

Portugal: Information for stateless people and those at risk of statelessness fleeing Ukraine



European
Network on
Statelessness

ENS Focal Point: [Portuguese Refugee Council](#)

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This briefing provides country-specific information for stateless people and those at risk of statelessness fleeing Ukraine. It is intended as a source of information for refugee response actors and affected individuals. The focus is on stateless people and people at risk of statelessness, including those who are undocumented. Links to more general information for refugees from Ukraine are provided throughout. We will endeavour to keep this information updated. Please contact Ukraine.crisis@statelessness.eu if you have relevant updates. Unless otherwise shown, the source of information provided is the ENS Focal Point.

1. ENTRY REQUIREMENTS & REGISTRATION

Specific information regarding stateless people is not available. Entry without a passport or an Emergency Travel Document in Portugal may be possible but cannot be guaranteed. People who had international protection or another permanent residence permit in Ukraine, may travel directly to Portugal. In addition, family members of Ukrainian nationals or of beneficiaries of international protection in Ukraine are also eligible for temporary protection in Portugal. For that purpose, people who do not have a biometric passport should request that a Portuguese embassy exceptionally issues an [emergency travel document](#) (“Título de Viagem Única” or “TVU”) so they can travel directly to Portugal, although there is no information on how this is implemented in practice. People who wish to apply for protection in Portugal from abroad can express an interest by filling out an online form (in [English](#), but also available in [Portuguese](#) and [Ukrainian](#)). In the form, it is possible to specify that the person has no documents.

No specific data on stateless people has been reported.

The [European Commission](#) confirms that a lack of travel documents or medical documents (certificate of vaccination, COVID-19 test) should not be an obstacle to entering the EU throughout the Ukraine crisis.

As of November 2023, the SEF and ACM (High Commissioner for Migrations) have been replaced by a new authority for migration and asylum: the Agency for Integration, Migration, and Asylum (AIMA). AIMA is now also the entity responsible for temporary protection requests/cases in Portugal. For more information on travelling to Portugal from Ukraine, see AIMA’s [website](#), the [Portuguese Communities Portal](#), and the [Ministry of Justice webpage](#) (though information here may not always be up to date).

People requesting temporary protection in Portugal, whether stateless or not, face various challenges, including lengthy waiting times or no response to their applications (particularly for non-Ukrainian nationals), difficulties in attribution of social security, health system and fiscal numbers, difficulties in correcting personal data (name, etc.) and withdrawal of attributed status.

Since November 2023, border procedures have been applied on a systematic basis to all applicants of international protection. People who apply for international protection at national airports are systematically detained in airport detention centres and airport transit zones for the duration of the admissibility stage/accelerated procedure.

Documents required	<ul style="list-style-type: none">• Systematic border checks are not being performed at land borders• Stateless and undocumented people: unclear, no specific information on stateless people; may express interest to apply for protection even without documents and can use all means to prove their situation/background. However, there is no information on how this is done in practice.• Adults: biometric passport or Emergency Travel Document, but it may be possible to enter and register even without these documents
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	<ul style="list-style-type: none"> • <u>Children</u>: no specific information regarding children without a biometric passport and/or not registered on a parent’s passport
Entry and registration	<ul style="list-style-type: none"> • <u>Stateless and undocumented people</u>: entry without a passport or an Emergency Travel Document may be possible by land but cannot be guaranteed; specific information regarding stateless persons is not available • <u>Beneficiaries of international people</u>: no automatic recognition of international protection granted in Ukraine; may enter and apply for temporary protection under the eligibility conditions • Since November 2023, border procedures have been applied on a systematic basis to all applicants for international protection. People who apply for international protection at national airports are systematically detained in airport detention centres and airport transit zones for the duration of the admissibility stage/accelerated procedure • <u>Unaccompanied children</u>: entry is permitted; border police must be informed to refer the child to competent child protection authorities; people caring for a child that is not accompanied by family members should send an email to childcare.ukraine@seg-social.pt or contact the Agency for Integration, Migration and Asylum (AIMA) (see contact details in section 6 below)
Documents issued	<ul style="list-style-type: none"> • <u>Applicants for temporary protection</u>: certificate of application which entitles the applicant to access basic services and integration responses • <u>Applicants for international protection</u>: certificate of application that validates the stay in Portugal while the procedure is pending
Entry status	<ul style="list-style-type: none"> • Visitor under Schengen rules, temporary protection or asylum-seeker

2. ROUTES TO INTERNATIONAL PROTECTION

Portugal offers three forms of protection for stateless persons or persons at risk of statelessness: refugee status, subsidiary protection, and temporary protection under EU law. These routes to protection are summarised in the table below:

	Refugee Status	Subsidiary Protection	Temporary Protection
What is it?	Protection under the 1951 Geneva Convention Relating to the Status of Refugees, as implemented by Portuguese national law	Subsidiary protection, as implemented by Portuguese national law , for persons who are not refugees under the 1951 Convention, but who cannot return to their country due to systematic violation of human rights or the risk of suffering serious harm	Temporary protection for eligible persons fleeing the war in Ukraine
Can stateless and/or undocumented persons apply?	Yes	Yes	Yes, if they meet eligibility criteria (i.e., beneficiaries of international protection or equivalent national protection in Ukraine who are coming from that country and are unable to return; family members of the persons referred to above or Ukrainian

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			nationals; permanent residents in Ukraine) Since December 2022, holders of a temporary residence permit or long-term visa from Ukraine are no longer eligible
Where to apply?	At point of arrival before the Agency for Integration, Migration and Asylum (AIMA) or other police authority	Same as Refugee Status	Adults can apply online on AIMA website . The National Centres for Support to Migrant Integration (CNAIM) have been replaced by Lojas AIMA , however it is unclear whether requests for temporary protection can be made there.
Procedure & rights	<u>Procedure</u> : biometric data collected if over 14 years; supporting document validating stay in Portugal. Since November 2023 the asylum border procedure is systematically applied. Applicants at national airports are detained in airport detention centres and airport transit zones. Significant problems regarding the provision of reception conditions to asylum seekers in national territory and practices vary (reception centres, hostels, other temporary solutions). Increasing reports of asylum seekers not being provided accommodation by national authorities. .Interview; interpretation; free legal assistance; provisional residence permit valid for six months after being accepted to the second phase of the procedures; right to work and study; final decision with reasoning within six to nine months (may take longer in practice); right to appeal	Same as Refugee Status	<u>Procedure</u> : fill out a form (possibility to choose nationality or origin as “unknown”); biometric data collected; confirmation of application; right to use any means of proof, including witness testimonies; pending the application right to healthcare, benefits, and social security; application can be denied on specific national security grounds, see Article 6 of the Law on Temporary Protection

Rights upon recognition	Renewable residence permit valid for five years; rights granted on the same basis as Portuguese nationals, including work, education, social security, healthcare, and integration assistance	Renewable residence permit valid for three years; rights granted on the same basis as Portuguese nationals, including work, education, social security, healthcare, and integration assistance	Residence permit valid for one year (limited renewal); Tax Identification Number (NIF); Social Security Identification Number (NISS); National Health Service (SNS) user number; right to work; education; social security; medical assistance. As of March 2024, the validity of temporary protection has been extended until 31 December 2024.
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For more information, see:

- Agency for Integration, Migration and Asylum (AIMA), [contacts webpage](#), [Temporary Protection](#), contacts: (+351) 217 115 000 /; geral@aima.gov.pt (including for international protection issues); cnar@aima.gov.pt (for international protection issues)
- Portuguese Refugee Council, [main page](#) (in Portuguese only)
- Portuguese Government ePortal, [Ukraine: Information and support available in Portugal](#)
- Portuguese Ministry of Justice, [Reception and Integration of Ukrainian Citizens in Portugal](#)
- Portuguese [Asylum Act](#)
- Portuguese [Law on Temporary Protection](#)
- European Union Agency for Fundamental Rights, [Fleeing Ukraine: Implementing temporary protection at local levels](#) (December 2023)
- European Union Agency for Fundamental Rights, [Report on Fleeing Ukraine - Fleeing Ukraine: Displaced people's experiences in the EU](#)
- European Union Agency for Fundamental Rights, [Fundamental Rights Implications for the EU of the War in Ukraine](#)
- European Union Agency for Fundamental Rights, [The Russian aggression against Ukraine – Displaced children finding protection in the EU - Bulletin 3](#)
- European Union Asylum Agency, [Providing Temporary Protection to Displaced Persons from Ukraine: A Year in Review](#) (March 2023)
- European Union Asylum Agency, [Who is Who in International Protection, Temporary Protection overview](#)
- European Union Asylum Agency (formerly EASO), [Guidance on reception conditions for unaccompanied children](#) (December 2018)
- European Migration Network (EMN), [Annual Report on Migration and Asylum 2022](#) (July 2023) (Chapter 2, Response to the influx of persons fleeing the war in Ukraine)
- European Council of Refugees and Exiles, [The EU's Response to Displacement from Ukraine: ECRE's Recommendations](#) (October 2023)
- European Council of Refugees and Exiles, [Information Sheet – Measures in response to the arrival of displaced people fleeing the war in Ukraine](#) (March 2023)
- European Council of Refugees and Exiles, Asylum Information Database (AIDA) country report on [Portugal](#), annex on Temporary Protection
- HIAS & R2P, [“They told me they couldn't help me...”: Protection Risks Facing Non-Ukrainian Asylum Seekers and Refugees Fleeing Ukraine to the EU](#) (January 2023)
- Caritas Europa, [Europe's welcome of refugees from Ukraine and lessons learnt](#) (June 2023)

- Anti-Discrimination Centre Memorial, [The situation of Ukrainian children in European countries after 24 February 2022](#) (June 2023)
- KIND & Child Circle, [Note on unaccompanied children fleeing Ukraine](#)

3. STATELESSNESS DETERMINATION AND PROTECTION STATUS

For stateless people, it is important to determine both a claim for international protection and their statelessness. Each application should be assessed and both types of status should be explicitly recognised so that even if international protection ceases, the person remains entitled to protection as a stateless person. Statelessness determination should be conducted either in parallel with or following the refugee status determination, with due regard to the primacy of the asylum claim and the principle of confidentiality for refugees in statelessness determination procedures. For more information, see: [ENS briefing on statelessness determination & protection in Europe](#).

Portugal does not currently have a dedicated Statelessness Determination Procedure (SDP) nor a statelessness protection status. The law does not provide for a specific status nor any rights to be granted to stateless people on the basis of their statelessness, but healthcare is provided to everyone regardless of their residence or documentation status (subject to low fees), and education is provided for children. People holding a residence permit on other grounds or benefitting from international protection have access to other rights. Stateless people who are eligible for international protection will be able to regularise their stay in Portugal through that route. Portugal adopted a [law](#) in August 2023 that introduces the definition of a stateless person and recognises that persons who are considered stateless according to the 1954 Convention are entitled to a travel document and statelessness status, but further legislation must be approved to establish an SDP, safeguards for applicants, the rights granted upon recognition of statelessness status, and the authority responsible for assessing claims. For more information, see: [ENS Statelessness Index Portugal and news update](#).

Stateless people or people at risk of statelessness who need protection in Portugal should seek legal advice as soon as possible (e.g. from the [Portuguese Refugee Council](#) and the [Agency for Integration, Migration and Asylum \(AIMA\)](#)).

4. REQUIREMENTS FOR ONWARD TRAVEL TO THIRD COUNTRIES

Recognised refugees are issued a travel document [upon request](#), which allows them to travel outside the Portuguese territory. This is a competence of AIMA. Beneficiaries of subsidiary and temporary protection who cannot obtain a national passport, including stateless people, may be issued a Portuguese passport for foreigners upon request, which also allows them to travel outside the Portuguese territory. Both requests can be denied if there are national security or public order concerns. The Institute of Registries and Notary Affairs (IRN) currently has competence, but it is still unclear if the procedures to request these travel documents are already set in place and operational. All temporary residence permits [can be cancelled](#) if the holders are absent from Portugal for a certain time period.

5. OTHER RELEVANT INFORMATION

To facilitate integration, Portugal has created a [list of job opportunities](#) and a system to support people fleeing Ukraine in finding accommodation. Interested people can also submit their work interests and CV directly through this [form](#). Beneficiaries of temporary protection are offered free Portuguese language classes across the country. For more information, contact job.ukraine@iefp.pt, or + 351 21 580 34 70 (Hotline in Ukrainian).

6. ORGANISATIONS ASSISTING STATELESS PEOPLE

Conselho Português para os Refugiados (CPR) https://cpr.pt/ +351 21 831 43 72	UNHCR , represented by team reporting to the Regional Bureau for Europe
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geral@cpr.pt	Contact Form: https://www.unhcr.org/contact-us.html
Agency for Integration, Migration and Asylum (AIMA) https://sefforukraine.sef.pt/ Migrant Helpline and Telephone Translation Service in Ukrainian: 808 257 257 (for calls from the landline network in Portugal) or +351 21 810 61 91 (mobile and abroad) Any service needs to be booked in advance by email to stt@aima.gov.pt	

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