

ECRE KOSOVO/KOSOVA Returns survey

	Forms of protection granted and rights attached	Duration of residence permit	Deadline for withdrawal of Temporary Protection and measures upon expiry of TP	Refugee recognition rates / Access to asylum procedure prior to return ?	Exploratory visits ?	Number of permanent returnees
AUSTRIA	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation ▶ Restricted residence permit with right to work. No right to family reunification 	<ul style="list-style-type: none"> ▶ From arrival of refugees under HEP until 31 December 1999 ▶ From December 1999 until withdrawal of TP 	<ul style="list-style-type: none"> ▶ 31 March 2000 ▶ No decision as yet 	<ul style="list-style-type: none"> ▶ Nearly 100% (April-June 1999) No figures available since ▶ Yes 	<ul style="list-style-type: none"> ▶ No 	<ul style="list-style-type: none"> ▶ About 3,300 persons ▶ Out of 5,000-6,000 evacuees. 6,719 applications for asylum from FRY in 1999
DENMARK	<ul style="list-style-type: none"> ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work and right to family reunification 	<ul style="list-style-type: none"> ▶ 6 months renewable 	<ul style="list-style-type: none"> ▶ Within a maximum of 2 years, but may be withdrawn before ▶ Upon expiry access will be given to asylum procedure 	<ul style="list-style-type: none"> ▶ The majority of spontaneous arrivals from Autumn 1998 to March 1999 were granted refugee status. No firm caselaw available since ▶ Yes 	<ul style="list-style-type: none"> ▶ Only one No further visits planned 	<ul style="list-style-type: none"> ▶ 1,256 persons out of which 1,220 under TP and 36 asylum-seekers who withdrew their applications
FINLAND	<ul style="list-style-type: none"> ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work and right to family reunification 	<ul style="list-style-type: none"> ▶ 11 months 	<ul style="list-style-type: none"> ▶ No deadline ▶ Upon expiry access will be given to asylum procedure 	<ul style="list-style-type: none"> ▶ 50% granted residence permits based on the need for protection 	<ul style="list-style-type: none"> ▶ No 	<ul style="list-style-type: none"> ▶ 400 persons ▶ out of 1032 evacuees and 130 asylum applicants
FRANCE	<ul style="list-style-type: none"> ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work. Family reunification on a case-by-case basis 	<ul style="list-style-type: none"> ▶ spontaneous arrivals : 3 months renewable every six months ▶ HEP : 6 months renewable 	<ul style="list-style-type: none"> ▶ No deadline ▶ Upon expiry access will be given to asylum procedure or permanent resident permit will be issued 	<ul style="list-style-type: none"> ▶ 1,779 asylum applications from FRY between January and September 1999. No figures available since ▶ Yes 	<ul style="list-style-type: none"> ▶ Yes 813 visits as yet 	<ul style="list-style-type: none"> ▶ 2,547 persons

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GERMANY	<ul style="list-style-type: none"> ▶ <i>Duldung</i> (toleration status) ▶ Temporary protection as a specific emergency measure (7%) ▶ Residence permit with/without right to work. No right to family reunification 	▶ 3 months renewable	<ul style="list-style-type: none"> ▶ Between 31 March and 30 April 2000 ▶ Upon expiry <i>Duldung</i> will be given. Forcible returns will eventually take place 	<ul style="list-style-type: none"> ▶ Under 1% ▶ Yes 	▶ Yes	<ul style="list-style-type: none"> ▶ Under 10% ▶ Of 250,000 refugees
IRELAND* * HEP only	<ul style="list-style-type: none"> ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work and right to family reunification 	▶ 12 months renewable	<ul style="list-style-type: none"> ▶ No deadline ▶ No decision as yet 	<ul style="list-style-type: none"> ▶ No figures available ▶ No decision as yet other than right to apply to remain 	▶ Yes	<ul style="list-style-type: none"> ▶ 210 persons ▶ out of 1,031 evacuees
ITALY	<ul style="list-style-type: none"> ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work and right to family reunification after six months ▶ Right to study and access to health care 	▶ Until withdrawal of TP	<ul style="list-style-type: none"> ▶ 31 December 1999 ▶ Upon expiry TP extended for 6 months ▶ Assisted repatriation program 	<ul style="list-style-type: none"> ▶ Very low (no figures available) ▶ Yes 	▶ Unknown	▶ No figures available

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LUXEMBOURG* * The vast majority of asylum-seekers from Kosovo in Luxembourg are Muslim Slavs	<ul style="list-style-type: none"> ▶ <i>Tolerance</i> (Toleration status) ▶ Residence "registration" with right to work. The right to family reunification is not automatic 	▶ 6 months renewable until 15 June 2000	<ul style="list-style-type: none"> ▶ No written information. An oral invitation to return by summer has been issued for evacuees and rejected asylum-seekers ▶ Promotion of voluntary return 	<ul style="list-style-type: none"> ▶ Very low ▶ Yes. Most have already applied. Many cases are currently put on hold because of a coming change in the asylum procedure 	▶ No	▶ About 200 persons
THE NETHERLANDS	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation ▶ Residence status for humanitarian reasons on individual grounds ▶ Residence permit with limited right to work. No right to family reunification 	▶ 12 months, not renewable since July 1999	<ul style="list-style-type: none"> ▶ TP ends after 12 months ▶ Kosovans under TP have access to asylum procedure 	<ul style="list-style-type: none"> ▶ No figures available ▶ Yes 	▶ No	▶ No figures available
NORWAY	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation ▶ Temporary permit with right to work and right to family reunification ▶ Right to social assistance 	▶ 12 months, not renewable	<ul style="list-style-type: none"> ▶ TP ends after 12 months ▶ Upon expiry access will be given to asylum procedure 	<ul style="list-style-type: none"> ▶ 0% ▶ Yes 	▶ Yes	<ul style="list-style-type: none"> ▶ 3,620 ▶ Out of 7,700-7,800 under TP (6,070 evacuees)

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PORTUGAL	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation ▶ Residence permit with right to work and right to family reunification after 12 months 	▶ 6 months renewable	<ul style="list-style-type: none"> ▶ No deadline ▶ No decision as yet 	<ul style="list-style-type: none"> ▶ 0% ▶ No 	▶ No	▶ 1,037 persons
SPAIN	<ul style="list-style-type: none"> ▶ residence permit for displaced persons accepted in Spain ▶ Residence permit with right to work 	▶ 12 months renewable	▶ Information not available	<ul style="list-style-type: none"> ▶ 0% ▶ Yes 	▶ No	<ul style="list-style-type: none"> ▶ 1,055 persons ▶ Out of 1450 under TP
SWEDEN	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation ▶ Residence permit with right to work and right to family reunification (for nuclear families only) 	▶ 11 months, not renewable	<ul style="list-style-type: none"> ▶ 30 April 2000 ▶ Upon expiry access will be given to asylum procedure 	<ul style="list-style-type: none"> ▶ No figures available. Minorities (e.g. Roma are presently granted Refugee Status) ▶ Yes 	▶ Yes	<ul style="list-style-type: none"> ▶ About 1,500 ▶ Out of 3,800 evacuees

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SWITZERLAND	<ul style="list-style-type: none"> ▶ Pre-existing Temporary Protection status in national legislation, i.e. collective temporary protection ▶ Residence permit without right to work. No right to family reunification 	<ul style="list-style-type: none"> ▶ TP ended in August 1999 	<ul style="list-style-type: none"> ▶ Deadline for return : 31 May 2000 ▶ Upon expiry temporary status will be given until 31 May 2000, on a case-by-case basis ▶ Resettlement in a third country, or forcible return will eventually take place 	<ul style="list-style-type: none"> ▶ 1.2% ▶ Yes 	<ul style="list-style-type: none"> ▶ No 	<ul style="list-style-type: none"> ▶ About 16,000 persons ▶ Out of 28,913 refugees from FRY
UNITED KINGDOM	<ul style="list-style-type: none"> ▶ Exceptional leave to remain ▶ Temporary protection as a specific emergency measure ▶ Residence permit with right to work. Right to family reunification ended September 1999 	<ul style="list-style-type: none"> ▶ 12 months not renewable, unless exceptional compassionate circumstances 	<ul style="list-style-type: none"> ▶ TP ends 12 months after arrival in the UK ▶ Upon expiry access will be given to asylum procedure ▶ Forcible return will eventually take place. However at present all returns are on a voluntary basis 	<ul style="list-style-type: none"> ▶ Information not available ▶ Yes 	<ul style="list-style-type: none"> ▶ Yes 	<ul style="list-style-type: none"> ▶ 1,388 persons (HEP :1,092) ▶ Out of 4,346 evacuees