

Denmark makes tougher demands on refugees who request permanent residence permits than do Germany, Norway and the Netherlands

Denmark has altered the conditions for refugees to be granted permanent residence permits a number of times since 2002. Even though other countries have introduced more stringent requirements in the wake of the refugee crisis in 2015, Denmark makes even tougher demands with regard to length of time spent in the country, language skills and ability to support oneself than Norway, the Netherlands and Germany do.

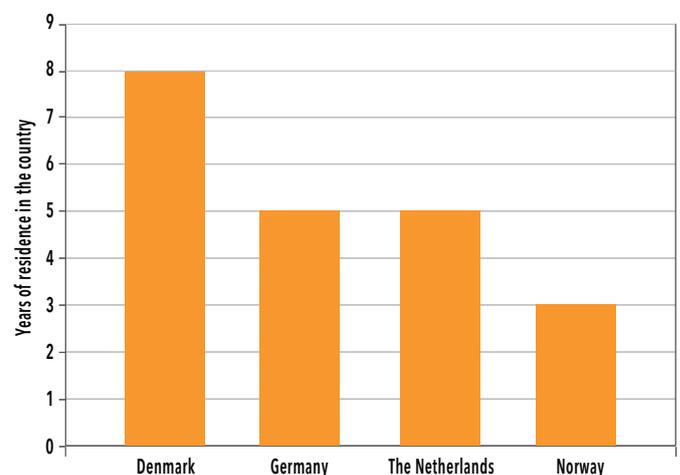
In many Western countries, asylum seekers who are granted refugee status are given temporary residence permits. The main aim is to give the refugees protection, and the temporary residence permits can usually be extended on expiry if a return to the home country would be unsafe. In consequence, refugees often remain in their new host country for many years, uncertain as to their chances of ever getting back to their countries of origin.

The ROCKWOOL Foundation Research Unit has compared the changes in the requirements for refugees to obtain permanent residence permits in Denmark, Norway, the Netherlands and Germany. All these countries initially issue temporary residence permits to refugees.

Denmark is alone in increasing the length of stay required for a permanent residence permit

Since 2003, most European countries have been bound by the directives of the EU Commission on legal rights for individuals who have resided for a protracted period in an EU member state. EU law stipulates that individuals who have held a temporary residence permit for a long period should be able to apply for permanent residence after a maximum of five years in the country concerned. This applies in most European countries, including Germany and the Netherlands, both of which introduced this principle before the EU directive was

Figure 1. Requirements for period of residence before obtaining a permanent residence permit, 2018



Source: The ROCKWOOL Foundation Research Unit, based on information from the MIPEX database and national websites.

issued. In Norway, refugees are required to have been resident in the country for three years before applying for permanent residence.

Denmark is at present exempt from complying with the EU regulations in question because of the country's various opt-outs, and was thus able in 2002 to increase the required period of residence from three to seven years. In 2010 the period required was reduced to four years, but it was raised again to five years in 2012; today it is eight years. Figure 1 shows the requirements for period of residence in the four countries in 2018.

All four countries have raised their language proficiency requirements

It is often important for immigrants to be proficient in the national language in order to be able to conduct themselves adequately in their new country. Consequently, language instruction has long been an integra-

Table 1. Levels of language proficiency required to obtain a permanent residence permit, 2018

	Denmark	Germany	The Netherlands	Norway
Language level required	Independent language user (B1)	Basic language user (A2)	Basic language user (A2)	Basic language user (A1/A2)

Note: Levels as defined by the CEFR scale are given in parentheses. The levels shown are minimum requirements, depending on other factors. Source: The ROCKWOOL Foundation Research Unit, based on information from the MIPEX database and national websites.

ted element in the immigrant reception programmes of many countries.

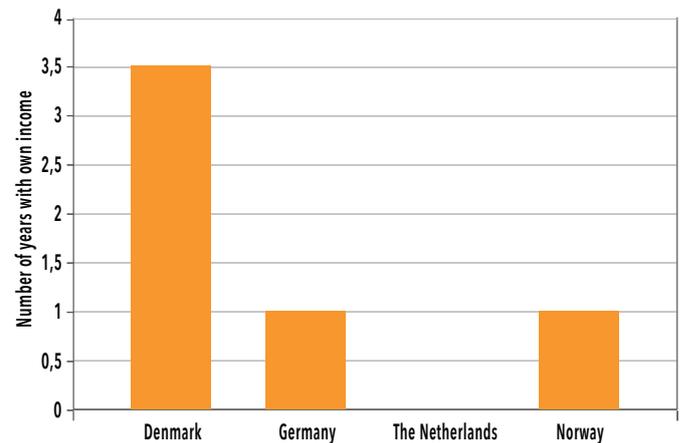
In the period since 2000, all four countries considered here have introduced a requirement that refugees should pass a language proficiency test in order to obtain a permanent residence permit. Denmark was the first of the four to do so, in 2002, followed by the Netherlands and Norway, while Germany did not introduce such a requirement for refugees until 2016. The language tests are usually constructed as pass/fail exams, as recommended by the EU Commission in 2001. Norway, the Netherlands and Germany use a test at basic user level, as defined by European guidelines; this is lower than the level required in Denmark, where the requirement is to pass the Danish 2 examination, representing the proficiency of an independent language user. From 2002 to 2010 and from 2012 to 2015 the requirement in Denmark was to pass Danish 1, which represents basic user level.

The current language proficiency requirements for obtaining permanent residence are shown in Table 1.

Only the Netherlands does not require refugees to be self-supporting

Over and above the formal requirements regarding period of residence and language proficiency, a number of other conditions are applied. For example, refugees will not be given a permanent residence permit in any of the four countries if they are adjudged to represent a threat to national security, or if they have been found guilty of a serious crime. In addition, three of the countries currently make requirements concerning refugees' ability to support themselves.

From 2003 onwards, refugees in Denmark could obtain permanent residence after only five years, instead of seven, if they had been in paid employment for three years at the time they made their application. From 2007 onwards, employment became a condition for any refugee to obtain permanent residence; specifically, they had to have at least 2½ years of employment at the time of application. This requirement has been adjusted several times since, and today the stipulation is for 3½ years of employment during the previous

Figure 2. Requirements concerning number of years of own income to obtain permanent residence, 2018

Note: The German requirement is more loosely formulated, but typically documentation of one year's income is demanded. The Danish requirement may be for 4½ years, depending on other factors. The Norwegian requirement can also be fulfilled by having been resident as a student for one year. Source: The ROCKWOOL Foundation Research Unit, based on information from the MIPEX database and national websites.

four years. From August 2016 onwards, Germany has applied a similarly mandatory but more loosely formulated requirement of refugees seeking permanent residence, in that they have to demonstrate an adequate and stable income, with health insurance and a pension scheme. Norway also introduced a requirement of this kind in 2017, demanding that refugees should have been self-supporting for at least a year. The Netherlands is the only country that makes no such demand on refugees wishing to obtain permanent residence.

The current conditions for obtaining permanent residence related to the number of years of employment or other income are shown in Figure 2.

Denmark is the strictest country in its requirements for integration by refugees, and in requiring municipal authorities to support this integration

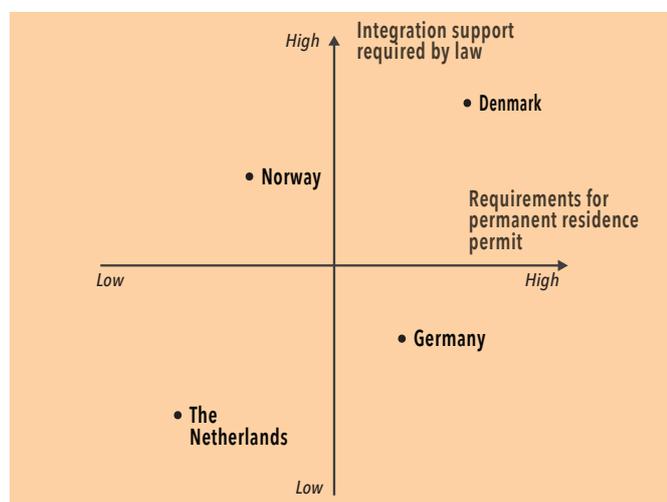
While many countries make conditions in terms of language proficiency and employment for obtaining permanent residence, these demands have not been paralleled by developments in providing support for integration. Denmark is, perhaps, an exception in this regard.

The most significant tightening of the requirements for obtaining permanent residence in recent years has been in terms of more stringent demands regarding language proficiency and ability to be self-supporting. The ROCKWOOL Foundation Research Unit has investigated whether the statutory support provided for achieving these goals has matched the increased demands made of refugees in Denmark, Germany, the Netherlands and Norway.

All four countries have introduced legislation in the past 20 years that provides support for the integration of refugees and of their relatives arriving in the country for family reunification. In the Netherlands and Denmark such legislation was passed in 1998 and 1999 respectively, providing for comprehensive programmes that emphasised free language classes, teaching about society, and help in finding employment. Norway introduced a similar integration programme in 2003, with the free language classes being made compulsory in 2005. In the same year Germany introduced a programme offering optional participation in free courses in German language and society.

Refugees in the Netherlands have been responsible for their own integration from 2007 onward, and since 2013 they have been required to arrange and pay for their language courses. While Norway and Denmark have explicitly emphasised support for employment in their integration policies, refugees in the Netherlands and Germany have only received standard support in finding employment. The local labour market organisations in all the countries have been allowed plenty of scope in their implementation of employment policies. However, this situation was changed in Denmark in

Figure 3. Rank order of countries with respect to requirements for obtaining permanent residence and to legal requirements for support for integration, 2018



Source: The ROCKWOOL Foundation Research Unit, based on information from the MIPEX database and national websites.

2016, with municipal involvement in finding employment for immigrants becoming more strictly regulated, and thus a greater degree of support being required of the authorities.

Denmark may apply the toughest conditions for obtaining permanent residence, but it also operates the most comprehensive legally regulated support system for the integration of refugees, closely followed by Norway. The Netherlands represents the opposite extreme, with more relaxed requirements, but less support. Germany lies in between. Figure 3 is a graphical representation of this situation, with a rank ordering of the requirements for obtaining permanent residence in the four countries compared with the legal requirements for the provision of support for integration. Whether or not the support provided through integration policies is adequate to help refugees attain the goals set is another question, and one that is not examined here.

Background

The ROCKWOOL Foundation report on which this newsletter is based, and which provides a survey of the changes in legislation, is entitled “Integration and permanent residence policies – a comparative pilot study”. It is available here. <https://www.rockwoolfonden.dk/publikationer/integration-and-permanent-residence-policies-a-comparative-pilot-study>

The primary sources for the report are the MIPEX database and national lists of Acts of Parliament and overviews. The MIPEX database is available here. <http://www.mipex.eu>. The relevant national overviews and lists of Acts of Parliament are:

Norway

<https://www.regjeringen.no/no/dokumenter/ot-prp-nr-28-2002-2003-/id171771/sec21>.

<https://www.udi.no/en/important-messages/new-requirements-for-those-who-are-applying-for-permanent-residence-permit/>

The Netherlands

<http://wetten.overheid.nl/BWBR0009544/2005-01-01>

<https://ind.nl/en/permanent-residence/Pages/permanent-residence-after-5-years.aspx>

Germany

https://www.gesetze-im-internet.de/aufenthg_2004/

Denmark

<https://www.retsinformation.dk/forms/R0710.aspx?id=194003>

<https://www.retsinformation.dk/forms/R0710.aspx?id=193999>

PUBLICATION BEHIND THE STUDY

JACOB NIELSEN ARENDT. 2018.

INTEGRATION AND PERMANENT RESIDENCE POLICIES
- A COMPARATIVE PILOT STUDY.

STUDY PAPER NO. 130
THE ROCKWOOL FOUNDATION RESEARCH UNIT

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