



Ad-Hoc Query on Applications of Ukraine nationals for other types of protection than international/subsidiary

Requested by CZ NCP on 17th June 2014

Compilation produced on 11th August 2014

Responses from [Austria](#), [Czech Republic](#), [Estonia](#), [Hungary](#), [Italy](#), [Latvia](#), [Lithuania](#), [Slovak Republic](#), [Sweden](#) (9 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.

1. Background Information

In order to meet urgent need to inform policymakers on current development in status of Ukrainian immigrants in the EU, we would like to ask selected member states the following questions:









1. Do Member States monitor higher number of applications for alternatives to international protection, such as tolerated stay visa applications as regards the Ukrainian citizens coming from Luhansk or Donetsk regions? That is from the regions where armed clashes take place.
2. How do Member States process applications of persons coming from these regions?

Given the urgency of the information need we would very much appreciate your answers by **2nd July**. We are sorry for the short deadline.

EMN Ad-Hoc Query: Issuing an Entry Ban for a Person Residing Abroad


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2. Responses

		Wider Dissemination?	
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Czech Republic	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Estonia	Yes	<ol style="list-style-type: none"> 1. No 2. As altogether Estonia has had 10 Ukrainian applicants in 2014 (half year), then the process is the same as the process of persons who are from other countries and regions. For comparison in 2013 there wasn't applicants from Ukraine.
	Hungary	Yes	Ukrainian citizens coming from Luhansk or Donetsk have not yet submitted visa application in Hungary till now.
	Italy	Yes	From January to June 2014, Italy did not record an increase in the number of asylum/entry applications submitted by Ukrainian citizens. To date visa applications have been processed following regular procedures and no change has been planned.
	Latvia	Yes	<ol style="list-style-type: none"> 1. Latvia's legislation does not support documented tolerated-stay. However interest from Ukrainian citizens on extension of their legal stay in Latvia has slightly increased. Taking into account current situation long-term visa for 6 months may be issued on case by case basis. 2. Applications of persons coming from Luhansk or Donetsk regions are processed in ordinary procedure as it is relatively fast in Latvia –one or two working days.
	Lithuania	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Slovak Republic	Yes	<ol style="list-style-type: none"> 1. According to the Bureau of the Border and Alien Police of the Slovak Republic, the above mentioned persons would not be granted tolerated stay. Tolerated stay is not considered by the national law as a form of international protection. There is no "alternative to international protection" stipulated by the law in the Slovak Republic. These persons would belong in the scope of the Migration Office of the Ministry of Interior of the Slovak Republic. As stated by the Migration Office, Slovak Republic has not experienced higher number of application for (alternatives to) international protection. 2. Each application is considered by the Migration Office on individual basis and the outcome depends on the grounds stated in the application.

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	Sweden	Yes	<ol style="list-style-type: none"> 1. In Sweden it is not possible to apply for tolerated stay visas – third-country nationals either apply for asylum or for a residence permit on other grounds (such as studies, work, family reunification etc.). A form of tolerated stay is only used for persons who are rejected but who cannot be removed. It cannot be applied for before or upon entry. 2. If a person from these regions applies for asylum there will be, as for all other applicants, an individual assesment of the asylum case. So far this year (until the 18 June 2014) 300 Ukrainian nationals have applied for asylum in Sweden. During the same time period 106 asylum cases have been decided resulting in that 22 persons were granted asylum (29 were rejected and 29 were Dublin-cases). We are watching the situation in Ukraine closely and their is a general legal statement saying that there is a severe conflict in the Luhansk and Donetsk regions but that in most cases their should be a possibility for people to live in other parts of the country instead as internal refugees – but as mentioned above there is always an individual assesment of the case.
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