family link, for instance, birth certificate, family book, family passports or any other document from the country of origin, declarations informing about their family members submitted during the asylum procedure, photos, etc. In some cases, DNA tests can be also used for proving family links. In this case, the applicant will pay for the test.

Family members still living in the country of origin will need to go to the Spanish Embassies and Consulates they indicate in the file, for some formalities related to the procedure.

The procedure is, in practice, common for both extension and family reunification. It will start with a report to the Directorate General for International Protection including the following documents:

- Copy of the card which certifies the person as beneficiary of extension;
- Copy of the resolution where international protection is granted;
- Copy of the documentation which certifies and proves family ties;
- In the case of parents: birth certificate of children and family book;
- In the case of siblings: birth certificate of the corresponding siblings and family book;
- Copy of the documentation which proves that the applicant and his family cohabited together in the country of origin and was dependent on them;
- Copy of each family member's passport;
- In the cases of spouses of siblings, marriage certificate;
- Report where the applicant provides a verbal account and description of the family situation.

Following the request, the Directorate General for International Protection will send a letter to the applicant, and family members will go with it to the Spanish Consulate they have chosen. They will formalise the application of family extension by presenting all the original documents. Following that, the Consulate will share the file with the Directorate General for International Protection who will assess the application. The case officer will share with the CIAR with a proposal for resolution.



The CIAR will give a final resolution to the case. If it is positive, the decision will be communicated to the Consulate who will then issue the corresponding visa.

Once they have the visa, they will be able to travel to Spain. Once they are in Spain, the recognition of the status is automatic. They will receive a temporary card (red card) issued by the police officers, while they wait for the residence permit to be issued.

In case of beneficiaries for extension of the international protection, the rights are the same as for the refugee, including a residence permit to reside and work in Spain.

More information is available [here](#).

### **Beneficiaries of subsidiary protection**

The Asylum Law reflects two statuses (article 39 to 41 of the Asylum Law):

1. Extension of the international protection status of the beneficiary to their family members.
2. Family reunification.

There is not a maximum time limit to apply for family reunification, and not a waiting period before the refugee can apply for family reunification.

Beneficiaries of international protection can request the extension of their status or family reunification for the following family members:

- first degree ascendants who can prove dependency;
- first degree descendants who are minors;
- spouse or person who is linked by analogous relationship or cohabitation (including same sex couples). This does not apply in cases of different nationality, divorce, legal or de facto separation. Neither applies if the granting of refugee status was gender-based and it was considered proven the spouse/partner of the refugee inflicted on her individualized persecution due to gender-based violence.

- any other adult who is responsible for the beneficiary of international protection in accordance with current Spanish legislation, when the beneficiary is an unmarried minor.
- Other family members of a beneficiary, in cases where dependence and cohabitation with these individuals in the country of origin has been proved.

Family members for what a clause of exclusion applies cannot be reunited.

In case of family members with different nationality, refugees can only apply for family reunification.

The sponsor will need to present family documentation proving the family ties, economic dependence and previous cohabitation in the country of origin.

The extension of the status can be requested once the person has already been granted protection.

The applicant should submit all documentation proving the family link, for instance, birth certificate, family book, family passports or any other document from the country of origin, declarations informing about their family members submitted during the asylum procedure, photos, etc. In some cases, DNA tests can be also used for proving family links. In this case, the applicant will pay for the test.

Family members still living in the country of origin will need to go to the Spanish Embassies and Consulates they indicate in the file, for some formalities related to the procedure.

The procedure is, in practice, common for both extension and family reunification. It will start with a report to the Directorate General for International Protection including the following documents:

- Copy of the card which certifies the person as beneficiary of extension;
- Copy of the resolution where international protection is granted;
- Copy of the documentation which certifies and proves family ties;
- In the case of parents: birth certificate of children and family book;
- In the case of siblings: birth certificate of the corresponding siblings and family book;

- Copy of the documentation which proves that the applicant and his family cohabited together in the country of origin and was dependent on them;
- Copy of each family member's passport;
- In the cases of spouses of siblings, marriage certificate;
- Report where the applicant provides a verbal account and description of the family situation.

Following the request, the Directorate General for International Protection will send a letter to the applicant, and family members will go with it to the Spanish Consulate they have chosen. They will formalise the application of family extension by presenting all the original documents. Following that, the Consulate will share the file with the Directorate General for International Protection who will assess the application. The case officer will share with the CIAR with a proposal for resolution. The CIAR will give a final resolution to the case. If it is positive, the decision will be communicated to the Consulate who will then issue the corresponding visa.

Once they have the visa, they will be able to travel to Spain. Once they are in Spain, the recognition of the status is automatic. They will receive a temporary card (red card) issued by the police officers, while they wait for the residence permit to be issued.

In case of beneficiaries for extension of the international protection, the rights are the same as for the refugee, including a residence permit to reside and work in Spain.

More information is available [here](#).