

Statements and Answers of the Governments in the Baltic Sea Region to the QUESTIONS of the BSPC Working Group on Migration and Integration

- | | |
|------------|---------------------------|
| 1. Åland | 8. Lithuania |
| 2. Danmark | 9. Mecklenburg-Vorpommern |
| 3. Estonia | 10. Norway |
| 4. Finland | 11. Poland |
| 5. Germany | 12. Russia |
| 6. Hamburg | 13. Schleswig-Holstein |
| 7. Latvia | 14. Sweden |

Åland

**H A M B U R G I S C H E
B Ü R G E R S C H A F T**

Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name Ålands lagting (Parliament of Åland)

Responsible Sten Eriksson

E-Mail sten.eriksson@lagtinget.ax

2. If available, please, provide information regarding the population structure of your country / region

total 29214

female 14647

with migration background 10467

living in urban areas 11565

living in rural areas 17649

2a. If available, please, provide detailed information regarding the population structure in your region / country

female 19

with migration
background

living in urban areas 7

living in rural areas 13

BSPC Migration & Integration

13.03.18, 14:03

total	20
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18-25	
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female	8
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with migration background	2
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living in urban areas	4
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living in rural areas	4
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total	8
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26-40	
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female	18
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with migration background	8
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living in urban areas	8
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living in rural areas	11
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total	18
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41-50	
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female	14
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with migration background	6
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living in urban areas	5
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living in rural areas	9
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total	14
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51-65	
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female	21
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with migration background	9
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living in urban areas	8
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living in rural areas	13
-----------------------	----

total	21
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66+	
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female	21
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with migration background	7
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living in urban areas	8
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living in rural areas	12
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total	20
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2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

By 2036 population prognosis 33.799, an increase by 16 %

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ See answer of national parliament.

4. What are the requirements for the acceptance of asylum?

See answer of national parliament

5. Does your country allow dual citizenship?

☒ See answer of national parliament.

6. What are the conditions to obtain a work permit?

See answer of national parliament

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

The Åland integration law stipulates that every migrant who is in contact with social services or the local employment office has the right to a so-called personal integration plan. The plan should be based on each person's individual background, experience, needs and wishes. The municipal officer or employee at the employment office can then see what measures/support society can offer, as well as pointing to activities organised by civil society that can help further the integration process of each individual. Integration plans can also be made up for minors and whole families. There is a small information office for immigrants funded by the Åland government, and some general information about life on the Åland Islands set up on a website (info in 7 languages), which is maintained (and funded) by the government. (www.aland.ax/flytta)

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, courses for civic education are provided.
- ☒ Yes, vocational training is provided.
- ☒ Yes, the following courses are provided. Integration courses are provided in the Åland Islands with a focus on language, employment traineeships and information about society and culture. The courses are offered to adults who are registered as unemployed at the Åland employment office. There are a set number of courses each year, currently on three levels: A1, A2, and B1. The courses are full-time and free of charge for the participants, who receive the equivalent of unemployment benefits while attending the course. There are no obligatory courses. Some groups, such as parents who stay at home with young children fall outside the system. There are no integration courses designed for them in the current system. There are also courses that are subsidised by the Åland government that run in cooperation with employers, which allow immigrants to learn Swedish partly during working hours and partly in their own free time. In addition to the integration courses there are a number of language courses provided by the Adult teaching centre in Mariehamn (Medborgarinstitutet), usually running 1-2 evenings per week, for which the students pay a fee.

8a. Who is allowed to participate in courses?

- ☒ All foreigners

8b. Are the courses free of charge?

- ☒ Other: Integration courses are free. General language courses in swedish on A1.1-B1.2-levels for a small fee (50-130 €/semester)

8c. Are there obligatory courses?

- ☒ No

9. What kind of benefits exist for migrants / asylum seekers?

See answer of national parliament

9a. What are the conditions for the benefit payments?

See answer of national parliament

9b. How do the benefits relate to the average national income?

See answer of national parliament.

10. Are there possibilities for family-reunification?

- ☒ See answer of national parliament.

11. Could you inform us about the number of evictions activities?

Evictions in 2015: See answer of national parliament

Evictions in 2016: See answer of national parliament

Evictions in 2017: See answer of national parliament

11a. Who decides to pursue an eviction?

- ☒ See answer of national parliament.

12. How does your country deal with unaccompanied minors?

a guardian or representative See answer of national parliament.

the right to See answer of national parliament.
accommodation in a
dedicated home or in
a foster family

child-specific social, See answer of national parliament.
economic and
educational rights

12a. Do you have special programs for family unification / resettlement / return?

☒ See answer of national parliament.

12b. Is there a continued support upon turning 18 (reaching legal age)?

☒ See answer of national parliament.

12c. Are there procedures to identify ostensible minors?

☒ See answer of national parliament.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

☒ See answer of national parliament.

12e. Please provide examples for regional programs or best practice examples?

Please see answer on question 8

13. Please state - if possible - the average monthly costs:

per migrant See answer of national parliament.

per asylum seeker See answer of national parliament.

per undocumented See answer of national parliament.
person

per minor See answer of national parliament.

Currency	Euro
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14. Please indicate how your country / region organises accommodation:

for migrants	See answer of national parliament.
for asylum seekers	The Åland municipalities can decide on accepting quota refugees or granting place for persons who have been granted asylum in Finland. To date there are six (out of 16) local municipalities who have received quota refugees. The municipalities arrange for accommodation for the families they receive.
for refugees	The Åland municipalities can decide on accepting quota refugees or granting place for persons who have been granted asylum in Finland. To date there are six (out of 16) local municipalities who have received quota refugees. The municipalities arrange for accommodation for the families they receive.
for minors	See answer of national parliament.

15a. How is the involvement of volunteers organized ?

- ☒ Other Civil society in the Åland islands is very active and is playing a vital role both when local municipalities receive quota refugees (Åland Red Cross) and in integration of all immigrants. The government support civil society in Åland with approx. 15-18M EUR annually (all sectors). Promoting participation, integration and inclusion of all groups in society is a mainstreamed priority that the government looks at when granting financial support to all civil society associations. In addition, a small envelope of 40,000 EUR annually is earmarked for special projects to promote integration.

15b. How ist the financial support of volunteers organized?

See 15a

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Administrator, BPSC Migration and Integration - 2018

91% completed

Danmark

**H A M B U R G I S C H E
B Ü R G E R S C H A F T**



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name Folketinget, the Danish Parliament

Responsible Katrine Bang Nielsen

E-Mail kbn@uim.dk

2. If available, please, provide information regarding the population structure of your country / region

total 5781190

female 2904717

with migration background 591678

living in urban areas 3722430

living in rural areas 2026339

2a. If available, please, provide detailed information regarding the population structure in your region / country

female 10

with migration
background 1

living in urban areas 13

living in rural areas 7

BSPC Migration & Integration

13.03.18, 13:56

total	20
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18-25

female	5
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with migration background	1
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living in urban areas	8
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living in rural areas	3
-----------------------	---

total	11
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26-40

female	9
--------	---

with migration background	4
------------------------------	---

living in urban areas	13
-----------------------	----

living in rural areas	5
-----------------------	---

total	18
-------	----

41-50

female	7
--------	---

with migration background	2
------------------------------	---

living in urban areas	9
-----------------------	---

living in rural areas	5
-----------------------	---

total	14
-------	----

51-65

female	10
--------	----

with migration background	2
------------------------------	---

living in urban areas	11
-----------------------	----

living in rural areas	7
-----------------------	---

BSPC Migration & Integration

13.03.18, 13:56

total	19
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66+

female	10
--------	----

with migration background	1
------------------------------	---

living in urban areas	10
-----------------------	----

living in rural areas	7
-----------------------	---

total	18
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2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

Total 6231998

Female 3126067

with migration background 762774

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ Yes, significant rules for immigration exist.

☒ Yes, an immigration law exists.

3a. What are the significant rules?

The rules regarding immigration etc. are contained in The Danish Aliens Act. Furthermore, there are a number of executive orders etc.

For the possibility of obtaining a residence permit on the basis of family reunification, work, study etc., please see: <https://www.nyidanmark.dk/en-GB/You-want-to-apply>

For the possibility of obtaining a residence permit on the basis of asylum, please see: <https://www.nyidanmark.dk/en-GB/You-want-to-apply/Asyl>

3b. What is the immigration law?

-

4. What are the requirements for the acceptance of asylum?

The Danish Aliens Act defines three different statuses, which can be granted to foreigners applying for asylum in Denmark: convention status, protection status and temporary protection status.

Convention status:

According to Section 7 (1) of the Danish Aliens Act, aliens covered by the UN Refugee Convention are granted convention status in Denmark. The UN Refugee Convention defines a refugee as someone who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Protection status:

According to Section 7 (2) of the Danish Aliens Act, aliens are granted protection status if the alien risks the death penalty or being subjected to torture or inhuman or degrading treatment or punishment in case of return to his country of origin. The terms of Section 7 (2) are in accordance with human rights conventions including Article 3 and Protocol 6 of the European Human Rights Convention.

Temporary protection status:

An alien who - due to a particularly serious situation characterized by arbitrary violence and attacks on civilians in the country of origin - risks the death penalty or being subjected to torture or inhuman or degrading treatment or punishment in case of return to his country of origin is granted temporary protection status in accordance with Section 7 (3) of the Aliens Act.

The Danish Aliens Act furthermore contains the possibility of resettlement of refugees (quota refugees):

According to Section 8 (1) of the Danish Aliens Act, a residence permit will be issued to an alien who arrives in Denmark under an agreement made with the United Nations High Commissioner for Refugees or similar international agreement, and who falls within the provisions of the Convention Relating to the Status of Refugees (28 July 1951), see section 7(1).

According to Section 8 (2) of the Danish Aliens Act, a residence permit will be issued to an alien who arrives in Denmark under an agreement as mentioned in Section 8 (1), and who risks the death penalty or being subjected to torture or inhuman or degrading treatment or punishment in case of

return to his country of origin, see Section 7(2).

According to Section 8 (3), a residence permit will be issued to an alien who arrives in Denmark under an agreement as mentioned in Section 8 (1), and who would presumably have met the fundamental conditions for obtaining a residence permit under one of the provisions of the Danish Aliens Act if he had entered Denmark as an asylum-seeker.

5. Does your country allow dual citizenship?

☒ Yes As of 1 September 2015 Denmark allows for dual citizenship with no restrictions.

6. What are the conditions to obtain a work permit?

A person who wants to work in Denmark will have to apply for residence and work permit. This main rule does, however, not apply to, for instance, Nordic and EU nationals, foreign nationals who have a humanitarian residence permit or a residence permit obtained according to e.g. the rules on asylum or family reunification. This main rule does, however, not apply to, for instance, Nordic and EU nationals, foreign nationals who have a humanitarian residence permit or a residence permit obtained according to e.g. the rules on asylum or family reunification.

This main rule does, however, not apply to, for instance, Nordic and EU nationals, foreign nationals who have a humanitarian residence permit or a residence permit obtained according to e.g. the rules on asylum or family reunification.

We have understood the questionnaire as related to rules regarding residence permit on the basis of employment. The following list is therefore limited to this. Depending on the applicant's situation, there are different ways to apply and obtain a work permit. However, for most schemes it is a condition that the applicant has been offered a job in Denmark before applying for a residence and work permit in Denmark and that the salary and conditions are equivalent to Danish standards.

The Pay Limit scheme: Persons who have been offered a job with an annual salary of DKK 417,793.60 or more (2018 level) can be granted a residence and work permit based on the scheme.

Fast-track scheme: Highly qualified employees who have been offered employment in a company certified under the scheme can use the scheme for a quick and flexible job start in the company by starting to work before receiving the necessary residence and work permit, if: The person is employed on the conditions of the pay limit scheme. The person is employed as a researcher. The employment involves education at a high level. The employment corresponds to one short-term stay of less than three months a year. In addition, the scheme allows the employee to alternate between working in Denmark and abroad.

The Positive List: The Positive List is comprised of professional fields currently experiencing a shortage of well-qualified employees. Persons whose professional fields are on the list, and who have been offered employment within this field, can be granted residence and work permit based on the scheme. Please note that a position can only be admitted to the Positive List if the education

level is equivalent to a bachelor's degree/professional bachelor's degree.

Researcher: Persons who have been offered a job as a researcher can be granted residence and work permit. In addition, researchers can reside outside of Denmark for more than six months without losing their permit. It should be noted that researchers who are invited to teach or give lectures in Denmark may do so without a residence and work permit, provided that the stay does not exceed three consecutive months.

Guest researcher: Persons with a master's degree can be granted a residence and work permit if (s)he needs to conduct research as part of her/his further education or career development.

Special individual qualifications: Persons who have been offered employment linked so close to their individual qualifications that only they can be assumed to be able to perform the job can be granted residence and work permit. This applies for instance to artists, entertainers and professional athletes.

Herdsmen and farm managers: Persons who possess the necessary professional qualifications can be granted residence and work permit in Denmark as a herdsman or farm manager in agriculture.

Start-up Denmark: Persons who want to work as self-employed can be granted a residence and work permit in order to operate an independent company in Denmark. Before applying for residence and work permit, the business idea must be approved by a panel of experts appointed by the Danish Business Authority.

Trainee: Persons can be granted a residence and work permit for the purpose of working in a company in Denmark for a limited period of time for educational purposes.

Labour market attachment: Persons whose residence permit has been revoked or extension has been denied can be granted a new residence permit, provided that the (s)he has been working in Denmark for a minimum of two years.

Employees on movable oil rigs, drillships etc.: Persons who will work at an oil rig, drillship or other comparable movable workstations temporarily situated on Danish territory can be granted a residence and work permit.

In addition, Denmark has a scheme called "establishment card", which allows for persons who have completed a Danish master's degree or PhD to be granted residence permit with the aim of establishment in Denmark after finishing their educational programme. A person who has been granted a residence permit under the scheme does not need to obtain a work permit, since the granted residence permit includes the right to work.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Asylum seekers:

Foreigners always have the opportunity of asking the Citizen Service at the Danish Immigration Service questions - both general questions regarding e.g. immigration and individual questions concerning for example a claim for asylum or family reunification.

For more details, please see <https://www.nyidanmark.dk/en-GB/Contact-us/Contact-the-Danish-Immigration-Service/Citizen-Service>

The Danish Refugee Council offers counselling to all asylum seekers in Denmark. The counselling provides general answers to questions about the asylum procedure, the Danish Aliens Act, the Dublin Regulation and questions relating to departure.

If an application for asylum will be further processed due to the Dublin Regulation, the Danish Refugee Council provides legal aid to the concerned asylum seeker(s).

If an application for asylum has been refused by the Danish Immigration Service after being processed according to the normal procedure, it will automatically be reviewed by the Danish Refugee Appeals Board. For this purpose, the asylum seeker in question will be appointed a lawyer. Furthermore, special rules apply for unaccompanied minor asylum seekers who are appointed a personal representative to safeguard the interests of the minor and to offer support regarding the individual application for asylum and on a more personal level.

Refugees:

Once an asylum seeker has been granted residence permit, the Danish Immigration Service will assign him or her to a municipality. The municipalities are responsible for the integration effort and the advisory services and courses in relation to integration. The municipality must offer all newly arrived refugees and foreigners reunited with a family member an 'integration programme'. For further information on the 'integration programme', please see the answer to question 8.

It is also worth mentioning that civil society plays a significant role when it comes to integrating refugees. The project "Friends lead the way" has ensured that every [new] refugee in Denmark is offered a Danish friend which can help the refugee with getting to know Danish society, establishing a new network in Denmark and to become active and included in the local society.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, the following courses are provided. Asylum seekers: Newly arrived asylum seekers are required to take an introductory course free of charge at the reception centre. The course provides an introduction to Danish language, culture and society. When the initial phase of the application for asylum is completed and it has been decided that the application is to be processed in Denmark, an asylum seeker will be required to take courses in Danish, English or a native language. An asylum seeker is required to start these courses within three months after applying for asylum. A child at the mandatory school age will be offered schooling free of charge which in content and scope corresponds to education offered to bilingual pupils attending the Danish primary and lower-secondary school. Some children will be offered the opportunity to attend classes at a primary or lower-secondary school. An asylum seeker above the age of 18 years is required to receive education, and children between the ages of 17-18 can opt to receive education. Both are free of charge. For more details please see <https://www.nyidanmark.dk/en-GB/Conditions-for-asylum-seekers> Foreigners with a residence permit - The integration programme: The aim of the programme is to bring the foreigner with a residence permit into

regular employment. The programme is extended until the foreigner is brought into regular employment with a maximum duration of five years. The foreigner is obliged to participate in the programme offered. If the foreigner receives social benefits, the assistance may be reduced in case of non-participation without a legitimate reason. The integration programme consists of a Danish language course and ‘offers of active involvement’, aimed at labour market involvement:

- Guidance and upgrading.
- Job training and internship.
- Employment with a wage subsidy.

The offer of guidance and upgrading consists of short counselling and educational activities, specially arranged projects or training/educational courses, ordinary training/educational courses and special qualifying courses aimed at participation in the labour market. A job training offer consists of job training with a private or public employer. In the period of training, the foreigner must carry out ordinary work. Foreigners under the Integration Act who have no problems besides unemployment will be offered a traineeship for a limited period of time or a job with wage subsidies. As mentioned above, the integration programme is aimed at refugees and foreigners reunited with a family member. The local authorities are obliged to offer an introduction course to other newly arrived foreigners, i.e., labour immigrants and EU nationals. The introduction course is not mandatory. It contains the same elements as the integration programme but in a lighter version. The scope and contents of the introduction course are not fixed in an integration contract. The local authorities are obliged, upon inquiry, to offer all the existing kinds of ‘active labour market involvement’ initiatives also to foreigners, who do not receive cash assistance. The Act on Danish Courses for Adult Aliens and Others

The Act on Danish Courses for Adult Aliens and Others regulates the access of newly arrived foreigners to Danish language courses. The Act aims at providing a flexible and efficient language education which can easily be combined with employment and ensures a high progression rate allowing foreigners to quickly enter into the labour market. With an amendment to the Act on Danish Courses for Adult Aliens and Others from July 1, 2017 some changes to the act have been entered into force. The major changes are:

- Introduction of a “beginners language course” offered to all newly arrived foreigners with a special focus on spoken language and conversations at work places.
- Introduction of a system whereby Danish courses offered to foreign workers and students are time fixed and set up in a way that allows slow performance or absence to be sanctioned with reduced study time. The aim is to encourage students to attend and finish the language course.
- Introduction of a deposit to be paid by foreign workers and students before accessing Danish courses.
- Introduction of a two year pilot scheme whereby larger companies can offer language courses under less strict conditions / exemption from some of the rules stated by law.
- Changed financial incentives for the municipalities in order to make the Danish language courses more efficient.
- Introduction of mandatory regional frameworks on Danish language course every fourth year in the regions (a collective of municipalities) with the purpose of promoting transparency and possible synergies between municipalities. As a consequence of the introduction of the “beginners language course” the labor market-oriented Danish course (a course consisting of 250 hour of Danish language training offered to foreign workers and students) was abolished. This means that all newly arrived aliens are offered the same language course. According to the Act, the local authority is obliged to offer Danish language courses within a month from taking over the integration responsibility for the person in question. The tuition is free of charge for the participants. The duration and the organizational set-up of the course offered depend on the type of residence permit held by

the individual concerned. Newly arrived refugees and their family members have access to up to five years of Danish courses. This group of students are obliged to participate in the programme as part of mandatory integration programme. In 2016, 35% of the students participating in the Danish course mentioned above were refugees and their family members. Newly arrived foreign workers and student have access to up to 42 months of Danish tuition within a 5 year framework. This group of students are not obliged to participate in the Danish courses offered to them as part of the introduction programme. The offer of Danish education comprises one of the following three Danish courses:

- Danish course 1 is intended for students who have no or a poor educational background and who have not learned to read or write in their mother tongue.
- Danish course 2 is intended for students who normally have a short educational background from their country of origin and who are expected to learn Danish as a second language rather slowly.
- Danish course 3 is intended for students who normally have a lower or upper secondary or higher educational background from their country of origin and who are expected to learn Danish as a second language rather rapidly.

The language courses are divided into modules with specific targets. Advancement from one module to the next requires that the targets of the current module have been achieved. Each Danish course ends up with a final language exam. In each module of the three courses, the focus of the language teaching is integration into the labour market but other topics are also handled as part of the teaching, such as democratic structures, the educational system etc. Cash assistance may be granted as assistance for expenses for participation in integration programmes, such as school fees, tools, transport, work clothing and education materials, certain reasonable non-recurrent expenses, medical treatment and special assistance concerning children. Recipients of social assistance are obliged to be available for the labour market, and assistance is reduced if a participant fails to attend offers of activation or Danish language courses without a valid excuse. Furthermore, the local authorities will cut cash assistance if a participant refuses to attend or if his or her attendance record reflects a will to refuse. Labour market-oriented Danish course A labour market-oriented Danish course is thus designed for those who have come to Denmark to study or work or as an accompanying spouse. It is an independent course for those who need to quickly learn how to speak Danish at school, at work, and in their daily lives. The labour market-oriented Danish course does not comprise tests or exams. The training is based on the student's needs, so that the student can learn Danish as quickly as possible in relation to everyday life and work. Labour market-oriented Danish course consists of a maximum of five modules each comprising 50 hours of tuition. The course must be completed within 1½ year from the student's enrolment. If employees, spouses, au pairs, students and cross border commuters, who have completed the labour market-oriented Danish course, within 1½ year wish to master a higher linguistic level, the person has the right to continue with ordinary Danish language training for up to three years.

8a. Who is allowed to participate in courses?

- ☒ Other: Please, see answer to no. 8 with regards to the different groups (asylum seekers, refugees etc)

8b. Are the courses free of charge?

- ☒ Other: Please see the answer to no. 8 above.

8c. Are there obligatory courses?

- ☒ Yes

9. What kind of benefits exist for migrants / asylum seekers?

An asylum seeker will normally receive the following benefits and services: Necessary healthcare and social services, as required; Education for children; Adult education and other activities; Accommodation at an asylum centre; Transport costs to and from meetings with public officials, healthcare providers etc.; Cash allowances (also see below on the conditions for benefit payments)

9a. What are the conditions for the benefit payments?

The Danish Immigration Service pays cash benefits to asylum seekers in Denmark. The basic allowance, which covers expenses for food, personal hygiene items etc., is paid to asylum seekers over the age of 18 who do not receive free meals at their accommodation centre. The basic allowance is DKK 51.32 per adult, per day. If the asylum seeker lives at an accommodation centre with his or her spouse/partner, the amount is DKK 40.63 per adult, per day. Asylum seekers with children receive an extra caregiver allowance. Furthermore, adult asylum seekers who fulfill their agreement (a contract) with the accommodation operator receive an additional supplementary allowance. By signing the contract, the asylum seeker agrees to take part in certain activities at the accommodation centre, attend classes and do work around the centre.

9b. How do the benefits relate to the average national income?

The level of benefit payments in relation to the average national income will vary according to the family type.

10. Are there possibilities for family-reunification?

- ☒ Yes

10a. Under which conditions are relatives allowed to take residence in your country / region?

The Danish Aliens Act contains specific rules regarding family reunification for spouses and children and regarding the conditions that the persons concerned have to fulfill for obtaining a residence permit. Other relatives may also obtain a residence permit if exceptional reasons make it appropriate. With regard to the conditions for obtaining a residence permit on the basis of family reunification, please see: <https://www.nyidanmark.dk/en-GB/You-want-to-apply/Family/Family-reunification>

10b. Do families need visas for family-reunifications?

☒ Yes

10c. What are the visa regulations for family-reunifications?

When a person is not a national from a visa free country, a visa is required for short stays until 90 days within the Schengen area. The visa provisions are found in the Danish Aliens Act, the EU Visa Code and the Visa Executive Order. Visa practice is described in guidelines on the processing of applications for visas for Denmark. For further details please see: <https://www.nyidanmark.dk/en-GB/You-want-to-apply/Short-stay-visa>

11. Could you inform us about the number of evictions activities?

Evictions in 2015: Deportations: 3,961

Evictions in 2016: Deportations: 4,576

Evictions in 2017: Deportations: 2,879

11a. Who decides to pursue an eviction?

☒ Other The figures above include rejected asylum seekers, foreigners who have been deported under the Dublin Regulation, foreigners who have waived their asylum application and other illegal immigrants in Denmark. In Denmark, a return decision is issued as part of a decision on legal stay, i.e. a refusal of an application for residence permit, the withdrawal of a residence permit etc. The authorities responsible depend on the decision to be taken. In general, the Immigration Service is responsible for decisions on asylum, family reunification and administrative expulsion, the Danish Agency for International Recruitment and Integration is responsible for decision related to work and study migration and the Ministry of Immigration, Integration and Housing is responsible for humanitarian residence permits. The Danish Refugee Board and the Immigration Board are complaint bodies. According to the Danish Aliens Act section 30, an alien who does not have the right to reside in Denmark must leave the country. If the alien does not leave voluntarily, the Danish Police will make the arrangements for his/her departure.

12. How does your country deal with unaccompanied minors?

a guardian or
representative

Unaccompanied minors - asylum seekers:

The rules regarding unaccompanied minor asylum seekers are contained in the Danish Aliens Act which complies with international obligations - including the Convention on the Rights of the Child. With regards to a guardian or representative: Please see the answer to question 7.

the right to
accommodation in a
dedicated home or in
a foster family

An unaccompanied minor asylum seeker is accommodated in a specific centre for unaccompanied minors with specially trained staff to take care of the minor according to his/her needs. Furthermore, unaccompanied minor asylum seekers may be accommodated privately with friends or relatives living in Denmark provided that certain criteria are met. Based on a thorough assessment of the individual needs of an unaccompanied minor asylum seeker, a minor with special needs may be accommodated in special care facilities or special housing arrangements that cater to the specific needs.

child-specific social,
economic and
educational rights

Minor asylum seekers do in general have access to the same social rights as national children, e.g. healthcare, dental care and education. Regarding child-specific economic rights please see the answer to question 9. Regarding child-specific education rights please see the answer to question 8.

12a. Do you have special programs for family unification / resettlement / return?

- ☒ Yes Following the arrival in Denmark, the Immigration Service can, in certain situations, initiate a search for parents or other relatives to an unaccompanied minor asylum seeker. The search can be carried out in collaboration with an organisation approved for this task by the Minister for Immigration and Integration. Furthermore, the International Red Cross can provide confidential assistance to help find family members. During the period 2015-2017, Denmark has resettled 364 minors. Unaccompanied minor third-country nationals who have been rejected asylum or who are illegally staying in Denmark will be offered prepared repatriation. The purpose of the offer is to ensure the unaccompanied minors a thoroughly well-planned repatriation. In order to be eligible for prepared repatriation it is a condition that the alien has entered Denmark as a minor and has accepted the offer of prepared repatriation before the age of 18. Further, it is a condition that he or she continuously cooperates in their repatriation. International Organization for Migration (IOM) is the implementing partner of The Danish Immigration Service for prepared repatriation of unaccompanied minors. The programme includes preparation and implementation of the travel from Denmark, receipt of the minor in the home country, payment of cash benefits, shelter costs for a limited period of time after arrival in the home country, and payment of health care costs as required. In addition, the programme includes individual reintegration activities in the home country. The purpose of the reintegration program is to help the minor to resume daily life in the

home country again and can, among other things, include help with schooling, training and job placement. In addition, the minor will have access to free legal counselling during the planning of the programme. In addition, unaccompanied minor rejected asylum seekers or unaccompanied minors who are illegally staying in Denmark will be offered reintegration support through the European Reintegration Network (ERIN), if such a programme is available in the country of origin.

12b. Is there a continued support upon turning 18 (reaching legal age)?

- ☒ Yes Asylum seekers turning 18 years old while staying in Denmark will as a starting point not continue to receive special support as minors but will in general receive the same support as every other adult asylum seeker in Denmark.

12c. Are there procedures to identify ostensible minors?

- ☒ Yes The Danish Immigration Service carries out age assessments of unaccompanied asylum applicants claiming to be less than 18 years of age. Each age assessment is based on an individual assessment of the facts of the case, including e.g. the applicant's psychical appearance, possible lack of ID-documents, the existence of non-verifiable documentation regarding the applicant's age, or information from other countries or authorities regarding the applicant's age. The age assessment procedure is not carried out if it is obvious that the applicant is either a minor or an adult. The applicant claiming to be a minor is treated as such while the age assessment is pending. If the age cannot be determined on the basis of the ID-documents provided by the applicant or other information in the case, the Danish Immigration Service may require that the applicant participates in a medical examination to determine the person's age. The medical examination is carried out by the Department of Forensic Medicine at the University of Copenhagen who on the basis of a physical examination, a carpal (hand/wrist) x-ray and a dental assessment prepares an individual conclusion of the examination. The result of the examination takes into account the uncertainty due to e.g. ethnicity and differences in upbringing. The examination will result in a conclusion of the most likely biological age, often indicated as an age between e.g. 19-21 years. Even though the medical assessment is based on objective findings, it is subject to some uncertainty. Thus, the immigration authorities will always read the medical assessment in combination with the other facts of the case. In addition to the conclusion from the medical examination, the Danish Immigration Service takes into consideration the facts of the case, including e.g. the information provided by the applicant, any possible ID-documents and/or non-verifiable documentation regarding the applicant's age, or information from other countries or authorities regarding the applicant's age. If the most likely age assessed by the Department of Forensic Medicine at the University of Copenhagen is within 1 year from the age stated by the applicant, the applicant will as a general rule enjoy the benefit of the doubt. The decision made by the Danish Immigration Service regarding the applicant's age can be appealed to the Danish Refugee Appeals Board.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

☒ See answer of national parliament.

12e. Please provide examples for regional programs or best practice examples?

Unaccompanied minors who are granted a residence permit:

Unaccompanied minors are subject to the same rules as other children in Denmark, including the right to school and special offers and measures according to the Act on Social Services. When an unaccompanied minor is granted a residence permit, the immigration authorities decide in which municipality the minor should reside. As soon as possible after the responsibility for an unaccompanied minor has passed to the local authority, the local authority must assign housing to the refugee. Until a permanent housing solution is available the municipality must offer a temporary housing solution such as an apartment with a time limited lease. The municipality is responsible for the integration of the minor. The specific integration effort offered by the municipality to the child will be based on a concrete and individual assessment of the child's personal situation, age, maturity and needs. According to the Act on Parental Responsibility a temporary custodian holder must always be designated for the child. The temporary custodian holder is usually a voluntary who is responsible for taking care of the minors' best interests with regard to relevant decisions regarding the minor. The temporary custodian holder is appointed until the minor reaches the age of 18 years or the parents to the minor enter the country. In order to ensure and support the sharing of best practices and recommendations among the municipalities, the Ministry of Immigration and Integration has among other things distributed a handbook about the good reception of unaccompanied minors in the municipalities (2012) and developed the webpage "integrationsviden.dk" [integrationknowledge.dk].

Moreover, the Danish Agency for International Recruitment and Integration under the Ministry of Immigration and Integration facilitates a leader network for all municipalities about integration where the municipalities can exchange best practices and discuss their challenges and experiences concerning integration, including those of unaccompanied minors. Civil society also plays a significant role when it comes to integrating children, including unaccompanied minors. The project "Friends lead the way", as mentioned in the answer to question 7, has ensured that every new refugee in Denmark - including unaccompanied minors - is offered a Danish friend. With regard to health services all residents in Denmark, including refugees who have received a residence permit, are entitled to public health care including hospital treatment, treatment by a general or specialist practitioner and rehabilitation post-hospitalisation. Furthermore, newly arrived children who have received a residence permit are entitled to a medical screening with the purpose of detecting severe health problems at an early stage. When the minor has turned 18 years of age the same rules apply as for other adult refugees.

13. Please state - if possible - the average monthly costs:

per asylum seeker 21.375

Currency DKK

14. Please indicate how your country / region organises accommodation:

for migrants -

for asylum seekers The Danish Immigration Service is responsible for establishing reception centers and accommodating asylum seekers. The Danish Immigration Service has several partners, who are responsible for the day-to-day operation of the reception centers. The operators are the Danish Red Cross, a number of municipalities, and the Prison and Probation Service. The cooperation between the Danish Immigration Service and the operators is regulated in annual contracts which are subject to a public tender as per EU Directive 2024/24 on Public Procurement (light regime).

for minors Unaccompanied minor asylum seekers until the age of 17 are accommodated in smaller housing units than adults. These units are manned around the clock and in general have more staff available than other reception centers. Unaccompanied minor asylum seekers older than 17 years are accommodated at a regular reception center, however, separated from adult asylum seekers and with more staff available.

15a. How is the involvement of volunteers organized ?

- ☒ Other In regard to asylum seekers, the reception centre operators are contractually obligated to motivate relevant and interested people and associations in the local community to do voluntary work at the reception centres.

15b. How ist the financial support of volunteers organized?

This obligation (see above) is financed through the appropriation for the operators within the framework of the Danish Finance Act.

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BSPC Migration & Integration

13.03.18, 13:56

[Administrator](#), BPSC Migration and Integration - 2018

94% completed

Estonia

Ministry of Foreign Affairs of the
Republic of Estonia

Questions by the BSPC Working Group on Migration and Integration - 2018

1. Country

Estonia

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+ *among those:* female / with migration background / living in urban areas / living in rural areas / undocumented (“**cross-table**”)

2. What are the significant rules for immigration? E. g. does an immigration law exist?

A third-country national must have a legal basis to stay in Estonia. For entry and residence, either a visa or a residence permit can be applied for.

The entry of third-country nationals into Estonia, their temporary stay, residence and employment in Estonia, as well as their obligations, are regulated in the Aliens Act.

3. What are the requirements for the acceptance of asylum?

The Estonian asylum law is based on the EU acquis (Qualification directive **2011/95/EU**), which Estonia has fully transposed into national legislation Act on Granting International Protection to Aliens. Refugee status is granted to an alien who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country and with regard to whom no circumstance exists precluding recognition as a refugee. Upon assessing persecution, it does not matter whether the alien has a real basis for persecution specified in this subsection or only the circumstance of persecution.

[RT I, 06.04.2016, 1 – entry into force 01.05.2016]

Subsidiary protection is granted to an alien who does not qualify as a refugee and with regard to whom no circumstance exists which would preclude granting of subsidiary protection and in respect of whom substantial grounds have shown for believing that his or her return or expulsion to his or her country of origin may result in a serious risk in the specified country, including:

- 1) imposition or execution of death penalty on him or her, or
- 2) torture or inhuman or degrading treatment or punishment of him or her, or
- 3) individual threat to his or her life or the lives of civilians or violence towards him or her or civilians by reason of international or internal armed conflict.

4. Does your country allow for dual citizenship? Under which conditions?

The basis of the Estonian citizenship policy is that an Estonian citizen cannot be a citizen of another state at the same time.

By the Citizenship Act, with regard to minors, dual citizenship will be allowed, no matter if the child acquired Estonian citizenship by birth or through naturalisation - the release from Estonian citizenship or deprivation of it will be precluded until he or she gets a possibility to choose which citizenship to prefer. That means if they have dual citizenship, they shall renounce either the Estonian or the other country's citizenship within 3 years after attaining the age of 18 years.

There is another exception and requirement to release from the citizenship of another state will not be applied to beneficiaries of international protection granted by Estonia or any other EU member state, if the circumstances, which constituted the basis for granting the permission, have not ceased to exist.

5. What are the conditions to obtain a work permit?

Since 2013, Estonia no longer issues work permits. Residence permit also gives the third-country nationals access to the labour market.

Third-country nationals who have obtained a residence permit for employment are allowed to work in Estonia only under the conditions determined in the residence permit. In general, a labour market test

residence permit under other grounds (e.g. study, entrepreneurship) have access to labour market under condition that the employment does not interfere with the main purpose of stay. The labour market test and salary criterias do not apply. Third-country residence, who have obtained residence permit for family reasons, have unlimited access to labour market.

Third-country nationals who are staying temporarily in Estonia (e.g. visa-free travel or visa) may work in Estonia if the employer has registered their employment with the Police and Border Guard Board before the employment commences.

Asylum seekers have automatic access to labor market when after 6 months from the registration of the asylum application the final decision is not in force. When the international protection status and residence permit has been granted, the right automatically remains or starts.

6. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

There is an advisory service for potential migrants, for migrants already in the country and those who wish to invite migrants at the Police and Boarder Guard Board (PBGB). The main aim of the service is to counsel persons on the procedures of obtaining and extending visas, residence permits etc with view of ensuring their legal entry and stay in Estonia. The advisory service also includes counselling companies wishing to hire foreign nationals and higher education institutions where the latter study or aim to study.

There is also counselling for asylum seekers in the PBGB's detention centre and in reception centre administered by the Ministry of Social affairs. Advisors main task is to provide information about the rights and obligations of the applicants and to assist them in communication with authorities, for example assistance applying for state legal aid etc.

There are also counselling services provided to all migrants under the Ministry of Culture with service centres in Tallinn and Narva.

7. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- Who is allowed to participate?
- Are they free of charge?
- Are there obligatory ones?

For persons that have entered or stayed in Estonia legally for less than five years, a Welcoming programme is provided that gives an overview of life in Estonia, work, education, family life, issues related to children, also on issues related to receiving asylum. The Welcoming programme also provides language tuition up to level A1. The Welcoming programme is free of charge and for persons not beneficiaries of international protection, not compulsory.

8. What kind of benefits exists for migrants and asylum seekers?

A third-country national staying in Estonia is guaranteed rights and freedoms equal to those of an Estonian citizen unless the Constitution, act of law or other legislation or a treaty binding on Estonia provides otherwise.

Third-country nationals staying in Estonia under residence permit enjoy the same benefits and social assistance as Estonian citizens.

- What are the conditions for the benefit payments?

It greatly depends on a benefit. For example a family support depends from a number of children, subsistence benefit is determined by the government.

- How do the benefits relate to the average national income?

Family support is universal. Subsistence benefit is paid, if persons' or familys' monthly net income after paying rent and communal costs will be less than 140€ per adult or first member of the family, 112€ per second member of the family and 168€ per minor.

9. Are there possibilities for family-reunification? Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

The migration rules in Estonia aim to support family migration. Third-country nationals residing in Estonia on the basis of residence permit may bring their spouse and minor children with them. The requirement of prior 2 years residence was abolished in 2017. Thus, family members may join the third-country national from day one. In addition, family members also have access to the labour market. To apply for a residence permit to settle with a spouse or close relative, the third-country national must provide documentation that they are close relatives, documentation on adequate legal income and a health insurance document.

Certain categories of third-country nationals may also bring their spouse and children with them if they are staying in Estonia temporarily on the basis of a visa (or visa-free travel). Such opportunity is given to those foreigners coming to Estonia to study, work or who wish to establish a startup in Estonia.

Estonia has transposed the family reunification directive and other relevant asylum acquis of the EU. Beneficiaries of international protection can reunify their family members. Beneficiary must apply for the reunification and provide information of the family member, whom they wish to be reunited with. Police and Border Guard Board will make a decision on reunification in case the relative falls under the definition of the family member. Family member applies for a visa, arrives to Estonia and applies for asylum stating the reason being a family reunification. During proceedings, it will be assessed if the person needs international protection or a residence permit of the beneficiary of international protection.

10. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

– Who decides?

Return decisions are issued by the Police and Border Guard Board.

Removals:

in 2015—157

in 2016—153

in 2017—165

11. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

– A guardian or representative?

A guardian is always appointed to an unaccompanied minor ASAP. This person is a local municipality's child welfare specialist, where the minor is living.

– The right to accommodation in a dedicated home or in a foster family?

Unaccompanied minors are in home like institutions where they will stay until they reach adulthood.

– child-specific social, economic and educational rights?

All the children have the right to safe housing, medical care, psychological help, translation, education.

– Do you have special programs for family unification / resettlement / return?

Estonia does not have special programs for family reunification, resettlement, return for unaccompanied minors.

– Is there a continued support upon turning 18 (reaching legal age)?

After reaching an adulthood, young people are supported as any other person legally in Estonia (services and benefits).

– Are there procedures to identify ostensible minors?

– Are there special regional programs (school, youth welfare); best practice examples?

There are no special programmes. Children will start going to school ASAP after arrival to Estonia (even during the period when their applications are proceeded) and they will attend the ordinary school. First emphasis in school is on language learning and less verbal subjects such as physical education and industrial arts. In all the activities minors best interests are a priority by Estonian legislation and the main emphasis is to integrate them to Estonia in holistic way.

12. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

N/A

13. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

While international protection applications are processed, applicants live either in accommodation centres or if they have any relatives living in Estonia, then with the permission of Police and Border Guard Board, they can also live outside the centre.

After getting a status, single adults or families will receive help finding a rental apartment from the free rental market from private owners. Help is provided by the accommodation centre and support person.

14. How is the involvement of volunteers organized (national / regional)? Financial support?

Volunteers are involved in providing support person service. At this point an organization is holding a contract with the state and are therefore paid for the basic expenses. Volunteers are also involved in AMIF funded projects to conduct different classes and trainings for refugees. Also they are providing integration events in different counties.

Finland

H A M B U R G I S C H E B Ü R G E R S C H A F T



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name	Mika Laaksonen
Responsible	The Parliament of Finland
E-Mail	Mika.Laaksonen@eduskunta.fi

2. If available, please, provide information regarding the population structure of your country / region

Insert total number (e.g. total = 1700000)

total	5503297
with migration background	243639
living in urban areas	-
living in rural areas	-
undocumented	-

2a. If available, please, provide detailed information regarding the population structure in your region / country

Insert percentage

with migration background	1 %
total	19 %
18-25	
with migration background	0 %
total	8 %

26-40

with migration background	2 %
---------------------------	-----

total	19 %
-------	------

41-50

with migration background	1 %
---------------------------	-----

total	12 %
-------	------

51-65

with migration background	1 %
---------------------------	-----

total	20 %
-------	------

66+

with migration background	0 %
---------------------------	-----

total	21 %
-------	------

2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

No answer

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ Exeptions/Explanation: Yes, Aliens Act (301/2004) https://www.finlex.fi/fi/laki/kaannokset/2004/en20040301_20101152.pdf

3a. What are the significant rules?

No answer

3b. What is the immigration law?

Aliens Act (301/2004)

https://www.finlex.fi/fi/laki/kaannokset/2004/en20040301_20101152.pdf

4. What are the requirements for the acceptance of asylum?

Asylum can be granted in Finland if a person have a well-founded fear of being persecuted in his/her home country or country of permanent residence because of origin, religion, nationality, membership in a certain social group or political opinions.

Another requirement is that a person cannot rely on the protection of the authorities of his/her home country or country of permanent residence because of the persecution fear.

The Finnish Immigration Service will evaluate whether an applicant meets the grounds for getting asylum. The criteria for asylum are defined in the Finnish law (Aliens Act) and international agreements that Finland has adopted.

5. Does your country allow dual citizenship?

☒ Yes Finland accepts multiple citizenship. In other words, a Finnish citizen may also be a citizen of some other country. Even if a Finnish citizen has more than one citizenship, the Finnish authorities will consider him or her to be a Finnish citizen both in Finland and abroad.

6. What are the conditions to obtain a work permit?

Please explain the conditions to obtain a work permit.

A residence permit is needed for working in Finland. The grounds of a residence permit is determined by the amount and types of work a person is allowed to do.

A residence permit applicant must get an appropriate salary for his/her work. This salary must be enough to support him/her for the entire time your residence permit is valid.

The citizens of EU and EEA countries and their family members have the right to work in Finland without restrictions. However, they must register their right of residence.

An applicant must also meet general requirements for entry into Finland. He/she

- has a valid passport.
- has not been prescribed a prohibition of entry.
- is not a danger to public order and security.
- is not a danger to public health.
- is not a danger to Finland's international relations.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Yes.

Legal advice for asylum seekers

An asylum seeker has a right to a legal counsel. Legal counselling is offered by legal aid offices. The legal counsel does not usually participate in asylum interviews. Legal counsel is allowed to be present but he/she will only be paid if there are special, weighty reasons why he/she needs to be there. The legal aid office decides whether it will compensate the legal counsel's costs. If the legal aid office decides not to cover the costs, an asylum seeker may pay for legal counsel himself/herself or go to the interview alone.

A representative will find a legal counsel for an asylum seeker who is under 18 years of age and has arrived in Finland alone. The legal aid offices always compensate the costs of the legal counsels of asylum seekers who are under 18 years of age and who arrived alone.

Unaccompanied minor asylum seekers

Finnish District Courts assign a representative to each asylum seeker who is younger than 18 and has arrived in Finland without a guardian. The representative's task is to ensure that the child's best interests are taken into

account in different situations. The Finnish Immigration Service will pay the representative's fee.

The representative uses the right of action that belongs to the guardian of a minor child, helps the child with official matters or takes care of the child's matters on his/her behalf with the Finnish authorities. For example, the representative participates in the child's asylum interview, which is a part of the processing of his/her asylum application.

The representative is not responsible for the daily maintenance, upbringing or other care of the child. These matters are the responsibility of the reception centre.

Services of asylum seekers in Finland

People applying for asylum in Finland have the right to get reception services which safeguard their necessary financial support and care. The reception centres operate under the guidance of the Immigration Service and organise the necessary reception services. The reception services include accommodation, reception allowance or spending allowance, any necessary social and health services, interpretation and translation services as well as work and training activities.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, courses for civic education are provided.
- ☒ Yes, the following courses are provided. The reception centres organise work and study activities for asylum seekers. They are obligatory. If an asylum seeker refuses to attend work and study activities, his/her financial support may be reduced. The work and study activities do not mean a paid job outside the reception centre. Most often, the study activities are studies in the Finnish or Swedish language. The work activities are organised by the reception centre, and the work is done at the reception centre. The work consists of everyday tasks such as maintaining the yard or cleaning. Before an asylum seeker's work and study activities begin, the reception centre will make a personal work and study activity plan with him/her. In addition, each asylum seeker is required to take a basic course on the Finnish society, as a part of his/her work and study activities. Children who live in reception centres have the right to participate in basic education. The municipality in which the reception centre is located organises basic education for all children who live in that municipality and who are of compulsory school age. The municipality also organises pre-primary education for children who will reach the compulsory school age in the coming year. An asylum seeker's right to study outside reception centre is not restricted. Thus, an asylum seeker may apply for and accept a study place if this is not against the rules and regulations of the educational institution in question. However, receiving a study place does not automatically mean that a residence permit is granted. If a person is granted a residence permit in Finland, he/she will become a residence of a municipality. This means that he/she is entitled to municipal services, such as early childhood education and care, basic education, social welfare, health care and housing. Moreover, municipalities and Employment and Economic Development Offices are required to offer measures and services that promote and support integration. These measures include instruction in the Finnish or Swedish language, information about the Finnish society and culture and opportunities of finding employment and pursuing education, especially in the initial period after their arrival in the country.

8a. Who is allowed to participate in courses?

- ☒ Citizens with migration background
- ☒ Asylum seekers
- ☒ Other: See 8

8b. Are the courses free of charge?

- ☒ Special conditions/Exceptions: See 8

8c. Are there obligatory courses?

- ☒ Only for the following: The reception centres organise work and study activities for asylum seekers. They are obligatory. If an asylum seeker refuses to attend work and study activities, his/her financial support may be reduced.

9. What kind of benefits exist for migrants / asylum seekers?

According to Act on Receiving Individuals Seeking International Protection (746/2011), an asylum seeker who has applied for asylum is entitled to reception allowance or spending allowance. The allowance is paid until the asylum application has been processed. An asylum seeker is not covered by the Finnish social security system and therefore is not entitled to any other social security benefits.

If an asylum seeker is unable to provide for himself/herself, he/she can apply for financial aid to cover living costs from the reception centre in which he/she is registered as client. Section 19 of the Act on Receiving Individuals Seeking International Protection, prescribes that reception allowance is granted to provide an income necessary to secure the fundamental basic needs required for decent existence and promote independent living. Reception allowance is granted, if an asylum seeker is in need of support and cannot gain an income through work or some other source or from private assets, or the seeker's needs are not provided for by another person with duty to maintain him/her.

The basic component of the reception allowance covers clothing expenses, small-scale health care expenses, the costs of using local transport and telephone as well as other corresponding, food and everyday expenses of the individual and family when the reception centre does not provide meal service. The supplementary reception allowance covers expenses caused by the special needs or circumstances of the individual or family when these are deemed appropriate.

The amount of the basic component of the reception allowance per month is:

EUR 312.23 for persons living alone and for single parents. If the reception centre offers meals, the allowance is EUR 91.52.

For other persons over 18 years EUR 263.78. If the reception centre offers meals, the allowance is EUR 75.36.

For a child who lives with his/her parents EUR 199.18. If the reception centre offers meals, the allowance is EUR 59.21.

If the reception centre provides full board, which encompasses the expenses covered by the basic and supplementary component of the reception allowance as meant by Section 19 as well as health care expenses that are not small-scale, an unaccompanied minor asylum seeker will be granted spending allowance instead of the reception allowance. The amount of spending allowance for an unaccompanied minor who is under 16 years old is EUR 26.92 per month and EUR 48.44 for minors who are 16 or 17 years old.

9a. What are the conditions for the benefit payments?

No answer

9b. How do the benefits relate to the average national income?

Social security benefits for persons who reside in Finland

A person who has come to Finland as an asylum seeker and been granted asylum or a residence permit on grounds of subsidiary or humanitarian protection or has been accorded refugee status, is covered, with certain exceptions, by the Finnish social security system, if the person intends to move permanently to Finland. If a person is granted a residence permit in Finland, he/she is eligible for the same social security benefits and social

and health services as other permanent residents.

If a person enters Finland as a 'quota refugee', he/she is covered by the Finnish social security system as soon as he/she arrives to Finland. However, if a person has been given a residence permit by virtue of the need for temporary protection or a similar reason, he/she is not considered to be moving to Finland permanently and is therefore not covered by the Finnish social security system.

When an asylum seeker is granted a residence permit, he/she becomes entitled to benefits from the Social Insurance Institution of Finland and municipalities. Social security benefits paid by the Social Insurance Institution guarantee basic subsistence in the event of unemployment, illness, and disability and during old age as well as at the birth of a child or the loss of a provider.

There are some special requirements for eligibility to some social security benefits. For example to qualify for parental allowances, the parents must have lived in Finland for at least 180 days immediately before the baby's expected date of delivery.

In 2015, average taxable income in Finland was EUR 28,750 a year per income recipient (approx. 2,396/month). When comparing average income to allowances granted for asylum seekers, it must be taken into account, that asylum seekers are provided at least accommodation and necessary social and health services free of charge.

10. Are there possibilities for family-reunification?

☒ Yes

10a. Under which conditions are relatives allowed to take residence in your country / region?

A family member needs a residence permit on the basis of family ties. A family member must apply for a residence permit himself/herself.

Finnish law defines the persons considered to be family members. The concept of family is narrower in Finland than in many other countries. These are the family members of a Finnish citizen and a foreign national who is not an EU citizen:

- a spouse
- a registered partner
- a cohabiting partner
- a guardian of a child under 18 years of age
- a child

In most cases, a family member must have secure means of support. 'Secure means of support' means that a family member have sufficient funds to live in Finland. Income can come for example from employment, a private enterprise, assets or pensions. The required amount of income depends on the size of a family.

10b. Do families need visas for family-reunifications?

☒ Exemptions/Conditions: Only family members of persons who have been granted asylum or selected as quota refugees may apply for family reunification within three months without an income requirement, if the family ties existed before the asylum seeker came to Finland or before the quota refugee was selected for Finland's refugee quota.

10c. What are the visa regulations for family-reunifications?

No answer

11. Could you inform us about the number of evictions activities?

Evictions in 2015: 1897

Evictions in 2016: 2031

Evictions in 2017: 2749

11a. Who decides to pursue an eviction?

- ☒ Other The Finnish Immigration Service (Migri) decides on refusals of entry and deportation. The Finnish Immigration Service operates under the Ministry of the Interior.

12. How does your country deal with unaccompanied minors?

a guardian or representative Finnish District Courts assign a representative to each asylum seeker who is younger than 18 and has arrived in Finland without a guardian. The representative's task is to ensure that the child's best interests are taken into account in different situations. The Finnish Immigration Service will pay the representative's fee.

The representative uses the right of action that belongs to the guardian of a minor child, helps the child with official matters or takes care of the child's matters on his or her behalf with the Finnish authorities. For example, the representative participates in the child's asylum interview which is a part of the processing of his or her asylum application.

The representative is not responsible for the daily maintenance, upbringing or other care of the child. These matters are the responsibility of the reception centre.

the right to accommodation in a dedicated home or in a foster family A person who is under the age of 18 and who has arrived in Finland alone to apply for asylum will be accommodated in a group home or a supported housing unit. Group homes are intended for children under 16 years of age. Supported housing units are for young people who are 16 or 17 years old. In group homes, some of the residents may be over 16 years of age. Group homes and supported housing units are smaller and have more employees per client than reception centres for adults and families. They put an emphasis on care and upbringing.

child-specific social, economic and educational rights Minor asylum seekers are entitled to the same healthcare services as local people. They are also entitled to attend Finnish comprehensive school (from seven to sixteen years of age). In many schools, children are placed in special preparatory classes for foreign children where they are first taught Finnish or Swedish before going into a normal school class.

Aliens Act Section 6a regulates medical age assessment:

(1) A medical age assessment may be carried out to establish the age of a sponsor or an alien applying for a residence permit if there are reasonable grounds for suspecting the reliability of the information the person has given on his or her age.

(2) The performance of an examination requires that the person to be tested has given an informed consent in writing of his or her own volition. The written consent of his or her parent or guardian or other legal representative is also required.

(3) Anyone who refuses to undergo an examination is treated as an adult if there are no reasonable grounds for refusal. A refusal to undergo an examination may not as such constitute grounds for rejecting an application for international protection.

(4) Before obtaining consent, the applicant or sponsor and the applicant's or sponsor's parent, guardian or other legal representative shall be given information on the

importance of age assessment, the examination methods used, potential health effects, and the consequences of having and of refusing an examination. The information shall be given in the native language of the applicant or sponsor and the applicant's or sponsor's parent, guardian or legal representative or in a language which he or she may reasonably be expected to understand.

12a. Do you have special programs for family unification / resettlement / return?

No answer

12b. Is there a continued support upon turning 18 (reaching legal age)?

No answer

12c. Are there procedures to identify ostensible minors?

No answer

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

No answer

12e. Please provide examples for regional programs or best practice examples?

See answer of national parliament.

13. Please state - if possible - the average monthly costs:

per migrant	See answer of national parliament.
per asylum seeker	19200
per minor	53200
Currency	Euro

14. Please indicate how your country / region organises accommodation:

for migrants	See answer of national parliament.
for asylum seekers	<p>Asylum seekers are accommodated at reception centres. The place where an asylum seeker stays depends on age, gender and other circumstances. Additionally, accommodation is organised in a way that makes it possible for family members to live together in the same place if they want to.</p> <p>The reception services include accommodation, reception allowance or spending allowance, any necessary social and health services, interpretation and translation services as well as work and training activities. Also meals can be provided as part of the reception services.</p> <p>The first place where asylum seekers usually stay is called a transit centre. The transit</p>

centres are located near the service points of the Finnish Immigration Service that hold asylum interviews. These centres are primarily meant for new asylum seekers who have just arrived in Finland. After an asylum seeker has had an asylum interview, he/she will be transferred to another reception centre to wait for a decision.

There are many reception centres of different types and sizes in different parts of Finland. Some reception centres are with catering, which means that the reception centre offers meals to everyone who lives there. The other ones are with individual or shared kitchens, where asylum seekers can cook their own meals.

Reception centres are maintained by many operators: the Finnish Immigration Service, Finnish municipalities, organisations and companies. All reception centres offer the same reception services to the people who live there, and all reception centres operate according to the same principles. The Finnish Immigration Service directs, plans and supervises the practical operations of all reception centres.

The reception of asylum seekers is steered by the Finnish Act on the Reception of Persons Applying for International Protection.

for refugees	See answer of national parliament.
for minors	Persons under the age of 18 who arrive in Finland without a guardian are accommodated at a group home or a supported housing unit.

15a. How is the involvement of volunteers organized ?

☒ Regional

15b. How ist the financial support of volunteers organized?

Involvement of volunteers is mainly organised by NGOs, which provide different kind of support for asylum seekers and refugees in Finland. This support is organised independently by NGOs. Finnish NGOs have both employees and volunteers who participate in supporting different groups of people who need help.

Finnish health care and social sector NGOs are mainly funded by the State. The State funding is granted by The Funding Centre for Social and Health Organisations (STEA), which is state-aid authority operating in connection with the Ministry of Social Affairs and Health. State funding for NGOs is the revenue of state-owned gaming company Veikkaus Oy. The revenue of Veikkaus is approximately one billion euros per year which is directed to NGOs.

In addition, municipalities may grant funding to NGOs.

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In addition, municipalities may grant funding to NGOs.

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LIST OF QUESTIONS

- Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.
- Additional documents please add per Mail.

1. Name of national / regional parliament

The Parliament of Finland

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+
among those: female / with migration background / living in urban areas /
living in rural areas / undocumented (“**cross-table**”)

Table 1. Finnish nationals and foreign nationals by age in 2016.

Source: Statistics Finland.

Age	Finnish nationals		Foreign nationals		Total
0–18	1 028 438	20 %	43 467	18 %	1 071 905
18–24	435 435	8 %	20 542	8 %	455 977
25–39	955 175	18 %	95 831	39 %	1 051 006
40–49	623 313	12 %	41 251	17 %	664 564
50–64	1 077 989	20 %	31 881	13 %	1 109 870
65 +	1 139 308	22 %	10 667	4 %	1 149 975
Total	5 259 658	100 %	243 639	100 %	5 503 297

Table 2. Foreign nationals by age and sex in 2016.

Source: Statistics Finland.

Age	Male		Female		Total
0–18	22 769	17 %	20 698	18 %	43 467
18–24	10 873	8 %	9 669	9 %	20 542
25–39	53 088	40 %	42 743	38 %	95 831
40–49	23 059	18 %	18 192	16 %	41 251
50–64	16 410	12 %	15 471	14 %	31 881
65 +	5 100	4 %	5 567	5 %	10 667
Total	131 299	100 %	112 340	100 %	243 639

3. What are the significant rules for immigration? E. g. does an immigration law exist?

Yes, Aliens Act (301/2004)

https://www.finlex.fi/fi/laki/kaannokset/2004/en20040301_20101152.pdf

4. What are the requirements for the acceptance of asylum?

Asylum can be granted in Finland if a person have a well-founded fear of being persecuted in his/her home country or country of permanent residence because of origin, religion, nationality, membership in a certain social group or political opinions.

Another requirement is that a person cannot rely on the protection of the authorities of his/her home country or country of permanent residence because of the persecution fear.

The Finnish Immigration Service will evaluate whether an applicant meets the grounds for getting asylum. The criteria for asylum are defined in the Finnish law (Aliens Act) and international agreements that Finland has adopted.

5. Does your country allow for dual citizenship? Under which conditions?

Finland accepts multiple citizenship. In other words, a Finnish citizen may also be a citizen of some other country. Even if a Finnish citizen has more than one citizenship, the Finnish authorities will consider him or her to be a Finnish citizen both in Finland and abroad.

6. What are the conditions to obtain a work permit?

A residence permit is needed for working in Finland. The grounds of a residence permit is determined by the amount and types of work a person is allowed to do.

A residence permit applicant must get an appropriate salary for his/her work. This salary must be enough to support him/her for the entire time your residence permit is valid.

The citizens of EU and EEA countries and their family members have the right to work in Finland without restrictions. However, they must register their right of residence.

An applicant must also meet general requirements for entry into Finland. He/she

- has a valid passport.
- has not been prescribed a prohibition of entry.
- is not a danger to public order and security.
- is not a danger to public health.
- is not a danger to Finland's international relations.

7. **Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?**
Yes.

Legal advice for asylum seekers

An asylum seeker has a right to a legal counsel. Legal counselling is offered by legal aid offices. The legal counsel does not usually participate in asylum interviews. Legal counsel is allowed to be present but he/she will only be paid if there are special, weighty reasons why he/she needs to be there. The legal aid office decides whether it will compensate the legal counsel's costs. If the legal aid office decides not to cover the costs, an asylum seeker may pay for legal counsel himself/herself or go to the interview alone.

A representative will find a legal counsel for an asylum seeker who is under 18 years of age and has arrived in Finland alone. The legal aid offices always compensate the costs of the legal counsels of asylum seekers who are under 18 years of age and who arrived alone.

Unaccompanied minor asylum seekers

Finnish District Courts assign a representative to each asylum seeker who is younger than 18 and has arrived in Finland without a guardian. The representative's task is to ensure that the child's best interests are taken into account in different situations. The Finnish Immigration Service will pay the representative's fee.

The representative uses the right of action that belongs to the guardian of a minor child, helps the child with official matters or takes care of the child's matters on his/her behalf with the Finnish authorities. For example, the representative participates in the child's asylum interview, which is a part of the processing of his/her asylum application.

The representative is not responsible for the daily maintenance, upbringing or other care of the child. These matters are the responsibility of the reception centre.

Services of asylum seekers in Finland

People applying for asylum in Finland have the right to get reception services which safeguard their necessary financial support and care. The reception centres operate under the guidance of the Immigration Service and organise the necessary reception services. The reception services include accommodation, reception allowance or spending allowance, any necessary social and health services, interpretation and translation services as well as work and training activities.

8. **Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?**

The reception centres organise work and study activities for asylum seekers. They are obligatory. If an asylum seeker refuses to attend work and study activities, his/her financial support may be reduced. The work and study activities do not mean a paid job outside the reception centre. Most often, the study activities are studies in the

Finnish or Swedish language. The work activities are organised by the reception centre, and the work is done at the reception centre. The work consists of everyday tasks such as maintaining the yard or cleaning. Before an asylum seeker's work and study activities begin, the reception centre will make a personal work and study activity plan with him/her. In addition, each asylum seeker is required to take a basic course on the Finnish society, as a part of his/her work and study activities.

Children who live in reception centres have the right to participate in basic education. The municipality in which the reception centre is located organises basic education for all children who live in that municipality and who are of compulsory school age. The municipality also organises pre-primary education for children who will reach the compulsory school age in the coming year.

An asylum seeker's right to study outside reception centre is not restricted. Thus, an asylum seeker may apply for and accept a study place if this is not against the rules and regulations of the educational institution in question. However, receiving a study place does not automatically mean that a residence permit is granted.

If a person is granted a residence permit in Finland, he/she will become a residence of a municipality. This means that he/she is entitled to municipal services, such as early childhood education and care, basic education, social welfare, health care and housing. Moreover, municipalities and Employment and Economic Development Offices are required to offer measures and services that promote and support integration. These measures include instruction in the Finnish or Swedish language, information about the Finnish society and culture and opportunities of finding employment and pursuing education, especially in the initial period after their arrival in the country.

- 9. What kind of benefits exists for migrants and asylum seekers?**
- **What are the conditions for the benefit payments?**
 - **How do the benefits relate to the average national income?**

Social security benefits for asylum seekers

According to Act on Receiving Individuals Seeking International Protection (746/2011), an asylum seeker who has applied for asylum is entitled to reception allowance or spending allowance. The allowance is paid until the asylum application has been processed. An asylum seeker is not covered by the Finnish social security system and therefore is not entitled to any other social security benefits.

If an asylum seeker is unable to provide for himself/herself, he/she can apply for financial aid to cover living costs from the reception centre in which he/she is registered as client. Section 19 of the Act on Receiving Individuals Seeking International Protection, prescribes that reception allowance is granted to provide an income necessary to secure the fundamental basic needs required for decent existence and promote independent living. Reception allowance is granted, if an asylum seeker is in need of support and cannot gain an income through work or some

other source or from private assets, or the seeker's needs are not provided for by another person with duty to maintain him/her.

The basic component of the reception allowance covers clothing expenses, small-scale health care expenses, the costs of using local transport and telephone as well as other corresponding, food and everyday expenses of the individual and family when the reception centre does not provide meal service. The supplementary reception allowance covers expenses caused by the special needs or circumstances of the individual or family when these are deemed appropriate.

The amount of the basic component of the reception allowance per month is:

✂ EUR 312.23 for persons living alone and for single parents. If the reception centre offers meals, the allowance is EUR 91.52.

✂ For other persons over 18 years EUR 263.78. If the reception centre offers meals, the allowance is EUR 75.36.

✂ For a child who lives with his/her parents EUR 199.18. If the reception centre offers meals, the allowance is EUR 59.21.

If the reception centre provides full board, which encompasses the expenses covered by the basic and supplementary component of the reception allowance as meant by Section 19 as well as health care expenses that are not small-scale, an unaccompanied minor asylum seeker will be granted spending allowance instead of the reception allowance. The amount of spending allowance for an unaccompanied minor who is under 16 years old is EUR 26.92 per month and EUR 48.44 for minors who are 16 or 17 years old.

Social security benefits for persons who reside in Finland

A person who has come to Finland as an asylum seeker and been granted asylum or a residence permit on grounds of subsidiary or humanitarian protection or has been accorded refugee status, is covered, with certain exceptions, by the Finnish social security system, if the person intends to move permanently to Finland. If a person is granted a residence permit in Finland, he/she is eligible for the same social security benefits and social and health services as other permanent residents.

If a person enters Finland as a 'quota refugee', he/she is covered by the Finnish social security system as soon as he/she arrives to Finland. However, if a person has been given a residence permit by virtue of the need for temporary protection or a similar reason, he/she is not considered to be moving to Finland permanently and is therefore not covered by the Finnish social security system.

When an asylum seeker is granted a residence permit, he/she becomes entitled to benefits from the Social Insurance Institution of Finland and municipalities. Social security benefits paid by the Social Insurance Institution guarantee basic subsistence in the event of unemployment, illness, and disability and during old age as well as at the birth of a child or the loss of a provider.

There are some special requirements for eligibility to some social security benefits. For example to qualify for parental allowances, the parents must have lived in Finland for at least 180 days immediately before the baby's expected date of delivery.

In 2015, average taxable income in Finland was EUR 28,750 a year per income recipient (approx. 2,396/month). When comparing average income to allowances granted for asylum seekers, it must be taken into account, that asylum seekers are provided at least accommodation and necessary social and health services free of charge.

10. Are there possibilities for family-reunification?

Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

Yes. A family member needs a residence permit on the basis of family ties. A family member must apply for a residence permit himself/herself.

Finnish law defines the persons considered to be family members. The concept of family is narrower in Finland than in many other countries. These are the family members of a Finnish citizen and a foreign national who is not an EU citizen:

- a spouse
- a registered partner
- a cohabiting partner
- a guardian of a child under 18 years of age
- a child

In most cases, a family member must have secure means of support. 'Secure means of support' means that a family member have sufficient funds to live in Finland. Income can come for example from employment, a private enterprise, assets or pensions. The required amount of income depends on the size of a family.

Only family members of persons who have been granted asylum or selected as quota refugees may apply for family reunification within three months without an income requirement, if the family ties existed before the asylum seeker came to Finland or before the quota refugee was selected for Finland's refugee quota.

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

- Who decides?

The Finnish Immigration Service (Migri) decides on refusals of entry and deportation. The Finnish Immigration Service operates under the Ministry of the Interior.

In 2015, the number of refusal of entry decisions was 7 524 and in 2016 it was 21,716. The total number of refusals of entry are made by the Finnish Immigration Service, Police and the Finnish Border Guard. The figure includes decisions made directly at the external border when the person does not meet the entry requirements as well as the decisions made within the country. The number is notably higher in 2016 when compared with the previous years. The exceptionally high number of asylum seekers who arrived in Finland in 2015 is clearly visible in the increased number of refusals of entry. In 2016, a total of 28,208 asylum decisions was made. About a half of the decisions were negative. A negative decision on asylum application includes a removal decision. This is visible in the sharp increase of refusals of entry in 2016. The number of deportation decisions in 2016 was 430 and in 2015 279. The most common grounds for deportation is irregular residence in the country. Approximately one third of deportations were based on crime-related grounds.

Statistics of removal from the country

The Finnish Immigration Service Decisions

1/2015 - 12/2015 In total 1,897

1/2016 - 12/2016 In total 2,031

1/2017 - 12/2017 In total 2,749

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

- a guardian or representative,
- the right to accommodation in a dedicated home or in a foster family,
- child-specific social, economic and educational rights?
- Do you have special programs for family unification / resettlement / return?
- Is there a continued support upon turning 18 (reaching legal age)?
- Are there procedures to identify ostensible minors?
- Are there special regional programs (school, youth welfare); best practice examples?

Finnish District Courts assign a representative to each asylum seeker who is younger than 18 and has arrived in Finland without a guardian. The representative's task is to ensure that the child's best interests are taken into account in different situations. The Finnish Immigration Service will pay the representative's fee.

The representative uses the right of action that belongs to the guardian of a minor child, helps the child with official matters or takes care of the child's matters on his or her behalf with the Finnish authorities. For example, the representative participates in the child's asylum interview which is a part of the processing of his or her asylum application.

The representative is not responsible for the daily maintenance, upbringing or other care of the child. These matters are the responsibility of the reception centre.

A person who is under the age of 18 and who has arrived in Finland alone to apply for asylum will be accommodated in a group home or a supported housing unit. Group homes are intended for children under 16 years of age. Supported housing units are for young people who are 16 or 17 years old. In group homes, some of the residents may be over 16 years of age. Group homes and supported housing units are smaller and have more employees per client than reception centres for adults and families. They put an emphasis on care and upbringing.

Minor asylum seekers are entitled to the same healthcare services as local people. They are also entitled to attend Finnish comprehensive school (from seven to sixteen years of age). In many schools, children are placed in special preparatory classes for foreign children where they are first taught Finnish or Swedish before going into a normal school class.

Aliens Act Section 6a regulates medical age assessment:

- (1) A medical age assessment may be carried out to establish the age of a sponsor or an alien applying for a residence permit if there are reasonable grounds for suspecting the reliability of the information the person has given on his or her age.
- (2) The performance of an examination requires that the person to be tested has given an informed consent in writing of his or her own volition. The written consent of his or her parent or guardian or other legal representative is also required.
- (3) Anyone who refuses to undergo an examination is treated as an adult if there are no reasonable grounds for refusal. A refusal to undergo an examination may not as such constitute grounds for rejecting an application for international protection.
- (4) Before obtaining consent, the applicant or sponsor and the applicant's or sponsor's parent, guardian or other legal representative shall be given information on the importance of age assessment, the examination methods used, potential health effects, and the consequences of having and of refusing an examination. The information shall be given in the native language of the applicant or sponsor and the applicant's or sponsor's parent, guardian or legal representative or in a language which he or she may reasonably be expected to understand.

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

Unfortunately it's impossible to tell total costs per migrant per month. According to Central Government Budget costs per asylum seeker in reception centre are estimated to be 19 200 euros (per year) in 2018 and costs per minor person in a group home 53 200 euros (per year) in 2018.

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

Asylum seekers are accommodated at reception centres. The place where an asylum seeker stays depends on age, gender and other circumstances. Additionally, accommodation is organised in a way that makes it possible for family members to live together in the same place if they want to. Persons under the age of 18 who arrive in Finland without a guardian are accommodated at a group home or a supported housing unit.

The reception services include accommodation, reception allowance or spending allowance, any necessary social and health services, interpretation and translation services as well as work and training activities. Also meals can be provided as part of the reception services.

The first place where asylum seekers usually stay is called a transit centre. The transit centres are located near the service points of the Finnish Immigration Service that hold asylum interviews. These centres are primarily meant for new asylum seekers who have just arrived in Finland. After an asylum seeker has had an asylum interview, he/she will be transferred to another reception centre to wait for a decision.

There are many reception centres of different types and sizes in different parts of Finland. Some reception centres are with catering, which means that the reception centre offers meals to everyone who lives there. The other ones are with individual or shared kitchens, where asylum seekers can cook their own meals.

Reception centres are maintained by many operators: the Finnish Immigration Service, Finnish municipalities, organisations and companies. All reception centres offer the same reception services to the people who live there, and all reception centres operate according to the same principles. The Finnish Immigration Service directs, plans and supervises the practical operations of all reception centres.

The reception of asylum seekers is steered by the Finnish Act on the Reception of Persons Applying for International Protection.

15. How is the involvement of volunteers organized (national / regional)? Financial support?

Involvement of volunteers is mainly organised by NGOs, which provide different kind of support for asylum seekers and refugees in Finland. This support is organised independently by NGOs. Finnish NGOs have both employees and volunteers who participate in supporting different groups of people who need help.

Finnish health care and social sector NGOs are mainly funded by the State. The State funding is granted by *The Funding Centre for Social and Health Organisations* (STEA), which is state-aid authority operating in connection with the Ministry of Social Affairs and Health. State funding for NGOs is the revenue of state-owned gaming company Veikkaus Oy. The revenue of Veikkaus is approximately one billion euros per year which is directed to NGOs.

In addition, municipalities may grant funding to NGOs.

Germany

**H A M B U R G I S C H E
B Ü R G E R S C H A F T**



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name	German Bundestag
Responsible	Nicole Tepasse
E-Mail	bspc@bundestag.de

2. If available, please, provide information regarding the population structure of your country / region

Insert total number (e.g. total = 1700000)

total	83 million inhabitants
female	41,83 million
with migration background	18.6 million with a migrant background (22.5 %)
living in urban areas	75 per cent

2a. If available, please, provide detailed information regarding the population structure in your region / country

Insert percentage

No answer

18-25

No answer

26-40

No answer

41-50

No answer

51-65

No answer

66+

No answer

2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

80,01 million inhabitants

3. What are the significant rules for immigration? E. g. does an immigration law exist?

- ☒ Yes, significant rules for immigration exist.
- ☒ Exeptions/Explanation: For third country nationals (i.e. not EU citizens) the legal foundations of the Residence Act set forth the possibilities for labour/education, refugee and family migration. Of special significance here is the fact that the residence permits - which are initially temporary - open up the possibility of permanent residence. The provisions of the Residence Act thus contain various different "Immigration opportunities" which can ultimately lead to a permanent and unconditional right of residence (settlement permit under Section 9 Residence Act and EU permanent residence status under Section 9a Residence Act). The prerequisite for this change of status and for permanent and unconditional immigration is successful economic and social

integration. The Residence Act accordingly makes the improved residence permit contingent on certain integration expectations (e.g. language skills, economic independence) being met, cf. Sections 9 (2-4), 9a (2) Residence Act. The five years of prior residence usually also required now also applies as a general rule to asylum seekers and refugees since the amendments introduced by the Integration Act of August 2016 (previously three years of prior residence), and furthermore only if integration requirements are met, Section 26 (3) sentence 1 Residence Act.

3a. What are the significant rules?

For third country nationals (i.e. not EU citizens) the legal foundations of the Residence Act set forth the possibilities for labour/education, refugee and family migration. Of special significance here is the fact that the residence permits - which are initially temporary - open up the possibility of permanent residence. The provisions of the Residence Act thus contain various different “immigration opportunities” which can ultimately lead to a permanent and unconditional right of residence (settlement permit under Section 9 Residence Act and EU permanent residence status under Section 9a Residence Act). The prerequisite for this change of status and for permanent and unconditional immigration is successful economic and social integration. The Residence Act accordingly makes the improved residence permit contingent on certain integration expectations (e.g. language skills, economic independence) being met, cf. Sections 9 (2-4), 9a (2) Residence Act. The five years of prior residence usually also required now also applies as a general rule to asylum seekers and refugees since the amendments introduced by the Integration Act of August 2016 (previously three years of prior residence), and furthermore only if integration requirements are met, Section 26 (3) sentence 1 Residence Act.

3b. What is the immigration law?

No answer

4. What are the requirements for the acceptance of asylum?

A distinction must be made between protection for asylum seekers under international and national law. International protection arises from the EU Qualification Directive (Directive 2011/95/EU) and encompasses the protection status set forth therein for refugees in the meaning of the Geneva Convention on Refugees (GRC) and that of people eligible for international subsidiary protection. These two categories have been integrated into the Asylum Act: Section 3 Asylum Act governs the recognition of refugee status, Section 4 Asylum Act governs international subsidiary protection. Refugee status is special in that it originates from the GRC and as such from international humanitarian law. As a result of the incorporation of the “Geneva refugee” into the EU Qualification Directive, this status now comes under the (application) precedence of EU law over national law. National protection includes the constitutional protection afforded to those eligible for asylum

under Article 16a (1) of the Basic Law and protection against deportation under Section 60 (5, 7) Residence Act. In terms of their content, the protection categories under asylum law aim on the one hand to provide protection from persecution (“primary” protection) and on the other to provide subsidiary protection. Both the right to asylum emanating from Article 16a (1) Basic Law and refugee status under Section 3 (1) Asylum Act presuppose acts of persecution linked to particular characteristics. If there is no persecution, it may be possible to provide subsidiary (human rights) protection. The international subsidiary protection based on the EU Qualifications Directive stipulates that the foreigner must face the threat of “serious harm” for instance “by reason of indiscriminate violence in situations of international or internal armed conflict” pursuant to Section 4 (1) sentence 2 no. 3 Asylum Act (i.e. civil war refugees). The national deportation bans, which refer to the European Convention on Human Rights or which may arise due to a substantial concrete danger to life, limb or liberty (Section 60 (5, 7) Residence Act), also form part of subsidiary protection.

5. Does your country allow dual citizenship?

- ☒ Yes The Nationality Act contains provisions governing the acquisition and loss of German citizenship. As a general rule, under these provisions multiple citizenship should be avoided. There are, however, exemptions from this principle set out in the Nationality Act which make dual citizenship possible. Here one must distinguish between acquisition of nationality by birth in Germany (*ius soli*), the naturalisation of foreigners, and the acquisition of a foreign nationality by Germans. If both parents are foreigners, the child acquires German citizenship by virtue of being born in Germany (*ius soli*) if a parent has had his or her lawful habitual residence in Germany for eight years and the same parent has a permanent residence right at the time of the birth, Section 4 (3) Nationality Act. The acquisition of German nationality by birth does not require the foreign nationality to be relinquished. To avoid multiple citizenship, however, this dual citizenship should not be permanent. Under the “opting procedure” (Section 29 Nationality Act) once the child reaches the age of 21, he or she must decide between German or foreign citizenship (duty to opt). The duty to opt for one nationality does not apply to the children of nationals from EU Member States and Switzerland. For children who have grown up in Germany, exemptions have also been in place since late 2014 - they can keep their German citizenship in addition to their foreign citizenship if they were habitually resident in Germany for a period of eight years or attended school in Germany for six years or have a German school-leaving qualification or vocational qualification. In the case of naturalisation, the previous nationality must generally be relinquished, i.e. for naturalisation based on legal entitlement and for discretionary naturalisation. There are exemptions for nationals of EU Member States and Switzerland, for older people and for asylum seekers and recognized refugees, however. Furthermore, multiple citizenship is accepted under Section 12 Nationality Act in the case of naturalisation if the law of the foreign state does not provide for its citizens relinquishing their citizenship, the foreign state regularly refuses to release people from citizenship or makes it dependent on conditions which cannot be met or reasonably expected be met or if the loss of foreign citizenship would entail substantial disadvantages. In the scope of discretionary naturalisation, multiple citizenship may

also be accepted if there is a special public interest in naturalisation (e.g. for athletes).

6. What are the conditions to obtain a work permit?

Please explain the conditions to obtain a work permit.

For third country nationals coming under the scope of the Residence Act, there are no uniform provisions for labour market access. Individually, this depends on whether the respective residence permit provides access to the labour market. Some residence permits already legally authorise the holder to work, for instance the settlement permit (Section 9 (1) sentence 2 Residence Act), the temporary residence permit granted on family grounds (Section 27 (5) Residence Act) or the temporary residence permit for recognised asylum seekers, refugees or persons eligible for international subsidiary protection (Section 25 (1) sentence 4, (2) sentence 2 Residence Act). For other residence permits (for instance, the temporary residence permit for the purpose of economic activity under Section 18 Residence Act) permission from the foreigners authority is required together with the approval of the Federal Employment Agency. The Federal Employment Agency must verify whether the employment of foreigners would have adverse impacts on the labour market (labour market assessment), whether German or other privileged foreigners are available (priority assessment) and whether the foreign worker is to be employed at less favourable conditions than comparable German workers (assessment of working conditions). Furthermore, special provisions apply to asylum seekers who do not have a residence permit, Section 4 (1) Residence Act, but “only” temporary permission to stay. As a general rule, asylum seekers can be allowed to work after three months of permission to stay. This does not apply to asylum seekers from safe countries of origin, however. Asylum seekers from safe countries of origin are prohibited from working.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

The Federal Office for Migration and Refugees (BAMF) organises different advice services and programmes. This includes the general Information Service for migration-related questions (general telephone advice, but no individual legal advice) as well as specific integration advice services for adult immigrants (e.g. on integration courses, childcare services, housing, health, parenting) and specific integration advice services for young people (aged 27 or younger) by the youth migration services (e.g. on the school and education system, career planning, using computers and German language-learning programmes). BAMF has entrusted various different private institutions (e.g. non-statutory welfare associations) with providing specific integration advice. No independent and individual legal advice is provided in the asylum procedure. There is, however, a three-month pilot project on “asylum procedure advice” that should be referred to here, which was conducted in

spring 2017. The evaluation report by BAMF and UNHCR has not been published to date.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, courses for civic education are provided.
- ☒ Yes, vocational training is provided.

8a. Who is allowed to participate in courses?

- ☒ Other: Foreigners with a temporary residence permit granted for the purposes of economic activity, family reunion or humanitarian reasons are entitled to attend an integration course once. Asylum seekers not in possession of a temporary residence permit prior to completion of the asylum procedure may also be admitted provided there are capacities available. This only applies to asylum seekers with “good prospects of staying”, so foreigners who can be expected to be granted lawful and permanent residence. This in turn means asylum seekers from safe countries of origin are excluded from access to integration courses. An obligation to attend an integration course exists if the person entitled cannot at least communicate in simple German or if the person was obligated to attend in the scope of claiming benefits or if there is a special need for integration. Foreigners who are completing vocational or other training on German territory, who can prove participation in comparable educational programmes on German territory or who are unable or cannot reasonably be expected to attend on a sustained basis are exempt from the obligation to attend. Asylum seekers with good prospects of remaining in Germany may also be obliged to attend an integration course if they are able to work and are not in gainful employment, are 18 or over and are no longer obliged to attend full-time education, Section 5b (1) Asylum Seekers Benefits Act. Failure to meet these obligations leads to benefit cuts, Section 5b (2) Asylum Seekers Benefits Act. A cost contribution is charged for attendance in line with the stipulations of Ordinance on Integration Courses. Upon application, people eligible to attend who are claiming certain benefits are exempt from the costs. Job-related German language training Under Section 45a (1) Residence Act, labour market integration can be supported by job-related German language training. Asylum seekers without good prospects of staying in Germany are excluded from this, especially asylum seekers from safe countries of origin. Foreigners can only be required to attend this training if they are claiming certain benefits. The Ordinance on German Language Training sets forth the criteria for determining who is eligible to attend. Work opportunities Under Section 5a (1) Asylum Seekers Benefits Act, the relevant authorities can assign work opportunities provided by the labour market programme “refugee integration measures” to asylum seekers “to activate them”. Only asylum seekers who are capable of work and not in gainful employment, age 18 and over and no longer subject to full-time compulsory schooling can be assigned such opportunities. It is not possible for work opportunities to be assigned to asylum seekers from safe countries of origin. In principle, assigned work opportunities must be taken, failure to comply with this obligation leads to benefit

cuts, Section 5a (2, 3) Asylum Seekers Benefits Act.

8b. Are the courses free of charge?

- ☒ Special conditions/Exemptions: A cost contribution is charged for attendance in line with the stipulations of Ordinance on Integration Courses. Upon application, people eligible to attend who are claiming certain benefits are exempt from the costs.

8c. Are there obligatory courses?

- ☒ Only for the following: An obligation to attend an integration course exists if the person entitled cannot at least communicate in simple German or if the person was obligated to attend in the scope of claiming benefits or if there is a special need for integration. Foreigners who are completing vocational or other training on German territory, who can prove participation in comparable educational programmes on German territory or who are unable or cannot reasonably be expected to attend on a sustained basis are exempt from the obligation to attend. Asylum seekers with good prospects of remaining in Germany may also be obliged to attend an integration course if they are able to work and are not in gainful employment, are 18 or over and are no longer obliged to attend full-time education, Section 5b (1) Asylum Seekers Benefits Act. Failure to meet these obligations leads to benefit cuts, Section 5b (2) Asylum Seekers Benefits Act.

9. What kind of benefits exist for migrants / asylum seekers?

If assistance is required, foreigners capable of work are fundamentally entitled to basic social security benefits under Book II of the Social Code. These benefits cover different needs, basic needs (in the amount of approximately EUR 400 for single adults per month), the cost of accommodation/heating and other additional needs (e.g. education and participation packages for children, young people and young adults). Compared to this, the average gross income from employment in 2016 for single-person households was EUR 2624 per month (= EUR 2013 in net income).

Exemptions from the entitlement to basic social security benefits apply to EU citizens not in employment not previously employed in the Federal Republic in the first five years of living in Germany. In these cases, the people in question do not receive any basic social security benefits but can receive bridging benefits until they leave the country. Other exemptions apply to foreigners who come under the scope of the Asylum Seekers Benefits Act. This includes in particular asylum seekers, but also foreigners, who are enforceably required to leave the country but who have been granted temporary leave to remain as well as foreigners with special humanitarian residence permits. The benefits are provided in the first 15 months of their stay as basic social security benefits in the form of material and/or cash benefits. The benefit entitlements are based on Book XII of the Social Code.

9a. What are the conditions for the benefit payments?

see answer to question 9.

9b. How do the benefits relate to the average national income?

No answer

10. Are there possibilities for family-reunification?

☒ Yes

10a. Under which conditions are relatives allowed to take residence in your country / region?

The basic prerequisites for family members joining a foreigner include inter alia that the foreigner, to whom the family member wishes to move (principle person entitled), must have a certain residence permit (e.g. a temporary residence permit) and sufficient living space must be available, Section 29 (1) Residence Act. Spousal reunion is not permitted in cases of “sham” or “forced” marriage. As a general rule, spouses must be able to communicate in simple German, Section 30 (1) no. 2 Residence Act. Minor unmarried children are inter alia entitled to be granted a temporary residence permit for the purposes of family reunion if both parents or the parent with sole custody have a temporary residence permit. In cases of special hardship, it is also possible for other family members to be given leave to join the foreigner in question.

There is fundamentally an entitlement for spouses, unmarried minor children and the parents of minor children to join recognised asylum seekers and refugees. For spouses and/or unmarried minor children, sufficient living space and sufficient means to support oneself do not have to be proven if the application for subsequent immigration by dependents is lodged within three months after final and binding recognition of the right to asylum or refugee status of the individual to whom the family is moving and if the reunification of the family is not possible in a third country the foreigner or his family members have a special connection to.

Subsequent immigration of family members to join persons eligible for international subsidiary protection was first of all deemed equal to subsequent immigration of family members joining refugees and asylum seekers in 2015. With the Act introducing expedited asylum procedures, which entered into force on 17 March 2016, however, subsequent immigration of family members to join persons eligible for international subsidiary protection was suspended for a period of two years. From a regulatory perspective, the suspension of family reunion was carried out by means of a transitional provision in Section 104 (13) Residence Act. This sets forth that subsequent immigration of dependents to join persons eligible for international subsidiary protection who received a temporary residence permit after 17 March 2016 will not be granted before 16.3.2018. The suspension of subsequent immigration of family members also applies to minor children. On 1

February 2018 the Bundestag decided to extend the suspension of subsequent immigration of family members to join persons eligible for international subsidiary protection until the entry into force of an intended new provision.

10b. Do families need visas for family-reunifications?

☒ Yes

10c. What are the visa regulations for family-reunifications?

Family members entitled to immigrate subsequently require a visa to enter Germany, Section 6 (3) Residence Act. The visa is granted by the relevant mission abroad with the involvement of the foreigners authority.

11. Could you inform us about the number of evictions activities?

Evictions in 2015: 20,862

Evictions in 2016: 25,375

Evictions in 2017: 23,966

11a. Who decides to pursue an eviction?

☒ Other Federal Office for Migration and Refugees (lower authority to the ministry of interior)

12. How does your country deal with unaccompanied minors?

a guardian or representative

Unaccompanied foreign minors (UFM) come under the scope of child and youth welfare services under Book VIII of the Social Code. The Youth Welfare Office is obligated to take unaccompanied foreign minors into its care. In the scope of this provisional care of the minors, the Youth Welfare Office has the power to temporarily house the unaccompanied foreign minor with a suitable person, at a suitable institution or in another form of housing. During the period of provisional care the Youth Welfare Office must ensure the wellbeing of the unaccompanied foreign minor and that necessary living expenses and health care are provided. During this phase of the procedure (initial screening) inter alia the age of the UFM is determined (by simple age estimation or physical examination, possibly by radiological examination of the carpus, teeth or collar bone). It is also clarified whether the UFM has relatives in Germany. After the further assignment of the UFM in the scope of

a nationwide assignment procedure, if applicable, the minor is then placed in regular care. The Youth Welfare Office now in charge organises accommodation with a suitable person, at a suitable institution or in another form of housing.

During the preliminary care phase, the Youth Welfare Office in charge is authorised and obliged to represent the UFM. Afterwards, a legal guardian or carer must be appointed by the Family Court as soon as possible.

As part of the placement in regular care, a clearing procedure is conducted. This involves identifying the need for child-raising assistance or other follow-up measures (possibility of reuniting the family, school attendance, training, treatment needs, residence law issues).

the right to accommodation in a dedicated home or in a foster family	After completion of the clearing procedure, the Youth Welfare Office is obliged to provide suitable accommodation for the UFM, for instance by placing him or her with a host or foster family, in a children's home, in social-worker supported or supervised housing or in the intensive individual care of a social worker.
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12a. Do you have special programs for family unification / resettlement / return?

- ☒ Yes The resettlement programme offers long-term residency in Germany to refugees who have fled their home countries. All refugees in this programme, known as "resettlement refugees", have been registered and recognized by the Office of the United Nations High Commissioner for Refugees. The UNHCR checks whether it is possible for applicants to return to their home country or settle in the first country that admitted them, or whether their only hope for the future is to be resettled in another country. In Germany, resettlement refugees are issued a residence permit pursuant to Section 23 (2) of the Residence Act. This permit, granted on humanitarian grounds, entitles holders to pursue any kind of paid employment immediately. They are also entitled to claim social insurance benefits in accordance with the Social Code Books II and XII (unemployment benefits), including suitable accommodation. Social insurance benefits are paid until recipients are able to support themselves through their own employment. They are also entitled to take part in integration courses; if a need for integration is identified, they may be required by a foreigners authority or institutions providing basic security benefits for job seekers to take an integration course. Federally funded migration advising is also available. Social workers provided by the states also help resettlement refugees look for housing and jobs, in their interactions with government agencies, and with other aspects of daily life.

12b. Is there a continued support upon turning 18 (reaching legal age)?

No answer

12c. Are there procedures to identify ostensible minors?

- ☒ Yes The age of the UFM is determined by simple age estimation or physical examination, possibly by radiological examination of the carpus, teeth or collar bone.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

No answer

12e. Please provide examples for regional programs or best practice examples?

No answer

13. Please state - if possible - the average monthly costs:

per asylum seeker 670

per minor In addition to this, the report of the Federal Government on the situation of unaccompanied foreign minors in Germany published in March 2017 states that the accommodation and educational and treatment benefits provided are the key cost factors in caring for UFM. Depending on the type of accommodation, educational setting and health costs, the costs were said to vary a great deal. According to the information provided by the federal states, for instance, the costs ranged from EUR 90 per day to EUR 205 per day. According to the municipalities, the average costs ranged from EUR 67 to EUR 350 per day.

Currency Euro

14. Please indicate how your country / region organises accommodation:

for asylum seekers Special provisions apply for the accommodation of unaccompanied foreign minors and for the accommodation of asylum seekers. Asylum seekers are distributed across the federal states based on set quotas and housed - decentrally - in federal state facilities. Asylum seekers are first housed at reception facilities. As a general principle, the asylum seekers are obliged to live at the reception facilities for up to six weeks, or in the longest case for up to six months. There is also the possibility of creating special reception facilities, where, for instance, expedited asylum procedures take place for asylum seekers from safe countries of origin. Following accommodation at a

reception facility, the asylum seekers are assigned within the respective federal state and usually housed in collective accommodation.

15a. How is the involvement of volunteers organized ?

- ☒ Other The Federal Office for Migration and Refugees promotes volunteering, for instance, through its support of integration projects (for instance venues for intercultural exchange), by training volunteers in integration work and funding migrant organisations (for instance leisure and sports clubs). One special funding programme is directed at volunteering agencies testing models to involve refugees themselves in volunteer work. The expansion of the Federal Voluntary Service to include a special service for refugee-related projects also heads in this direction. In this context it is not just volunteer work for refugees but also by refugees that is being promoted.

15b. How ist the financial support of volunteers organized?

No answer

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Hamburg

H A M B U R G I S C H E B Ü R G E R S C H A F T



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name	Hamburgische Bürgerschaft
Responsable	Luisa Wellhausen
E-Mail	luisa.wellhausen@bk.hamburg.de

2. If available, please, provide information regarding the population structure of your country / region

total	1.860.759
female	945.440
with migration background	631.246

2a. If available, please, provide detailed information regarding the population structure in your region / country

female	8
with migration background	8
total	16

18-25

female	5
with migration background	5
total	9

26-40

female	12
with migration background	9
total	24

41-50

female	7
with migration background	5
total	15

51-65

female	9
with migration background	5

background

total	18
-------	----

66+

female	10
--------	----

with migration background	3
------------------------------	---

total	17
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2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

According to a prognosis of the dept. for statistics made in the beginning of 2017 ("Variante W2-A = Aktualisierung der 13. Koordinierten Bevölkerungsvorausberechnung des Bundes und der Länder") the number of citizens in 2035 will be 157.000 higher than 2015 (2035: 1,944 Mio. / 2017: 1,787 Mio.). More informations:

https://www.destatis.de/DE/Publikationen/Thematisch/Bevoelkerung/VorausberechnungBevoelkerung/BevoelkerungBundeslaender2060_Aktualisier

Those numbers are delivered by the dept. for statistics, while the numbers provided above (Question 2 and 2a) are taken from the registration office. They've differed by 50.000 in 2016.

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ See answer of national parliament.

3a. What are the significant rules?

No answer

3b. What is the immigration law?

No answer

4. What are the requirements for the acceptance of asylum?

See answer of national parliament

5. Does your country allow dual citizenship?

☒ See answer of national parliament.

6. What are the conditions to obtain a work permit?

See answer of national parliament

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

The following centers provide aid for foreigners:

Regional Integrationcenters provide aid for adult immigrants. The Refugeecenter Hamburg provides services for children without documents. The Amira Consultation helps are victims of discrimination. The Rom and Cinti Union e.V. provides help for Roma and sinti, the Turkish Community Hamurg is helping immigrants with the right to stay, the Hamburg Welcome Center is open for all newcomers to the city of Hamburg and gives information about the city itself but also about questions like Housing, Schools, labour market social security system....)

The program W.I.R(work and integration for refugees)

was founded to help refugees in a holistic way. Its major concern is to prepare and integrate the refugees for and in the

labour market.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, courses for civic education are provided.
- ☒ Yes, vocational training is provided.

8a. Who is allowed to participate in courses?

- ☒ Other: All foreigners, Citizens with migration background, Refugees, Asylum seekers

8b. Are the courses free of charge?

- ☒ Yes

8c. Are there obligatory courses?

- ☒ No

9. What kind of benefits exist for migrants / asylum seekers?

See answer of national parliament

9a. What are the conditions for the benefit payments?

See answer of national parliament

9b. How do the benefits relate to the average national income?

See answer of national parliament.

10. Are there possibilities for family-reunification?

- ☒ See answer of national parliament.

11. Could you inform us about the number of evictions activities?

Evictions in 2015: See answer of national parliament

Evictions in 2016: See answer of national parliament

Evictions in 2017: See answer of national parliament

11a. Who decides to pursue an eviction?

- ☒ See answer of national parliament.

12. How does your country deal with unaccompanied minors?

a guardian or representative See answer of national parliament.

the right to accommodation in a dedicated home or in a foster family See answer of national parliament.

child-specific social, economic and educational rights See answer of national parliament.

12a. Do you have special programs for family unification / resettlement / return?

☒ See answer of national parliament.

12b. Is there a continued support upon turning 18 (reaching legal age)?

☒ See answer of national parliament.

12c. Are there procedures to identify ostensible minors?

☒ See answer of national parliament.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

☒ See answer of national parliament.

12e. Please provide examples for regional programs or best practice examples?

See answer of national parliament.

13. Please state - if possible - the average monthly costs:

per migrant See answer of national parliament.

per asylum seeker See answer of national parliament.

per undocumented
person See answer of national parliament.

per minor See answer of national parliament.

Currency See answer of national parliament.

14. Please indicate how your country / region organises accommodation:

for asylum seekers Arriving asylum seekers are asked to go to a arrival center where they're registered and where the decision will be made if they're staying in Hamburg or sent to another state. Afterwards the asylum seekers are relocated to one of the 14 reception centers where currently 4000 asylum seekers are accommodated. People live in containers with community spaces. Everybody gets their own place to sleep, food, clothes, medical care and more standard benefits according to the Law: § 3 Asylbewerberleistungsgesetz (AsylbLG). The social management of the center's operator are responsible for care and councils, one social manager is responsible for 65 asylum seekers. Next to a basic medical care, asylum seekers are provided with a social security card that gives them access to all medical services included in the national health insurance. Further basic language skills, council for first orientation and child care are offered.

for refugees Generally after six months in the reception center, refugees are brought to successive accommodations (§ 53 Asylgesetz). 51% of the inhabitants of these successive accommodations live in pavillion villages, 13% are accommodated in social housing and 36% live in community lodgings with shared kitchens and shared sanitation. Those inhabitants receive a monthly amount of money and are responsible for their own supplies. The refugees are entitled to education in public schools and kindergartens and integration and language classes are provided. In January 2018 Hamburg holds 122 successive accommodation centers for about 31.800 people.

15a. How is the involvement of volunteers organized ?

☒ Regional

15b. How is the financial support of volunteers organized?

Volunteers are encouraged by the state and supported through civil society. Responsible for the support is the "Forum Flüchtlingshilfe" amongst others.

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BSPC Migration & Integration

13.03.18, 13:15

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Administrator, BSPC Migration and Integration - 2018		91% completed

Latvia



LATVIJAS REPUBLIKAS ĀRLIETU MINISTRIJA

MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF LATVIA

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No. 21

Rīga, March 2018

Mr Valerijus Simulik
President of the Baltic Assembly

Mr Jānis Vucāns
Vice-President of the Baltic Assembly

Mr Aadu Must
Vice-President of the Baltic Assembly

Secretariat of the Baltic Assembly
Citadeles Street 2-616
Rīga, LV-1010

Distinguished Members of the Presidium of the Baltic Assembly,

It is my honour to reply to your letter No. 1/0218-10 of 2 February 2018 concerning questions by the Working Group on Migration and Integration of the Baltic Sea Parliamentary Conference.

Please find attached answers to the questions submitted by the respective line ministries of the Republic of Latvia.

Enclosed: Annex on 12 (twelve) pages.

Yours sincerely,

Minister of Foreign Affairs

Edgars Rinkēvičs

Annex

Answers to the Questions by the Working Group on Migration and Integration of the Baltic Sea Parliamentary Conference

1. Country.

Latvia.

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure.

According to the data provided by the Central Statistical Bureau of Latvia (CSB), in 2016 there were 8 345 immigrants registered in Latvia. The majority of them lives in Riga (3 817) and its suburbs (1 306), the rest – in Latgale region (1 015, mostly in cities – Daugavpils and Rēzekne), in Kurzeme region (859, mostly in Ventspils), in Zemgale region – 780 (mostly in Jelgava), in Vidzeme region (568, mostly in Jūrmala).

Out of 8 345 immigrants living in Latvia, 4 740 are men, but 3 605 – women.

The division of immigrants in Latvia according to the selected age categories: 1) 0-18 (1800 persons), 2) 18-25 (616 persons), 3) 25-40 (3396 persons), 4) 40-50 (1068 persons), 5) 50-65 (1099 persons), 6) 65+ (366 persons).

Source (CSB):

http://data.csb.gov.lv/pxweb/en/Sociala/Sociala_ikgad_iedz_migr/?tablelist=true&rxid=cd

The overall population of Latvia as of February 2018 is 1 928 600 inhabitants.

Source (CSB):

<http://www.csb.gov.lv/en/statistikas-temas/population-key-indicators-30624.html>

3. What are the significant rules for immigration? E.g. does an immigration law exist?

Answer prepared by the Ministry of the Interior

Significant rules of immigration in Latvia that concern entry of foreigners, residence, transit and exit are established by [Immigration Law](#) and subordinate regulations (e.g., the Regulation of the Cabinet of Ministers No. 564 of 21 June 2010 “Regulations Regarding Residence Permits”). The Immigration Law was adopted on 31 October 2002; latest amendments were made on 22 November 2017.

Provisions regarding the rights of persons to receive asylum, acquire refugee or alternative status (subsidiary protection) or receive temporary protection in Latvia are stipulated by the [Asylum Law](#) which was adopted on 17 December 2015; latest amendments were made on 20 April 2017.

4. What are the requirements for the acceptance of asylum?

Answer prepared by the Ministry of the Interior

According to the Asylum Law an asylum seeker is a third-country national or a stateless person, who in accordance with the procedures laid down in the Asylum Law has expressed a wish to acquire refugee or alternative status at the border crossing point before entering the Republic of Latvia or when already in the territory of the Republic of Latvia, until the moment when administrative proceedings regarding the person's application for granting refugee or alternative status have ended.

For refugee status may apply: 1) a third-country national who on the basis of justified fear from persecution due to his or her race, religion, nationality, membership of a specific social group or his or her political views is located outside the country where he or she is a national, and is unable

or due to such fear does not wish to accept the protection of the country where he or she is a national, or 2) a stateless person, who being outside his former country of permanent residence is unable or unwilling to return there due to the same reasons and to whom respective conditions when refugee status is not granted do not apply. A person may not apply for refugee status if he or she is a national of more than one country and does not use legal protection in any of the countries of his or her citizenship without justified reason. The country of citizenship of a person shall be each country of which the person is a citizen.

A third-country national or a stateless person, who cannot be granted refugee status and to whom conditions when alternative status is not granted do not apply, may apply for alternative status if there is a reason to believe that he or she may be exposed to serious harm after return to the country of origin thereof and due to this reason is unable or does not wish to accept the protection of the above-mentioned country. A person may not apply for alternative status if he or she is a citizen of more than one country and does not use legal protection in any of the countries of his or her citizenship without justified reason.

5. Does your country allow for dual citizenship? Under which conditions?

Answer prepared by the Ministry of the Interior

Latvia allows dual citizenship. According to the Citizenship Law (Article 9), dual citizenship may be acquired only if a person has citizenship of another Member State of the European Union, Member State of the European Free Trade Association, Member State of the North Atlantic Treaty Organisation, the Commonwealth of Australia, the Federative Republic of Brazil, New Zealand or citizenship of such country with which the Republic of Latvia has entered into an agreement regarding recognition of dual citizenship, or citizenship of a country previously not referred to - if an authorisation of the Cabinet of Ministers has been received.

6. What are the conditions to obtain a work permit?

Answer prepared by the Ministry of the Interior

Foreigners can be employed only in cases that are stated in normative acts and if they have received a visa with the permission to employment or a residence permit with the permission to employment. The permission to employment in EU is granted according to the procedure, prescribed by the Directive 2011/98/EU.

The permission to employment in Latvia is granted also by the Office of Citizenship and Migration Affairs (OCMA) for the period that corresponds to person's visa or residence permit's expiration date. The general procedure requires an employer to publish a vacancy that shall be accessible to residents of Latvia and other EU/EEA countries before a third-country citizen is employed for the vacancy. The education of a third-country citizen shall correspond to person's future position in the enterprise or the person has to have at least three years of experience in the respective field.

In accordance with the Immigration Law of Latvia, an asylum seeker has the permission to employment without restrictions if he or she has an identification document of an asylum seeker and has not received a decision of OCMA to grant or refuse the refugee or alternative status within six months after submitting the application. The permission to employment shall remain in force until the moment when the final decision to grant or refuse the refugee or alternative status has entered into effect and is no longer disputable. A remark regarding the permission to work has to be made by the State Border Guard official in the identification document of an asylum seeker.

A person who has received the refugee or alternative status shall be granted the permission to employment without restrictions automatically after receiving the residence permit of Latvia. This rule applies to the family members as well. Residence permits are issued by OCMA.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Answer prepared by the Ministry of the Interior

A foreigner is entitled to receive state-guaranteed legal assistance in certain cases prescribed in the State Ensured Legal Aid Law. The Legal Aid Administration, which operates under the Ministry of Justice, is responsible for providing the assistance.

According to the Immigration Law, a foreigner has the right to legal aid ensured by the state in the case and amount laid down in the State Ensured Legal Aid Law, if:

- the person does not have sufficient resources, is residing in the Republic of Latvia, and the execution of voluntary return decision or removal order issued with regard to the person is suspended;
- the person has been detained in cases and according to the procedures laid down in this Law and is residing in the Republic of Latvia in specially equipped premises or accommodation centre.

According to Article 11 of the Asylum Law, an asylum seeker has the right to:

- invite a person for the receipt of legal aid using his or her own funds;
- receive state ensured legal aid in the amount laid down in the laws and regulations, when appealing the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court;
- receive state ensured legal aid in the amount specified in laws and regulations, appealing to the District Administrative Court the decision of an official authorised by the OCMA to leave the application without examination, to refuse to grant refugee or alternative status, to transfer the asylum seeker to the responsible Member State, which will examine the application in accordance with Regulation No 604/2013, to discontinue examination of the application, to refuse to resume examination of the application, and to refuse to disburse the subsistence and daily allowance, if the asylum seeker does not have sufficient resources in order to invite a person for receipt of legal aid.

During the detention process the Latvian Centre for Human Rights monitors human rights, provides protection of interests and provides legal assistance on human rights issues, including representation of clients in court.

On 12 January 2011, Latvia State Border Guard and the representative of Baltic and Nordic Regional Office of the United Nations High Commissioner for Refugees (hereinafter - UNHCR) signed a Memorandum of Understanding on the promotion of mutual cooperation. Under the terms of the agreement the UNHCR can observe how the State Border Guard ensures the rights of persons in need of international protection, including the entry of these persons into the Republic of Latvia, ensuring their rights regarding access to the national asylum procedure, the conditions for the accommodation of asylum seekers, the possibility of using voluntary returns to the country of origin and the expulsion of persons in the case of refusal of international protection.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- Who is allowed to participate?
- Are they free of charge?
- Are there obligatory ones?

Answer prepared by the Ministry of Education and Science

Latvian Language Agency, which operates under the Ministry of Education and Science, has been involved in the implementation of two projects with the aim to provide Latvian language learning possibilities for asylums seekers, refugees, persons with alternative status and third country citizens:

1. From February 2016 to December 2017 – Project “*Primary language learning for asylum seekers*” (No. LVA/PMIF/2016/2) by Asylum, Migration and Integration Fund – Latvian language courses provided for 565 asylum seekers, including children;
2. From November 2016 to December 2018 – Project “*Latvian language learning programme to facilitate inclusion of third country citizens into the labour market*” (No. PMIF/6/2016/1/03) by Asylum, Migration and Integration Fund – until December 2017 Latvian languages courses were provided for 316 third country citizens, refugees and persons with alternative status. Currently there are 90 persons who are still learning Latvian within the margins of the Project.

Latvian language courses are not mandatory, however in accordance with the Immigration Law (Article 24) in order for a person to be able to receive Permanent Residence Permit, the person has to prove Latvian language knowledge at A2 level.

Latvian language courses are free of charge.

Answer prepared by the Ministry of Culture

Ministry of Culture has provided special courses for asylum seekers (persons in need of international protection), such as – cultural orientation and integration course “*Get to Know Latvia*” (20 academic hours) and Latvian language courses (at least 80 academic hours).

There are also Latvian language courses available for third country nationals. Within two years (from December 2016 till December 2018) 1040 third country nationals will be able to learn Latvian during these language courses (at least 120 hours). Integration courses for third country nationals are available for 960 participants from June 2017 till the end of December 2018.

All of these courses are free of charge and are not obligatory.

Answer prepared by the Ministry of Welfare

Starting from spring 2016, the Society Integration Fund is responsible for a social worker and social mentor service for asylum seekers as well as for refugees and persons with alternative status. A social worker (together with asylum seeker and social mentor) develops individual social-economic integration plan for each asylum seeker identifying individual needs and future actions to promote the social-economic integration of a person. A social mentor assists during the implementation of social-economic integration plan, ensuring communication with other institutions. After granting of refugee or alternative status, a person continues to implement the measures included in the integration plan, such as going to the State Employment Agency (hereinafter – SEA) for receiving employment services, learning the state language, and provides support in finding place of living, communication with various institutions and everyday situations.

Education and integration activities for asylum seekers and the beneficiaries of international protection in Latvia are provided in two stages. Immediately after their arrival in the Asylum Seekers Accommodation Centre *Mucenieki*, asylum seekers start to learn the Latvian language at primary level.

The second stage of language learning starts at the SEA when those who have gained the refugee status or alternative status are registered as unemployed persons. The SEA provides opportunity to participate in three language courses in one year period, receiving financial support in an amount of 5 EUR per training day. According to recent changes, each language level within language courses without intermediary language has been divided into two sublevels, ensuring a more gradual language acquisition. The Latvian language training is also available within projects co-funded by the Asylum, Migration and Integration Fund. The Riga City Council supports the Latvian language courses for the residents of Riga free of charge.

The Official Language Proficiency Certificate (hereinafter – certificate) proving the official language proficiency level in accordance with the Common European Framework of Reference for Languages is accessible also for any person having refugee or alternative status after completing language courses. The certificate is issued by the National Centre for Education.

Children continue to learn the language at school. Education for child asylum seekers and refugee children, like for all other children, is provided and financed from the state budget. The new Asylum Law strengthens the obligation that the minor must receive education in state official language.

Employment support is provided by the SEA. While registering in the SEA as unemployed, the SEA will run an overall profiling of a refugee to identify a person's situation and what kind of active labour market policy measures are most appropriate to help the respective person to integrate into the labour market. The SEA specialists are working with employers to find appropriate vacancies as well as offering appropriate employment measures, including language training (the next levels of acquisition) practical training with an employer, temporary public works, subsidized work places, small business start-ups, etc. A new measure combining Latvian language acquisition and employment is also being developed.

Since 2016, an introductory lecture “Work opportunities in Latvia” has been ensured for asylum seekers. The participation in the lecture is voluntary. Since February 2017, the SEA has provided individual consultations to asylum seekers on work opportunities in Latvia at the Accommodation Centre for Asylum Seekers *Mucenieki* once a week. Persons with refugee status participate in several active employment measures – vocational education, learning of state language, meeting with potential employers to check their abilities and the situation in a work place.

In order to ensure that asylum seekers, refugees and persons with alternative status have information needed for everyday life, informative lessons on Latvia are ensured within social-economic inclusion programme covering the issues of employment, education, housing market, the support system for refugees, etc.. Additional to lessons, study visits are organised to educational institutions and employers in order to get some insight on adult education and employment opportunities in certain sectors, thus expanding the future choice of employment in accordance with existing profession of a person or getting a new one.

9. What kind of benefits exists for migrants and asylum seekers?

Answer prepared by the Ministry of the Interior

- **What are the conditions for the benefit payments?**

Asylum seekers, who are accommodated at the accommodation centre, whilst they wait for decision to be made regarding granting or refusing an international protection status, receive subsistence and daily allowance (hereinafter – the funds) EUR 3.00 per day. Funds for the asylum seeker are salaried every week as an advance payment (for seven days). Nonetheless, if the asylum seeker leaves the accommodation centre without notifying working personal of the accommodation centre for more than 48 hours, OCMA can adopt a decision not to pay the funds for the period of absence of the asylum seeker by analysing factual circumstances of the asylum seeker's absence.

- **How do the benefits relate to the average national income?**

Average income for a Latvian national is around [EUR 900, 00](#).

The amount of a single financial support for a person who has received an alternative or refugee status in Latvia – for an adult it is EUR 278, 00. The amount for a minor person is EUR 194, 00. However, if two adults are married, the amount of the support for one spouse is EUR 278, 00 and EUR 194, 00 for the other.

The benefit for an adult is EUR 139, 00 per month, for a minor - EUR 97, 00 per month, but if two adult persons are married, the amount of the benefit for one spouse shall be EUR 139, 00 per month and for the other spouse - EUR 97, 00 per month.

Answer prepared by the Ministry of Welfare

In Latvia access to social protection systems depends on a person's status, however, there are several changes made to the legislation to improve the access and eligibility of asylum seekers and beneficiaries of international protection to social protection system.

The asylum seekers can receive daily allowance till decision on their status (a refugee or a person with alternative status) is taken. The amount of the subsistence and daily allowance is EUR 3.00 a day. The allowance is meant for buying food and hygiene goods. Besides asylum seekers can reside in the Asylum Seekers Accommodation Centre *Mucenieki* during the asylum procedure. An unaccompanied minor is accommodated at the accommodation centre for asylum seekers or a childcare institution until the moment when he or she is ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor.

If the refugee or person who has acquired alternative status does not have sufficient means, they are entitled to request:

- Single financial support and benefit;
- Allowance for the coverage of residence expenses.

Single financial support is granted and paid by the OCMA in the following amount:

- EUR 278.00 per person;
- if persons are spouses, for one person — EUR 278.00, for the other person — EUR 194.00;
- for a child — EUR 194.00.

Allowance for the coverage of residence expenses is granted and paid by the State Social Insurance Agency in the following amount:

- EUR 139.00 per person a month;
- if persons are spouses, for one person — EUR 139.00, for the other person — EUR 97.00 per month;
- for a child — EUR 97.00 per month.

A refugee has the right to receive the allowance for 10 months within a 12-month period following the day the status of a refugee is obtained. A person with an alternative status has the right to receive the allowance for 7 months within a 12-month period following the day the alternative status is obtained.

If a refugee or a person with an alternative status is working, the allowance is paid for a period not exceeding three months following the day the status of an employee or a self-employed person is obtained.

If a person with an alternative status, who has received a one-time financial aid and allowance, is assigned the status of a refugee, he or she has the right to receive the allowance as a refugee for a period not exceeding 10 months together with the period of the previously paid allowance.

Refugees residing in Latvia are entitled to all municipal social assistance benefits and the same social care, social rehabilitation and vocational rehabilitations services paid from state or municipal budget as citizens or non-citizens of Latvia.

Persons having alternative status and their family members residing in Latvia are entitled to receive the following social assistance (municipal) benefits and social services (for minors) financed from state or municipal budget:

- a benefit for ensuring the guaranteed minimum level of income, shelter and night-shelter services as well as information and consultations from the social service. If shelter or night-shelter services are not suitable due to functional limitations or insufficient social skills, another appropriate social services can be afforded by municipal social office;
- a housing benefit from the municipal social office on equal basis with other local residents;
- the minors are entitled to receive social care services and social rehabilitation services.

A refugee who has not paid social insurance contributions still can receive different state social benefits granted by the State Social Insurance Agency, like child birth benefit (lump sum), child care benefit (till child is 2 years old), state family benefit, child with disabilities care benefit, etc. Both refugees and persons granted alternative status who have made social insurance contributions can receive social insurance benefits as well – maternity, paternity benefit, parental benefit, sickness benefit, unemployment benefit, disability pension, old age pension, etc.

Social assistance benefits are granted by municipal social offices. Social workers consult person on principles of social assistance and preconditions for applying for it. Social assistance is granted based on assessment of incomes and properties of a person and family. Social care and social rehabilitation services are granted based on assessment of a person's functional constraints and needs.

10. Are there possibilities for family-reunification?

Answer prepared by the Ministry of the Interior

Latvia provides the right to family re-unification for both Latvian/EU/EEA/Swiss citizens and third-country nationals. Any third-country national, who has acquired a temporary or permanent residence permit, is allowed to invite family members.

The asylum seeker who has acquired a refugee status is entitled to a family reunification with family members residing abroad. The person who has acquired a refugee status, shall have such rights only after residing in Latvia for at least two years.

Family members shall be entitled to receive a permanent residence permit, while the family members of a person, who has acquired alternative status, shall be entitled to receive a temporary residence permit for the same time period as the residence permit that has been issued to the person, who had already acquired alternative status.

- **Under which conditions are relatives allowed to take residence in your country and do they need visas and what are the visa regulations?**

Criteria of entry for the family members of third-country nationals and Latvian citizens are the same; however the categories of family members that are admitted for a reason of family reunification, differ. Third-country citizens are allowed to reunify family with spouse, minor children under 18 and adults under the custody. Citizen of Latvia can reunify family with the above-mentioned categories of relatives but additionally adult children and parents who have reached the age of pension, can be invited also. The right to family reunification is granted if the family has sufficient financial means and place of residence and if the family members who are invited, do not pose a threat to public policy, safety and public health. Family members shall obtain health insurance policy before they are issued a residence permit. Issuance of visas is subject to Schengen rules.

According to the Asylum Law, a refugee or a person having acquired alternative status has the right to reunite with family members who are in foreign countries. The person having acquired alternative status has such right, if he or she has resided in the Republic of Latvia for at least two years after acquisition of such status. An unaccompanied minor who has been granted international protection and who is not married has the right to receive mother and father who have arrived from a foreign country.

A family member of the refugee shall be issued a permanent residence permit. A temporary residence permit shall be issued to the family member of a person having acquired alternative status for the same time period as the temporary residence permit has been issued to the person having acquired alternative status.

If the refugee or person having acquired alternative status loses the status granted to him or her or it is revoked for him or her, the residence permit shall be cancelled for a family member of the refugee or a person having acquired alternative status in accordance with the procedures laid down in the Immigration Law, except the case when the refugee or a person having acquired alternative status has acquired Latvian citizenship.

To initiate a family reunification procedure, a refugee or a person, who acquired alternative status, must apply to any territorial unit of the OCMA and draw up a sponsorship application for the receipt of residence permit. The relatives who are living abroad, must apply to the diplomatic or consular representative office of the Republic of Latvia and submit the documents for the request of a residence permit.

The list of documents required for the receipt of a residence permit and the procedure for the receipt of a residence permit has been provided for by the Cabinet Regulation No. 564 adopted 21 June 2010 Regulations Regarding Residence Permits.

11. Could you inform about the number of evictions activities and the number of evictions in 2015/2016/2017?

Answer prepared by the Ministry of the Interior

The amount of issued voluntary return decisions (The State Border Guard and the OCMA):

- 2015 – 1225 persons
- 2016 – 1027 persons
- 2017 - 1067 persons

Removal orders issued (The State Border Guard and the OCMA):

- 2015 – 392 persons
- 2016 – 355 persons
- 2017 – 187 persons

- **Who decides?**

If it is determined that a foreigner is staying illegally in the Republic of Latvia, he or she shall be issued a voluntary return decision. A voluntary return decision is issued by the OCMA (if the illegal stay of the foreigner is detected by an official of the OCMA and/or official of the State Border Guard) and the State Border Guard (If illegal stay is detected by an official of the State Border Guard).

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

- **A guardian or representative?**
- **The right to accommodation in a dedicated home or in a foster family?**

Answer prepared by the Ministry of the Interior

In case of unaccompanied minors The State Border Guard informs the State Police, the Consular Department and the Orphan's Court, which represents the interests of the minor in the territory of Latvia, and immediately acts to ensure the rights and interests of the minor throughout all the expulsion process in accordance law regulating the protection of children's rights.

If an unaccompanied minor has expressed a desire to obtain refugee or alternative status during the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan's Court or a guardian appointed thereby, or the head of a child care institution. An unaccompanied minor shall express a wish to acquire refugee or alternative status in accordance with the procedures laid down in the Asylum Law.

If the head of a child care institution, on the basis of an assessment of the personal situation provided by the unaccompanied minor, deems that the minor needs international protection, he or she has the right to submit an application on behalf of the minor in accordance with the procedures laid down in the Asylum Law.

After submission of the application the State Border Guard and the OCMA shall evaluate whether the asylum seeker has special reception or procedural needs.

If the application is submitted by an unaccompanied minor, the Orphan's Court together with the social service office of the local government, the State Border Guard, and the OCMA shall take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's Court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's Court shall take a decision to appoint a guardian, finding out the opinion of the OCMA. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family.

- **Child-specific social, economic and educational rights?**

For the detained unaccompanied minor there are specially provided accommodation with the opportunity to study, to carry out leisure activities, including games and recreational activities that are relevant to their age.

- **Are there procedures to identify ostensible minors?**

The State Border Guard shall carry out the activities provided in law regulating migration and asylum, incl. finds the identity of the detained third-country national or asylum seeker.

For the identification of a detained third-country national and an asylum seeker, all available methods are essential for determining the authenticity of documents, the analysis of the content's relevance, linguistic analysis, comparison of fingerprints in databases, comparison of photography and age determination, as well as information from third countries where a detained foreigner or the asylum seeker has stayed for a long time before entering the EU.

The State Border Guard may at any stage of the identification process, upon receiving consent of the unaccompanied minor, determine an age examination if:

- the person does not have a document confirming the age;
- there is a reasonable suspicion that person claims to be a minor in order to avoid expulsion;
- there is a doubt about the age of person who claims to be a minor.

The State Border Guard in the presence of the representative of an unaccompanied minor shall inform the unaccompanied minor about the reason for the age examination, the possible consequences of performing such examination, and consequences which could arise if an unaccompanied minor refuses the examination.

After the age examination, the expert opinion is sent to the court for assessment in accordance with Article 182 of the Administrative Procedure Law.

Judgment is assessed by the court in accordance with the provisions of Article 154 of the Administrative Procedure Law. If the expert's opinion is not sufficiently clear or incomplete, the court may impose additional expertise in order to assign it to the same expert. If the expert's opinion is not substantiated or motivated, and if the opinions of several experts are contradictory, the court may order a re-examination by requesting another expert or several experts at once.

If during the examination procedure, the age of the person is determined unclear, it will be assessed in favour of the examined person – the person will be considered a minor.

Please see as well the answer to the question No. 14 regarding accommodation and education of minor asylum seekers.

Answer prepared by the Ministry of Welfare

A new Asylum Law was adopted on 17 December 2015 which was developed to introduce several requirements of the EU legislation. While developing the new Asylum Law, the involved institutions particularised mutual distribution of duties and functions in the work with unaccompanied minors (looking for the family, selection of a guardian, accommodation, funding for accommodation, education, etc.) by paying special attention to the identification of unaccompanied minors that could be victims of human trafficking. The Asylum Law clearly defines the criteria determining which asylum seekers are deemed vulnerable and have special procedural and accommodation needs as well as defines the rights of such persons during the asylum procedure. Besides, the Law strengthens the obligation that minors must receive education in the state official language.

On 1 December 2015, the amendments to the Social Services and Social Assistance Law came into force expanding entitlement to social rehabilitation services for minor asylum seekers who had suffered from violence.

On 14 June 2016, the Cabinet of Ministers adopted the Regulation on the procedure of compensating from the state budget the expenses of local governments for settling unaccompanied minors into care institutions or foster families. These rules were necessary to settle unaccompanied minors into foster families during the asylum procedure which previously was not allowed.

13. Please state, if possible, the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

Answer prepared by the Ministry of the Interior

Ministry of Interior does not possess information on the average monthly costs per migrant / per asylum seeker / undocumented person, minor. It is extremely difficult to calculate the expenditures per person/ month as the actual costs are very complex and various state institutions provide assistance/ spend resources for the migrants/ asylum seekers.

14. Please indicate how your country organises accommodation for migrants, asylum seekers (refugees, minors).

Answer prepared by the Ministry of the Interior

If **an asylum seeker** does not have sufficient resources to ensure living arrangements conforming to his or her health condition and his or her residence during the asylum procedure, he or she shall be accommodated at the Accommodation Centre for Asylum Seekers “Mucenieki”, taking into account the opinion of the asylum seeker, and preserving the unity of the family of the asylum seeker present in the Republic of Latvia.

The Accommodation Centre for Asylum Seekers is a unit of the OCMA and is a joint dwelling for non-detained asylum seekers, in which the conditions necessary for everyday life are ensured (by taking into account also the special reception needs of the asylum seeker) and his or her physical and mental health is protected. The Cabinet of Ministers shall determine the internal rules of procedure of the Accommodation Centre for Asylum Seekers.

An asylum seeker may be moved from one accommodation centre for asylum seekers to another only if needed and ensuring as much as possible that an asylum seeker of legal age with special reception needs is accommodated together with adult relatives who are already in the Republic of Latvia and are responsible for him or her in accordance with the laws and regulations of the Republic of Latvia. The OCMA shall provide an opportunity for the asylum seeker to notify his or her representative regarding transfer and the new address.

The OCMA may accommodate an asylum seeker outside the Accommodation Centre for Asylum Seekers, if its capacity has been exceeded and the conditions mentioned before are ensured.

An unaccompanied minor shall be accommodated at the Accommodation Centre for Asylum Seekers, placed in a childcare institution or in a foster family. A decision to accommodate an unaccompanied minor at the Accommodation Centre for Asylum Seekers, placement in a childcare institution or in a foster family shall be taken by the Orphan's Court in co-operation with the social service, by ascertaining the opinion of the OCMA. An unaccompanied minor is accommodated at the Accommodation Centre for Asylum Seekers or childcare institution until the moment when he or she is ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the best interests of the child, the Orphan's Court shall take into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his or her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his or her age and maturity, in conformity with the following conditions:

- an unaccompanied minor shall be accommodated together with adult relatives;
- children from one family shall not be separated, except in cases where it is done in the best interests of the children;
- the place of accommodation of an unaccompanied minor shall only be changed if it conforms with the interests of this person.

A minor asylum seeker is provided with opportunities for acquiring education in the official language in a state or local government educational institution. If an unaccompanied minor has started acquisition of basic education or general education, he or she may continue it after attaining 18 years of age.

Also Immigration Law and the Asylum Law stipulate that during the detention of foreigners or asylum seekers, they shall be accommodated at the specially designed premises of the State Border Guard unit.

The detained foreigners and asylum seekers are accommodated separately, in separate rooms (blocks), but in one complex. Families of detainees, including minors with their parents, are housed together separately from other detainees in a specially equipped family unit. Detained unaccompanied minors are housed in the premises which equipped according to the needs of the age and employed with specially trained staff.

When placing a detainee at the premises the State Border Guard shall make persons health check and perform sanitary treatment. A detainee with a special medical condition in accordance with the instructions of the medical staff is placed in a room which is specially equipped for this purpose.

In Latvia there are two accommodation centres for detained foreigners – one in the city of Daugavpils, the other one in Ropaži district – Mucenieki village.

15. How is the involvement of volunteers organized (national/ regional)? Financial support?

Answer prepared by the Ministry of Culture

Information Centre for Immigrants provides consultations (legal, psychological, social, etc.), interpretation services, coordination of volunteers and community initiatives. It has become as a one-stop-shop serving both persons of international protection and third country nationals. In the time frame from January 2018 until June 2020, 24 000 euros are guaranteed for volunteers' support.

Lithuania



LIETUVOS RESPUBLIKOS UŽSIENIO REIKALŲ MINISTERIJA
MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF LITHUANIA

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RE: No 1/0218-10 from 2 February 2018

Upon the request of the Baltic Assembly to answer the questions of the members of the Baltic Sea Parliamentary Conference Working Group on Migration and Integration, herewith we are sending the answers submitted by the ministries of the Republic of Lithuania.

Enclosed: Answers, 10 pages.

Vice-Minister of Foreign Affairs

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Answers to the questions by BSPC Working Group on Migration and Integration

1. Country – Lithuania

2. If available, please, provide information regarding the population structure of your country regarding people with migration background and age structure:

Resident population by sex, age group and citizenship, 2017

Beginning of the year

Age group	Total			Nationals			Non-nationals		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Total	2847904	1312186	1535718	2827787	1301276	1526511	20117	10910	9207
0–17	510388	261766	248622	508332	260736	247596	2056	1030	1026
18–24	247341	126964	120377	246207	126362	119845	1134	602	532
25–39	540819	275074	265745	535771	272156	263615	5048	2918	2130
40–49	390243	187560	202683	386843	185698	201145	3400	1862	1538
50–64	608916	275720	333196	604510	273282	331228	4406	2438	1968
≥65	550197	185102	365095	546124	183042	363082	4073	2060	2013

Resident population by sex, age group and country of birth, 2017

Beginning of the year

Age group	Total			Native-born			Foreign-born		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
Total	2847904	1312186	1535718	2720553	1258293	1462260	127351	53893	73458
0–17	510388	261766	248622	496975	255046	241929	13413	6720	6693
18–24	247341	126964	120377	245489	125982	119507	1852	982	870
25–39	540819	275074	265745	530298	269358	260940	10521	5716	4805
40–49	390243	187560	202683	377674	181598	196076	12569	5962	6607
50–64	608916	275720	333196	560356	254447	305909	48560	21273	27287
≥65	550197	185102	365095	509761	171862	337899	40436	13240	27196

(Statistics Lithuania)

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+ *among those*: female/with migration background/living in urban areas/living in rural areas/undocumented (“cross-table”) (Ministry of Interior)

3. What are the significant rules for immigration? E. g. does an immigration law exist?

Law on the Legal Status of Aliens (hereinafter “The Law”) establishes the procedure of entry and departure, stay and residence, granting of asylum and temporary protection in the Republic of Lithuania, the procedure of integration and lodging of appeals against the decisions concerning the legal status of aliens and regulates other issues relating to the legal status of aliens in the Republic of Lithuania. (Ministry of Interior)

4. What are the requirements for the acceptance of asylum?

The grant of asylum in the Republic of Lithuania means:

- granting of refugee status;
- granting of subsidiary protection.

The refugee status is granted to a foreigner who is recognised a refugee in accordance with the provisions of the 1951 Geneva Convention. The provisions of Part 1 of Article 86 of the Law on the Legal Status of Foreigners are completely harmonised with Part A of Article 1 of the aforementioned Convention which provides the definition of refugee. Part 1 of Article 86 stipulates the following:

Refugee status shall be granted to an asylum applicant who, owing to well-founded fear of being persecuted for reasons of race, religion, citizenship, membership of a particular social group or political opinion, is outside the country of his citizenship and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country or who, not having a citizenship and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Subsidiary protection in the Republic of Lithuania may be granted to the applicant for asylum who is outside the borders of his/her country of origin and cannot return due to entirely reasonable fear that:

- 1) she/he will be tortured, subjected to cruel, inhuman or degrading treatment or punishment;
- 2) there is a threat that s/he will be imposed capital punishment or execution;
- 3) his/her life, health, safety or freedom is under threat as a result of indiscriminate violence which emerged during an international or internal armed conflict.

An asylum application shall be considered by general procedure within the period of 3 months which for objective reasons may be extended for three more months.

A decision on granting (non-granting) of asylum is taken by the Migration Department under the Ministry of the Interior of the Republic of Lithuania (hereinafter "Migration Department"). This decision may be the following:

- to grant refugee status and issue a permanent residence permit;
- not to grant refugee status, provide subsidiary protection, and issue a temporary residence permit;
- not to grant asylum, issue a temporary residence permit;
- not to grant asylum, to deport the asylum seeker from Lithuania.

(Ministry of Interior)

5. Does your country allow for dual citizenship? Under which conditions?

Article 12 of the Constitution of the Republic of Lithuania states that, with the exception of individual cases provided for by law, no one may be a citizen of both the Republic of Lithuania and another state at the same time.

Article 7 of the Law on Citizenship of the Republic of Lithuania, citizens of the Republic of Lithuania may be a citizen of another state at the same time if they meet at least one of these requirements:

- 1) acquired a citizenship of Republic of Lithuania and a citizenship of another state by birth;
- 2) a person, who was exiled from an occupied Republic of Lithuania before 11th March 1990;
- 3) a person, who left Lithuania before 11th of March 1990;
- 4) a descendant of a person noted in the 2nd or 3rd sections;
- 5) marrying a citizen of another state and acquiring that state's citizenship automatically;
- 6) a person who is adopted by the citizen(-s) of Republic of Lithuania until that person turned 18 and haven't reached 21 according to 1st section of 17th article of this law;

- 7) a person, who is adopted by the citizen(-s) of another state until that person turned 18 and haven't reached 21 and of this reason acquired a citizenship of another state;
- 8) was granted a citizenship of Republic of Lithuania by way of an exception;
- 9) a person, who preserved or was granted a citizenship of Republic of Lithuania for special merits for the state of Lithuania;
- 10) acquired a citizenship of Republic of Lithuania by a grant of refugee status.

According to the Article 9 of the Law on Citizenship of the Republic of Lithuania, persons who have not obtained the citizenship of Republic of Lithuania until 15th June 1940, have the untermiated right to restore the citizenship of Republic of Lithuania regardless to the place of their permanent residence in Republic of Lithuania or another country. These persons have a right to restore the citizenship of Lithuania unless they do not obtain citizenship of another country.

According to the Law on Citizenship of the Republic of Lithuania, requirement to deny a citizenship of another country is not applied for the persons who was exiled from the Republic of Lithuania have a right to possess citizenships of Republic of Lithuania and of another country. **(Ministry of Interior)**

6. What are the conditions to obtain a work permit?

The EU directives regulating the entry of third country nationals into EU Member States for the purpose of employment have been transposed into national law and are in force in Lithuania:

- The EU Blue Card Directive (2009/50/EC);
- The EU Single Permit Directive (2011/98/EU);
- The Seasonal Workers Directive (2014/36/EU);
- The Intra Corporate Transfer Directive (2014/66/EU).

The EU documents note that economic immigration must meet the labour market needs of the Member States.

Therefore, a foreign national whose purpose of entry is the *intention to work in Lithuania* must apply for admission into Lithuania for the purpose of employment and is obliged, prior to arriving in Lithuania, to obtain:

- a *work permit*;
- a *decision of the labour exchange regarding compliance with labour market needs*, in the case of a temporary residence permit; *or*
- a *national Type-D visa* when exempted from the obligation to obtain a work permit.

A work permit/decision on compliance with labour market needs can be issued/taken when:

- there is no specialist in Lithuania meeting the employer's qualification requirements (i.e., an assessment of labour market needs is carried out);
- a pledge is submitted by the employer to employ the foreign national under an employment contract for a period of at least six months;
- documents are submitted confirming the qualification of the foreigner national.

The amendments adopted in 2016¹ introduced more favourable immigration rules for aliens, simplified the procedures for the employment of foreigners, and made conditions easier for employers to attract employees to the labour market for shortage occupations. As of 2017, there are two shortage occupations lists valid in Lithuania:

1. The list of occupations requiring high professional qualification² includes 27 occupations assigned to the main groups 1, 2 or 3 of the Lithuanian Classification of Occupations for which there is a shortage of employees in Lithuania. These include manufacturing, computer systems,

¹ Law No XII-2609 of 14 September 2016 on Amendment of Republic of Lithuania Law on the Legal Status of Aliens No IX-2206.

² Resolution No 96 of 8 February 2017 of the Government of the Republic of Lithuania "On Approval of the List of Occupations Requiring High Professional Qualification for Which There Is a Shortage of Employees in the Republic of Lithuania".

aviation and mechanical engineers, sewing technologists, constructors, programmers, engineer programmers, graphic designers, IT system administrators, etc. (hereinafter – the highly qualified occupation shortage list).

2. The shortage occupations list that is approved every six months by the director of the Lithuanian Labour Exchange is for blue-collar shortage occupations.³ The Q1/Q2 2018 list includes 13 occupations: welders, hull assemblers, garment-makers, international freight drivers, building insulators, electricians, metal construction assemblers, bricklayers, tile installers, roofers, plasterers and plaster finishers (hereinafter – the shortage occupations list).

As a result, costs have decreased for employers – they no longer have to pay a state fee for a work permit to be issued or for a decision of the Lithuanian Labour Exchange regarding compliance with Lithuanian labour market needs to be taken. Coming to Lithuania to work *without an assessment of labour market needs* is now open for:

- 1) foreigner nationals whose profession is included on the shortage occupations list. These foreigner nationals can come to work *with a national visa*;
- 2) *in cases where a temporary residence permit is issued*, foreigner nationals whose profession is included on the shortage occupations list;
- 3) *in cases where an EU Blue Card is issued*, highly skilled foreign nationals whose profession is included on the highly qualified occupation shortage list.

Foreign nationals who have been sent (posted) from a foreign company to a Lithuanian company to work in the Republic of Lithuania under a contract concluded between these companies for the provision of services or the performance of work for one year may also come and begin to work *with just a national visa*.

Favourable opportunities have been created for foreign students to join the Lithuanian labour market, i.e.:

- those who have not only completed studies, but have also completed vocational training programmes in Lithuania and intend to work according to the acquired qualification *no longer need a work permit*;
- those who are studying at institutions of science and study or educational establishments and who intend to work while they study are also exempted from the obligation to obtain a work permit.

As of 2017, it is also possible for foreign nationals seeking a job that requires high professional qualifications in an occupation that is not regulated in the Republic of Lithuania to have their *professional experience equated to tertiary qualification* and to have a document confirming such issued.⁴ This option is available to foreigner nationals who do not have a tertiary education diploma but have five years of professional experience. Foreign nationals who have submitted documents must prove that they have at least five years of professional experience which meets the requirements laid down for the highly skilled job that the employer intends to employ them for, and work in a certain non-regulated occupation which corresponds to the occupations assigned to the main groups 1, 2 or 3 of the Lithuanian Classification of Occupations that require high professional qualification.

(Ministry of Social Security and Labour)

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

³ Order No V-946 of 15 December 2016 of the Director of the Lithuanian Labour Exchange “On Approval of the List of Occupations for Which There Is a Shortage of Employees in the Republic of Lithuania by Economic Activity for Q1/Q2 2017”.

⁴ Resolution No 211 of 22 March 2017 of the Government of the Republic of Lithuania “On Approval of the Equation of Professional Experience to Tertiary Qualification and the Description for the Procedure for Issuing Confirmation Thereof”.

There are three Foreigners Integration Centres in Lithuania in the biggest cities – Vilnius, Kaunas and Klaipėda. The aim of the centre is one-stop-shop for foreigners (refugees) to facilitate them with a wide range of services at one desk to speed up their integration into society and labour market.

Integrated services:

At the centre foreigners (refugees) are provided of:

- ✓ any information, consultation, mediation, representation and other social assistance services as they need;
- ✓ Lithuanian language courses;
- ✓ Civic orientation courses;
- ✓ Legal assistance services;
- ✓ Psychological counselling;
- ✓ Organizing joint events with community;

Education and training services to facilitate integration into labour market (assessment of skills, vocational guidance and counselling, improving communication skills, trainings, etc.) **(Ministry of Social Security and Labour)**

Foreigners can find information about entry and departure, stay and residence in the Republic of Lithuania in www.migracija.lt. It should be noted as well, that in cases provided for in the Law, migrants, asylum seekers and refugees can receive legal assistance free of charge. **(Ministry of Interior)**

8. Are courses provided by the government, such as language courses or courses e. g. for civic education or vocational training?

- Who is allowed to participate?
- Are they free of charge?
- Are there obligatory ones?

Language courses and introductory courses are provided by the Government free of charge for the refugees during their integration period and therefore are mandatory as provided in the integration contract. Other migrants are allowed to participate at the courses which are provided at the Foreigners Integration Centres. Courses for other migrants are not free of charge and voluntary. **(Ministry of Social Security and Labour)**

Every general education school that has pupils who do not speak Lithuanian organises an intensive additional Lithuanian language teaching course for them (in bridge classes, groups or by integrating pupils in classes, providing individual assistance). Children attend this extra course for a year or less and study other subjects together with their peers.

Lithuanian language courses for adult migrants are available. The courses are offered by different education providers such as universities (Vilnius University Department of Lithuanian Studies, Lithuanian University of Educational Sciences, Vytautas Magnus University), language schools and centres, NGOs and freelance teachers.

In most cases cultural orientation is an integral part of the language courses, but in some cases socio-cultural orientation is provided as a separate course.

VET institutions offer a choice of nearly 400 different VET programmes. Pupils from the age of 14 are eligible for VET studies. VET studies usually take one to three years to complete. The form of an apprenticeship is also offered, and in this case, the profession is studied directly at the workplace. In order to enrol pupils should address the chosen vocational education institution. VET studies at public institutions are free of charge.

Adult migrants can take part in continuing education and training programs to obtain an additional qualification. These programs, lasting from 2 weeks to a year (depending on the difficulty), are

designed for adult persons to obtain a different qualification (to requalify) and are aimed at better responding to the demands of the labour market. **(Ministry of Education and Science)**

9. What kind of benefits exists for migrants and asylum seekers?

Persons who are granted asylum despite permanent or temporal residence permit are entitled to get the same social benefits as the citizen of Lithuania. Migrants who have permanent or temporal residence permit as well are eligible for common social benefits.

Relocated and resettled asylum seekers and persons who are granted asylum and other migrants if decided by the government, who has signed integration contract are entitled to get social integration benefits. Persons mentioned above during they stay at the Refugee reception centre receive **85,4 €** per month per person for a period of 3 months (the period might be extended up to 6 month in vulnerable cases). After having moved to the territory of a municipality where the period of integration may last up to 12 months (in some cases might be extended but not more than 36 months) persons mentioned above receive:

Monthly subsistence (Eur per month)		
	From 1st to 6th month	From 7th to 12th month
1 person	240	120
Family of 2 persons	360	180
Family of 3 persons	480	240
Family of 4 persons	540	270
Family of 5 persons	600	300
Family of 6 persons and more	660 For each additional child + 60 € per month	330 For each additional child + 30 € per month
Additional allowances (Eur)		
One-time allowance for settlement at the municipality	244	
	122	
	1342	
partial compensation for monthly rent accommodation expenses for a person (depends on municipality)	2,5 – 78,34	
Compensation of monthly kindergarten expenses for children	60,10	
One-time allowance for the pupil to start school	57	

Moreover, refugees are entitled to require for additional social benefits as all the rest Lithuanian citizens - monthly allowance for a child, one-time allowance upon the birth of a child, one-time allowance for the family in case of death of a family member.

Official minimum wage in Lithuania is 380 € per month; medium wage is 660 € per month. **(Ministry of Social Security and Labour)**

According to the Law monthly benefit for asylum seekers is 10 percent of state supported income amount. The amount of state supported income is approved by the Government of Republic of Lithuania and at the moment is 122 Euros per month. **(Ministry of Interior)**

10. Are there possibilities for family reunification? Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

If a member of family lives in the Republic of Lithuania, relatives may come to visit family member and obtain a temporary residence permit. The permit is usually issued for 1 year; later it may be replaced with a permit valid for 2 years. While an application for a temporary residence permit is considered, relative may obtain a national visa.

If relative is abroad, he have to apply for the document to the Embassy of Lithuania, and if he is in Lithuania, he should apply to the migration service that provides services in the area where he intend to reside.

Relatives may stay in Lithuania while the family member whom he is visiting is in Lithuania, unless he obtain a residence permit on other grounds. **(Ministry of Interior)**

11. Could you inform us about the number of evictions activities and the number of evictions in 2015/2016/2017?

<i>Year</i>	<i>Return decisions</i>	<i>Foreigners returned</i>
2015	1 469	444
2016	1 570	177
2017	2 001	103

– Who decides?

A decision regarding the return of an alien to a foreign state shall be taken by the Migration Department, the police or the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter “State Border Service”), while the enforcement of decisions shall be controlled by the police and the State Border Guard Service. **(Ministry of Interior)**

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the children)?

– A guardian or representative,

According to the provisions of the Civil Code of the Republic of Lithuania, every unaccompanied minor is assigned a guardian (legal representative) at the Refugee Reception Centre, which became the representative of the child. **(Ministry of Social Security and Labour)**

The Refugees Reception Center (hereinafter “RRC”) becomes a guardian. From the moment of accommodation of unaccompanied minors in this center. **(Ministry of Interior)**

– The right to accomodation in a dedicated home or in a foster family, child-specific social, economic and educational rights?

Unaccompanied minors are accommodated in the Refugee Reception Centre separately from the adults in the section "Unaccompanied Minors". There can live about 16 minors at one time.

Minors are provided with essential furniture, dishes, household utensils, hygiene products, clothes, bedding, and school supplies in accordance with standards approved by the Director of the Centre. Minors receiving allowances for food and small expenses.

Minors have the right to attend Lithuanian language courses at the Refugee Reception Centre, vocational guidance courses, Lithuanian society cognitive courses, other classes organized at the Refugee Reception Centre, attend general education schools. Unaccompanied minors are prohibited by compulsory health insurance in the manner prescribed by the laws of the Republic of Lithuania. The centre has a medical centre providing minors with primary health care services. If a minor requires secondary or tertiary health care, the doctor of the centre writes a referral, and the unaccompanied minor accompanies the health facility. Unaccompanied minors are provided with psychologist services. **(Ministry of Social Security and Labour)**

Unaccompanied minors are accommodated in the RRC. All unaccompanied minors have access to healthcare (Law of Republic of Lithuania Mandatory health insurance). Unaccompanied minors get all integration measures: inclusive formal education, they are taught Lithuanian language and Lithuanian culture, psychological support, their leisure time is also organized.

Unaccompanied minors who seek asylum are accommodated in the RRC (where the interests of child are ensured). **(Ministry of Interior)**

- Do you have special programs for family unification/resettlement/return?

Persons who arrived in Lithuania under the case of family unification are eligible for the program of integration into society on the same conditions as asylum seekers and persons granted asylum. **(Ministry of Social Security and Labour)**

Migration Department, having received information about a designated unaccompanied minor, together with the non-governmental or international organizations and the representative of an unaccompanied minor, immediately organizes the search of the unaccompanied minors' family members. **(Ministry of Interior)**

- Is there a continued support upon turning 18 (reaching legal age)?

Yes it is. **(Ministry of Social Security and Labour)**

It depends on the legal status of the person. Usually, when turning 18 years of age, the person legally considered an adult. If that person is an asylum seeker, he / she has the right to integration and support. **(Ministry of Interior)**

- Are there procedures to identify ostensible minors?

Age assessment procedure provided in accordance with the description of the procedure for determining the age of identification, accommodation and other procedural actions and the provision of services for unaccompanied minors who are not asylum seekers established in the Republic of Lithuania, approved by the Minister of Social Security and Labour of the Republic of Lithuania, the Minister of the Interior and the Minister of Health of 2014. April 23 Order No A1-229 / 1V-491 / V-491 (as amended on June 9, 2016, No. A1-284 / 1V-425 / V-739). **(Ministry of Social Security and Labour)**

On 23rd April 2014, Minister of Security and Labour, Minister of the Interior and Minister of Health of the Republic of Lithuania adopted procedure for non-asylum seeking minors. This Act established

the detailed procedures and harmonized the practices applicable to non-asylum seeking unaccompanied minors (for example age assessment).

The age of an unaccompanied minor can be determined in the following ways:

- 1) Based on the documents presented or his/her own words;
- 2) In the presence of reasonable doubts as to the age of the asylum seeking unaccompanied minor, an age assessment may be undertaken.

In practice, the age of an asylum seeking unaccompanied minors is usually recorded during an initial interview based on his/her own words. This information is added to the person's file.

An age assessment (X-ray test) may be performed only when there is a reasonable doubt as to an unaccompanied minor's age and only with his/her consent. The test's conclusion permits a margin of error of two years. In the event of such an error, the person is considered to be a minor. If the unaccompanied minor does not consent to undergo the age assessment, a decision on the necessity of the assessment or on the recognition of the person as an unaccompanied minor is adopted by the court.

(Ministry of Interior)

- Are there special regional programs (school, youth welfare); best practice examples?

Currently there are two non-governmental organisations which provide support for integration to foreigners who have been granted asylum in the territory of a municipality: Caritas of Vilnius Archdiocese and the Lithuanian Red Cross Organisation. Non-governmental organisations provide mentoring services. Mentors help foreigners acquire basic necessities, rent a flat; they pay cash allowances, organise kindergarten services and assist with any other issues. During the period of state support for the integration in the territory of a municipality, a foreigner who has been granted asylum is paid a monthly cash allowance for basic necessities (housing rental, public utilities, food, transportation, etc.). **(Ministry of Social Security and Labour)**

Lithuania creates the following conditions for unaccompanied minors: provides temporary accommodation, provides care, organizes education, organizes Lithuanian language courses, Lithuanian culture courses, ensures social security and health care. In addition, informs the public about foreigners in order to prevent their isolation, public xenophobia and promote tolerance. **(Ministry of Interior)**

13. Please state – if possible – the average monthly costs per migrant/per asylum seeker/undocumented person, minor.

Monthly national budget costs per person at the Refugee reception centre (Eur)	
Subsistence	85,4
Administration costs	40
Accommodation	39
Provision of necessities (clothing, bedding, transportation and so on)	50
Education	60
Healthcare	50
Social care, counselling, interpreter	40
other	21
Vocational training (not regular)	180
In all:	565,4

(Ministry of Social Security and Labour)

The average monthly cost of foreigners accommodated in the State's Border Guard Service Foreigners Registration Centre (hereinafter "FRC") are:

- approximately 580 euros (an asylum seeker);
- approximately 587 euros (a child);
- approximately 570 euros (a detained foreigner). **(Ministry of Interior)**

14. Please indicate how your country organises accommodation for migrants, asylum seekers (refugees, minors).

Relocated and resettled asylum seekers and persons who are granted asylum and other migrants if decided by the government are welcomed at the Refugees reception centre where they are free of charge provided of accommodation for 3 months (the period might be extended up to 6 month in vulnerable cases). After three months at the Refugees reception centre refugees fall into the rental housing market, although they receive help in identifying housing. Moreover, the government has foreseen partial reimbursement for renting accommodation for those who are yet on the integration program. Of course refugees are always entitled to require for social housing as all the rest Lithuanian citizens. Unaccompanied minors are eligible to stay at the Refugees registration centre before they turn 18 years old. **(Ministry of Social Security and Labour)**

FRC is the main institution accommodating asylum seekers during the examination of their application and third country nationals who came into the country illegally and thus were detained (in the separate building).

The Lithuanian legal framework guarantees the accommodation for all asylum seekers: both for those arrived legally and illegally. The law does not provide for the refusal to accommodate asylum seekers for the lack of places in the centers, or to evict individuals from the place of accommodation because of violations of local regulations or for other reasons.

On the decision of the Migration Department, an asylum seeker may be permitted to reside in the place of his choice if the asylum seeker so desires.

On 8th March 2017 the Government of the Republic of Lithuania adopted a Resolution No. 171 "On approval of the description of the procedure for the accommodation of asylum seekers". The purpose of this Resolution is to determine the procedure for alternative accommodation of asylum seekers. Decision to accommodate in alternative places is made by Migration Department. The conditions of such alternative accommodation is:

- an asylum application was submitted by vulnerable person;
- there is no place in FRC to accommodate asylum seekers.

Unaccompanied minors are accommodated in the Refugees Reception Center.

Asylum seekers can receive material, social and medical services, financial allowances and leisure activities are organised for them.

RRC is an institution, which provides an accommodation for foreigners who have been granted asylum in Lithuania, unaccompanied minors and which implements social integration of accommodated foreigners. **(Ministry of Interior)**

15. How is the involvement of volunteers organized (national/regional)? Financial support?

Non-governmental organizations can participate in organizing the accommodation of asylum seekers, as well as forced return monitoring. **(Ministry of Interior)**

Mecklenburg- Vorpommern

Landtag Mecklenburg-Vorpommern

Die Präsidentin

Landtag Mecklenburg-Vorpommern, Die Präsidentin
Lennéstraße 1 (Schloss), 19053 Schwerin

Mr. Hans Wallmark
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Schwerin, 9 . May 2018

Homework of the Working Group - Answers of the Government

Dear Chair,

enclosed you can find the final answers of the government of Mecklenburg-Vorpommern to the homework of the BSPC Working Group on Migration and Integration. The answers are already filled in to the survey of the Hamburg Parliament in electronic form.

For further questions please contact the International Secretariat of the Parliament of Mecklenburg-Vorpommern (international@landtag-mv.de or +49 385 525 1530).

Best regards

pp



Beate Schlupp
First Vice-President
of the Parliament of Mecklenburg-Vorpommern

Annex

BSPC Working Group on Migration and Integration 2018

LIST OF QUESTIONS to be transmitted to the governments

- **Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.**
- **Additional documents please add per Mail.**

1. Name of national / regional parliament

Landtag Mecklenburg-Vorpommern

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+ among those: female / with migration background / living in urban areas / living in rural areas / undocumented ("cross-table")

<i>Number of residing foreigners</i>	<i>female</i>	<i>male</i>	<i>unknown</i>	<i>total</i>
<i>0 to under 18 years</i>	6.914	7.842	25	14.781
<i>18 to under 25 years</i>	4.054	7.159	17	11.230
<i>25 to under 40 years</i>	10.401	15.496	46	25.943
<i>40 to under 50 Jahre</i>	4.752	6.418	17	11.187
<i>50 to under 65 years</i>	3.415	4.783	8	8.206
<i>65 years and older</i>	1.395	1.399	0	2.794
<i>Age not calculable</i>	1	1	0	2
<i>Sum total</i>	30.932	43.098	113	74.143

Source: Central register of foreigners at reporting date 28.02.2018

Detailed information about the spatial allocation of the foreign population, whether living in urban or rural areas, is not available for the state government. Data about illegal entry cannot gathered from the available statistics.

3. What are the significant rules for immigration? E.g. does an immigration law exist?

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The significant rules are included in the German Asylum Act as well as in the law about residence, employment and integration of foreigners in federal territory (residence act). It is federal law.

4. What are the requirements for the acceptance of asylum?

Based on the personal hearing and the exhaustive examination of documents and pieces of evidence the Federal Office for Migration and Refugees decides over the application for asylum. For each application for asylum, the Federal Office examines on the basis of the asylum law whether one form of protection – right to asylum, refugee protection, subsidiary protection or non-refoulement – exists. If there is a right for protection, applicants receive a positive notice.

Right for Asylum under article 16a of the Basic Law for the Federal Republic of Germany

Entitled to asylum and therefore politically persecuted are people, who in case of return to their home country would be exposed to a serious violation of human rights, due to their

- Race (the word “race” is used following the wording of the Geneva Refugee Convention)*
- Nationality*
- Political beliefs*
- Religious fundamental decision or*
- Affiliation with a certain social group (a group can also be seen as a certain social group when it is founded on the common characteristic of sexual orientation)*

without having an alternative of fleeing within his/ her country’s borders or other protection of persecution.

However, not every negative state policy – even when tied to one of the named personal characteristics – constitutes an asylum-relevant persecution. It must rather be a specific violation of a legally protected matter for one thing and has to be aimed in its intensity at excluding the affected person from the community for another. Finally it has to be a measure so serious that it violates the human dignity and exceeds the conditions the residents of the concerning country are otherwise generally facing. In principle, only persecution by the state or coming from the state is taken into consideration. Exceptions apply when the non-state persecution is attributed to the state or the non-state persecution itself displaced the state (quasi-state persecution). Emergency situations like poverty, civil wars, natural disasters or hopelessness are therefore principally excluded as reasons for the grant of asylum under article 16a Basic Law.

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Safe third countries

The recognition of the right to asylum is impossible with an entry via a safe third country. This also applies when a repatriation to this third country is not possible, for example because the country is not known due to missing information from the applicants for asylum. The German Asylum Act defines as safe third countries the member states of the European Union as well as Norway and Switzerland.

Refugee protection

Based on the Geneva Refugee Convention people are regarded as refugees, who, owing to a well-founded fear of persecution by state or non-state actors because of their

- *Race (the word "race" is used following the wording of the Geneva Refugee Convention)*
- *Nationality*
- *Political beliefs*
- *Religious fundamental decision or*
- *Affiliation with a certain social group (a group can also be seen as a certain social group when it is founded on the common characteristic of sexual orientation)*

are outside their country of origin and can't enlist the help of their country of origin or don't want to do so because of reasonable fear of persecution.

Examples for acts which can be regarded as persecution are:

- *Use of physical or psychological violence, including sexual violence,*
- *legal, administrative, police and/or judicial measures that are discriminating as such or used in a discriminating way,*
- *disproportionate or discriminatory prosecution or punishment,*
- *Denial of judicial legal protection with the result of an disproportionate or discriminating sentencing*
- *Acts tied to sexuality or aimed against children.*

Subsidiary protection

The subsidiary protection comes into consideration when neither refugee protection nor right to asylum can be granted and the applicant is threatened by serious damage in his country of origin.

A right to subsidiary protection have those who put forward substantial grounds that they are threatened by serious harm in their country of origin and they can't enlist their country's help or due to the threat don't want to do so. A serious damage can be attributed to state as well as non-state actors.

Serious damage is the imposition or enforcement of death penalty, torture or inhuman or degrading treatment or punishment or a serious individual threat to the life or integrity of a civilian owing to arbitrary violence as part of an international or national armed conflict.

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Only when none of the forms of protection apply, the application for asylum gets rejected. The right to protection is not considered if reasons for preclusion apply. Those include: If a person has committed a war crime or a serious non-political criminal offence outside the German federal territory, acted against the objectives and principles of the United Nations, is to be seen as a threat to the security of the Federal Republic of Germany or represents a threat to the general public because he or she has been finally sentenced to imprisonment because of a criminal offence or a particularly serious offence.

5. Does your country allow for dual citizenship? Under which conditions?

The following explanations refer to established federal law. The Nationality Act is applied. Moreover, Mecklenburg-Vorpommern is adapted to the Temporary Application Notes to the Nationality Act by the German ministry of the interior.

Generally, the German nationality law is characterized by the principle of prevention of multiple nationalities. The withdrawal or loss of the foreign nationality is, except for citizens of another member state of the European Union or Switzerland, a substantial and obligatory requirement for naturalisation based on legal entitlement.

However, multiple nationalities can't be completely prevented and have been accepted in German nationality law for a row of cases for a long time. Reasons for this are the exceptions for the upholding of the nationality (§ 12 Nationality Act), the introduction of the birthplace principle (§ 4 paragraph 3 Nationality Act), the legal acquisition of the German nationality by Germans without German nationality ("status German") and late re-settlers (§ 7 Nationality Act) which doesn't require the withdrawal of the previous nationality, as well as the extended possibilities for the preservation of upholding admissions according to § 25 paragraph 2 Nationality Act.

6. What are the conditions to obtain a work permit?

Welches sind die Bedingungen für den Erhalt einer Arbeitserlaubnis?

Citizens from the European Union, Iceland, Liechtenstein, Norway and Switzerland

EU citizens have the right to freedom of movement and have unlimited access to the German labour market. They don't need a visa or residence permit either for the entry or for the employment in Germany. Only a valid passport or identity card is necessary for the entry.

Citizens from other states (third states)

The access to the German labour market is determined by the regulations of the residence act as well as the adopted regulations to this about employment of foreigners (employment regulation).

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People from a state outside the European Union usually need a visa. The visa entitles to the entry in Germany and is then in Germany converted in a residence permit depending on the residence purpose.

An exception applies for citizens from Australia, Israel, Japan, Canada, South Korea, New Zealand or USA. They can enter Germany without a visa and apply for a residence permit before taking up employment. In the residence permit is noted whether and in what form employment or activity is allowed.

For citizens from Albania, Bosnia-Herzegovina, Kosovo, Macedonia, Montenegro and Serbia apply new legal regulations for the access to the German labour market since 1.1.2016 (§ 26 paragraph 2 employment regulation).

With the residence permit, the diplomatic missions of the Federal Republic of Germany or the responsible authority for foreigners approve an employment in Germany. If necessary, the German Federal Employment Agency has to agree. In order for the Federal Employment Agency to agree to the employment, the following requirements have to be fulfilled generally:

- *The employment is allowed according to residence law or employment regulation.*
- *A specific employment offer has been received.*
- *The working and waging conditions correspond to those of comparable German employees.*
- *There are no preferential workers with same qualifications available on the German Labour Market (priority holders).*

In many cases the residence permit can be given without agreement by the Federal Employment Agency.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

The integration office as organization of the federal state Mecklenburg-Vorpommern offers in the reception centre (location Stern Buchholz) early social advice for asylum seekers which are likely to stay permanently (no Dublin cases nor people from safe countries of origin). Consultancy requirements and needs for the allocation in certain municipalities shall be established and realized early.

For migrants with a permanent residence, e. g. migrants with residence permit, with settlement permit, late re-settlers and EU citizens and their families, exists migration-specific counselling. This is funded by the federal state or the Federation based on § 45 residence act, that realizes a migration-specific social counselling. They are directed to adult migrants. The branch office of the Central Welfare Board of Jews in Germany (Zentralwohlfahrtsstelle der Juden) especially counsels Jewish migrants.

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For the object of consultation on asylum law, the federal states funds a responsible body.

Migrants aged 12-27 are counselled about their particular interests by Youth Migration Services (Jugendmigrationsdienste, JMD) financed by the Federation.

The psychosocial counselling services, financed by the federal states, are directed to immigrants with psychological problems. They serve a low-threshold access of first anamnesis, crisis intervention, offer short therapies and mediate to psychiatric and psychological counselling services of the regular medical care in case of corresponding indication.

The vocational counselling for migrants with residence permit, settlement permit, late re-settlers and EU citizens are carried out by the specialist integration service on migration. (Funded by the federal states).

The counselling and support for the access to work and apprenticeship, particularly for refugees, is realized by the advice centres of the Network "Work for Refugees" (Netzwerk "Arbeit für Flüchtlinge").

The service points of the Network "Integration through Qualification" advise for the recognition of vocational qualifications acquired in foreign countries. (Funded by the Federation)

The network of migrant organisations in Mecklenburg-Vorpommern "Migranet M-V" advises migrant-self-organisations in particular concerning their political and social participation.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- **Who is allowed to participate?**
- **Are they free of charge?**
- **Are there obligatory ones?**

The integration courses under the responsibility of the Federal Ministry of the Interior, Building and Community/ Federal Office for Migration and Refugees include a basic and follow-on language course with respectively 300 lessons as well as an orientation course with 100 lessons teaching about legal system, culture and history of Germany. They are accessible for those with a residence permit, late re-settlers and asylum seekers from countries of origin with prospects of permanent residence in Germany (Eritrea, Iran, Iraq, Somalia, Syria). EU citizens and Germans with migration background can be admitted subsequently. A contribution to the costs of the integration courses is charged, the participants can be relieved of payment by corresponding economic situation. The Immigration Offices or the labour administration can oblige the participation in an integration course.

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The work-related language training, funded by the Federal Ministry of Labour and Social Affairs, can include basic modules to reach a certain level of language or specific modules accompanied by procedures for the recognition of professional qualifications with subject-specific contents or for participants who could not reach the language level B1 during the integration course. It is accessible for immigrants, including refugees, who are in recognition process and have good prospects for a permanent residence (the latter currently applies to the five countries of origin: Syria, Iran, Iraq, Eritrea and Somalia), EU citizens as well as Germans with migration background. For the work-related language training, a fee is charged for the participants in employment. The participants can be relieved of this payment by corresponding economic situation.

The initial orientation courses, financed by the Federation, are primarily directed to asylum applicants who originate from a country which neither does not have a high recognition rate (good prospects of staying in Germany) nor does not constitute a safe country of origin. Should places still be available after covering this main target group, asylum applicants with good prospects of being able to stay in Germany may also attend an initial orientation course, if they are not (yet) able to take part in an integration course. The courses are based on the concept "Initial orientation and grounding in German for asylum applicants". Besides for example the topics everyday life in Germany, work, health/medical care and nursery school/school, the courses can also deal with customs and traditions in Germany/local peculiarities and general values and social co-existence. The Participation is free of charge.

The project „Introduction German“ (Einstieg Deutsch) under responsibility of the Federal Ministry of Education and Research consists of language courses for refugees older than 16 years with no place in an integration course yet, primary for people originated from countries with good prospects of staying in Germany (currently: Eritrea, Iran, Iraq, Syria and Somalia). Moreover, refugees whose prospects of staying are uncertain can also attend the courses. The participation is free of charge.

The “Federal State Agency for Civic Education Mecklenburg-Vorpommern” (Landeszentrale für politische Bildung), in cooperation with the schools, has developed an offering of political education for young refugees at vocational schools in Mecklenburg-Vorpommern. The modules cover different topics (politics, fundamental rights, religion, vocational training, regional studies, participation etc.) but also leave free space for questions and everyday experiences of the adolescents. The project is realized via a tandem, consisting of a Syrian and a German employee of the Federal State Agency for Civic Education. There are no costs for the participants.

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9. What kind of benefits exists for migrants and asylum seekers?

- **What are the conditions for the benefit payments?**
- **How do the benefits relate to the average national income?**

According to the Asylum Seekers' Benefits Act, foreigners are entitled to benefits when they indeed are residing in Germany and who

- 1. are in possession of a preliminary residence permit according to the Asylum Act,*
- 2. want to enter via an airport but have not or not yet been allowed the entry,*
- 3. are in possession of a residence permit*
 - a) because of war in their home country according to § 23 paragraph 1 or § 24 of the Residence Act*
 - b) according to § 25 paragraph 4 sentence 1 of the Residence Act or*
 - c) according to § 25 paragraph 5 of the Residence Act, if the decision about the suspension of deportation has been made no longer than 18 months beforehand,*
- 4. are in possession of a temporary suspension of deportation according to § 60a of the Residence Act*
- 5. are enforceable compelled to depart, even when a deportation order is not yet or not anymore enforceable,*
- 6. are spouses, life partners or minor children of the people named in number 1 to 5, without fulfilling the requirements themselves or*
- 7. file a follow-up application or a second application.*

Amount of benefits

The amount of life-saving benefits, payed by the responsible issuing authority, depends on various factors like:

- a) family relations (single, married, with/without minor children),*
- b) age*
- c) available income and assets and*
- d) duration of residence in Germany.*

Anyone who is residing for more than 15 months in Germany, without substantial interruption, can obtain benefits according to the Twelfth Book of the Code of Social Law. These benefits differ in the amount and kind, compared to the benefits according to the Asylum Seekers' Benefits Act. But only persons who didn't abuse rights with the aim to influence the length of stay, could receive these higher benefits. An abuse occurs for example, if someone

- evades the authorities,*
- undermines the implementation of the asylum process,*
- destroyed or had destroyed his passport,*
- gives a false identity or nationality or*
- makes other false statements.*

Form of benefits

The benefits according to the Asylum Seekers' Benefits Act are granted in different ways, it depends on the type of accommodation of the applicant:

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- *Accommodation in reception facility:*
The basic needs are granted regularly as a benefits-in-kinds, this means food, clothes, healthcare and personal hygiene, as well as household durables and consumables (furniture, bed linen, towels, cleaning products, electricity, water, etc.) are provisioned to the beneficiaries.

In contrast, personal daily requirements, namely what a beneficiary needs to cover personal daily requirements (e.g. for communication devices and transport means) are covered differently, depending on the federal state in which the reception facility is located: either completely or partially by cash benefits and/or benefits-in-kind and/or in kind of cashless invoices and/or vouchers.

- *Collective accommodation or apartment:*
The basic needs (e.g. food, clothes) are primarily granted in kind of money benefits.

The kind of granting the necessary personal needs depends on the type of accommodation. Is the beneficiary accommodated in an apartment, he receives money benefits to cover the necessary personal needs. By an accommodation in a collective accommodation, the needs could completely or partially be granted by benefits-in-kind. The locally responsible issuing authority decides.

Current amount of benefits according to § 3 Asylum Seekers' Benefits Act, first 15 month of the allowed residence:

Grant levels	Grant amount, Asylum Seekers' Benefits Act		
	<i>Necessary needs</i>	<i>Personal needs</i>	<i>Total</i>
<i>1 single beneficiary</i>	219 €	135 €	354 €
<i>2 two adult beneficiaries, sharing as partners the same household, each</i>	196 €	122 €	318 €
<i>3 further adult beneficiary without an own household</i>	176 €	108 €	284 €
<i>4 other minor beneficiary from the beginning of the 15th year of one's life until the completion of the 18th year of one's life.</i>	200 €	76 €	276 €
<i>5 beneficiary children from the beginning of the 7th year of one's life until the completion of the 14th year of one's life.</i>	159 €	83 €	242 €
<i>6 beneficiary children until the completion of the 6th year of</i>	135 €	79 €	214 €

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one's life.			
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Current amount of benefits according to § 2 Asylum Seekers' Benefits Act, after 15 month of the allowed residence and by the fulfilment of further requirements of § 2 Asylum Seekers' Benefits Act:

Grant levels	Grant amount of the 12th Book of the Code of Social Law (according to § 2 Asylum Seekers' Benefits Act)
1 single beneficiary	416 €
2 two adult beneficiaries, sharing as partners the same household, each	374 €
3 further adult beneficiary without an own household	332 €
4 other minor beneficiary from the beginning of the 15 th year of one's life until the completion of the 18 th year of one's life.	316 €
5 beneficiary children from the beginning of the 7 th year of one's life until the completion of the 14 th year of one's life.	296 €
6 beneficiary children until the completion of the 6 th year of one's life	240 €

No definite statement can be made about the benefits relate to the average national income because of the variance of the individual benefits, which are determined separately for each case.

**10. Are there possibilities for family-reunification?
Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?**

Family reunification means the moving in of family members to a (foreign or german) person, who is already residing in the destination country, with the aim to create or maintain the family unit. Usually a distinction is made between the moving in of spouses, the moving in of children, the moving in of parents and the moving in of other family members. These regulations are contained in the 6th section of the Asylum Seekers' Benefits Act (§§ 26 et seq). Unless otherwise specified, it is necessary to prove the granting prerequisites according to § 5 Asylum Seekers' Benefits Act.

Certain family members of accepted refugees and entitled asylum seekers are entitled for family-reunification. Spouses, minors, unmarried children of entitled protection seekers residing in Germany and parents of unaccompanied minors.

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There are roughly five requirements for a family-reunification from third-country-nationals: the including person must have a valid residence permit, sufficient living space, a health insurance for itself and the following family members and must ensure the means of livelihood. Furthermore, the identity of the incoming persons must be unequivocally clear. Under certain circumstances, specific integration services must be fulfilled, before and/or after the reunification (e.g. evidence of German language skills). For the reunification of spouses or life partners, the incoming partner must be normally 18 years old.

For individual group of persons certain requirements for a family-reunification can be refrained. This is for example the case for the ensuring of the means of livelihood. This requirement can be refrained for the group of refugee resettlement (Third country resettlement), person entitled to asylum, accepted refugee or subsidiary protected.

Currently, certain restrictions apply for the family-reunification of subsidiary protected. For those who received their residence permit after the 17. March 2016, the family-reunification is suspended until the 31. July 2018; during this phase is a reunification just possible for individual cases and according to international law or urgent humanitarian reasons. A new arrangement is planned by the federal government.

The family-reunification is also not permitted, when it is evident, that it is a marriage of convenience or a forced marriage or rather a partnership of convenience or a forced partnership. The reunification with person who are enforceable obligated to depart will also not be granted.

Third country nationals with the aim of a family-reunification in Germany must apply for a resident document in an embassy or a consulate in their country of origin (or in neighbouring countries by countries at war). The Federal Foreign Office decides on the visa, but usually it requests statements on certain granting prerequisites by the responsible immigration authority. The webpages of the diplomatic missions can be found on the homepage of the Federal Foreign Office (<https://www.auswaertiges-amt.de/en/aussenpolitik/laenderinformationen>). They also contain further information on the visa procedure (especially on the family-reunification of persons with subsidiary protection from Syria).

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

- **Who decides?**

It is assumed, that the question implemented an answer on the number of deportations and the arrangement of the jurisdiction.

Time period	2017	2016	2015
Deportation activities	1.351	1.748	2.224
Deportations	497	846	1.051
Failed deportations	854	902	1.173

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The Federal Office for Migration and Refugees decides on the application for asylum on the basis of a personal hearing and of a detailed examination of documents and items of evidence. The fate of the individual applicant is the matter of principle. Each asylum application is examined by the Federal Office for Migration and Refugees on the basis of the Asylum Act as to whether one of the types of protection – entitlement to asylum, refugee protection, subsidiary protection or a ban on deportation – applies. If an entitlement to protection does not exist, the asylum application will be rejected. The decision on the asylum application is explained in writing and a notice on appeals and a translation of the content of the decision is served to the involved persons, the applicant or the legal representative and the competent immigration authorities. A distinction of the decision is made between a “simple” rejection and a rejection as “manifestly unfounded”. If the rejection is “simple”, the person has a timeline of 30 days to leave the country. If the rejection is “manifestly unfounded” the timeline to leave is one week.

The negative notice of the application is simultaneously connected with a notice of intention to deport. Asylum applications are also inadmissible if another Member State of the Dublin area is responsible for it (Member States of the European Union, Norway, Iceland, Switzerland and Liechtenstein).

After the expiration of the deadline for a voluntary depart and occurred enforceability of the obligation to depart, the districts and district-free cities proof the existence of obstacles of the enforcement; as long as the deportation does not take place out of a facility of the federal state. If no obstacles exist, the districts and district-free cities inform the Mecklenburg-Vorpommern Office of internal administration (LAIv) that the deportation can be implemented. According to § 3 paragraph 2 sentence 1 of the Executive Federal State Regulation on immigration responsibility is the Office of internal administration (LAIv) always responsible for the implementation of deportations.

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

- a guardian or representative,
- the right to accommodation in a dedicated home or in a foster family,
- child-specific social, economic and educational rights?
- Do you have special programs for family unification / resettlement / return?
- Is there a continued support upon turning 18 (reaching legal age)?
- Are there procedures to identify ostensible minors?
- Are there special regional programs (school, youth welfare); best practice examples?

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- **A legal guardian?**

Unaccompanied minors are taken up by the federal police or federal state police or they announce themselves by an immigration authority, social or youth welfare office. No matter at which office they appear, the first German authority coming into contact with a potentially unaccompanied minor has to register his or her personal data.

During the temporary taking into care, it is not necessary to appoint a legal guardian, according to § 42a of the 8th Book of the Code of Social Law (SGB VIII). The youth welfare office that takes an unaccompanied minor into care (§ 42a-Jugendamt) is, based on public law, empowered and obligated, to assume the legal guardian of the unaccompanied minor during the temporary taking into care. Furthermore the youth welfare office enforces legal acts which are necessary for the well-being of the unaccompanied minor (representation in an emergency).

The temporary taking into care does not end by a specific time period, it ends by other ways to ensure the well-being of the unaccompanied minor.

The temporary taking into care ends according to § 42a Abstract 6 of the 8th Book of the Code of Social Law (SGB VIII):

- *the handover of the unaccompanied minor to an entitled person of education and care*
- *The youth welfare office that takes minors into care (§ 42 Jugendamt)*
- *the Federal state distribution authority reports to the Federal Office of Administration that the distribution is excluded*

In that case, the youth welfare office (§ 42a-Jugendamt) orders the taking into care, according to § 42 Abstract 1 Sentence 1 Number 3 of the 8th Book of the Code of Social Law (§ 42 Abs. 1 S. 1 Nr. 3 SGB VIII) and causes the accommodation in an appropriate facility of the children and youth welfare service or by an appropriate person.

Once the youth welfare office got an accompanied minor allocated, it determines the requirements for a taking into care.

The youth welfare office has to order immediately the appointment of a guardian or a carer according to § 42 Abstract 3 Sentence 4 of the 8th Book of the Code of Social Law (§ 42 Abs. 3 S. 4 SGB VIII).

- **Children-specific social, economic rights and right for education?**

The primary responsibility of the children and youth welfare service cares for the well-being of the unaccompanied minor and considers the specific needs for protection of the children and youth, by first aid, accommodation, care, clearing procedure and further, the taking care following, assistance services. This is especially ensured through national legal requirements of the 8th Book of the Code of Social Law which intends need-based treatment.

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Unaccompanied minors receive language and educational offers especially in schools and work-related sectors.

To enable the unaccompanied minors for a participation in society and social-cultural life, it needs - next to offers of language courses - also interpreters, language and cultural mediators.

It becomes obvious, that offers in the fields of sport, culture and youth work activities that especially offers of music and sport as far as adventure-based learning activities are gladly accepted by the unaccompanied minors.

- **Do you have special programs for family reunification/ resettlement/ return?**

There are no special family-reunification programmes for unaccompanied minors. If a family-reunification is possible during the framework of the temporary taking into care, the youth welfare office remains responsible until the end of the taking into care. The initial screening will be carried out during the temporary taking into care. This first interview serves to get information about the residence of the entitled guardian of personal custody of the unaccompanied minor and whether the family or close relatives could be united.

Different programs exist to promote the departure or return. If someone can use these programs depends on different factors. Certain programs apply for certain countries of origin. The best known returning program is REAG (Reintegration and Emigration Programme for Asylum Seekers in Germany) / GARP (Government Assisted Repatriation Programme), next to "start-up-plus" (StarthilfePlus). Furthermore exist reintegration programs like the program ERIN (European Reintegration Network) and return and reintegration with URA (albanais: bridge).

ERIN (European Reintegration Network) is a joint reintegration programme that involves large numbers of European partner states, managed by the Netherlands. The "URA" project offers Kosovan returnees comprehensive advisory services and numerous reintegration and support activities. The program is organized by the International Organisation for Migration (IOM) on behalf of the Federation and the Federal States in cooperation with municipality authorities, the welfare associations, specialised counselling offices, central counselling offices for return and the United Nations High Commissioner for Refugees (UNHCR). Next to financial support for a departure, star-up could be granted under certain circumstances.

A special program of return for unaccompanied minors does not exist.

- **Is there a continued support when a child reaches the age of majority?**

The local authority of the local youth welfare service is responsible for granting help services for young adults, according to § 41 of the 8th Book of the Code of Social Law

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(SGB VIII). The decision upon help services on an individual case should be made by cooperation of various specialists, according to § 36 abstract 2 of the 8th Book of the Code of Social Law (SGB VIII). A specific assistance plan will be developed as the basis for the help arrangement. This contains the assessment on the needs, the granted help and necessary benefits. The assistance plan is reviewed each half year according to necessity and suitability.

- ***Is there a procedure for identification of supposed minors?***

The screening, for recording personally identifiable and biometrical information, of foreigners which completed the 14th year of one's life is made by photos and fingerprints of all ten fingers, according to § 49 abstract 8 sentence 2 Residence Act (Aufenthaltsgesetz) and § 16 abstract 1 Asylum Act (Asylgesetz). If a foreigner does not have completed the 14th year of life, it is just allowed to take photos (§ 49 abstract 8 sentence 3, § 16 abstract 1 sentence 2).

During the temporary taking into care, the youth welfare authority has to determine the minor of a foreign person by inspection of identity documents or alternately by a qualified examination by the Two-man rule to estimate and decide on the age; according to § 42 et seq of the 8th Book of the Code of Social Law (SGB VIII).

The youth welfare authority can also consult evidence which they consider necessary to investigate the facts; in particular request information, hear witnesses and experts and as well as retain documents, certifications and files.

If there is a doubt about the minority within the framework of qualified examination, the youth welfare authority must arrange a medical examination to determine the age of the minor; or the minor foreigner, represented by his legal representative, can apply for such examination. It is to be noted to differentiate between medical examinations (visual evaluation of teeth/ determination of dental maturity, evaluation of corporal maturity) and medical measures with use of diagnostic radiology (teeth, carpal bone or hand, collarbones).

The process to determine the age must be carried out on the basis of ethically and scientifically justifiable methods and must also meet principles of the rule of law. Therefore, methods which are incompatible with human dignity are excluded.

- ***Are there particular regional programs (school, youth welfare); best-practice examples?***

In the range of youth welfare there are no special regional programmes. The unaccompanied minors are cared like every German child according to the 8th Book of the Code of Social Law (SGB VIII).

Unaccompanied minors have access to general schooling. Support measures in the school sector and professional sector are organized by the individual federal states.

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There is also language training for unaccompanied minors for a better social participation.

Language acquisition offers or integration classes, remedial classes or intensive classes frequently give the access to education, as well as concentrated measures in the place of accommodation.

There are youth integration courses for the young migrants who do not have to attend school anymore, but want to start an apprenticeship and still not have an adequate knowledge of the language.

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

The average of the monthly costs for beneficiaries according to Asylum Seekers' Benefits Act currently amounts 1,010 €. This amount is based on a preliminary evaluation of the monthly settlements of the municipalities according to the Act of Refugee Admission (Flüchtlingsaufnahmegesetz) of Mecklenburg-Vorpommern for the year 2017, so far as invoiced by the districts and district-free cities to the federal state according to the Asylum Seekers' Benefits Act.

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

- Asylum seekers

According to § 47 paragraph 1 sentence 1 of the Asylum Act, asylum seekers are generally obliged to live in the reception centre up to 6 months. Moreover, in case of denial of asylum as obviously unfounded or as inadmissible, foreigners from a safe third country are generally obliged to live in the reception centre of the federal state until their removal or voluntary departure. Usually, Mecklenburg-Vorpommern acts in this way.

However, the responsible authority (Office of Internal Administration Mecklenburg-Vorpommern) can change this practice at their discretion in particular cases. Thus, the obligation to live in the reception centre can be prematurely lifted according to § 49 paragraph 1 Asylum Act (the removal is not possible in the short-term or the foreigner should be issued a residence permit according to § 24 of the Residence Act) as well as according to § 49 paragraph 2 Asylum Act (because of purposes of public preventive medicine, public security or other compelling reasons).

So far as the admission and accommodation of foreign refugees does not happen in reception centres of the federal state of Mecklenburg-Vorpommern, this task is incumbent upon the districts and district-free cities as a task in the delegated field of activity according to the allocation by the responsible authority (the Office of Internal Administration). In general, foreigners who have filed an application for asylum and

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are not obliged to live in the reception centre anymore, should be accommodated in shared accommodation.

In the course of increasing asylum seekers' entries in 2014 and 2015, the decentral accommodation (in apartments) has been massively extended for the lack of sufficient shelter capacities in shared accommodation. In light of the entry trend of the last months and the creation of new or the upgrade of existing shared accommodation sites during the last months, the capacities of decentral accommodation have been significantly reduced again. This reduction will be continued in the next time. The accommodation in shared accommodation sites should correspond the regular accommodation again. Decentral accommodation should only occur in specific singular cases. Exceptions are particularly provided for medical reasons. Foreigners, who under further conditions have got income from employment or assets and therefore can bear their living on their own, can be permitted at discretion the decentral accommodation (e. g. if the place of work can only be reached this way). However, the named exceptions don't apply to people under removal order, when residence-ending measures can't be carried out due to reasons they are responsible for themselves or in individual cases, when serious reasons speak against a decentral accommodation in apartments.

- *Unaccompanied minors*

The distribution to Mecklenburg-Vorpommern office of Mecklenburg-Vorpommern receives the allocation of unaccompanied minors from the Federal Administration Office. The distribution office has an exact overview about free capacities of accommodation.

The distribution office gets in contact with the responsible youth welfare office in the federal state and gives notice of the unaccompanied minor. The distribution office sends out the contact information of the youth welfare office (§42a-Jugendamt). After allocation of the unaccompanied minor by the distribution office, the youth welfare office (§42-Jugendamt) contacts the youth welfare office (§42a-Jugendamt) and arranges a timely appointment for handover. The youth welfare office (§42-Jugendamt) searches for an adequate institution of a youth welfare organisation for the unaccompanied minor. At the handover, the youth welfare office (§42a-Jugendamt) also hands over all documents of the unaccompanied minor to the youth welfare office (§42-Jugendamt). With handing over the unaccompanied minor, they also hand over the anamnesis file, medical check and available documents. During the examination and the admission of the unaccompanied minor there is a language mediator present.

For self-turned-in migrants or migrants picked up by the police, the process of accommodation is the same.

15. How is the involvement of volunteers organized (national / regional)? Financial support?

At the organization of the voluntary work for the encouragement of integration, dialogue and openness, migrant associations play an important role. They are

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frequently the first point of contact for new immigrants and have good access to the immigrated population. The umbrella association of the migrant associations MIGRANET-MV is supported by the federal state with a contribution of 50,000 € per year in light of the wish to organise the voluntary work and the active participation of migrant associations.

Besides, the federal state created the opportunity for municipalities to support a variety of projects of volunteers with and without migrant background in initiatives, associations etc. to strengthen the cohabitation in Mecklenburg-Vorpommern with the establishment of the integration fund with an amount of 3 Mio. € for the years 2016-2018. In this framework, the coordination of volunteer initiatives or mentoring projects, among others, get financially supported.

On a regional and local level the federal state funds so-called "MitMachZentralen" (centres for participation), which give the necessary contact for exchange for the participation of volunteers and also support integration offers, e. g. language courses, district festivals and everyday mentoring.

Apart from supporting the association work in the refugee assistance, they also offer trainings for volunteers in refugee assistance, e. g. concerning the treatment of traumatized refugees or questions of founding an association. A qualification series for voluntary integration assistants, supported by the federal state, got launched. The civil commitment of elderly people is particularly supported by the federal state via training offerings as senior trainers including migration-related topics.

Each year there is an exchange forum of the whole federal state for volunteers in the refugee assistance which serves the mutual information and cooperation of full-time employees and volunteers. In July 2017, the voluntary foundation (Ehrenamtsstiftung) MV awarded for the first time the commitment prize Mecklenburg-Vorpommern to voluntarily run projects which motivate in a particular way and focus on integration.

The „Sonderprogramm Bundesfreiwilligendienst (BFD) mit Geflüchteten“ (special program national voluntary service with refugees), launched in December 2015 on national level, is used by native volunteers and refugees (entitled asylum seekers, applicants for asylum and asylum seekers with good prospects of staying). The Federation provided 125 Mio. € for the years 2016 to 2018. In the framework of the special program, in total 338 contracts have been made between the 01.12.2015 and the 23.01.2018, of those 69 with volunteers under the age of 27 and 269 with volunteers above the age of 27. The volunteers were partly employed directly in the assistance of refugees as well as in migration counselling or activities of integration pilots. Besides, a national voluntary service can also undertake a voluntary service in the regular areas in sense of integration support – for example in a nursing home, a multigenerational house or a sports club.

Unaccompanied children and adolescents who come without family from their countries of origin are among the most vulnerable people. They reside in Germany without parents or legal guardians. Thus, no adult person, responsible for their protection, supports them. The state therefore has to take that responsibility. The municipalities in place of the parents take care that those children and adolescents

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are accommodated and looked after in the best interest of the child or adolescent. The primacy of children and youth welfare guarantees this.

The participation of children and adolescents in all issues of their concern is a topic which is dealt with by all institutions of the public and independent youth welfare. The participation is explicitly described in § 8 of the 8th Book of the Code of Social Law: "Children and adolescents are to be involved according to their level of development in all decisions of public youth welfare affecting them. They have to be notified in an adequate manner of their rights in the administrative procedures as well as in the proceeding before the family court and administrative court."

Norway

LIST OF QUESTIONS

- Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.
- Additional documents please add per Mail.

1. Name of national / regional parliament

Stortinget

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+

among those: female / with migration background / living in urban areas / living in rural areas / undocumented (“**cross-table**”)

Population with migrant background. (available statistics)

Age group	Male	Female
0-15	89528	85198
16-19	21736	18260
20-44	230541	211975
45-66	102926	86344
67-	16634	20609

3. What are the significant rules for immigration? E.g. does an immigration law exist? *The significant rules for immigrations follows from the Norwegian Immigration Act and the Immigration regulations.*

4. What are the requirements for the acceptance of asylum?

According to section 28 in the Immigration Act, asylum is granted to a foreign national who is in the realm or at the Norwegian border if the applicant is found to have a well-founded fear of being persecuted for reasons of ethnicity, origin, skin colour, religion, nationality, membership of a particular social group or for reasons of political opinion, and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of his or her country of origin.

The same applies if the applicant does not fall under the abovementioned criteria, but nevertheless faces a real risk of being subjected to the death penalty, torture or other inhuman or degrading treatment or punishment upon return to the country of origin.

The right to be recognized as a refugee does not apply if the foreign national can obtain effective protection in other parts of his or her country of origin than the area from which the applicant has fled

5. Does your country allow for dual citizenship? Under which conditions?

Initially, Norway does not allow dual citizenship. In order to have the right to Norwegian nationality, the applicant must satisfy the requirement regarding release

from another nationality laid down in section 10 in the Citizenship act. An exemption may be granted from the requirement regarding release if release is deemed to be legally or practically impossible, or for other reasons seems to be unreasonable. Since 2010 more than 50 percent of the applicants were exempted from the requirement regarding release from another nationality. In addition to this, Norway also allows people who gets dual citizenship by birth to keep both nationalities.

At the end of 2017 the Government initiated an official hearing of a proposal to allow dual citizenship. The official hearing will be closed 20 March.

6. What are the conditions to obtain a work permit?

Foreigners who want to work in Norway must apply for a work permit. Special conditions apply for nationals from EU/EFTA. Applicants from outside EU/EFTA can get a permit as a skilled worker if the applicant has completed higher education or has completed vocational training. The applicant must normally already have received a job offer, or have his/her own business. Unskilled workers have few options for a work permit in Norway.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

There is an information program run by an NGO (financed by the government) which gives asylum seekers information regarding their legal rights and the asylum procedures. If the asylum seeker is rejected by the first instance, he/she is entitled to legal assistance from a lawyer.

The Norwegian Directorate of Immigration has on their website extensive information regarding different procedures, conditions for permits and legal rights for immigrants. Applicants can also call the Directorates hotline for information. Norwegian Embassies will also assist potential applicants abroad with information.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- Who is allowed to participate?
- Are they free of charge?
- Are there obligatory ones?

Norwegian language training and social studies

Foreign nationals between 16 and 55 years of age who have a residence permit that forms the basis for a permanent residence permit in Norway, will have the right and obligation to participate in Norwegian language training and social studies. A minimum of 600 hours of Norwegian language training and social studies will be given free of charge within the first three years.

Work immigrants and their family members are not covered by the right to free Norwegian language training and social studies, but have the obligation to complete a total of 300 hours of tuition.

Foreign nationals have to complete their mandatory tuition, to be granted permanent residence permits or become Norwegian citizens.

If you hold a residence permit pursuant to the EEA regulations or if you are a national of one of the Nordic countries, tuition in the Norwegian language is not mandatory. The tuition is not free.

The introduction programme

Refugees and their families who have been granted a residence permit in Norway have the right to are obliged to complete an introductory programme. The introduction programme shall be designed for persons who need to obtain basic qualifications. The programme may run for up to two years, with additional periods for approved leaves of absence. When special reasons so warrant, the programme may run for up to three years. Municipalities shall provide introduction programmes for newly arrived immigrants who are resident in the municipality. Refugees receive economical support whilst participating in the introductory programme.

9. What kind of benefits exists for migrants and asylum seekers?

Asylum seekers have the option to stay at a reception centre while their asylum case is being processed. They also have access to a range of public services including healthcare. In addition asylum seekers receive financial support.

- What are the conditions for the benefit payments?

In general there are no conditions for receiving payments.

- How do the benefits relate to the average national income?

The benefits are modest compared to average national income and are meant to cover basic necessities.

10. Are there possibilities for family-reunification? *Yes*

Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

Foreign nationals who want to join family members in Norway must apply for a residence permit. Such applications must be submitted from abroad. Family reunifications is mainly granted to close family members (spouses, children and parents). The reference person must document that they have a steady source of income. In some cases it is possible to be exempted from this requirement.

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

It is not clear what 'eviction activities' refers to. As for number of 'evictions' which is assumed to be forced returns, the numbers are as follows

2015: 7825, 2016: 8077, 2017: 5434

- Who decides?

The process of effectuating returns, including forced returns, follows the decision by our Directorate of Immigration and our Migration Appeals Board whereby the application for international protection, or other forms of residence permit, has been rejected.

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

- a guardian or representative,

A representative is allocated to the unaccompanied minor at the time of the registration of the asylum claim. When the unaccompanied minor obtains a residence permit and is settled in a municipality, a 'legal guardian' will be appointed.

- the right to accommodation in a dedicated home or in a foster family,
They receive accommodation in reception centres that are designated specially to unaccompanied minors.

- child-specific social, economic and educational rights?

As a general rule, unaccompanied minors have the same rights as children who have residency in Norway.

- Do you have special programs for family unification / resettlement / return?

a. Family unification: There are no special programs. Unaccompanied minors who are granted asylum are entitled to family reunifications with their parents. They can also under specific conditions be reunited with siblings. Unaccompanied minors who have only been granted a permit on humanitarian grounds, are not entitled to family reunification.

b. Resettlement: Within the annual resettlement quota there is room to resettle 20 unaccompanied minors. Once in Norway, these will be included in the same programs and systems as other unaccompanied minors who are refugees.

c. Return: There is a program for return and reintegration tailored for unaccompanied minors, which offers cash and in kind support. Within this framework, the minor is given 3 weeks to apply for assisted voluntary return, thereafter The Immigration Police and The Directorate of Immigration is jointly responsible for effectuating the return.

- Is there a continued support upon turning 18 (reaching legal age)?

When unaccompanied minors turn 18, they will generally receive the same level of support as other adult asylum seekers.

- Are there procedures to identify ostensible minors?

Pursuant to the Norwegian Immigration Act Section 8, the Norwegian authorities can request a medical age assessment when it is not possible to establish with reasonable certainty whether the foreign national is over or under the age of 18. Medical age assessment is an important and necessary tool for the immigration authorities in cases where an unaccompanied minor has not presented a valid ID document. The medical age assessment in Norway consists of dental x-ray and x-ray of the wrist. However, there is currently no medical method which can identify the exact age of an individual. The results are therefore used with caution, and are one of several factors in the immigration authority's final age assessment. If there is reasonable doubt about the asylum seekers age, the applicant will be considered a minor.

- Are there special regional programs (school, youth welfare); best practice examples? *No special programmes.*

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

Norway does not have any cost estimates for all types of migrants. There have however been some attempts to calculate costs of selected groups of migrants. In 2017 the estimated costs of an asylum seeker was during the first year NOK 187 000 for adults, NOK 691 000 for unaccompanied minors aged 16 and NOK 2 222 000 for unaccompanied minors aged 13. If these costs are converted to monthly costs in Euros they amount to €1 600, €5 800 and €18 500. It is important to note that these are rough estimates.

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

We offer accommodation to all asylum seekers in Norway, usually a place in a reception centre. Accommodation in reception centres is voluntary, and is offered to asylum seekers from the time they lodge their application until they are settled in a municipality or returned to the country of origin. There are separate reception centres or units for unaccompanied minors.

15. How is the involvement of volunteers organized (national / regional)? Financial support?

There are many types of voluntary organizations, national, regional and local, which are involved in issues related to migration, integration, refugees and other immigrants in Norway. There are some national grants for voluntary organizations, mostly for projects in specific fields. One of these grant schemes is dedicated to voluntary community work.

All types integration-related grant schemes, also grants for voluntary work, are described (in Norwegian) here: <https://www.imdi.no/tilskudd/>

H A M B U R G I S C H E B Ü R G E R S C H A F T



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name Stortinget / Norway

Responsible Thomas Fraser

E-Mail thomas.fraser@stortinget.no

2. If available, please, provide information regarding the population structure of your country / region

Insert total number (e.g. total = 1700000)

with migration background 883.751

2a. If available, please, provide detailed information regarding the population structure in your region / country

Insert percentage

No answer

18-25

No answer

26-40

No answer

41-50

No answer

51-65

No answer

66+

No answer

2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

No answer

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ Yes, significant rules for immigration exist.

3a. What are the significant rules?

The significant rules for immigrations follows from the Norwegian Immigration Act and the Immigration regulations.

3b. What is the immigration law?

No answer

4. What are the requirements for the acceptance of asylum?

According to section 28 in the Immigration Act, asylum is granted to a foreign national who is in the realm or at the Norwegian border if the applicant is found to have a well-founded fear of being persecuted for reasons of ethnicity, origin, skin colour, religion, nationality, membership of a particular social group or for reasons of political opinion, and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of his or her country of origin.

The same applies if the applicant does not fall under the abovementioned criteria, but nevertheless faces a real risk of being subjected to the death penalty, torture or other inhuman or degrading treatment or punishment upon return to the country of origin.

The right to be recognized as a refugee does not apply if the foreign national can obtain effective

protection in other parts of his or her country of origin than the area from which the applicant has fled

5. Does your country allow dual citizenship?

- ☒ Yes Initially, Norway does not allow dual citizenship. In order to have the right to Norwegian nationality, the applicant must satisfy the requirement regarding release from another nationality laid down in section 10 in the Citizenship act. An exception may be granted from the requirement regarding release if release is deemed to be legally or practically impossible, or for other reasons seems to be unreasonable. Since 2010 more than 50 percent of the applicants were exempted from the requirement regarding release from another nationality. In addition to this, Norway also allows people who gets dual citizenship by birth to keep both nationalities. At the end of 2017 the Government initiated an official hearing of a proposal to allow dual citizenship. The official hearing will be closed 20 March.

6. What are the conditions to obtain a work permit?

Please explain the conditions to obtain a work permit.	Foreigners who want to work in Norway must apply for a work permit. Special conditions apply for nationals from EU/EFTA. Applicants from outside EU/EFTA can get a permit as a skilled worker if the applicant has completed higher education or has completed vocational training. The applicant must normally already have received a job offer, or have his/her own business. Unskilled workers have few options for a work permit in Norway.
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7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

There is an information program run by an NGO (financed by the government) which gives asylum seekers information regarding their legal rights and the asylum procedures. If the asylum seeker is rejected by the first instance, he/she is entitled to legal assistance from a lawyer.

The Norwegian Directorate of Immigration has on their website extensive information regarding different procedures, conditions for permits and legal rights for immigrants. Applicants can also call the Directorates hotline for information. Norwegian Embassies will also assist potential applicants abroad with information.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, the following courses are provided. Norwegian social studies

8a. Who is allowed to participate in courses?

- ☒ Other: Foreign nationals between 16 and 55 years of age who have a residence permit that forms the basis for a permanent residence permit in Norway, will have the right and obligation to

participate in Norwegian language training and social studies. A minimum of 600 hours of Norwegian language training and social studies will be given free of charge within the first three years. Work immigrants and their family members are not covered by the right to free Norwegian language training and social studies, but have the obligation to complete a total of 300 hours of tuition. Foreign nationals have to complete their mandatory tuition, to be granted permanent residence permits or become Norwegian citizens. If you hold a residence permit pursuant to the EEA regulations or if you are a national of one of the Nordic countries, tuition in the Norwegian language is not mandatory. The tuition is not free. The introduction programme Refugees and their families who have been granted a residence permit in Norway have the right to are obliged to complete an introductory programme. The introduction programme shall be designed for persons whao need to obtain basic qualifications. The programme may run for up to two years, with additional periods for approved leaves of absence. When special reasons so warrant, the programme may run for up to three years. Municipalities shall provide introduction programmes for newly arrived immigrants who are resident in the municipality. Refugees receive economical support whilst participating in the introductory programme.

8b. Are the courses free of charge?

- ☒ Yes
- ☒ Special conditions/Exeptions: Work immigrants and their family members are not covered by the right to free Norwegian language training and social studies, but have the obligation to complete a total of 300 hours of tuition. If you hold a residence permit pursuant to the EEA regulations or if you are a national of one of the Nordic countries, tuition in the Norwegian language is not mandatory. The tuition is not free.

8c. Are there obligatory courses?

- ☒ Only for the following: Work immigrants and their family members are not covered by the right to free Norwegian language training and social studies, but have the obligation to complete a total of 300 hours of tuition. Refugees and their families who have been granted a residence permit in Norway have the right to are obliged to complete an introductory programme. Foreign nationals between 16 and 55 years of age who have a residence permit that forms the basis for a permanent residence permit in Norway, will have the right and obligation to participate in Norwegian language training and social studies. A minimum of 600 hours of Norwegian language training and social studies will be given free of charge within the first three years.

9. What kind of benefits exist for migrants / asylum seekers?

Asylum seekers have the option to stay at a reception centre while their asylum case is being processed. They also have access to a range of public services including healthcare. In addition asylum seekers receive financial support.

9a. What are the conditions for the benefit payments?

In general there are no conditions for receiving payments.

9b. How do the benefits relate to the average national income?

The benefits are modest compared to average national income and are meant to cover basic necessities.

10. Are there possibilities for family-reunification?

☒ Yes

10a. Under which conditions are relatives allowed to take residence in your country / region?

Foreign nationals who want to join family members in Norway must apply for a residence permit. Such applications must be submitted from abroad. Family reunifications is mainly granted to close family members (spouses, children and parents). The reference person must document that they have a steady source of income. In some cases it is possible to be exempted from this requirement.

10b. Do families need visas for family-reunifications?

No answer

10c. What are the visa regulations for family-reunifications?

No answer

11. Could you inform us about the number of evictions activities?

Evictions in 2015: 7825

Evictions in 2016: 8077

Evictions in 2017: 5434

11a. Who decides to pursue an eviction?

☒ Other The process of effectuating returns, including forced returns, follows the decision by our Directorate of Immigration and our Migration Appeals Board whereby the application for international protection, or other forms of residence permit, has been rejected.

12. How does your country deal with unaccompanied minors?

a guardian or representative

A representative is allocated to the unaccompanied minor at the time of the registration of the asylum claim. When the unaccompanied minor obtains a residence permit and is settled in a municipality, a 'legal guardian' will be appointed.

the right to accommodation in a dedicated home or in a foster family

They receive accommodation in reception centres that are designated specially to unaccompanied minors.

child-specific social, economic and educational rights

As a general rule, unaccompanied minors have the same rights as children who have residency in Norway.

12a. Do you have special programs for family unification / resettlement / return?

- ☒ Yes There are no special programs. Unaccompanied minors who are granted asylum are entitled to family reunifications with their parents. They can also under specific conditions be reunited with siblings. Unaccompanied minors who have only been granted a permit on humanitarian grounds, are not entitled to family reunification. Within the annual resettlement quota there is room to resettle 20 unaccompanied minors. Once in Norway, these will be included in the same programs and systems as other unaccompanied minors who are refugees. There is a program for return and reintegration tailored for unaccompanied minors, which offers cash and in kind support. Within this framework, the minor is given 3 weeks to apply for assisted voluntary return, thereafter The Immigration Police and The Directorate of Immigration is jointly responsible for effectuating the return.

12b. Is there a continued support upon turning 18 (reaching legal age)?

- ☒ No

12c. Are there procedures to identify ostensible minors?

- ☒ Yes Pursuant to the Norwegian Immigration Act Section 8, the Norwegian authorities can request a medical age assessment when it is not possible to establish with reasonable certainty whether the foreign national is over or under the age of 18. Medical age assessment is an important and necessary tool for the immigration authorities in cases where an unaccompanied minor has not presented a valid ID document. The medical age assessment in Norway consists of dental x-ray and x-ray of the wrist. However, there is currently no medical method which can identify the exact age of an individual. The results are therefore used with caution, and are one of several factors in the immigration authority's final age assessment. If there is reasonable doubt about the asylum seekers age, the applicant will be considered a minor.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

- ☒ No

12e. Please provide examples for regional programs or best practice examples?

No answer

13. Please state - if possible - the average monthly costs:

per asylum seeker 187000

per minor 691000-2222000

Currency NOK

14. Please indicate how your country / region organises accommodation:

for asylum seekers We offer accommodation to all asylum seekers in Norway, usually a place in a reception centre. Accommodation in reception centres is voluntary, and is offered to asylum seekers from the time they lodge their application until they are settled in a municipality or returned to the country of origin.

for minors There are separate reception centres or units for unaccompanied minors.

15a. How is the involvement of volunteers organized ?

☒ National

☒ Regional

☒ Other There are many types of voluntary organizations, national, regional and local, which are involved in issues related to migration, integration, refugees and other immigrants in Norway. There are some national grants for voluntary organizations, mostly for projects in specific fields. One of these grant schemes is dedicated to voluntary community work. All types integration-related grant schemes, also grants for voluntary work, are described (in Norwegian) here: <https://www.imdi.no/tilskudd/>

15b. How ist the financial support of volunteers organized?

No answer

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Poland

LIST OF QUESTIONS

- Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.
- Additional documents please add per Mail.

1. Name of national / regional parliament

Sejm of the Republic of Poland / Senate of the Republic of Poland

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+ among those: female / with migration background / living in urban areas / living in rural areas / undocumented (“cross-table”)

Table 1. Population on 1 January 2017 by sex, age, residence areas and citizenship

Age	Population	Females	Living in urban areas	Living in rural areas	Foreigners and stateless people	Undocumented
0-17	6 895 878	3 357 327	3 881 164	3 014 714	24 503	n/a
18-24	3 099 253	1 517 356	1 643 472	1 455 781	20 137	n/a
25-39	9 090 911	4 479 256	5 538 320	3 552 591	90 945	n/a
40-49	5 202 444	2 584 892	3 087 470	2 114 974	41 599	n/a
50-64	7 841 101	4 067 914	4 868 458	2 972 643	25 451	n/a
65+	6 303 405	3 833 081	4 110 608	2 192 797	7 693	n/a
Total	38 432 992	19 839 826	23 129 492	15 303 500	210 328	n/a

Source: Polish Central Statistical Office and Eurostat

3. What are the significant rules for immigration? E. g. does an immigration law exist?

Basic rules on legal migration are defined in following acts of law:

- Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws from 1997 No. 78 item 483);
- Act of 12 December 2013 on foreigners (unified text - Journal of Laws from 2017 item 2206 as amended) along with its implementing legislation – having effect to third country nationals;
- Act of 14 July 2006 on entering the territory of the Republic of Poland, residence and departure from this territory of nationals of Member States of the European Union and their family members along with its implementing legislation (Journal of Laws No. 144, item. 1043, as amended) – having effect to EU citizens, non-EU EEA states citizens and Swiss Confederation citizens and members of their families who join them or associate them.

Polish legislation is according with relevant legislation and standards of the EU (Poland is EU Member State from 2004 and the Member of the Schengen zone from the end of 2007).

Among most significant rules of Polish migration law it should be mentioned:

- Two-tier administrative procedure,
- Right to juridical revision of the case,
- Requirement of legality of entry, stay and performing work activity,
- Protection of national workforce (labour market test as general rule, with exceptions),
- Targeted rules on stay and scope of rights, depending on the purpose of stay and the migration category,
- Future possibility to determine volume of admission (no effect to EU citizens).

Other national legal acts regulating immigration to Poland are:

- Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland
- Act of 2 April 2009 on Polish citizenship
- Act of 20 April 2004 on employment promotion and labour market institutions
- Act of 9 November 2000 on repatriation
- Act of 7 September 2007 on the Polish Chart/ Karta Polaka

A very important factor determining the migration policy of Poland is the EU membership. As part of **EU activities in the field of migration**, two aspects may be distinguished:

- internal migration taking place within the framework of free movement of persons (employees) between the Member States of the Community,
- external migration (legal and illegal) from third countries.

In principle, internal migrations are not subject to any limitations and are an important instrument ensuring equilibrium on the EU labor market. The Union is also developing a common policy on immigration (including asylum and external border controls).

Regarding the immigration of third-country nationals, the EU takes measures in areas such as entry and residence conditions, procedures for issuing long-term visas and residence permits, defining the rights of third-country nationals residing legally in the state, illegal immigration and illegal stay or combating human trafficking, especially of women and children.

The most important turning point in the field of **migration policy in Poland** over the last few years was the adoption of the strategic document entitled *The Polish Migration Policy: current state of play and further actions* of 2012 (supplemented by the Action Plan approved in 2014). However, due to unforeseen and dynamically changing circumstances related in particular to the migration crisis in the EU, these documents were repealed in October 2016. Currently, work is ongoing to develop a new Polish migration policy.

Other important **governmental strategies and programs** regarding migration policy are:

- Government Programme for Cooperation with the Polish diaspora and Poles Abroad in 2015-2020
- Responsible Development Strategy
- Concept to Provide for a Sudden Inflow of a Large Number of Foreigners to the Territory of the Republic of Poland
- Human Capital Development Strategy

4. What are the requirements for the acceptance of asylum?

A foreigner is granted the refugee status if, as a result of well-founded fear of persecution in his country of origin because of race, religion, nationality, political opinion or membership in a particular social group, he cannot or does not want to enjoy the protection of that country. In addition to this foreigner who does not meet the conditions for a refugee status, is granted subsidiary protection in cases where a return to the country of origin may expose him to a real risk of serious harm by:

- 1) a death penalty sentence or an execution to be carried out,
- 2) torture, inhumane or degrading treatment or punishment,
- 3) a serious and individualised life or health hazard as a result of common use of violence towards the civilians in a situation of an international or internal military conflict - and due to this risk he may not or does not wish to return to his country of origin.

5. Does your country allow for dual citizenship? Under which conditions?

A Polish citizen may hold Polish citizenship and the citizenship (s) of another country (other countries) at the same time.

According to the Art.3. par.1 of the *Act on Polish citizenship* Polish citizen having at the same time, citizenship of another State has the same rights and obligations as a person with only Polish citizenship. According to the Art.3. par.2 Polish citizen may not rely effectively and validly on citizenship granted by another state and rights and obligations arising from such

citizenship before the authorities of the Republic of Poland (the principle of the sole Polish citizenship in relationships with Polish authorities).

This means that according to Polish law citizen of another country/ countries will be treated only as Polish citizen (he is not rely to be treated as foreigners by Polish authorities).

6. What are the conditions to obtain a work permit ?

Foreigners staying in Poland legally, whose purpose of residence is work, can apply for a [temporary residence and work permit](#) or a [temporary residence permit for the purpose of work in profession requiring high qualifications](#). These permits are issued by the Voivodes offices (Office for Foreigners in appeal procedure) in the so-called procedure of one application, resulting in issuing of one document authorizing the foreigner both to stay and work in Poland, without the need of having additional work permit. As a rule, the application for these permits must be supplemented with information from the Starosta (local government authority) on the lack of possibility of satisfying the HR needs based on the local labour market, which is obtained in the District Labour Office (Powiatowy Urząd Pracy) by the foreigner's employer.

The Act on Foreigners provides however some exceptions from a general rule of carrying on the labour market test during the procedure of granting temporary residence permit for the purpose of work (single permit for work and residence/ temporary residence permit for the purposes of highly qualified employment/EU Blue Card) in case where:

- *Exist special demands of labour market: Occupation or position that third country national (TCN) performs or intends to perform is listed by Voivode (1 of 16 provincial governors competent inter alia in the matters of issuance for permits and temporary residence permits as 1st tier administrative body). The list is taking into account current situation on local (regional) labour market, in particular official number of unemployed and searching for a job in specific occupations/positions in relation to number of officially registered job offers;*
- *TCN who directly before the submission of an application had a work permit or the temporary residence permit for the purpose of work for the same employer in the same position/occupation;*
- *TCN who has graduated from Polish university or university located in one of EEA countries or Swiss Confederation (3 years before submitting the application) or is PhD student;*
- *TCN who has uninterruptedly and legally stayed in Poland for the period of more than 3 years previous to submission the application;*
- *Minister competent for labour matters adopted the regulation listing cases where labour market test is not necessary, taking into account rule of reciprocity or specify of the occupation or sort of job;*
- *Some specific regulations applies.*

To get that permit TCN has to file an application not later than on the last day of his/her lawful stay in the territory of Poland and inter alia:

- *Prove that he/she has a relevant purpose of stay for a period longer than 3 month and if he/she applies for an EU Blue Card has to present work contact of at least 1-year duration;*
- *Prove that he/she has regular and stable income sufficient financial resources to support him/herself and, if applicable, members of his/her family.*

The salary specified in the written agreement concluded by the foreigner with the entity entrusting the performance of work, based on which the work is to be performed, cannot be lower than the salary of employees performing work of comparable type on a comparable position within the same working time. If TCN applies to be admitted as high quality workers (hqw), he/she has to prove as well that his/her annual gross remuneration resulting from the monthly or annual salary, specified in the contract, is not be lower than the minimum wage specified in ordinance adapted by the minister competent for internal affairs. His/her salary cannot then be lower than the equivalent of 150% of the average monthly wage and salary in the national economy in the preceding calendar year, calculated in accordance with the announcement of the President of the Central Statistical Office for a given calendar year.

- *Prove that he/she has required relevant sickness insurance and accommodation*
- *Present a document evidencing fulfilment of qualification requirements and other conditions in the case of the intention to perform work in a regulated profession*
- *Present an evidence of having higher professional qualifications – if he/she applies for an EU Blue Card.*

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Asylum seekers can obtain from the Office for Foreigners information about the asylum law, in addition asylum seekers who are not satisfied with the decision issued by the Head of the Office for Foreigners can ask for a free legal aid during the appeal procedure.

No specific advisory services are provided to regular migrants, however during administrative procedure the administrative body - acting accordingly to as well general rules of Polish Code of procedure as well above-mentioned Acts on migration - provides all necessary support and instructions on particular case.

Art. 8 of the Code states that public administration bodies are required to conduct proceedings in such a way as to increase the trust of citizens in the State bodies and public awareness and appreciation of the law.

Art. 9 of the Code put on the administrative body an obligation to provide full and proper information to the parties regarding the factual and legal circumstances which may affect the establishment of their rights and the obligations that are the subject of the administrative proceedings. The bodies shall take care to ensure that parties and other persons involved in proceedings do not suffer any loss owing to ignorance of the law and shall therefore provide the necessary clarifications and advice.

Pursuant to art. 7 of the above-mentioned Act on Foreigners, the authority conducting proceedings in cases concerning:

- (a) issuing a visa to a foreigner,

- (b) extending a visa issued to a foreigner or the period of stay covered by that visa,
- (c) granting a foreigner a temporary residence permit, permanent residence permit or a longterm resident's European Union residence permit, hereinafter referred to as a "long-term resident's EU residence permit",
- (d) obliging a foreigner to return to his/her country of origin, or instituting checks in relation to a foreigner, should instruct the foreigner in writing in a language understandable to him/her about the procedure and its principles, as well as about the rights granted to him/her and obligations imposed on him/her.

As regards proceedings in matters concerning obliging a foreigner to return to his/her country of origin, the instruction include also information about the possibility of:

- (1) bringing an action against the entity entrusting the performance of work and enforcing a judgement made against such an entity in relation to outstanding remuneration, also in the case of enforcing the decision on imposing the return obligation on the foreigner;
- (2) granting a foreigner a temporary residence permit for the duration of the criminal proceedings against the entity entrusting the performance of work in which the foreigner is the aggrieved party:
 - (a) as a result of a criminal offence consisting in entrusting the performance of work under conditions of extreme abuse referred to in Article 10(1) of the Act of 15 June 2012 on the consequences of entrusting the performance of work to foreigners residing unlawfully in the territory of the Republic of Poland (Dz. U., item 769),
 - (b) a minor foreigner not holding a valid document entitling him/her to stay in the territory of the Republic of Poland who has been entrusted the performance of work;
- (3) taking any other actions against the entity entrusting the performance of work, in particular notifying the competent authorities.

Also Act of 14 July 2006 on entering the territory of the Republic of Poland, residence and departure from this territory of nationals of Member States of the European Union and their family members, contains relevant procedural safeguards in that matter.

Art. 6 of the Act states that the competent authorities are obliged to instruct Union citizens and their family members in the language they understand, of the following:

- (1) rules and procedures in such cases;
- (2) their rights and duties;
- (3) contents of decisions on the grounds of which they are refused the registration of residence or grounds for the annulment of such registration;
- (4) contents of decisions resulting in the refusal to issue documents referred to in the Act or on the grounds of which such documents are annulled;
- (5) contents of the decision on expulsion;
- (6) procedure and deadline for appeals.

At the Polish Border Guard Headquarters website the information regarding e.g. the entry and residence conditions in the territory of the Republic of Poland

<https://www.strazgraniczna.pl/pl/cudzoziemcy/warunki-pobytu-cudzozie> and support in voluntary return is available. Moreover, the employees of the Foreigners Department of the Polish Border Guard Headquarters provides information by phone.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

There are language courses provided by the government (Office for Foreigners)

○ **Who is allowed to participate?**

Access to the language courses provided by the Office for Foreigners have foreigners (minors and adults) seeking for international protection in Poland (based on the Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland).

○ **Are they free of charge?**

Yes, the courses of Polish language are free of charge for asylum seekers. Also student's books and pens etc. are free for participants.

○ **Are there obligatory ones?**

No, participation in the course is voluntary.

Additional information about repatriation to Poland people of Polish origin from the former Soviet Union:

According to the *Act on repatriation* Polish government is engaged in sourcing from the former Soviet Union people of Polish origin, in most cases, the descendants of the citizens of ancient Republic of Poland (PL territory before 1939), victims of communist terror, forced by violence methods to leave ancestral lands and settled contrary to his own will to the most difficult-to-live-in areas of the former Soviet Union. *Act on repatriation* foresees supports for those Polish nationality people (not later than 5 years after recognizing of Polish citizenship):

1. reintegration to the working market (art. 23) by his activation:
 - reimbursement of part of the costs incurred on raising professional qualifications
 - reimbursement of part of the costs incurred by the employer: (a) the creation of jobs, b) trainings c) salary, bonus and social insurance contributions.

Access to the language courses as well as lessons on history and Polish tradition as need it are free of charge.

9. What kind of benefits exists for migrants and asylum seekers?

- **What are the conditions for the benefit payments?**
- **How do the benefits relate to the average national income?**

Asylum seekers

Based on the *Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland* and *Ordinance Ministry of Internal Affairs and Administration of 19 February 2016 on the amount of aid for foreigners applying for international protection* social assistance granted:

a) Assistance in the centre for foreigners:

- accommodation
- full board collective or its equivalent in exchange for food (financial benefit), to which children are entitled to three years of age and children attending kindergartens and primary schools and junior high schools in the amount of 9 PLN per day
- fixed cash assistance called "pocket money" in the amount of 50 PLN per month,
- constant financial assistance for the purchase of sanitary and hygienic articles in the amount of 20 PLN per month,
- a one-time financial assistance for the purchase of clothing and footwear in the amount of 140 PLN.

Additionally foreigners can receive refunding of travel costs to: participate in the proceedings of the refugee status, appear on the medical examination or vaccination, in other justified cases and covering of costs of extracurricular activities and sports and recreation for children.

OR

b) Social assistance outside of the centre for foreigners - benefit in cash covering the cost of stay on the territory of Poland, if organisational considerations apply or it is necessary to:

- ensure foreigners security, with particular regard to the situation of single women,
- law enforcement,
- protect and maintain family ties,
- preparation of foreigners to pursue an independent life outside the centre after receiving the decision to grant refugee status or subsidiary protection.

The amount of social assistance is governed by the *Ordinance Ministry of Internal Affairs and Administration of 19 February 2016 on the amount of aid for foreigners applying for international protection*.

According to this regulation the amounts are paid in monthly rates as follows:

No. of family members	Amount per day/per person	Amount per month/per person
Single	25 PLN (around 6,25 EUR)	750 PLN (around 187,5 EUR)
2 persons	20 PLN (around 5 EUR)	600 PLN (around 150 EUR)
3 persons	15 PLN (around 3,75 EUR)	450 PLN (around 112,5 EUR)
4 persons	12,50 PLN (around 3 EUR)	375 PLN (around 93,75 EUR)

Social assistance is financed from the budget of the Office for Foreigners.

Moreover, irrespectively of the form of assistance, all asylum seekers have the right to:

- access to public schools and necessary didactic materials (books and school materials);
- free Polish lessons, access to classrooms in each facility;
- health care coordinated by the one of the medical Private Limited Company in Warsaw, pursuant to an agreement concluded with the Office for Foreigners, which covers: medical points in the centre – where doctor and nurses provide medical assistance, specialised treatment, psychological care – psychologists can be accessed in centers for foreigners, also by people who receive benefits outside the facility;
- dental care – foreigners may obtain dental treatment in dentist's offices with which the Office for Foreigners has signed agreements on the provision of the above mentioned services;
- assistance with a voluntary return.

According to the announcement of the President of Statistics Poland average monthly gross wage and salary in national economy (the average national income) in 2017 was 4271,51 PLN (around 1068 EUR).

10. Are there possibilities for family-reunification?

Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

Poland respects, under some conditions, right to family reunification. Within the meaning of the *Act of 12 December 2013 on Foreigners* (J.L. from 2017 Item 2206, Amended), term of “family members” includes the spouses (Marriage needs to be recognized by Polish law. Polygamous or same-sex marriages or are not recognized by the Polish law). The temporary residence permit for the purpose of family reunification with a Polish national is also granted (within the meaning of nuclear family) to a minor child of a TCN married to that national under Polish law, holding a temporary residence permit for a family member of a national of the Republic of Poland.

Temporary residence shall also be granted in case where TCN is willing to reunify with the member of his/her family being as well TCN who already resides in Poland on the basis of one of the following residence titles:

1. on the basis of permanent residence permit,
2. on the basis of residence permit for EU long-term resident,
3. has been granted a refugee status,
4. has been granted a subsidiary protection,
5. for the period of at least 2 years on the basis of subsequent temporary residence permit, including directly prior to submitting the application for temporary residence permit for family members – on the basis of the permit which was granted to him/her for a period of residence not shorter than 1 year,

6. on the basis of temporary residence permit in order to conduct research,
7. on the basis of temporary residence permit which was granted in order to conduct research when the foreigner has the residence document referred to in Article 1(2) a of Council Regulation no. 1030/2002, with an annotation "Researcher" issued by other EU member state, if the contract for the purpose of research project's implementation concluded with the relevant scientific unit of this state envisages conducting research also on the territory of the Republic of Poland,
8. on the basis of temporary residence permit in order to perform highly qualified employment,
9. on the basis of ICT permit
10. on the basis of the permit issued for long-term mobility
11. in connection with residence permit for humanitarian reasons.

Family member of the aforementioned foreigner is:

1. the person who remains in marital relationship regarded by the law of the Republic of Poland;
2. minor child of the foreigner and person who remains in marital relationship regarded by the law of the Republic of Poland, including adopted child;
3. minor child of the foreigner, including adopted child who is the foreigner's dependent and over whom the foreigner exercises actual parental authority;
4. minor child of the person mentioned in (a), including adopted child who is his/her dependant and over whom he/she exercises actual parental authority;
5. ascendant or adult who is responsible for the minor foreigner who has refugee status or is under subsidiary protection, who resides on the territory of the Republic of Poland without care.

The procedure for so-called family reunification with a Polish citizen (nuclear family) is simplified. Under the procedure, the applicant is not required to have health insurance or a source of stable and regular income, as in the case of family reunification with TCN. He/She musn't prove as well that he/she has a guaranteed place of residence in Poland.

Same above-mentioned simplified rules apply to a family member of a TCN who has been granted refugee status or subsidiary protection, unless the application for a temporary residence permit for the purpose of family reunification is being filled before the lapse of a 6-month period from the date of being granted refugee status or subsidiary protection. In other case, the sponsor has to present the evidence of fulfilment of these conditions, listed by provisions of paragraph 1(2) and (3) of art. 159 of the Act of 12 Dec. 2013 on Foreigners.

Polish Act on Foreigners provides as well further possibilities for family reunification, including the case:

- where TCN is running with a citizen of Poland or of the other than Poland EU member state/EEA/Switzerland family life as defined by the European Convention on Human Rights
- of a foreigner being a family member of a citizen of the EU member state, Iceland, Norway, the Principality of Lichtenstein or Switzerland living on the territory of the Republic

of Poland, other than the one referred to in Article 2 item 4 of the Act of 14 July 2006 on entry on the territory of the Republic of Poland, stay and leaving this territory by citizens of Member States of the European Union and their family members, who intends to stay on the territory of the Republic of Poland together with this citizen – due to financial dependence on them or remaining with them in a household, in the country, where the foreigner came from, or serious health considerations requiring personal care on the part of this citizen.

- for a minor child of a TCN who stays in the territory of Poland on basis of Polish national visa or temporary residence permit, if the child was born in the period of validity of that visa or that permit.

Family members of the EU citizens may reside in Poland as well under rules defined by Directive 2004/38/EC.

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

o Who decides?

In Poland decisions on return are issued by the Polish Border Guard authorities.

As a rule the period for voluntary departure of between 15 and 30 days is granted. Where necessary this period might be extended up to one year.

No period for voluntary departure is granted if there is a risk of absconding or the third-country national concerned poses a risk to public policy, public security or national security - in such cases the third-country national is escorted to the border.

In 2015, 13.752 return decisions were issued (12.730 with period for voluntary departure and 1.022 without period for voluntary departure).

In 2016, 20.046 return decisions were issued (19.161 with period for voluntary departure and 885 without period for voluntary departure).

In 2017, 24.943 return decisions were issued (23.568 with period for voluntary departure and 1.375 without period for voluntary departure).

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

o a guardian or representative,

If an unaccompanied minor submits a declaration of intent to apply for international protection, the Border Guard authority who has accepted the declaration shall immediately appear before the guardianship court competent for the minor's place of residence with a request to appoint a guardian to represent the minor in the proceedings on granting international protection.

The guardian should be appointed by the court within 3 days from the moment when the minor decided to ask for an international protection.

Application for international protection on behalf of an unaccompanied minor, may be submitted by a guardian or by representative of an international or non-governmental organization dealing with providing assistance to foreigners.

○ **the right to accommodation in a dedicated home or in a foster family,**

Foreign minors are directed to interventional education and care facilities in the whole country, where they stay for 3 months with a possibility to prolong that period. The Head of the Office for Foreigners is competent to cover the cost of a minor's stay in an interventional education and care facility. After that period of time, the courts should issue a decision on placing the minor in a socialisation education and care facility, for which the financial responsibility is borne by the county on the territory of which the facility where the minor is directed is located.

○ **child-specific social, economic and educational rights?**

They have the same rights as Polish minor citizens in foster care family or emergency care unit.

○ **Do you have special programs for family unification / resettlement / return?**

○ **Is there a continued support upon turning 18 (reaching legal age)?**

Applicants applying for international protection have the right to maintain customs, national and cultural traditions, and to practice religious practices. The Act on Granting Protection to Foreigners in the Republic of Poland guarantees access to social assistance including the teaching of Polish language, the provision of essential materials necessary for the study of the language, teaching aids for children taking up education and benefiting from care in public institutions primary or secondary schools, covering - as far as possible - the costs of extracurricular, and sport - recreational activities, financing travel by public transport (Article 71 of the Act).

○ **Are there procedures to identify ostensible minors?**

In Poland Border Guard, who is responsible for register application for an international protection, in case of any doubts as to the age of the minor asylum seeker can with his consent undergo a medical examination, which should be conducted with the respect to his dignity. In case of denial to give consent for such an examination asylum seeker will be treated as an adult person.

- Are there special regional programs (school, youth welfare); best practice examples?

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

Average costs of living of foreigner applying for international protection (asylum seeker) on the territory of Poland covered by social assistance implemented by the Office for Foreigners in 2017.

	VALUE OF THE AVERAGE DAILY COST FOR MAINTAINING A FOREIGNER	VALUE OF THE AVERAGE MONTHLY COST FOR MAINTAINING FOREIGNERS	VALUE OF THE AVERAGE ANNUAL COST FOR MAINTAINING A FOREIGNER
IN THE RENT AREA	89,46 PLN	2 719,72 PLN	32 636,60 PLN
IN OWN CENTER	57,84 PLN	1 759,40 PLN	21 112,78 PLN
ON PRIVATE BENEFITS	31,58 PLN	960,56 PLN	11 526,69 PLN
TOTAL	52,08 PLN	1 584,12 PLN	19 009,47 PLN

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

Reception centers: Asylum-seekers are provided with accommodation at one of the regular reception facilities. The decision on the centre of final accommodation is made by the Office for Foreigners, taking into account the individual situation of each person/family including: relatives in other centres, special needs and requirements and, if possible, personal preferences.

There are 11 centres provided by the Office for Foreigners – 4 of them are owned by the Office (including 2 reception facilities) and 7 accommodation centres which are rented from contractors. Those are selected in a public tender procedure based on following criteria:

- Price = 45%;
- Terms of housing = 30%;
- Additional places = 10%;
- Location and unemployment rate = 10%;
- Distances from important places = 5%

Presently, the total capacity in the centres is 2231 beds and occupancy is 70%.

Guarded centers: The person who has submitted the application for the international protection may be detained and placed in a guarded centre in order to:

- establish or to verify the applicant's identity,
- collect information needed for conducting the procedure (if there is risk of absconding);
- issue or to execute the decision on obligation to return of a foreigner, if it is very probably that the foreigner has submitted the application only in order to avoid the return procedure;
- protect the defence or safety of the state or safety and public order protection, and
- to organise the transfer to the other Member State (*EU Dublin III procedure, art. 28 Regulation 604/2013*).

The decision on placement of the foreigner in a guarded center is issued by a court (at the request of a Border Guard authority/Police) for the period of 60 days that can be prolonged max up to 6 months.

Disabled persons, unaccompanied minors, persons whose psychophysical state allows presuming that s/he was a victim of violence, persons whose state of health does not allow to be detained are not detained.

The detention of a foreigner applying for the international protection is treated as a measure of last resort. The Border Guard and courts first consider the possibility of imposing on the foreigner the alternatives to detention, such as:

- a) report at specified intervals to the Polish Border Guard authority,
 - b) lodge a security deposit,
 - c) reside at the indicated place
- until the time when a decision on granting the international protection has become final.

A ruling on the use of the above mentioned alternatives measures shall be issued by a Border Guard authority that detained the foreigner or by the court.

The foreigner has the right to appeal against to the above mentioned ruling to the relevant court within 7 days from the day of service of the ruling - the court shall examine the appeal within 7 days.

If the foreigner does not comply with the imposed obligations s/he shall be detained and placed in a guarded center.

A foreigner placed in a guarded center has, inter alia, the right to:

- get in touch with the Polish state authorities, as well as the diplomatic mission or consular office of a foreign country (if she/he needed/wanted);
- get in touch with NGOs or international organizations involved in the provision of assistance to foreigners, including legal aid;
- get in touch with his/her attorney;
- use medical care and stay at a hospital or a medial institution performing medical activities such as full inpatient care and round-the-clock health services if his/her health condition so requires.

**15. How is the involvement of volunteers organized (national / regional)?
Financial support?**

The Office for Foreigners has extensive experience in implementing initiatives and projects co-financed from foreign funds. In addition to its own activities, it implemented partnership projects in cooperation with non-governmental organizations, which usually complement social assistance provided by the Office.

In the period between 2015 and 2017, 10 such projects were co-financed from AMIF funds. The scope of activities carried out under partnership projects included, among others, conducting classes, courses and workshops aimed at residents of centres for foreigners, development of their cultural and real-world competences, material support, social and psychological counselling, and support in the development of systems and procedures applied in the implementation of social assistance by the Office's employees.

In addition, a number of non-governmental organizations implement their own initiatives in accommodation centres for foreigners addressed to residents- mainly of an educational and recreational nature. Any organization wishing to carry out activities in centers for foreigners must submit an application to the Head of the office together with a declaration on no criminal record of all employees and volunteers who are to conduct their activities.

Russia

Information on the Baltic Sea Parliamentary Conference Working Group on Migration and Integration

The current migration policy of the Russian Federation is regulated by a number of laws and regulations. The legal framework of the migration legislation of the Russian Federation is comprised of: Federal Law No.115-FZ of July 25, 2002 "On the Legal Status of Foreign Citizens in the Russian Federation" (hereinafter - Federal Law No.115- FZ), Federal Law No.114- FZ of August 15, 1996 "On the procedure for exit from the Russian Federation and entry into the Russian Federation" (hereinafter - Federal Law No. 114- FZ); Federal Law No. 109- FZ of July 18, 2006 "On Migration Registration of Foreign Citizens and Stateless Persons in the Russian Federation" (hereinafter - Federal Law No. 109- FZ); Federal Law No. 62- FZ of May 31, 2002 "On Citizenship of the Russian Federation" (hereinafter - Federal Law No. 62-FZ), Federal Law No. 4528-1 of February 19, 1993 "On Refugees" (hereinafter - Federal Law "On Refugees"), etc.

The major regulatory legal act regulating the legal status of foreign citizens and stateless persons seeking or having received asylum on the territory of the Russian Federation is Federal Law "On Refugees" which regulates economic, social and legal guarantees of protection of the rights and legitimate interests of refugees.

According to Federal Law "On Refugees", the term "refugee" shall apply to any person who is not a citizen of the Russian Federation and who owing to wellfounded fear of being persecuted for reasons of race, religion, nationality, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Under Article 12 of Federal Law "On Refugees" temporary asylum can be granted to a foreign citizen or stateless person if they do not have grounds for being recognized as refugees but out of humanitarian considerations cannot be ordered (deported) out of the Russian Federation, including for health reasons. The procedure for granting temporary asylum is defined by Decree No. 274 of the Government of the Russian Federation of April 9, 2001.

Foreign citizens can apply for the recognition of a refugee status to: a territorial body of the Ministry of Internal Affairs of Russia at a place of stay; the border control at the Border Inspection Post of the Russian Federation; a diplomatic mission or consular post of the Russian Federation outside the state of their citizenship.

Foreign citizens can file an application for temporary asylum on the territory of the Russian Federation to a territorial body of the Ministry of Internal Affairs of Russia at a place of stay.

In accordance with Federal Law "On Refugees", persons who have been granted Refugee Status and family members who have arrived with them are entitled to: medical care and medication on equal terms with the citizens of the Russian Federation; assistance in obtaining vocational training or in employment on equal terms with the citizens of the Russian Federation; social protection, including social benefits on equal

terms with the citizens of the Russian Federation; receiving assistance in admitting the children of a person recognized as a refugee into state or municipal pre-school educational organizations and general education organizations, vocational education organizations and organizations of higher education on equal terms with the citizens of the Russian Federation.

Moreover, foreign citizens recognized as refugees or granted temporary asylum on the territory of the Russian Federation are entitled to reside in Temporary Accommodation Centers for the aforementioned category of persons on the territory of the Russian Federation (hereinafter - TAC). There are 4 such TACs today where accommodation and meals for non-working foreign citizens are carried out at the expense of the government.

Part one of Article 62 of the Constitution of the Russian Federation provides that a citizen of the Russian Federation may have citizenship of a foreign state (dual citizenship) in accordance with Federal Law No. 62-FZ or an international agreement to which the Russian Federation is a party.

The Russian Federation and the Republic of Tajikistan have a current Settlement Agreement on Dual Citizenship of September 7, 1995 that provides, among other things, the rights and duties of both citizens and states.

According to the provisions of Federal Law No. 62-FZ a citizen of the Russian Federation who has as well the second citizenship is considered by the Russian Federation solely as a citizen of the Russian Federation, except in cases provided by an international agreement to which the Russian Federation is a party or Federal Law No. 62-FZ.

At the same time under Federal Law No. 62-FZ foreign citizens acquiring the citizenship of the Russian Federation are provided with general conditions for conferment of citizenship involving renunciation of the existing other citizenship.

In addition, in accordance with Part 3 of Article 6 of Federal Law No. 62-FZ, unless otherwise provided by an international treaty to which the Russian Federation is a party or the specified Federal Law, a citizen of the Russian Federation (with the exception of the citizens of the Russian Federation permanently residing outside the Russian Federation) who also has another citizenship or a residence permit or other valid document confirming the right to their permanent residence in a foreign country must file a written notification of having another citizenship or a document confirming the right to permanent residence in a foreign country to a territorial body of the Ministry of Internal Affairs of Russia at the place of residence of this citizen within the Russian Federation (in the absence of the latter - at a place of stay in the Russian Federation, and in the absence of a place of residence and a place of stay in the Russian Federation - at a place of his actual location in the Russian Federation) within sixty days from the date of acquisition by this citizen of another citizenship or receipt of a document confirming the right for permanent residence in a foreign country.

In accordance with Clause 4 of Article 13 of Federal Law No. 115-FZ, a foreign citizen is entitled to perform labor activities starting with the age of eighteen upon having a work permit or a patent.

Specifics of performing labor activities on the basis of work permit for certain categories of foreign citizens are defined by Articles 13² ("Specifics of performing

labor activities by foreign citizens - highly qualified specialists"), 13⁴ ("Specifics of performing labor activities by certain categories of foreign citizens studying in the Russian Federation in an intramural form "), 13⁵ ("Specifics of performing labor activities by foreign citizens transferred to work in Russian divisions, representative offices and subsidiaries of foreign commercial organizations registered in the World Trade Organization member states") and 13⁶ ("Specifics of performing labor activities by foreign citizens working for residents of the Free Port of Vladivostok ") of Federal Law No. 115 -F3.

The conditions for obtaining work permits for foreign citizens who arrived in the Russian Federation in accordance with a procedure requiring the receipt of a visa have a specific nature.

Firstly, to perform labor activities in the Russian Federation a foreign citizen who has arrived in the Russian Federation on the basis of a visa requires simultaneous obtaining of a work permit with an invitation to enter the Russian Federation so as to perform labor activities.

Secondly, the specified category of foreign citizens receives work permits within the quota annually adopted by the Government of the Russian Federation.

Thus, in accordance with Paragraph 1 of Article 18 of Federal Law No. 115-FZ, the quota for granting foreign citizens, with the exception of foreign citizens who have arrived in the Russian Federation in accordance with a procedure not requiring the receipt of a visa, with invitations to enter the Russian Federation to perform labor activities are annually approved by the Government of the Russian Federation following the proposals of the executive authorities of constituencies of the Russian Federation, taking into account the demographic situation in the corresponding constituency of the Russian Federation and the capabilities of this constituency to provide conveniences for foreign citizens.

The quota is distributed by the Ministry of Labor of Russia in accordance with the Rules for preparation of proposals for determining the need to attract foreign employees arriving in the Russian Federation on the basis of a visa, approving the quota for the issuance of invitations to foreign citizens for entry into the Russian Federation to perform labor activities, as well as quotas for the issuance of work permits to foreign citizens arriving in the Russian Federation on the basis of a visa approved by Decree No. 800 of the Government of the Russian Federation of September 12, 2013.

Nevertheless, the provisions of the above mentioned Rules allow employers to apply for quota adjustments throughout the year and to be able to quickly attract foreign employees.

Quotas can be set depending on the profession, specialty, qualifications of foreign citizens, their country of origin and other economic and (or) social criteria, taking into account the regional characteristics of the labor market.

After an employer receives the relevant quota, they can apply to the Ministry of Internal Affairs of Russia or their territorial body with a request to provide foreign citizens with an appropriate invitation for entry.

At the same time, according to the Federal Law there exist preferences for certain categories of foreign citizens, excluding the quoted procedure of issuing work permits.

For example, in accordance with Paragraph 2 of Article 13² of Federal Law No. 115-FZ, the quota for issuing to foreign citizens invitations for entry into the Russian Federation to perform labor activities as well as the quota for issuing work permits to foreign citizens, permitted share of foreign employees working in various economic sectors and employed by business entities operating both in one or more constituent entities of the Russian Federation as well as throughout the Russian Federation, established by the Government of the Russian Federation, do not include highly qualified specialists and members of their families.

Besides, the aforementioned procedure does not apply to foreign citizens studying in the Russian Federation in an intramural form, foreign citizens transferred to work in Russian divisions, representative offices and subsidiaries of foreign commercial organizations registered in the World Trade Organization member states, and foreign citizens working for residents of the Free Port of Vladivostok.

Moreover, the quota does not apply to foreign citizens who are qualified professionals and are employed by their profession (specialty) in accordance with the list of professions (specialties, positions) approved by the Federal executive body that develops the state policy and regulation of employment of the population in agreement the Federal executive body that develops the state policy and regulation in social economic development and trade.

The general condition for issuing a work permit for all categories of foreign citizens is their performance of labor activities in strict conformity with the information specified in a valid work permit form.

According to Paragraph 4² of Article 13 of Federal Law No. 115-FZ, a foreign citizen temporarily residing in the Russian Federation is not entitled to perform labor activities outside the constituency of the Russian Federation where their work permit has been issued as well as in profession (specialty, position, type of work) other than specified in the work permit.

In turn, employer or customer of works (services) is not entitled employ a foreign citizen outside the constituency of the Russian Federation where the work permit of this foreign citizen has been issued or in profession (specialty, position, type of work) other than specified in the work permit.

In case a foreigner performs labor activities other than in profession (specialty, position, type of labor activities) specified in the work permit, a foreign citizen may be brought to administrative responsibility under Article 18.10 of the Code of Administrative Offenses of the Russian Federation ("Illegal Exercise by a Foreign Citizen or a Stateless Person of Labor Activities in the Russian Federation ").

Moreover, there is also administrative responsibility for employers and customers of works (services) that employ foreign workers in profession (specialty, position, type of labor activities) other than specified in the work permit under Article 18.15 of the Code of Administrative Offenses of the Russian Federation ("Illegal Employment of a Foreign Citizen or a Stateless Person in the Russian Federation").

Foreign citizens can enter the Russian Federation and leave the Russian Federation if they have a visa and valid IDs that are recognized by the Russian Federation as such unless otherwise provided by international treaties to which the

Russian Federation is a party, Federal Law No. 114-FZ or Decrees of the President of the Russian Federation.

Depending on the purpose of entry of a foreign citizen or a stateless person into the Russian Federation and the purpose of their stay in the Russian Federation, a foreign citizen or a stateless person is issued a visa that can be a diplomatic, business, ordinary or transit visa or a temporary resident visa.

The most appropriate visa for the purpose of family reunion is an ordinary private visa.

In accordance with Paragraph 28 of the Regulation on establishing the form of a visa, procedure and conditions for its processing and issuance, the extension of its validity, its restoration in case of loss, as well as visa cancellation procedure approved by Decree No. 335 of the Government of the Russian Federation of June 9, 2003, an ordinary private visa is issued for a period of up to 3 months to foreign citizens entering the Russian Federation as a guest on the basis of an invitation for entry into the Russian Federation, issued upon the request of a citizen of the Russian Federation, a foreign citizen who has obtained a residence permit in the Russian Federation, or a legal entity or on the basis of a decision of a Head of a diplomatic mission or consular office of the Russian Federation to issue a visa to a foreign citizen, adopted in writing in the form of an application by a citizen of the Russian Federation on a joint entry into the Russian Federation of members of their family (husband (wife), minor children, children of age who are incapable of work) who are foreign citizens. An ordinary private visa is also issued to a foreign citizen in case of necessity to enter the Russian Federation for emergency treatment or as a result of serious illness or death of a close relative. An ordinary private visa can be a single or double entry visa.

Moreover, in accordance with international agreements to which the Russian Federation is a party there may be established a special procedure and terms for issuing visas for close relatives of citizens of the Russian Federation.

The period of stay of a foreign citizen in the Russian Federation is determined by the validity of the visa issued to him.

A foreign citizen must leave the Russian Federation after the expiry of the permitted period of stay.

The issues of social and cultural adaptation and integration of migrants are within the competence of the Federal Agency for Nationality Affairs of Russia.

Main Directorate for Migration Affairs of the Ministry of Internal Affairs of the Russian Federation



BSPC Working Group on Migration and Integration, 18 March 2018

LIST OF QUESTIONS

- Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.
- Additional documents please add per Mail.

1. Name of national / regional parliament the Federal Assembly of the Russian Federation

2. If available, please, provide information regarding the population structure of your country / region regarding the people with migration background and age structure:

Total population: 146,5 million/ male 67,9 m/ female 78,6 m

with migration background 7 million inhabitants

living in urban areas 74 per cent

living in rural areas 26 per cent

Population aged

0-18 /

18-25 /

25-40 /

40-50 /

50-65 /

65+

among those: female / with migration background / living in urban areas / living in rural areas / undocumented (“**cross-table**”)

3. What are the significant rules for immigration? E. g. does an immigration law exist?

The current migration policy of the Russian Federation is regulated by a number of laws and regulations. The legal framework of the migration legislation of the Russian Federation is comprised of: Federal Law No.115-FZ of July 25, 2002 "On the Legal Status of Foreign Citizens in the Russian Federation", Federal Law No.114- FZ of August 15, 1996 "On the procedure for exit from the Russian Federation and entry into the Russian Federation"; Federal Law No. 109- FZ of July 18, 2006 "On Migration

Registration of Foreign Citizens and Stateless Persons in the Russian Federation"; Federal Law No. 62- FZ of May 31, 2002 "On Citizenship of the Russian Federation", Federal Law No. 4528-1 of February 19, 1993 "On Refugees", etc.

4. What are the requirements for the acceptance of asylum?

Under Article 12 of Federal Law "On Refugees" temporary asylum can be granted to a foreign citizen or stateless person if they do not have grounds for being recognized as refugees but out of humanitarian considerations cannot be ordered (deported) out of the Russian Federation, including for health reasons. The procedure for granting temporary asylum is defined by Decree No. 274 of the Government of the Russian Federation of April 9, 2001.

Foreign citizens can apply for the recognition of a refugee status to: a territorial body of the Ministry of Internal Affairs of Russia at a place of stay; the border control at the Border Inspection Post of the Russian Federation; a diplomatic mission or consular post of the Russian Federation outside the state of their citizenship.

Foreign citizens can file an application for temporary asylum on the territory of the Russian Federation to a territorial body of the Ministry of Internal Affairs of Russia at a place of stay.

5. Does your country allow for dual citizenship? Under which conditions?

Part one of Article 62 of the Constitution of the Russian Federation provides that a citizen of the Russian Federation may have citizenship of a foreign state (dual citizenship) in accordance with Federal Law No. 62-FZ or an international agreement to which the Russian Federation is a party.

According to the provisions of Federal Law No. 62-FZ a citizen of the Russian Federation who has as well the second citizenship is considered by the Russian Federation solely as a citizen of the Russian Federation, except in cases provided by an international agreement to which the Russian Federation is a party or Federal Law No. 62-FZ.

At the same time under Federal Law No. 62-FZ foreign citizens acquiring the citizenship of the Russian Federation are provided with general conditions for conferment of citizenship involving renunciation of the existing other citizenship.

In addition, in accordance with Part 3 of Article 6 of Federal Law No. 62-FZ, unless otherwise provided by an international treaty to which the Russian Federation is a party or the specified Federal Law, a citizen of the Russian Federation (with the exception of the citizens of the Russian Federation permanently residing outside the Russian Federation) who also has another citizenship or a residence permit or other valid document confirming the right to their permanent residence in a foreign country must file a written notification of having another citizenship or a document confirming the right to permanent residence in a foreign country to a territorial body of the Ministry of Internal Affairs of Russia at the place of residence of this citizen within the Russian Federation (in the absence of the latter - at a place of stay in the Russian Federation, and

in the absence of a place of residence and a place of stay in the Russian Federation - at a place of his actual location in the Russian Federation) within sixty days from the date of acquisition by this citizen of another citizenship or receipt of a document confirming the right for permanent residence in a foreign country.

6. What are the conditions to obtain a work permit?

The conditions for obtaining work permits for foreign citizens who arrived in the Russian Federation in accordance with a procedure requiring the receipt of a visa have a specific nature.

Firstly, to perform labor activities in the Russian Federation a foreign citizen who has arrived in the Russian Federation on the basis of a visa requires simultaneous obtaining of a work permit with an invitation to enter the Russian Federation so as to perform labor activities.

Secondly, the specified category of foreign citizens receives work permits within the quota annually adopted by the Government of the Russian Federation.

The general condition for issuing a work permit for all categories of foreign citizens is their performance of labor activities in strict conformity with the information specified in a valid work permit form.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Foreign citizens can apply for the recognition of a refugee status to: a territorial body of the Ministry of Internal Affairs of Russia at a place of stay; the border control at the Border Inspection Post of the Russian Federation; a diplomatic mission or consular post of the Russian Federation outside the state of their citizenship.

Foreign citizens can file an application for temporary asylum on the territory of the Russian Federation to a territorial body of the Ministry of Internal Affairs of Russia at a place of stay.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- Who is allowed to participate?
- Are they free of charge?
- Are there obligatory ones?

9. What kind of benefits exists for migrants and asylum seekers?

- What are the conditions for the benefit payments?
- How do the benefits relate to the average national income?

Foreign citizens who arrived in the Russian Federation receive work permits within the quota annually adopted by the Government of the Russian Federation.

Thus, in accordance with Paragraph 1 of Article 18 of Federal Law No. 115-FZ, the quota for granting foreign citizens, with the exception of foreign citizens who have arrived in the Russian Federation in accordance with a procedure not requiring the receipt of a visa, with invitations to enter the Russian Federation to perform labor

activities are annually approved by the Government of the Russian Federation following the proposals of the executive authorities of constituencies of the Russian Federation, taking into account the demographic situation in the corresponding constituency of the Russian Federation and the capabilities of this constituency to provide conveniences for foreign citizens.

The quota is distributed by the Ministry of Labor of Russia in accordance with the Rules for preparation of proposals for determining the need to attract foreign employees arriving in the Russian Federation on the basis of a visa, approving the quota for the issuance of invitations to foreign citizens for entry into the Russian Federation to perform labor activities, as well as quotas for the issuance of work permits to foreign citizens arriving in the Russian Federation on the basis of a visa approved by Decree No. 800 of the Government of the Russian Federation of September 12, 2013.

Quotas can be set depending on the profession, specialty, qualifications of foreign citizens, their country of origin and other economic and (or) social criteria, taking into account the regional characteristics of the labor market.

10. Are there possibilities for family-reunification? Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

The most appropriate visa for the purpose of family reunion is an ordinary private visa.

In accordance with Paragraph 28 of the Regulation on establishing the form of a visa, procedure and conditions for its processing and issuance, the extension of its validity, its restoration in case of loss, as well as visa cancellation procedure approved by Decree No. 335 of the Government of the Russian Federation of June 9, 2003, an ordinary private visa is issued for a period of up to 3 months to foreign citizens entering the Russian Federation as a guest on the basis of an invitation for entry into the Russian Federation, issued upon the request of a citizen of the Russian Federation, a foreign citizen who has obtained a residence permit in the Russian Federation, or a legal entity or on the basis of a decision of a Head of a diplomatic mission or consular office of the Russian Federation to issue a visa to a foreign citizen, adopted in writing in the form of an application by a citizen of the Russian Federation on a joint entry into the Russian Federation of members of their family (husband (wife), minor children, children of age who are incapable of work) who are foreign citizens. An ordinary private visa is also issued to a foreign citizen in case of necessity to enter the Russian Federation for emergency treatment or as a result of serious illness or death of a close relative. An ordinary private visa can be a single or double entry visa.

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

○ Who decides?

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

○ a guardian or representative,

- the right to accommodation in a dedicated home or in a foster family,
- child-specific social, economic and educational rights?
- Do you have special programs for family unification / resettlement / return?
- Is there a continued support upon turning 18 (reaching legal age)?
- ⊖ Are there procedures to identify ostensible minors?
- Are there special regional programs (school, youth welfare); best practice examples?

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

In accordance with Federal Law "On Refugees", persons who have been granted Refugee Status and family members who have arrived with them are entitled to: medical care and medication on equal terms with the citizens of the Russian Federation; assistance in obtaining vocational training or in employment on equal terms with the citizens of the Russian Federation; social protection, including social benefits on equal terms with the citizens of the Russian Federation; receiving assistance in admitting the children of a person recognized as a refugee into state or municipal pre-school educational organizations and general education organizations, vocational education organizations and organizations of higher education on equal terms with the citizens of the Russian Federation.

Foreign citizens recognized as refugees or granted temporary asylum on the territory of the Russian Federation are entitled to reside in Temporary Accommodation Centers for the aforementioned category of persons on the territory of the Russian Federation (hereinafter - TAC). There are 4 such TACs today where accommodation and meals for non-working foreign citizens are carried out at the expense of the government.

15. How is the involvement of volunteers organized (national / regional)? Financial support?

Schleswig-Holstein

HAMBURGISCHE BÜRGERSCHAFT



Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name	Innenministerium des Landes Schleswig-Holstein
Responsable	Frau Dr. Anika Luch
E-Mail	Anika.Luch@im.landsh.de

2. If available, please, provide information regarding the population structure of your country / region

Insert total number (e.g. total = 1700000)

total	2.881.926
-------	-----------

female	1.469.261
--------	-----------

with migration backround	210.415
--------------------------	---------

living in urban areas	631.265
-----------------------	---------

living in rural areas	2.250.661
-----------------------	-----------

undocumented	-
--------------	---

2a. If available, please, provide detailed information regarding the population structure in your region / country

Insert percentage

female	16 %
--------	------

18-25	
-------	--

female	8 %
--------	-----

26-40

female 16 %

41-50

female 14 %

51-65

female 22 %

66+

female 25 %

2. If available; please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

[https://www.statistik-](https://www.statistik-nord.de/fileadmin/Dokumente/Statistische_Berichte/bevoelkerung/A_I_8_j_SH/A_I_8_j16_SH.pdf)

[nord.de/fileadmin/Dokumente/Statistische_Berichte/bevoelkerung/A_I_8_j_SH/A_I_8_j16_SH.pdf](https://www.statistik-nord.de/fileadmin/Dokumente/Statistische_Berichte/bevoelkerung/A_I_8_j_SH/A_I_8_j16_SH.pdf)

Population development in SH up to 31/12/2030: + 1,4 % state average

(projection of population June 2016)

3. What are the significant rules for immigration? E. g. does an immigration law exist?

- ☒ Exeptions/Explanation: The Immigration Law is set up by a variety of legal bases for the immigration into the Federal Territory. Major reasons for immigration are education/studies, employment as well as international, humanitarian or political reasons respectively family related reasons.

3a. What are the significant rules?

Basically, the livelihood must be sustained and the identity of the migrant needs to be clarified.

There should be no reasons for expulsion (criminal offenses) and the interests of the Federal Republic of Germany shall not be compromised or endangered.

3b. What is the immigration law?

See above

4. What are the requirements for the acceptance of asylum?

In Germany the examination of asylum claims is exclusively entrusted to the Federal Offices, represented by the Federal Office for Migration and Refugees (BAMF). The counties don't have any decision making competences.

In the context of an asylum procedure four different forms of a protection status may be granted; each basing on various persecution facts as basically stated below:

1. / 2.: Asylum and immigration in accordance with Art 16 of the German Basic Law and Refugee Protection according to the Geneva Convention on Refugees:

Persecution due to

- Racial or ethnic origin resp. nationality
- Political conviction
- Religious conviction
- Membership of a particular social group

3.: Subsidiary protection according to the Common European Asylum System:

Persecution due to

- Imposition or execution of the death penalty
- Torture; inhumane or degrading treatment or punishment
- Serious individual threat of life or integrity of a citizen due to indiscriminate violence in the frame of an international or internal conflict.

4.: National Deportation Ban:

Impaired by:

- Violation of the European Convention on Human and Fundamental Freedoms by repatriation to the home country resp. state of origin.
- Considerable and specific danger for freedom, life or limb in case of return to the home country resp. the state of origin

5. Does your country allow dual citizenship?

- ☒ Yes The principle to avoid multiply nationality shall be observed. However, this principle allows various exceptions.

6. What are the conditions to obtain a work permit?

Please explain the conditions to obtain a work permit. Taking up an employment is basically only possible with the admission of the federal labour office. Conditions verified are based on the priority review (are any German citizens, EU citizens or other unemployed settled-in migrants, available for the offered position). Specific residence permits allow an unrestricted labour market access.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

There are three advisory services specifically for migrants in Schleswig-Holstein:

Advisory Service for adult migrants [Migrationsberatung für erwachsene Zuwanderer (MBE)]: offers help for recognized adult refugees for all questions regarding daily life in Germany (federal funds)

Youth Migration Services [Jugendmigrationsdienste (JMD)]: gives advice to young people up to the age of 27. Their offers range from individual support with integration plan, counselling and parental work to group activities and courses. (federal funds)

Subsidiary and complementary to the federal funded migration advisory services for adult Migrants and the Youth Migration Service the state offers support on a voluntary basis through the Schleswig Holstein Immigration Counselling [Migrationsberatung Schleswig-Holstein (MBSH)]. MBSH is a point of contact for all items regarding right of residence as well as general integration issues and is freely available for everyone regardless of the residency status.

The advisory services offered by the networks „Alle an Bord“ (financed by the land Schleswig-Holstein) and „Mehr Land in Sicht“ (financed by European Social Fund via federal ministry of labor and social affairs) are focused on individualized consultations towards asylum seekers and refugees regarding labor and vocational training.

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, language courses are provided.
- ☒ Yes, courses for civic education are provided.
- ☒ Yes, the following courses are provided. Federal funding covers courses for initial orientation as well as general integration and work-oriented promotion of language skills. Other than the mentioned general integration lessons, also specified courses for alphabetization, for rapid learners, for literacy skills, for women and young adults are offered. Examples for state sponsored support are the 'STAFF-courses' (starter-kits for refugees). Supplementary to the general STAFF-courses those for alphabetization or special women's lessons are offered. The Ministry of Education and Research and the Federal State of SH (as other federal states) are promoting integrations measures at educational institutions for qualifies refugees. The measures, which include especially

consultation, study subject specific language training and preparatory courses are offered with the objective to prepare candidates.

- ☒ See answer of national parliament.

8a. Who is allowed to participate in courses?

- ☒ All foreigners
- ☒ Citizens with migration background
- ☒ Refugees
- ☒ Asylum seekers
- ☒ Other: Integration courses and career focused language classes are open for recognized refugees and those individuals with good prospects of permanent residence (Syria, Iran, Iraq, Eritrea and Somalia); lessons offered for initial orientation are predominantly supplied for persons with without long-term prospective to stay (the former may only benefit while waiting for admission to an integration course). The integration courses and the career-focused language classes are also open for (EU-) migrants; yet, fees have to be covered by the participants themselves, in general. Participation in STAFF courses is primarily meant for individuals with uncertain prospective to stay (others only whilst waiting for an integration course). The study offers at universities are open to all qualified refugees interested to study.
- ☒ See answer of national parliament.

8b. Are the courses free of charge?

- ☒ Special conditions/Exeptions: Other: Please explain. Federal funding covers also transportation allowance of the participants and as far as necessary child care during the course duration. Classes for initial orientation: state funded. Includes travel allowance of the participants, fees for language exams to complete the courses as well as child care, as not covered by federal means. State funding for STAFF courses includes travel costs of the participants, child care and fees for language exams to complete the courses. Employed persons with own income must, in general, bear the costs for integration and language courses themselves. Consultation offers and courses at university are free of charge for qualified refugees, seeking to study at a university.

8c. Are there obligatory courses?

- ☒ Only for the following: Basically, all those groups of persons mentioned (recognized refugees /individuals with prospects of permanent residence) are admitted to participate in the integration courses, or may even be obliged to participate (with the exception of teaching units for initial orientation) Participation in the STAFF courses is on a voluntary basis. .

9. What kind of benefits exist for migrants / asylum seekers?

Migrants:

Asylum seeker: Asylum Seekers' Benefits Law

9a. What are the conditions for the benefit payments?

Migrants:

Asylum seekers:

Benefits under the Asylum Seekers' Benefits Law are provided dependent on specific requirements set out in that law e.g. resident status. Eligible for benefit are in general those persons within the asylum proceedings, duty bound to leave the country, only tolerated or those with special residence permit (as e.g. justified by the humanitarian right of residence)

9b. How do the benefits relate to the average national income?

See answer of national parliament.

10. Are there possibilities for family-reunification?

- ☒ Yes, only for the following cases: The reunification of the nuclear family is granted for reasons of creating and protecting the family relationship. This also applies for life partnerships. A Reunification is not allowed if a marriage of convenience resp. a forced marriage can be proven.

10a. Under which conditions are relatives allowed to take residence in your country / region?

The general granting conditions are to be applied (see 3a). The reunification has to be effected within a visa process. Both spouses must have reached the end of his/her 18th year. The spouse moving in must proof a minimum of communication abilities in the German language.

10b. Do families need visas for family-reunifications?

- ☒ Yes

10c. What are the visa regulations for family-reunifications?

See answers to 10 and 10a

11. Could you inform us about the number of evictions activities?

Evictions in 2015: 570

Evictions in 2016: 840

Evictions in 2017: 338

11a. Who decides to pursue an eviction?

☒ Other Kreisausländerbehörde - County Immigration Office

12. How does your country deal with unaccompanied minors?

a guardian or representative The regulations concerning accommodation, distribution and care of unaccompanied minors are defined in the national law (esp. §§ 42a ff SGB VIII), see answer of national parliament

the right to accommodation in a dedicated home or in a foster family help and guidance by a guardian or representative

child-specific social, economic and educational rights Unaccompanied minors, who are resident in Schleswig-Holstein, are obligated to attend school by the Education Act of the state. This ruling does not depend on the resident permit status of the individual. Pupils without knowledge of the German language take part in a multi-level-system of classes, in which German is taught as a second language. At the first level pupils take-part in classes of being taught German only (15-25 hours a week), for usually one year (DaZ-Basisstufe). This class is followed by the integration of pupils in regular classes while being taught German additional individual created classes of 2-6 hours a week (DaZ-Aufbaustufe). This level can take up to six years of schooling. The third and last level contains the complete integration in the classes, where usually no additional German class is taught, but can be provided if necessary (complete integration).

12a. Do you have special programs for family unification / resettlement / return?

☒ Yes For parents of minors entitled for Asylum resp. recognized as refugee

12b. Is there a continued support upon turning 18 (reaching legal age)?

☒ Yes according to § 41 SGB VIII

12c. Are there procedures to identify ostensible minors?

☒ Yes Yes, see § 42f SGB VIII

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

☒ Yes

12e. Please provide examples for regional programs or best practice examples?

See 12. 3

13. Please state - if possible - the average monthly costs:

per migrant See answer of national parliament.

per asylum seeker See answer of national parliament.

per undocumented person See answer of national parliament.

per minor 150€ x 30 days= 4.500 €/per month

Currency See answer of national parliament.

14. Please indicate how your country / region organises accommodation:

for migrants See answer of national parliament.

for asylum seekers See answer of national parliament.

for refugees See answer of national parliament.

for minors The organization of accommodation for unaccompanied minors is in the responsibility of the local youth welfare offices. The minors are usually placed in institutions (juvenile homes) or families (foster parents)

15a. How is the involvement of volunteers organized ?

- ☒ Other For the special support and counseling of volunteers in refugee relief in Schleswig-Holstein a helpline for volunteers in refugee relief (Beratungsstellen für ehrenamtliche Flüchtlingshilfe) has been established since 2016 in all 15 counties. These helplines aim to support the local volunteers in the refugee relief. They offer consultation hours, advanced trainings, events for special themes and counselling in the case of problems. The helplines in the counties are supported by the ministry of social affairs in a network called "Forum Beratungsstellen" and by advanced trainings.

15b. How ist the financial support of volunteers organized?

There is a special financial program - administered by the ministry of social affairs - for the 15 county administrations to establish helplines for volunteers in refugee relief. The term of the program began in 2016 and will end 2019.

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Administrator, BSPC Migration and Integration - 2018

94% completed

Sweden

Attachment 5.1 Sec Lev 16.1.2018

Draft**LIST OF QUESTIONS collected by the WG on migration & integration**

- Regional parliaments have the opportunity to refer to the response of national parliaments if there are no corresponding figures available at regional level.
- Additional documents please add per Mail.

1. Name of national / regional parliament

The Swedish Parliament - Riksdagen

2. Please provide information regarding the population structure of your country / region regarding the people with migration background and age structure:**Population aged 0-18 / 18-25 / 25-40 / 40-50 / 50-65 / 65+****among those: female / with migration background / living in urban areas / living in rural areas / undocumented ("cross-table")**

	2016	0-18	18-25	25-40	40-50	50-65	65+
Swedish background	1 666 998	741 281	1 434 662	1 066 570	1 516 795	1 718 546	
men		857 614	380 628	737 087	546 933	797 797	
women		933 332	360 653	697 575	519 637	920 749	
Foreign background	516 728	259 170	658 620	379 191	402 391	258 311	
men		268 653	137 909	336 888	187 594	114 648	
women		248 075	121 261	321 732	191 597	143 663	

Statistics on people with migration background living in urban/rural areas and undocumented is not available.

3. What are the significant rules for immigration? E. g. does an immigration law exist?

Immigration is regulated under the Aliens Act (2005:716) and the Aliens Ordinance (2006:97).

4. What are the requirements for the acceptance of asylum?

Refugees and persons otherwise in need of protection who are in Sweden are entitled to a residence permit. According to the Aliens Act (2005:716) Chapter 4, Section 1 a 'refugee' means an alien who is outside the country of the alien's nationality, because he or she feels a well-founded fear of persecution on grounds of race, nationality, religious or political belief, or on grounds of gender, sexual orientation or other membership of a particular social group and is unable, or because of his or her fear is unwilling, to avail himself or herself of the protection of that country.

This applies irrespective of whether it is the authorities of the country that are responsible for the alien being subjected to persecution or these authorities cannot be assumed to offer protection against persecution by private individuals.

A stateless alien shall also be considered a refugee if he or she is, for the same reasons that are specified in the first paragraph, outside the country in which he or she has previously had his or her usual place of residence and is unable or, because of fear, unwilling to return there.

A 'person otherwise in need of protection' is an alien who in cases other than those referred to in Section 1 is outside the country of the alien's nationality, because he or she 1) feels a well-founded fear of suffering the death penalty or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment, 2) needs protection because of external or internal armed conflict or, because of other severe conflicts in the country of origin, feels a well-founded fear of being

subjected to serious abuses or 3) is unable to return to the country of origin because of an environmental disaster. The corresponding applies to a stateless alien who is outside the country in which he or she has previously had his or her usual place of residence.

5. Does your country allow for dual citizenship? Under which conditions?

Sweden allows dual citizenship. There are no special conditions to dual citizenship in Sweden.

6. What are the conditions to obtain a work permit?

According to the Aliens Act (2005:716) Chapter 6 section 2, a work permit may be granted to an alien who has been offered employment, if 1) the employment enables the alien to support himself or herself, and 2) the pay, insurance cover and other terms of employment are no worse than the terms that follows from Swedish collective agreements or practice within the profession or sector. The position must also have been advertised in Sweden and within EU/EES and Switzerland for a minimum of ten days. A work permit may also be granted to an alien who is participating in an international exchange or if it follows from an international agreement or an agreement with another country.

A work permit may not be granted for a period longer than two years. Nor may it refer to a period longer than the period of employment. The aggregate period of the work permit shall be linked to a particular employer and refer to a certain kind of work. After an aggregate permit period of two years, the permit shall only be linked to a particular kind of work.

An alien who wants a work permit in Sweden must have applied for and been granted such a permit before entering the country. An application for a work permit may not be approved after entry except in certain cases referred to in Chapter 5, Section 18, second paragraph and Section 19 of the Aliens Act, which provisions shall apply by analogy where work permits are concerned.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

Yes, asylum seekers and people that recently received a residence permit get information and support from the Migration Agency and the Employment service (Arbetsförmedlingen).

8. Are integration courses provided?

Yes, integration courses are provided. The Employment service (Arbetsförmedlingen) are responsible for integration courses in the labor market. The municipalities are responsible for language courses and society information.

- **Who is allowed to participate?**

People who recently received a residence permit in Sweden are allowed to participate.

- **Are they free of charge?**

Yes, they are free of charge.

- **Are there obligatory ones?**

Yes, people who recently received a residence permit in Sweden must participate.

9. What kind of benefits exist for migrants / asylum seekers?

Asylum seekers have the right to accommodation provided by the Migration Agency and to financial support if the asylum seeker do not have the own ability to support him or herself.

In accommodation where food is included the daily compensation is

24 kr/day for adults who are alone

19 kr/day per person for adults who share household expenses

12 kr/day for children up to and including 17 years of age

In accommodation where food is not included the daily compensation is

71 kr/day for adults who are alone

61 kr/day per person for adults who share household expenses

37 kr/day for children 0–3 years old

43 kr/day for children 4–10 years old

50 kr/day for children 11–17 years old

There are other financial support that asylum seekers can apply for.

Asylum seekers in Sweden have the right to acute health and dental care and health care which cannot wait. All asylum seeking children have the right to attend school and have the same right to all health care as children who live in Sweden.

- **What are the conditions for the benefit payments?**

The conditions for when an asylum seeker loses his or her right to benefits are stated in i.e. the Law on Reception of Asylum Seekers and Others (1994:137). Such conditions may be that the asylum seeker does not cooperate in the asylum process.

- **How do the benefits relate to the average national income?**

The average national monthly income in Sweden is 32 800 SEK. The maximum financial support for an asylum seeker (except special financial support) on a monthly basis is 2 201 SEK.

10. Are there possibilities for family-reunification?

Under which conditions are relatives allowed to take residence in your country / region and do they need visas and what are the visa regulations?

Unless otherwise provided in Sections 17–17b of chapter 5 of the Aliens Act, a residence permit shall (according to ch 5 section 3) be given to: 1 an alien who is a spouse or cohabiting partner of

someone who is resident in or has been granted a residence permit to settle in Sweden, 2 a child who is an alien, is unmarried and a) has a parent who is resident in or has been granted a residence permit to settle in Sweden or b) has a parent who is married to or cohabiting partner of someone who is resident in or has been granted a residence permit to settle in Sweden, 3 a child who is an alien, is unmarried and has been adopted or is intended for adoption by someone who at the time of the adoption decision was and who still is resident in or has been granted a residence permit to settle in Sweden, with some exceptions.

Residence permit shall also be given to an alien who is a parent of an unmarried alien child who is a refugee or a person otherwise in need of protection, if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been left alone after arrival.

Unless otherwise provided in Section 17, second paragraph, a residence permit may be given to 1 an alien who intends to marry or enter into a cohabitee relationship with a person who is resident in or who has been granted a residence permit to settle in Sweden, if the relationship appears to be serious and there are no special grounds not to give a permit, 2 an alien who in some way other than those referred to in Section 3 or in this Section is a close relative of someone who is resident in or who has been granted a residence permit to settle in Sweden, if he or she has been a member of the same household as that person and there exists a special relationship of dependence between the relatives that already existed in the country of origin, 3 an alien who is to exercise access rights that are not of limited scope to a child that is resident in Sweden and 4 an alien who is of Swedish origin or has lived in Sweden on a residence permit for a long time.

If an alien has been given a residence permit under the first paragraph, point 1, a residence permit for the same period shall be given to unmarried children of the alien.

Section 17 states that residence permit shall be denied if i.e. the alien constitutes a threat to public order and security or that the family members do not intend to live together.

11. Could you inform us about the number of evictions activities and the number of evictions in 2015 / 2016 / 2017?

The number of completed returns in **2015**: 14 047 **2016**: 20 142 **2017**: 13 212

o **Who decides?**

The Swedish Migration Agency or the Police depending on type of case.

12. How does your country deal with unaccompanied minors? How do you realize the right to certain supports, including (according to UN Committee on the Rights of the Child):

o **a guardian or representative,**

All unaccompanied minors in Sweden are appointed a guardian ad litem.

o **the right to accommodation in a dedicated home or in a foster family,**

For unaccompanied minors there are there principal options of accommodation (and care):

- a) Formal foster care family homes (familjehem). These are private homes certified to receive minors on behalf of municipal social services. Caregivers are not professionals.
 - b) Residential care homes for children and young persons [Hem för vård och boende, HVB]. These are operated by municipalities or by private actors (following procurement). They are staffed by professionals.
 - c) Supported accommodation (Stödboende) was introduced in 2016. Supported accommodation is intended for 16 to 20 year olds who are not in need of the level of care provided in formal foster care family homes or residential care homes for children and young persons. Children aged 16 to 17 years of age are only exceptionally placed in such supported accommodation.
- o **child-specific social, economic and educational rights?**
All children and young adults have the same right to attend school and preschool as other children living in Sweden. The municipality where the children live is responsible for making it possible for them to go to school like the other children and young adults in the municipality. This concerns preschool, compulsory school, and secondary school. To be able to attend upper secondary school young adults seeking asylum must begin their studies before they turn 18.

Children seeking asylum have the right to the same health care and dental care as other children living in Sweden. Dental care is free of charge for those under 18 years of age. In most county councils or regions, health care for children is free as well.

- o **Do you have special programs for family unification / resettlement / return?**
Depending on the circumstances of the case, family reunification in Sweden is possible. Unaccompanied minors with refugee status have the right to family reunification in Sweden.

According to the Ordinance (1994:361) on reception of asylum-seekers and others the Swedish Migration Board shall make efforts to locate family members of unaccompanied minors as soon as possible. Hence, the Board works actively to trace the minor's parents or other guardians. The best interest of the child shall always be taken into account.

Family tracing is usually carried out through dialogue with the competent authorities and NGOs in the country of origin.

Article 10 of the Return Directive has been transposed into national legislation in Sweden. This means that an unaccompanied minor cannot be returned unless they are received by a family member, a nominated guardian or an appropriate reception facility in the country of return.

Sweden is a member of the ERIN- cooperation programme which offers reintegration support for people who have had their asylum application refused and have to return home.

The Migration Agency also provides financial support to people returning to a country where establishment is difficult due to severe conflicts. The re-establishment support is equivalent to SEK 30,000 for each person over the age of 18, and SEK 15,000 for children under the age of 18. A family can receive a maximum of SEK 75,000.

○ **Is there a continued support upon turning 18 (reaching legal age)?**

According to Swedish law a person becomes an adult when he or she turns 18. This means that the person is no longer a child. The asylum seeking child will, in advance, during a "turning 18 meeting" receive information about what will happen when he or she turns 18 and becomes an adult. The person will henceforth be handled according to the rules that apply to adult asylum seekers.

Accommodation and care is no longer the responsibility of the social services and if the person needs help with accommodation he or she can stay at one of the Migration Agency's accommodation centres. However, the social services can in some situations offer accommodation and care until the person turns 21 (particularly in situations where there are special needs). The municipalities have received temporary additional state funding for being able to continue offering accommodation and care to a larger number of persons (former unaccompanied minors) who have turned 18, but the practices among municipalities differ.

○ **Are there procedures to identify ostensible minors?**

Yes, the Swedish Alien's Act enables the Swedish Migration Agency to assess the age of a minor at the outset of the asylum procedure (legislative changes entered into force in Sweden on 1 May 2017, before the changes the assessment was made at the end of the procedure in connection with the asylum decision). If there are reasons to doubt whether or not the unaccompanied minor is under the age of 18, the Migration Agency will assess and make a formal temporary decision on the matter. Before the Agency takes the temporary decision, the applicant will be provided with the possibility to undergo a voluntary medical age assessment. The temporary decision can be appealed to the Migration Court.

○ **Are there special regional programs (school, youth welfare); best practice examples?**

All children in Sweden, including migrant (including undocumented) children, have, by law, equal rights to education as children residing in Sweden. This means that children shall be given, substantially, the same rights to education in preschool, elementary school and equivalent types of schools and secondary school and special secondary school, as children residing in the country. These children are also entitled to school transportation.

13. Please state – if possible – the average monthly costs per migrant / per asylum seeker / undocumented person, minor.

The monthly average cost for an asylum seeker was in 2016 22 700 SEK. In the same year, the average cost for an unaccompanied minor was 88 800 SEK.

14. Please indicate how your country / region organises accommodation for migrants, asylum seekers (refugees, minors.)

The Swedish Migration Agency offers a temporary accommodation for asylum seekers waiting for a decision. The municipalities are responsible for accommodation for unaccompanied minors. For former asylum seekers that have received a residence permit the municipalities have a responsibility to find housing if the person cannot find accommodation him- or herself. The former asylum seeker can also apply for help with housing costs from the municipalities.

15. What are – from your point of view – possible pull-factors for people to come / repell-factors preventing people from coming?

Possible pull-factors for Sweden are the Swedish welfare system, a perceived generous asylum system and large diasporas. Repell-factors could include the temporary act from 2016 limiting the possibility for family reunification and granting temporary residence permits instead of permanent and temporary border controls.

16. What is your idea how society gets in touch with migrants / migrant groups: are there best practice examples? (Was ist damit gemeint, ein Migrations-Integrationskonzept?)

Civil society and local education forums play an important role in integration, through courses, mentor programs, local education programs etc.

17. How is the involvement of volunteers organized (national/regional)? Financial support?

Involvement of volunteers is organized both through civil society projects such as mentor programs and through the business sector as well as the municipalities. The government gives some support to volunteer initiatives, but civil society, businesses and private individuals take a large responsibility without getting state support.

18. Regarding the demographic development in your country / region:

○ **Do you have a scenario planning?**

Statistics Sweden makes future scenarios for demographics.

○ **Where do you see your country's population in 20 years concerning demographic balance?**

In 2048 the immigration is thought to be lower than in 2018, 100 000 in 2048, 130 000 in 2018). Emigration is thought to be higher, 84 000 in 2048, 61 000 in 2018. Net migration is anticipated to be lower, from 69 000 in 2018 to 23 000 in 2048. The population is thought to have increased from 10.2 million to 12.3 million.

The share of foreign born people in Sweden will continue to increase, mostly in the age group 20-64. The share of foreign born people over 80 will increase the most.

**H A M B U R G I S C H E
B Ü R G E R S C H A F T**

Overview

You see all answers you have provided below . If you want to print your answers, please use the button 'Print' at the end of this page.

1. Name of national / regional parliament

Name	The Swedish Parliament - Riksdagen
------	------------------------------------

Responsible	Ralph Hermansson
-------------	------------------

E-Mail	ralph.hermansson@riksdagen.se
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2. If available, please, provide information regarding the population structure of your country / region

total	10619263
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female	5410893
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with migration background	2474411
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2a. If available, please, provide detailed information regarding the population structure in your region / country

female	11
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with migration background	5
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total	21
-------	----

18-25

female	5
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with migration background	2
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BSPC Migration & Integration

13.03.18, 14:22

background

total	9
-------	---

26-40

female	10
--------	----

with migration background	6
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total	20
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41-50

female	7
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with migration background	4
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total	14
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51-65

female	9
--------	---

with migration background	4
------------------------------	---

total	18
-------	----

66+

female	10
--------	----

with migration background	2
------------------------------	---

total	19
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2. If available, please, provide information regarding the population structure of your country / region

Other

No answer

2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?

Statistics Sweden makes future scenarios for demographics. In 2048 the immigration is thought to be lower than in 2018, 100 000 in 2048, 130 000 in 2018). Emigration is thought to be higher, 84 000 in 2048, 61 000 in 2018. Net migration is anticipated to be lower, from 69 000 in 2018 to 23 000 in 2048. The population is thought to have increased from 10.2 million to 12.3 million.

The share of foreign born people in Sweden will continue to increase, mostly in the age group 20-64. The share of foreign born people over 80 will increase the most.

3. What are the significant rules for immigration? E. g. does an immigration law exist?

☒ Yes, an immigration law exists.

3a. What are the significant rules?

No answer

3b. What is the immigration law?

Immigration is regulated under the Aliens Act (2005:716) and the Aliens Ordinance (2006:97).

4. What are the requirements for the acceptance of asylum?

1. Refugees and persons otherwise in need of protection who are in Sweden are entitled to a residence permit. According to the Aliens Act (2005:716) Chapter 4, Section 1 a 'refugee' means an alien who is outside the country of the alien's nationality, because he or she feels a well-founded fear of persecution on grounds of race, nationality, religious or political belief, or on grounds of gender, sexual orientation or other membership of a particular social group and is unable, or because of his or her fear is unwilling, to avail himself or herself of the protection of that country. This applies irrespective of whether it is the authorities of the country that are responsible for the alien being subjected to persecution or these authorities cannot be assumed to offer protection against persecution by private individuals.

A stateless alien shall also be considered a refugee if he or she is, for the same reasons that are specified in the first paragraph, outside the country in which he or she has previously had his or her usual place of residence and is unable or, because of fear, unwilling to return there.

A 'person otherwise in need of protection' is an alien who in cases other than those referred to in Section 1 is outside the country of the alien's nationality, because he or she 1) feels a well-founded

fear of suffering the death penalty or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment, 2) needs protection because of external or internal armed conflict or, because of other severe conflicts in the country of origin, feels a well-founded fear of being subjected to serious abuses or 3) is unable to return to the country of origin because of an environmental disaster. The corresponding applies to a stateless alien who is outside the country in which he or she has previously had his or her usual place of residence.

However, there is a temporary act (2016:752) that is in effect between 20 July 2016 and 20 July 2019 which states that residence permits on grounds of exceptionally or particularly distressing circumstances may only be granted if refusing entry to or expelling the person would contravene a Swedish commitment under a convention. Persons otherwise in need of protection will not be entitled to a residence permit under the temporary act.

5. Does your country allow dual citizenship?

☒ Yes Sweden allows dual citizenship. There are no special conditions to dual citizenship in Sweden.

6. What are the conditions to obtain a work permit?

a work permit may be granted to an alien who has been offered employment if 1) the employment enables the alien to support himself or herself, and 2) the pay, insurance cover and other terms of employment are no worse than the terms that follows from Swedish collective agreements or practice within the profession or sector

alien who is participating in an international exchange or if it follows from an international agreement or an agreement with another country

A work permit may not be granted for a period longer than two years

A work permit may not be granted to a period longer than the period of employment.

The aggregate period of the work permit shall be linked to a particular employer and refer to a certain kind of work.

After an aggregate permit period of two years, the permit shall only be linked to a particular kind of work.

An alien who wants a work permit in Sweden must have applied for and been granted such a permit before entering the country.

An application for a work permit may not be approved after entry except in certain cases referred to in Chapter 5, Section 18, second paragraph and Section 19 of the Aliens Act, which provisions shall apply by analogy where work permits are concerned.

7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?

1. Yes, asylum seekers and people that recently received a residence permit get information and support from the Migration Agency and the Employment service (Arbetsförmedlingen).

8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?

- ☒ Yes, the following courses are provided. Yes, integration courses are provided. The Employment service (Arbetsförmedlingen) are responsible for integration courses in the labor market. The municipalities are responsible for language courses and society information.

8a. Who is allowed to participate in courses?

- ☒ Refugees

8b. Are the courses free of charge?

- ☒ Yes

8c. Are there obligatory courses?

- ☒ Yes

9. What kind of benefits exist for migrants / asylum seekers?

right to accommodation provided by the Migration Agency

financial support if the asylum seeker do not have the own ability to support him or herself

In accommodation where food is included the daily compensation is 24 kr/day for adults who are alone 19 kr/day per person for adults who share household expenses 12 kr/day for children up to and including 17 years of age

In accommodation where food is not included the daily compensation is 71 kr/day for adults who are alone 61 kr/day per person for adults who share household expenses 37 kr/day for children 0-3 years old 43 kr/day for children 4-10 years old 50 kr/day for children 11-17 years old

There are other financial support that asylum seekers can apply for.

Asylum seekers in Sweden have the right to acute health and dental care and health care which cannot wait.

All asylum seeking children have the right to attend school and have the same right to all health care as children who live in Sweden.

9a. What are the conditions for the benefit payments?

The conditions for when an asylum seeker loses his or her right to benefits are stated in i.e. the Law on Reception of Asylum Seekers and Others (1994:137). Such conditions may be that the asylum seeker does not cooperate in the asylum process.

9b. How do the benefits relate to the average national income?

The average national monthly income in Sweden is 32 800 SEK. The maximum financial support for an asylum seeker (except special financial support) on a monthly basis is 2 201 SEK.

10. Are there possibilities for family-reunification?

☒ Yes

10a. Under which conditions are relatives allowed to take residence in your country / region?

an alien who is a spouse or cohabiting partner of someone who is resident in or has been granted a residence permit to settle in Sweden

a child who is an alien, is unmarried and a) has a parent who is resident in or has been granted a residence permit to settle in Sweden or b) has a parent who is married to or cohabiting partner of someone who is resident in or has been granted a residence permit to settle in Sweden

a child who is an alien, is unmarried and has been adopted or is intended for adoption by someone who at the time of the adoption decision was and who still is resident in or has been granted a residence permit to settle in Sweden, with some exceptions.

Residence permit shall also be given to an alien who is a parent of an unmarried alien child who is a refugee or a person otherwise in need of protection, if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been left alone after arrival.

an alien who intends to marry or enter into a cohabitee relationship with a person who is resident in or who has been granted a residence permit to settle in Sweden, if the relationship appears to be serious and there are no special grounds not to give a permit,

an alien who in some way other than those referred to in Section 3 or in this Section is a close relative of someone who is resident in or who has been granted a residence permit to settle in Sweden, if he or she has been a member of the same household as that person and there exists a special relationship of dependence between the relatives that already existed in the country of origin,

an alien who is to exercise access rights that are not of limited scope to a child that is resident in Sweden

an alien who is of Swedish origin or has lived in Sweden on a residence permit for a long time.

If an alien has been given a residence permit under the first paragraph, point 1, a residence permit for the same period shall be given to unmarried children of the alien.

Section 17 states that residence permit shall be denied if i.e. the alien constitutes a threat to public order and security or that the family members do not intend to live together.

Since July 2016 however, there is a temporary act limiting the rights to family reunification (2016:752) It will be applicable until 20 July 2019. According to that, asylum seekers who are deemed eligible for subsidiary protection will not have the right to family reunification if they had not applied for asylum by 24 November 2015. However, if this would contravene a Swedish commitment under a convention, a relative may be granted a residence permit.

Asylum seekers who are given refugee status and who are granted temporary permits under the new temporary act will continue to have the right to family reunification. This right will only apply to spouses, cohabiting partners and children under the age of 18. Reunification of spouses and cohabiting partners applies to both different-sex and same-sex couples. Child refugees will have the right to be reunified with their parents.

Family member immigration will be subject to a maintenance requirement, which will be broadened to include a requirement that the sponsor must be able to support family members who come to Sweden. At present, the only requirement is that sponsors can support themselves.

The maintenance requirement does not apply when the sponsor is a refugee or a person eligible for subsidiary protection and the relative applies for a residence permit within the first three months after the person eligible for protection has been granted a residence permit. Nor will the maintenance requirement apply if the sponsor is a child, or if the relative has applied for a residence permit by the date on which the act enters into force.

This means that the current exception to the maintenance requirement for family member immigration for Swedish citizens, citizens of other EEA states or Switzerland, and those who have lived in Sweden for more than four years, will be abolished.

10b. Do families need visas for family-reunifications?

No answer

10c. What are the visa regulations for family-reunifications?

No answer

11. Could you inform us about the number of evictions activities?

Evictions in 2015: 14047

Evictions in 2016: 20142

Evictions in 2017: 13212

11a. Who decides to pursue an eviction?

☒ Other Swedish Migration Agency or the Police

12. How does your country deal with unaccompanied minors?

a guardian or representative All unaccompanied minors in Sweden are appointed a guardian ad litem.

the right to accommodation in a dedicated home or in a foster family For unaccompanied minors there are there principal options of accommodation (and care):

a) Formal foster care family homes (familjehem). These are private homes certified to receive minors on behalf of municipal social services. Caregivers are not professionals.

b) Residential care homes for children and young persons [Hem för vård och boende, HVB]. These are operated by municipalities or by private actors (following procurement). They are staffed by professionals.

c) Supported accommodation (Stödboende) was introduced in 2016. Supported accommodation is intended for 16 to 20 year olds who are not in need of the level of care provided in formal foster care family homes or residential care homes for children and young persons. Children aged 16 to 17 years of age are only exceptionally placed in such supported accommodation.

child-specific social, economic and educational rights All children and young adults have the same right to attend school and preschool as other children living in Sweden. The municipality where the children live is responsible for making it possible for them to go to school like the other children and young adults in the municipality. This concerns preschool, compulsory school, and secondary school. To be able to attend upper secondary school young adults seeking asylum must begin their studies before they turn 18.

Children seeking asylum have the right to the same health care and dental

care as other children living in Sweden. Dental care is free of charge for those under 18 years of age. In most county councils or regions, health care for children is free as well.

12a. Do you have special programs for family unification / resettlement / return?

- ☒ Yes Depending on the circumstances of the case, family reunification in Sweden is possible. Unaccompanied minors with refugee status have the right to family reunification in Sweden. According to the Ordinance (1994:361) on reception of asylum-seekers and others the Swedish Migration Board shall make efforts to locate family members of unaccompanied minors as soon as possible. Hence, the Board works actively to trace the minor's parents or other guardians. The best interest of the child shall always be taken into account. Family tracing is usually carried out through dialogue with the competent authorities and NGOs in the country of origin. Article 10 of the Return Directive has been transposed into national legislation in Sweden. This means that an unaccompanied minor cannot be returned unless they are received by a family member, a nominated guardian or an appropriate reception facility in the country of return. Sweden is a member of the ERIN- cooperation programme which offers reintegration support for people who have had their asylum application refused and have to return home. The Migration Agency also provides financial support to people returning to a country where establishment is difficult due to severe conflicts. The re-establishment support is equivalent to SEK 30,000 for each person over the age of 18, and SEK 15,000 for children under the age of 18. A family can receive a maximum of SEK 75,000.

12b. Is there a continued support upon turning 18 (reaching legal age)?

- ☒ Yes According to Swedish law a person becomes an adult when he or she turns 18. This means that the person is no longer a child. The asylum seeking child will, in advance, during a "turning 18 meeting" receive information about what will happen when he or she turns 18 and becomes an adult. The person will henceforth be handled according to the rules that apply to adult asylum seekers. Accommodation and care is no longer the responsibility of the social services and if the person needs help with accommodation he or she can stay at one of the Migration Agency's accommodation centres. However, the social services can in some situations offer accommodation and care until the person turns 21 (particularly in situations where there are special needs). The municipalities have received temporary additional state funding for being able to continue offering accommodation and care to a larger number of persons (former unaccompanied minors) who have turned 18, but the practices among municipalities differ.

12c. Are there procedures to identify ostensible minors?

- ☒ Yes Yes, the Swedish Alien's Act enables the Swedish Migration Agency to assess the age of a

minor at the outset of the asylum procedure (legislative changes entered into force in Sweden on 1 May 2017, before the changes the assessment was made at the end of the procedure in connection with the asylum decision). If there are reasons to doubt whether or not the unaccompanied minor is under the age of 18, the Migration Agency will assess and make a formal temporary decision on the matter. Before the Agency takes the temporary decision, the applicant will be provided with the possibility to undergo a voluntary medical age assessment. The temporary decision can be appealed to the Migration Court.

12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?

☒ Yes

12e. Please provide examples for regional programs or best practice examples?

All children in Sweden, including migrant (including undocumented) children, have, by law, equal rights to education as children residing in Sweden. This means that children shall be given, substantially, the same rights to education in preschool, elementary school and equivalent types of schools and secondary school and special secondary school, as children residing in the country. These children are also entitled to school transportation.

13. Please state - if possible - the average monthly costs:

per asylum seeker	22700
-------------------	-------

per minor	88800
-----------	-------

Currency	SEK
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14. Please indicate how your country / region organises accommodation:

for asylum seekers	The Swedish Migration Agency offers a temporary accommodation for asylum seekers waiting for a decision.
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for refugees	1. For former asylum seekers that have received a residence permit the municipalities have a responsibility to find housing if the person cannot find accommodation him- or herself. The former asylum seeker can also apply for help with housing costs from the municipalities.
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for minors	The municipalities are responsible for accommodation for unaccompanied minors.
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15a. How is the involvement of volunteers organized ?

- ☒ Other Involvement of volunteers is organized both through civil society projects such as mentor programs and through the business sector as well as the municipalities. The government gives some support to volunteer initiatives, but civil society, businesses and private individuals take a large responsibility without getting state support.

15b. How ist the financial support of volunteers organized?

1. Involvement of volunteers is organized both through civil society projects such as mentor programs and through the business sector as well as the municipalities. The government gives some support to volunteer initiatives, but civil society, businesses and private individuals take a large responsibility without getting state support.

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Administrator, BPSC Migration and Integration - 2018

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