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P-002030/2019  
Answer given by Mr Avramopoulos  
on behalf of the European Commission  
(10.7.2019)

The EU Qualification Directive<sup>1</sup>, in accordance with the 1951 Geneva Convention, obliges Member States to ensure that recognised refugees receive, in the Member State that has granted them protection, the necessary social assistance as provided to nationals of that Member State.

Regarding EU citizens, language requirements in the access to social assistance are indirectly discriminatory and, if applied to EU workers would be contrary to Article 45 of the Treaty on the Functioning of the European Union.

The Commission, in its quality of guardian of the Treaty, continuously monitors the implementation of EU legislation to ensure that the above obligations are respected. The new Austrian Social Assistance (Principles) Act is under assessment by the Commission.

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<sup>1</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, OJ L 337, 20.12.2011, p. 9–26.