



EMN Ad-Hoc Query on Ad Hoc Query regarding statistical data of the Ukrainian citizens

Requested by Joanna SOSNOWSKA on 25th July 2017

Residence

Responses from Croatia, Czech Republic, Germany, Italy, Lithuania, Luxembourg, Portugal, Slovak Republic (8 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

Background information:

On June 11, 2017 the visa-free regime comes into effect for Ukrainians travelling to the EU. This new regime allows Ukrainians holding biometric passports visa-free short-term travel to EU member states and the Schengen Area for purposes other than work. They can spend 90 days in a 180-day period there, excluding travel to the UK and Ireland.

The visa-free regime will affect only holders of Ukrainian biometric passports– those who will not need visas. It does not mean that all Ukrainians will go to Europe and go work there. There are limitations, particularly on the time spent in the EU– 90 days in a six-month period. Ukrainians cannot stay indefinitely in the Schengen Area. Also, it does not give Ukrainians an automatic right to work. Ukrainians will need another visa for working in the EU.

However the abolition of short-stay visas to the entire Schengen area may consequently lead to the reorientation of some Ukrainian migrants from Poland to other EU countries. It can be expected that the possibility of lawful short-term stay without a visa in these countries may also result in greater interest in taking up work by Ukrainians.

In view of the above Office for Foreigners together with the Polish Centre for Eastern Studies (an independent public research institution monitoring the events and analysing the socio-political and economic processes taking place in Russia, Germany, Ukraine, Belarus, the Baltic states, Visegrad Group states, the Balkan states and Turkey) would like to prepare an Expertise on the consequences of the introduction of the visa-free regime of the Ukrainian citizens for the EU Member States and associated countries. In order to prepare good evaluation we need good statistical data regarding Ukrainian citizens. As soon as the above mentioned expertise is ready we'll share it with countries concerned.



It would therefore be highly welcome to receive feedback from Member States mentioned below within the stipulated deadline.


Questions


1. Please do insert your statistical data to the Excel file.
2. We would like to receive an explanation of definitions what kind of residence permits are given in a country for workers/family reunification/ethnic reasons that Ukrainian citizens can participate?
3. Are there any specific programmes for workers/family reunification/ethnic reasons that Ukrainian citizens can participate?



Responses


	Country	Wider Dissemination	Response
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	Croatia	Yes	<p>1. Please refer to the attached excel file.</p> <p>2. Ukrainian citizens may reside in the Republic Croatia on short-term residence (90 days in any 180 day period), and temporary residence (1 year validity) can be issued for the purpose of work, family reunification or humanitarian reasons.</p> <p>3. The Operational Programme for Human Resources 2014-2020 identified an Investment priorities: 9i - Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employ-ability, and 10iii - Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences. Under those priorities labour market access will be promoted through provision of financial support to projects providing services for enhancing activation and employability of particular vulnerable groups, including migrants on the local level. Such services include specialised tailor-made training, on-the-job training, awareness raising activities, social inclusion workshops. Moreover, the development and implementation of adult education programmes for migrants is foreseen. The projects planned to be implemented under the European Social Fund.</p>
	Czech Republic	Yes	<p>1. See the file attached.</p> <p>2. Employees are admitted on the basis of an Employee Card (national long-term residence permit) or a Blue Card. Entrepreneurs are granted long-term visas for the purpose of business. After expiration of validity period of a visa, they may extend their stay by applying for a long-term residence permit. Family members are given long-term residence permit for the purpose of family reunification OR a national long-term visa for the family purpose. If they do not meet the criteria set by the Directive 2003/86/EC, they can ONLY apply for a national long-term visa. Later, they may switch their status to family reunification (if meeting required conditions), OR maintain their “non-directive” status. Students are granted long-term residence permit for the purpose of study OR a national long-term visa. If they do not meet the criteria set by the Directive 2004/114/ES, they can ONLY apply for national long-term visa for the purpose of study and subsequently extend their stay by applying for a long-term residence permit. If third-country</p>

			<p>nationals are involved in educational activities which do not meet the legal definition of “study” at all, they can only apply for a long-term visa for “other purposes”. In statistics which we provide in the Excel file, category “others” cover this type of migrants as well as those who are admitted for purposes of medical treatment, cultural or sport activities etc.</p> <p>3. The Czech Republic has launched 2 immigration projects exclusively for Ukrainian labour migrants. These are called “Ukraine Project” (for highly skilled workers) and “Ukraine System” (for medium and low-skilled workers). Their participants have guaranteed access to the Czech embassies in order to submit their applications for an Employee / Blue Card. Moreover, Ukrainians can participate in immigration projects for intra-corporate transferees called “Fast Track” and “Welcome Package for Investors”. Participants are granted visas / residence permits within only 30 days. More information in English: http://www.czechinvest.org/en/visa-projects Ukrainian students who are scholarship beneficiaries may participate in a similar fast-track immigration project for students called “Accelerated procedure for granting residence permits to foreign students from the third countries”.</p>
	Germany	Yes	<p>1. See the attached Excel file. Remark: for additional data see ESTAT database: http://ec.europa.eu/eurostat/data/database The groups in the spreadsheets have been defined according to the following residence statuses. Subsidiary protection: Residence permit (RP) pursuant to Section 25 (2) of the Residence Act (subsidiary protection granted) Refugee status: All RPs issued under international law or on humanitarian or political grounds, excluding Section 25 (2) of the Residence Act (subsidiary protection) Family: All RPs issued on family-related grounds Education and study: All RPs issued for the purposes of education Remunerated activities: All RPs issued for the purposes of gainful employment Other reasons: Preliminary residence permit, residence title following entry into the federal territory with visa pursuant to Section 18c of the Residence Act, suspension of deportation, EU residence rights, settlement permit, legal status, requirement for a residence title waived, no right of residence</p> <p>2. A national visa is initially required in order to enter the federal territory for the above-stated purposes. Following entry, the local foreigner’s authority issues a temporary residence permit in response to a corresponding application. This permit can be extended (subject to the fulfilment of</p>

			<p>further requirements) and after five years it can be replaced by a permanent settlement permit or an EU long-term residence permit. These are the same residence titles as apply for all third-country nationals.</p> <p>3. No.</p>
	Italy	Yes	<p>1. Please, see data provided on Eurostat database – section Population and Social Condition – Asylum and Managed Migration. We point out that 2017 data is not yet available.</p> <p>2. Italy grants different residence permits for workers, family reunification and ethnic reasons open to any foreign national participation, including Ukrainian citizens: 1) As regards workers, two different residence permits for work reasons can be granted: • Employment residence permit is granted to workers that are dependent on an employer, working directly with the employer’s family or business/enterprise. The release is subjected to the possession of an entry visa for work reasons as a result of green light to recruitment or course of working activities. This type of residence permit is also granted in case of conversion from study to work (generally), from minors to work, to internship (as part of the decree for entry flows planning for foreign citizens); • Self-employment residence permit is granted to people who carry out lawful profitable business, exploiting knowledge or talents without being subordinated to any other person. This residence permit also allows the exercise of subordinate work, after informing the competent authorities. This type of residence permit is also granted in case of conversion from study/internship to work (as part of the decree for entry flows planning for foreign citizens). 2) The residence permit for family reunification is granted with the aim of keeping the unity of migrants’ families. Any foreign national entitled of a residence permit can request family reunification for: • spouse of age not legally estranged; • minor unmarried children (even of the spouse or born out of marriage), provided that the other parent, if any, has given his / her consensus; • dependent children of age , who are unable to provide for their own needs due to total disability; • dependent parents, if they do not have other children in their country of origin, or parents over 65, if other children cannot keep them for serious documented health reasons. 3) If foreign nationals are victim of persecution for ethnic reasons, they may be granted a residence permit for subsidiary protection whose status is granted to third country nationals or stateless people who does not have the requirements for</p>

			<p>being recognized as refugees but in respect of which there are well-founded grounds to believe that if they return to their country of origin or, in the case of a stateless person, formerly habitual residence, they would have real risk of suffering serious injury or they do not want to rely on the protection of that country.</p> <p>3. No. Ukrainian are allowed to apply for any kind of permit of stay as any other Third Countries citizen</p>
	Lithuania	Yes	<p>1. Data available in Eurostat.</p> <p>2. Lithuania issues residence permits on the grounds specified in the Law. There are no residence permits particularly issued to Ukrainian citizens. General rules apply.</p> <p>3. Lithuanian has a special programme for Lithuanian citizens and foreigners of Lithuanian descent, who live in the Ukrainian Autonomous Republic of Crimea, Sevastopol city, Donetsk and Luhansk areas to help them and their family members to resettle to Lithuania. Lithuanian descent or retention of Lithuanian citizenship is the basis for obtaining a residence permit in Lithuania. A person of Lithuanian descent or an alien who has retained the right to Lithuanian citizenship may be issued a temporary and permanent residence permit.</p>
	Luxembourg	Yes	<p>1. See document attached.</p> <p>2. Any Ukrainian national can apply for the following authorisation of stay if s/he fulfils the conditions of entry and stay established by article 34 of the amended Law of 29 August 2008 on free movement of persons and immigration and of the following categories: 1. Salaried workers 2. EU Blue Card (highly qualified worker) 3. Seasonal workers 4. ICT (intercorporate transferee) 5. Posted worker 6. Independent worker 7. Investors 8. Trainee 9. Au-pair 10. Student 11. Researcher 12. Family reunification 13. Private reasons There is no authorisation of stay based on ethnic reasons.</p> <p>3. No.</p>

	Portugal	Yes	<p>1. Please note that statistical data inserted are referred to flow data (granting of resident permits) and not stock data.</p> <p>2. N/A.</p> <p>3. N/A.</p>
	Slovak Republic	Yes	<p>1. See the attached file. Please note that some age categories were changed according to the way they are collected in the Slovak Republic.</p> <p>2. Ukrainian nationals may apply for any type of residence permit stipulated by the national legislation. Neither any special procedures, nor special residence permits apply. However, applications for residence permit have to be lodged in their country of residence.</p> <p>3. No.</p>