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2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

**European Migration Network
Ad-hoc query**

December, 2025

AD-HOC QUERY ON 2025.66 IMPLEMENTATION OF THE WAITING PERIOD FOR ACCESS TO THE LABOUR MARKET UNDER ARTICLE 17 OF THE RECAST RECEPTION CONDITIONS DIRECTIVE

REQUESTED BY EMN NCP NETHERLANDS ON 7 NOVEMBER 2025

Exported for: Unrestricted Dissemination

Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Finland, EMN NCP France, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(21 in total)**

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BACKGROUND INFORMATION

Article 17 of the Recast Reception Conditions Directive ((EU) 2024/1346 stipulates that Member States shall ensure that applicants have access to the labour market no later than six months from the date on which the application for international protection was registered, provided that an administrative decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.

Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

The Dutch Ministry of Social Affairs and Employment has received parliamentary inquiries regarding plans to shorten the waiting period for labour market access under the EU Asylum and Migration Pact. The Netherlands aims to reduce this period from the maximum period allowed of 6 months to 3 months when implementing the Pact. One of the questions posed by parliament is to provide an overview of the intended waiting periods in other European Member States.

As the implementation of the Pact and of this Directive is ongoing, we are aware that not all Member States may at this point be able to communicate about this publicly as this could still be under consideration.

The deadline has been reduced by the co-chair of the AHQWG to two weeks seeing the urgency to respond to the Parliamentary question and that it is only one question.


WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **21 November 2025**.




1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?

RESPONSES





Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

		Unrestricted Dissemination ?	
	EMN NCP Austria	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>The three-month waiting period for access to the labour market for applicants for international protection, which has proven effective in Austrian practice, shall be maintained. However, in accordance with the revised Reception Conditions Directive (EU) 2024/1346, the start of this waiting period will now be determined by the date on which the application for international protection is registered by the national authorities, rather than the date on which the asylum procedure is admitted (Article 17(1) of the Reception Conditions Directive). The right of Member States under Article 17(2) of the Reception Conditions Directive to carry out a labour-market test—meaning to examine whether the specific vacancy could be filled by nationals of the Member State concerned, by other Union citizens, or by third-country nationals and stateless persons who are lawfully residing in that Member State—will continue to be exercised.</p> <p>In cases of accelerated examination procedures pursuant to Article 42(1)(a) to (f) of the Asylum Procedures Regulation (EU) 2024/1348, it is planned, in accordance with Article 17(1), second subparagraph, of the Reception Conditions Directive, not to grant access to the labour market.</p> <p>---</p> <p>Source: Ministry of the Interior</p>



Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

	EMN NCP Belgium	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>After the implementation of the Pact, the waiting time for access to the labour market will remain at four months. (Source: Fedasil).</p>
	EMN NCP Bulgaria	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>According to Article 29, paragraph 3 of the Law on Asylum and Refugees a foreigner shall have the right to access the labour market, including to be involved in programmes and projects, financed from the state budget or under international or European funding, provided that the proceedings are not finalised within 3 months after the submission of the application for international protection due to reasons out of their control.</p> <p>A working group is currently working on a new law in the field of asylum and refugee. The first draft of this law provides for that applicants shall have the right to access the labour market no later than six months from the date their application for international protection is registered, provided that no decision has been made on the application and that the delay cannot be attributed to the applicant.</p>
	EMN NCP Croatia	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p>



Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

			The Croatian International and Temporary Protection Act already had defined waiting period of 3 months, and it will not be changed.
	EMN NCP Czech Republic	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>After the implementation of the provisions of the EU Asylum and Migration Pact, the intended waiting period for access to the labour market in the Czech Republic will remain 6 months from the date of submission of the application for international protection.</p>
	EMN NCP Estonia	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>In Estonia, after the implementation of the Pact, the waiting time for access to the labour market will remain at six months.</p>
	EMN NCP Finland	No	Response is marked as EMN Sensitive
	EMN NCP France	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>Currently France has a 6 month waiting period for asylum seekers' access to the labour</p>




Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

			market and there is no plan to modify this measure.
	EMN NCP Germany	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>The current draft of the new German Asylum Act implementing the new CEAS foresees a general three month waiting period for access to the labour market (§ 61 Asylum Act Draft). Compared to the current legislation, this would represent a reduction of the waiting period from six to three months.</p> <p>In several cases the draft specifies exceptions, where the waiting period will be extended to six months (e.g. cases where another MS is considered responsible according to the AMMR or the applicant was already granted international protection in another MS).</p> <p>The legislative procedure concerning the new German Asylum Act is still ongoing.</p>
	EMN NCP Greece	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>According to the contribution by the Directorate for Legal Support for Asylum and Reception of the Ministry of Migration and Asylum, pursuant to Article 192 of Law 5078/2023 (Government Gazette A' 211), paragraph 1 of Article 57 of Law 4939/2022 (A' 111) — concerning the access of applicants for international protection to the labour market — has been amended.</p> <p>As a result, applicants for international protection now have the right to effective access to the</p>




Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

			<p>labour market (i.e. the right to engage in paid employment or to provide services or work on a self-employed basis) in Greece after sixty (60) days from the completion of the registration of their asylum application.</p> <p>It should be noted that the new Reception Conditions Directive (2024/1346) has not yet been transposed into national legislation. However, the intention of the Greek authorities is to allow access to the labour market from the first day of registration of the asylum application.</p> <p>An exception to the above will most probably apply to applicants subject to border procedures, for whom a relevant query has been submitted to the European Commission, and a response is still pending.</p>
	EMN NCP Hungary	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>No decision has been made on the waiting period.</p>
	EMN NCP Italy	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>Currently, with regard to national legislation, no amendments have been made concerning the waiting period for asylum seekers to access the labour market, which remains 60 days.</p>




Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

	EMN NCP Latvia	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>Latvia – in the draft law prepared for implementation of the provisions of the EU Asylum and Migration Pact the intended waiting period for access to the labour market for applicant of international protection remains as it is according to the current Immigration Law - 3 months.</p>
	EMN NCP Lithuania	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>The current regulation in Lithuania is set out in Article 71(1)(10) of the Law on the Legal Status of Foreigners, which provides that an applicant for international protection acquires the right to work after six months from the date of lodging the application, provided that no decision has been taken within that period and the delay is not attributable to the applicant. At this stage, there are no plans to amend these provisions.</p>
	EMN NCP Luxembourg	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>The government is considering reducing the waiting period for access to the labour market from 6 to 4 months.</p>

Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

	EMN NCP Netherlands	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>In the legislative proposals that have been published by the government for internet consultation on 3 november 2025 a waiting period of 3 months is proposed.</p>
	EMN NCP Poland	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>Currently, in Poland, a waiting period for access to the labour market is 6 months.</p> <p>No information is available about shortening this period.</p>
	EMN NCP Slovakia	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>There were similar intentions in the Slovak Republic to shorten the period of access to labour market from 6 to 3 or 4 months from the date the application for international protection was registered. However, after several discussions between relevant stakeholders, the current draft of the new Law on International Protection (which is expected to come into force in June 2026) is going to keep the previous waiting period of six months.</p>

Ad-Hoc Query on 2025.66 Implementation of the waiting period for access to the labour market under article 17 of the recast reception conditions directive

	EMN NCP Slovenia	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>3 months.</p>
	EMN NCP Spain	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>It is still being debated.</p>
	EMN NCP Sweden	Yes	<p>1. What is the intended waiting period for access to the labour market in your country after implementation of the provisions of the EU Asylum and Migration Pact?</p> <p>Sweden aims to provide access to the labour market at 6 months.</p>
