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4.14.2.3 Residence permits

Developments were underway in Sweden and Norway to shift towards shorter, more temporary first permits and increasing criteria for obtaining long-term residence permits. Administrative hurdles and delays persisted, for example in Cyprus and Greece. Several countries automatically extended the validity of residence permits for third-country nationals in general and for beneficiaries of international protection, for example France,[1022] Poland[1023] and Portugal.[1024]

The Maltese International Protection Agency dealt with the extension of permits through e-mail.[1025] Civil society organisations noted that they remained responsive and informed other authorities about the different entitlements to clarify any doubts about the validity of extensions.[1026] However, this system seemed to have remained challenging for beneficiaries who do not speak English or do not have access to the Internet.[1027]

The Swedish Cross-Party Committee of Inquiry on Migration submitted its report on a sustainable long-term migration policy, proposing several changes to the Aliens Act. This would include, for example, that beneficiaries of international protection would first get a temporary residence permit.[1028] In the meantime, the Swedish Migration Agency published a legal position on the examination of the right to a permanent residence permit under the Temporary Act for beneficiaries of international protection who are able to financially maintain themselves[1029] and another legal position on the conditions and processes for granting a longer residence permit for persons who were given a temporary residence for upper secondary studies after having applied for asylum or whose removal decision could not be enforced because of an impediment.[1030] The latter is especially important for unaccompanied minors close to the age of majority and the agency confirmed that their residence permit may be extended if they find full-time employment within 6 months after completing their studies. Civil society organisations noted how difficult this may be, especially due to the pandemic.[1031]

Persons granted protection in Norway may obtain a long-term residence permit after 5 years, instead of the previous 3 years, following legislative amendments that entered into force in December 2020.[1032] The language knowledge requirement for naturalisation was increased from A2 to B1 level.

Civil society organisations in Greece observed significant delays in the issuance of residence permits for beneficiaries of international protection, especially in the area of Athens and Thessaloniki.[1033] DRC Greece noted additional delays as many beneficiaries' personal details were incorrectly registered by the asylum authority and they had to first request that the errors were rectified before they could proceed with the residence permit request. The Greek Council

for Refugees observed issues when children arrived through the family reunification procedure, but once they turned 21 years, their permits were no longer renewed.[1034] Similar challenges persisted in Cyprus, where family members of beneficiaries of international protection could still not obtain a residence permit and, thus, had no access to rights.[1035]

[1022] Projet de loi nº 2958 ratifiant l'ordonnance n° 2020-328 du 25 mars 2020 portant prolongation de la durée de validité des documents de séjour [Draft Law No 2958 ratifying Order No 2020-328 of 25 March 2020 extending the period of validity of residence documents]. https://www.assemblee-nationale.fr/dyn/15/textes/l15b2958_projet-loi

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[1024] Decreto-Lei n.º 87-A/2020 de 15 de outubro [Law-Decree 87-A/2020 of 15 October 2020]. https://data.dre.pt/eli/dec-lei/87-A/2020/10/15/p/dre

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