

## 4.14.2.3. Residence permits and travel documents

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Member States must issue a residence permit to beneficiaries of international protection: refugees should receive a permit for at least 3 years which is renewable and beneficiaries of subsidiary protection should receive a permit for at least 1 year which is renewable. Refugees are entitled to travel documents as foreseen in the Geneva Convention, while beneficiaries of subsidiary protection may receive the national passport of their host country, under specific conditions.

Sweden shifted towards shorter, more temporary first permits after adopting proposals from 2020.<sup>[1102](#)</sup> The legislation on travel bans was extended in Switzerland. A brief issue arose in Belgium, where, due to the high number of decisions recognising refugee status in October and November 2021, the CGRS had a temporary backlog in issuing refugee certificates,<sup>[1103](#)</sup> necessary to obtain the residence permit from the municipality. This was resolved by the beginning of 2022.

A bill adopted in Sweden made all new residence permits temporary, with the exception of resettled refugees. Permanent residence can be obtained after a minimum of 3 years in the country, and as a general rule, adults applying have to be able to support themselves and their dependant relatives and have decent housing.<sup>[1104](#)</sup> The changes were adopted even though during the legislative process several actors warned against the risk of a negative impact on integration.<sup>[1105](#)</sup> For example, a survey report in the frames of the RESPOND project presented the migration and integration experiences of Syrians in Sweden and found that their legal status seemed to have an impact on their mental health, and those with temporary permits were more likely to declare poor mental health.<sup>[1106](#)</sup>

Law No 4825/2021 made minor adjustments to the provisions on the residence permit of beneficiaries of international protection and their family members in Greece and adjusted some of the provisions related to the delivery of travel documents to beneficiaries of international protection.<sup>[1107](#)</sup> Refugee Support Aegean and ProAsyl observed that beneficiaries of international protection still faced administrative challenges to obtain official documentation, including the residence permit which is a prerequisite to obtain a social security number and social benefits. Due to a continuing backlog in issuing residence permits by the police, the organisations observed that several applicants had to wait months to obtain the permit.<sup>[1108](#)</sup> This was particularly difficult for beneficiaries who travelled on to another country in the EU and needed to return to Greece.<sup>[1109](#)</sup> The Mobile Info Team observed cases when the residence permit was delivered only after 16 months.<sup>[1110](#)</sup> The organisation also witnessed several cases when beneficiaries of international protection

who were recognised in Germany and travelled to Greece for family reasons had to wait several months to receive a visa to re-enter Germany, during which period they were left without any protection.<sup>1111</sup>

A Royal Decree facilitated the process of granting residence and work permits for unaccompanied children in Spain. The length of the initial permit was increased from 1 to 2 years, and the renewal period will be 3 years. Children aged 16 will be entitled to work based on this residence permit. For children reaching the age of majority, integration, studies and training are considered as valid grounds for extending and transferring their permit to another title.<sup>1112</sup>

The AIDA report for Romania noted that beneficiaries need to have a rental contract to be issued a residence permit, while many of them face difficulties in finding an apartment.<sup>1113</sup>

Third-country nationals, including beneficiaries of international protection, who would like to obtain a long-term permanent residence after 5 years of continuous residence in Czechia must take a Czech language exam at A2 level instead of A1 since September 2021.<sup>1114</sup> Those who are issued a long-term residence permit must complete within a year a 4-hour integration course on their rights and obligations, fundamental values, everyday life, culture and traditions.<sup>1116</sup> On the path toward long-term permanent residence, the Czech Supreme Court [concluded](#) that stateless persons do not have to be granted the same type of residence permit and rights as available for refugees (*see Section 4.13*).

Regarding the travel of beneficiaries of international protection, the Swiss parliament approved amendments to the Swiss Federal Act on Foreigners and Integration which imposed a general travel ban on persons with temporary admission entering into force later in 2022.<sup>1116</sup> The possibility has existed since 2020 to pronounce a general travel ban for a group of refugees from a certain country of origin, and the amendments from 2021 build on this to align the legislation on refugees and persons with temporary protection.<sup>1117</sup> Persons travelling back to their country of origin would automatically have their status revoked.

UNHCR found that the new measures disproportionately limit the freedom of movement and the right to family life<sup>1118</sup> and proposed a compromise allowing for travel to other Schengen countries under certain conditions.<sup>1119</sup> The organisation also noted that the National Council (lower house of the parliament) initially proposed certain exceptions, for example travelling for sports and cultural events or for visiting family members.<sup>1120</sup> However, none of these proposed exceptions were included in the final version of the law. The Swiss Refugee Council described in detail the practical barriers in obtaining the permits and documents necessary within this new legal framework to exceptionally travel.<sup>1121</sup>

<sup>1102</sup> See: European Union Agency for Asylum. (2021). EASO Asylum Report 2021: Annual Report on the Situation of Asylum in the European Union. <https://euaa.europa.eu/easo-asylum-report-2021>

<sup>1103</sup> Office of the Commissioner General for Refugees and Stateless Persons | Commissariaatgeneraal voor de vluchtelingen en de staatlozen | Commissariat Général aux Réfugiés et aux Apatrides. (2021, December 22). Issuing refugee certificates. <https://www.cgrs.be/en/news/issuing-refugee-certificates>

<sup>1104</sup> European Website on Integration. (2021, June 22). Sweden: Revised Aliens Act adopted by Parliament. [https://ec.europa.eu/migrant-integration/news/sweden-revised-aliens-act-adopted-parliament\\_en](https://ec.europa.eu/migrant-integration/news/sweden-revised-aliens-act-adopted-parliament_en)

<sup>1105</sup> See: European Union Agency for Asylum. (2021). EASO Asylum Report 2021: Annual Report on the Situation of Asylum in the European Union. <https://euaa.europa.eu/easo-asylum-report-2021>

<sup>1106</sup> Cetrez, Ö., Maluk, A., & Rajon, M. A. (2021, March). Syrian Migrants in Sweden – A Survey on Experiences of Migration and Integration. Global Migration: Consequences and Responses. [https://www.academia.edu/45678879/Syrian\\_Migrants\\_in\\_Sweden\\_A\\_Survey\\_on\\_Experiences\\_of\\_Migration\\_and\\_I](https://www.academia.edu/45678879/Syrian_Migrants_in_Sweden_A_Survey_on_Experiences_of_Migration_and_I)

<sup>1107</sup> N???? ?? ?????. 4825 ?????????? ?????????? ?????????? ??? ?????????? ?????????? ??????, ?????????? ?????????? ??? ?????????? ?????????, ?????????? ?????????? ??? ?????????? ?????????? ??????????

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[1108](#) Refugee Support Aegean (RSA) and Foundation PRO ASYL. (2021). Beneficiaries of international protection in Greece: Access to documents and socio-economic rights. [https://rsaegean.org/wp-content/uploads/2021/03/2021-02\\_RSA\\_BIP-1.pdf](https://rsaegean.org/wp-content/uploads/2021/03/2021-02_RSA_BIP-1.pdf)

[1109](#) Refugee Support Aegean (RSA) and Foundation PRO ASYL. (2021). Beneficiaries of international protection in Greece: Access to documents and socio-economic rights. [https://rsaegean.org/wp-content/uploads/2021/03/2021-02\\_RSA\\_BIP-1.pdf](https://rsaegean.org/wp-content/uploads/2021/03/2021-02_RSA_BIP-1.pdf)

[1110](#) Mobile Info Team. (2022). Input to the Asylum Report 2022. [https://euaa.europa.eu/sites/default/files/2022-03/mobile\\_info\\_team.pdf](https://euaa.europa.eu/sites/default/files/2022-03/mobile_info_team.pdf)

[1111](#) Mobile Info Team. (2022). Input to the Asylum Report 2022. [https://euaa.europa.eu/sites/default/files/2022-03/mobile\\_info\\_team.pdf](https://euaa.europa.eu/sites/default/files/2022-03/mobile_info_team.pdf)

[1112](#) Real Decreto 903/2021, de 19 de octubre, por el que se modifica el Reglamento de la Ley Orgánica 4/2000, sobre derechos y libertades de los extranjeros en España y su integración social, tras su reforma por Ley Orgánica 2/2009, aprobado por el Real Decreto 557/2011, de 20 de abril [Royal Decree 903/2021 of 19 October amending the Regulation of Organic Law 4/2000 on the rights and freedoms of foreign nationals in Spain and their social integration, following its amendment by Organic Law 2/2009, approved by Royal Decree 557/2011 of 20 April], October 19, 2021. <https://boe.es/boe/dias/2021/10/20/pdfs/BOE-A-2021-17048.pdf>; Council of Ministers | Consejo de Ministros. (2021, October 19). Referencia del Consejo de Ministros [Reference of the Council of Ministers]. <https://www.lamoncloa.gob.es/consejodeministros/referencias/Paginas/2021/refc20211019.aspx>; Ministry for Inclusion, Social Security and Migrations | Ministerio de Inclusión, Seguridad Social y Migraciones. (2021, October 19). El Gobierno aprueba la reforma del Reglamento de Extranjería para favorecer la integración de menores extranjeros y jóvenes extutelados [Government approves the reform of the Aliens Regulation to promote the integration of foreign minors and young people away from guardianship]. <https://prensa.inclusion.gob.es/WebPrensaInclusion/noticias/inmigracionemigracion/detalle/4121>

[1113](#) European Council on Refugees and Exiles. (2022). Input to the Asylum Report 2022. [https://euaa.europa.eu/sites/default/files/2022-03/European\\_Council\\_on\\_Refugees\\_and\\_Exiles\\_ECRE.docx](https://euaa.europa.eu/sites/default/files/2022-03/European_Council_on_Refugees_and_Exiles_ECRE.docx)

[1114](#) European Website on Integration. (2021, April 16). Czech Republic: Intensification of language exam for permanent residence. [https://ec.europa.eu/migrant-integration/news/czech-republic-intensification-language-exam-permanent-residence\\_en](https://ec.europa.eu/migrant-integration/news/czech-republic-intensification-language-exam-permanent-residence_en)

[1116](#) Loi fédérale sur les étrangers et l'intégration (LEI) (Restriction des voyages à l'étranger et modification du statut de l'admission à titre provisoire), FF 2021 2999 [Federal Law on Foreigners and Integration (LEI) (Restriction of travel abroad and amendment of the provisional admission status), FF 2021 2999]. <https://www.fedlex.admin.ch/eli/fga/2021/2999/fr>

[1117](#) European Union Agency for Asylum. (2021). EASO Asylum Report 2021: Annual Report on the Situation of Asylum in the European Union. <https://euaa.europa.eu/easo-asylum-report-2021>

[1118](#) United Nations High Commissioner for Refugees. (2021, December 6). Le HCR déplore l'interdiction stricte de voyager pour les personnes admises à titre provisoire [UNHCR deplores the strict travel ban for persons admitted on a provisional basis]. <https://www.unhcr.org/dach/ch-fr/71845-le-hcr-deplores-linterdiction-strict-de-voyager-pour-les-personnes-admises-a-titre-provisoire.html>

[1119](https://www.unhcr.org/dach/ch-fr/59595-interdiction-generale-voyage-personnes-admises-provisoirement-non.html) United Nations High Commissioner for Refugees. (2021, February 3). Pas d'interdiction générale de voyager pour les personnes admises provisoirement [No general travel ban for persons admitted temporarily]. <https://www.unhcr.org/dach/ch-fr/59595-interdiction-generale-voyage-personnes-admises-provisoirement-non.html>

[1120](https://www.unhcr.org/dach/ch-fr/71845-le-hcr-deploire-linterdiction-strict-de-voyager-pour-les-personnes-admises-a-titre-provisoire.html) United Nations High Commissioner for Refugees. (2021, December 6). Le HCR déplore l'interdiction stricte de voyager pour les personnes admises à titre provisoire [UNHCR deplores the strict travel ban for persons admitted on a provisional basis]. <https://www.unhcr.org/dach/ch-fr/71845-le-hcr-deploire-linterdiction-strict-de-voyager-pour-les-personnes-admises-a-titre-provisoire.html>

[1121](https://euaa.europa.eu/sites/default/files/2022-03/swiss_refugee_council.pdf) Swiss Refugee Council | Schweizerische Flüchtlingshilfe | Organisation suisse d'aide aux réfugiés. (2022). Input to the Asylum Report 2022. [https://euaa.europa.eu/sites/default/files/2022-03/swiss\\_refugee\\_council.pdf](https://euaa.europa.eu/sites/default/files/2022-03/swiss_refugee_council.pdf)

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