



AD HOC QUERY ON 2020.14 Knowledge of language as condition for issuance residence permit

Requested by Sabina HROVATIN on 10 March 2020

Compilation produced on 8 July 2020

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Sweden (18 in Total)

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1. Background information

The Ministry of the Interior is considering revising some parts of conditions regarding issuance of residence permits, especially in case of issuing permanent residence permit. The Ministry of the Interior is reflecting on a new development of the language conditions policy and would like to obtain information from other Member States on their measures regarding possible existing language conditions and courses.

So far knowledge of Slovenia is not a condition for issuance (permanent/temporary/first) residence permit.

Due to the urgent need of the Migration Office in order to feed into an analysis on this topic, we would be grateful to receive your responses as soon as possible.

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2. Questions

- 1. Does a third-country national have to meet language requirements to settle in your country?**
- 2. Could you please provide information, if the knowledge of national language is an obligatory condition for issuing the first residence permit, the renewal of residence permit or issuing the permanent residence permit in your country?**
- 3. If so, what level of the Common European Framework of Reference for Languages (CEFR) is required? How it is assessed?**
- 4. Who provides and finances languages courses?**
- 5. Is the issuance of a certificate part of the language course or person need to take a special language exam? Who covers the costs?**

We would very much appreciate your responses by **10 April 2020**.

3. Responses

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		Wider Dissemination ²	
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	<p>EMN NCP Austria</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. In Austria, knowledge of the German language is obligatory for being issued certain residence permits in order to settle. In general, third-country nationals are expected to already have knowledge of the German language at level A1 of the CEFRL upon arrival in Austria (Art. 21a Settlement and Residence Act and Art. 9b Regulation on the Implementation of the Settlement and Residence Act; AHQ 2019.15). 2. Being granted a residence permit for the first time is often conditional upon achieving a certain amount of points within the points-based immigration system. Knowledge of the German language delivers such points and is considered an important element. After being issued the residence permit for the first time, third-country nationals are obliged to acquire German language skills at level A2 of the CEFRL as well as knowledge of the fundamental values of the legal and social systems of the Republic of Austria within two years of the first time they were granted a residence permit (the so-called "Integration agreement", Art. 9 Integration Act). Knowledge of the German language at level B1 is obligatory for being issued a permanent residence permit (Art 45 para 1 subpara 2 Settlement and Residence Act and Art 7 para 2 subpara 2 and Art 10 Integration Act). 3. See Q1 and Q2. The language skills at level A2 and B1 are assessed and proven by an examination ("integration audit"; Art. 11 and 12 Integration Act). 4. Course providers are certified by the Austrian Integration Fund (Art. 16b para 1 Integration Act). The attendance of language courses is not mandatory. It is optional to attend integration courses, which are offered by certified course providers (AHQ 2019.15). In certain cases, the costs of these courses may be (partly) reimbursed by the federal government. 5. Third-country nationals need to take an exam administered by the Austrian Integration Fund. Passing the exam is proof of having fulfilled the legal requirements stipulated in the Integration Act (Art 9 para 4 subpara 1 and Art 10 para 2 subpara 1 Settlement and Residence Act). The costs are born by the
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
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			candidate.
	EMN NCP Belgium	Yes	<p>1. No.</p> <p>2. In Belgium, the issuance and renewal of residence permits is a competence of the federal government, while integration (including language courses) is a competence of the communities. There are no formal language requirements for the issuance of first residence permits or permanent residence permits.</p> <p>After having obtained a first residence permit, certain categories of foreign nationals need to participate in mandatory integration programmes, including language classes, at the level of one of the communities (Flemish, French or German-speaking Community). Participation in these classes is not a residence requirement, but an obligation imposed by the communities in the context of their integration policies. If a foreign national fails to comply with this obligation, the competent community may impose an administrative fine.</p> <p>Since 2017, the Immigration Office may decide to end the residence of certain specific categories of foreign nationals if it established that a person did not make reasonable efforts to integrate in society after the first year of legal stay in Belgium (for instance at the time of renewal of a residence permit). To assess these integration efforts, the Immigration Office takes into account, inter alia, the attendance of integration courses, professional and/or educational activities, language knowledge and participation in associations (Art. 1/2 Immigration Act, available in French at http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1980121530&table_name=loi).</p> <p>3. As mentioned above, there are no formal language requirements for the issuance of first residence permits or permanent residence permits.</p> <p>In general, foreign nationals who are obliged to participate in language classes in the Flemish, French or German-speaking Community need to attain level A2 of the CEFR. If a foreign national fails to comply with this obligation, the competent community may impose an administrative fine.</p> <p>At the time of renewal of certain residence permits, the attendance of integration classes and the</p>


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			<p>language knowledge of the applicant may be taken into account, but there are no clear-cut language levels to be reached in this case.</p> <p>4. Language courses are provided by a variety of local actors and are financed by the communities.</p> <p>5. Certificates are issued in the context of the mandatory integration programmes.</p>
	EMN NCP Bulgaria	Yes	<p>1. In Bulgaria there is no requirement to speak Bulgarian when granting the right of residence.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>
	EMN NCP Croatia	Yes	<p>1. Yes when applying for long-term residence status based on previous residence of 5 years.</p> <p>2. Yes when applying for long-term residence status based on previous residence of 5 years.</p> <p>3.</p> <p>The test in the knowledge of the Croatian language and Latin script may be organized by higher</p>


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			<p>education institutions, secondary school institutions and adult education institutions holding Croatian language courses on the basis of an approval of the line ministry for education. Criteria applied are in line with Ordinance on taking exams of knowledge of the Croatian language and latinic script during the procedure of authorization of permanent residence (OG, 121/12), and an applicant shall be considered to have passed the exam if he has obtained at least 60% of the points in writing and if he/she has been positively assessed on the oral part of the exam. The Croatian knowledge examination program for non-native speakers is at B1 level.</p> <p>The list of institutions that provide test of knowledge of Croatian language and Latin script can be found here: https://mup.gov.hr/pristup-informacijama-16/najcesca-pitanja-219/stranci-281595/281595</p> <p>4. Aliens pay themselves for language courses.</p> <p>5. Test of the knowledge of the Croatian language and Latin script is to be provided under criteria applied are in line with Ordinance on taking exams of knowledge of the Croatian language and latinic script during the procedure of authorization of permanent residence (OG, 121/12).</p> <p>Aliens pay themselves for language exam.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. For domestic workers - Basic knowledge of Greek or English language is required For longterm residence permits (EU Directive) - Knowledge of Greek language is required For any other type of residence permit, there is no requirement for Greek or English language knowledge</p> <p>2. There is no additional requirement for the renewal of a residence permit.</p> <p>3. For domestic workers - The TCN can provide any kind of proof, like school certificate, which includes Greek or English in the curriculum, language certificate etc. No specific level of CEFR is determined. For longterm residence permits (EU Directive) - A2 level. There is specific exam held by Ministry of</p>


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			<p>Education, dedicated to TCNs.</p> <p>4. Language courses are provided by public and private institutions and some of them are financed by EU Funds.</p> <p>5. There is a specific exam, held by Ministry of Education. It costs 25,00 euros and the cost is covered by the TCN.</p>
	EMN NCP France	Yes	<p>1. NO however a TCN wishing to set up permanently in France has to sign a contract for Republican Integration which includes in particular French language courses.</p> <p>2. This not a requirement for the first residence permit. For renewal of residence permits, TCNs have to prove to they have respected the contract for Republican Integration (concluded for one year) and followed all required courses (French language, civic training, etc.) and respected the values of the French Republic. The objective is to reach level A1 of the CEFR. If this is the case, they can be issued with a multi-year residence permit (valid from 2 to 4 years, depending on the situation). For permanent residence permit, which is issued after a ten year residence permit, the knowledge of the national language is verified for the issuance of the first ten year residence permit (level A2 of CEFR).</p> <p>3. Level A1 level is required after the one year contract for Republican Integration for renewal of residence permits by proving that the applicant followed the French language courses provided through the contract for Republican Integration. Level A2 level is required for a ten year residence permit : the applicant has to prove either a successful language test or obtain a diploma which proves the knowledge of French language at least equivalent to level A2 or which justifies that a course was followed in French.</p>


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			<p>4. French state</p> <p>5. The certificate is issued at the end of the French language courses provided and financed by the State through the contract for Republican Integration. No cost for TCNs.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. For certain purposes of residence, a knowledge of the German language is a pre-condition for initial issuance of the residence title. Such purposes include subsequent immigration of spouses or residence for the purpose of study or vocational training, for example. Due attendance of an integration course, in which the German language is taught, is a pre-condition for extension of the residence permit where an obligation to attend such a course has been stipulated on account of language deficiencies or shortcomings in the area of integration. Issuance of a permanent residence title is contingent on proof of proficiency in German.</p> <p>3. The required level of language proficiency differs according to purpose of residence and residence title, and ranges from a basic knowledge of the language through to a command of German, corresponding to levels A1 to C1 of the Common European Framework of Reference for Languages. Proof of language proficiency can be provided by means of corresponding certificates issued by certified providers of language courses.</p> <p>4. The Federal Office for Migration and Refugees administrates integration courses in cooperation with other authorities. These courses are held by private and public-sector providers. The aim of the integration course is to impart a basic understanding of German society (orientation course) and proficiency in the German language to level B1 in accordance with the Common European Framework of Reference for Languages. The Federal Office for Migration and Refugees finances the integration</p>



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			<p>course, but charges participants a fee covering 50% of costs. Recipients of social benefits can apply for exemption from the fee and flat-rate reimbursement of travel costs incurred to attend the course.</p> <p>5. The integration course concludes with a final examination comprising a scaled language test entitled "German test for immigrants", which assesses the examinee's language skills in the areas of listening, reading, writing and spoken German at levels A2 to B1 of the Common European Framework of Reference for Languages, and a scaled test entitled "Living in Germany", which assesses the examinee's basic knowledge of Germany. Examinees who pass the examination receive the "Zertifikat Integrationskurs" from the Federal Office for Migration and Refugees, while those who fail the examination receive written confirmation of their result. The costs are covered by the course fee.</p>
	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. No (except: Residence Permit for the Purpose of Traineeship; Residence Permit for the Purpose of Study - The applicant needs to prove the knowledge of the a language required for the study or the traineeship by a</p> <ul style="list-style-type: none"> · certificate in proof of language proficiency examination, · an official diploma in proof of studies in a foreign language, · other reliable means.) <p>2. Only for Residence Permit for the Purpose of Traineeship and Residence Permit for the Purpose of Study.</p> <p>3. No level is set by legislation.</p> <p>4. No courses are provided by the state.</p> <p>5. N/A</p>

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	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. Ireland does not have language requirements for issuance of a residence permit.</p> <p>2. N/a</p> <p>3. N/a</p> <p>4. N/a</p> <p>5. N/a</p>
	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. Yes.</p> <p>2. Foreign nationals are required to apply for residence permits within 8 working days of arrival. Those aged 16 or over entering Italy for the first time, who apply for a residence permit lasting for not less than one year, are required to sign an integration agreement with the Italian State (art. 4-bis of Law 286/1998 and Decree of President of Republic 179/2011), in order to achieve, in a mutual interest, an effective integration path.</p> <p>The foreign shall undertake to learn an adequate level of knowledge of Italian spoken language, a sufficient knowledge of fundamental principles of Italian Constitution, of civic culture and life in Italy (with particular reference to the areas of health, education, social services, work and tax liabilities) and, in case they occur, ensure the fulfilment of the educational obligations for the minors.</p> <p>If, after 2 years, a sufficient level of knowledge of Italian language (A2), culture e civil life has been achieved (equivalent to at least 30 credits), the agreement is successfully resolved with the issuing of</p>


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			<p>the certificate. On the contrary, if the number of credits is equal to or less than zero, the residence permit will be revoked or not renewed and the foreign will be forced to return, unless the residence permit had been issued for family or international protection grounds (art. 4 bis of law 286/1998 and Ministerial Circular n. 824/2014).</p> <p>The abovementioned agreement is also not applied to unaccompanied minors and victim of human trafficking, exploitation or violence.</p> <p>Moreover, for the issue of EU long-term residence permit, the legislation provides that the applicant has to pass Italian language test (art. 9 co. 2 bis law 286/1998 and Ministerial Decree 4 June 2010).</p> <p>3.</p> <p>According to law 179/2011 and consequent circulars emanated by Minister of Interior (like the one of 6 November 2012, 3 February 2014 or n. 824 of 10 February 2014), the level that has to be obtained is at least A2 (spoken language), according to EU common framework for knowledge of languages.</p> <p>4.</p> <p>The L2 Italian courses are offered at Provincial Centres of Adult Education concern A1 and A2 levels of the Common European Framework of Reference for Languages (CEFR). The "Guidelines for planning literacy and learning courses of the Italian language" drawn up by the Ministry of the Education, University and Research provides indications for developing the learning units. Courses are free and financed by Ministry of the Education, University and Research.</p> <p>Based on the assumption that a foreign student who underwent schooling in his country of origin generally employs 100 hours to acquire the skills foreseen for each of the initial levels of the Common European Framework of Reference for Languages (CEFR), the Guidelines foresee literacy courses of maximum 200 hours in total, to attain A2 level, divided as follows:</p> <ul style="list-style-type: none">-20 hours of welcoming and orientation;-180 hours of teaching activity. <p>The 180 hours of teaching activity are distributed as follows:</p> <ul style="list-style-type: none">-100 hours to attain A1 level which include: 20 hours of listening, 20 of reading, 20 hours of oral and
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			<p>written interaction, 20 hours of oral production and 20 hours of written production. The contents to attain A1 level concern basic knowledge, simple vocabulary and sentences referring to the person, his family and the environment.</p> <p>-80 hours to attain A2 level which include: 15 hours of listening, 15 of reading, 20 hours of oral and written interaction, 15 hours of oral production and 15 hours of written production. The contents to attain A2 level focus on expressions and sentences concerning contexts of social life, culture and work, in addition to expressions and sentences referring to the Italian Constitution, in particular work, rights and duties, organization and operation of public institutions.</p> <p>5. At the end of the course, after an assessment of the concepts learned, the Provincial Centre of Adult Education freely releases a level certification (A1 or A2 based on the course attended and level reached).</p>
	EMN NCP Latvia	Yes	<ol style="list-style-type: none"> 1. No, except if a permanent residence permit is required. 2. For a permanent residence permit. 3. A2 4. Private institutions (third-country nationals are financing these courses by themselves). Some possibilities are offered by NGO's and self-governments, in the framework of EU financed projects. 5. There is a special state language exam. Third-country national shall pay a state duty (14.23 EUR).


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	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. As a general rule, no, except as indicated in Q2. 2. The requirement to pass an examination in the State language (Lithuanian language) applies only to the issue of a long-term residence permit to reside in the European Union (where the third-country national has resided in Lithuania continuously for the last 5 years and held a temporary residence permit; or has resided in a Member State of the European Union for the last 5 years without interruption, of which at least 2 years in Lithuania and held a temporary residence permit issued for the purpose of highly skilled occupations). 3. A2 language proficiency level is required. A third-country national applying for a long-term residence permit to reside in the European Union shall take an examination in the State language. It consists of two parts: a test and an interview. Persons are examined and certified by the National Language Qualification Committees. 4. The State only provides support for the courses of third-country nationals who have been granted asylum in Lithuania. In other cases, third-country nationals study at their own expense. 5. Please see answers to Q3 and Q4.
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<ol style="list-style-type: none"> 1. No. 2. N/A. 3. N/A. 4. N/A. 5. N/A.

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	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. Yes, in general a third-country national has to meet language requirements to settle in The Netherlands. There are a few different situations in which this is the case:</p> <p>Civic integration examination abroad An obligation exists for some foreigners wishing to live/stay in the Netherlands. The TCN must take the exam if he/she wishes to live with his/her partner or spouse in the Netherlands. Also if the TCN is a spiritual counsellor, he/she has to take the exam. These rules can be found in the law titled the <i>Wet inburgering in het buitenland</i> ("Integration law for Immigrants to the Netherlands Abroad").</p> <p>The exam is a requirement to receive a temporary long stay residence permit (MVV) and is usually taken at a Dutch embassy. So before the TCN applies for the MVV, he/she must first take the civic integration examination abroad. This examination tests the Dutch language and knowledge of society. A foreign national must take the civic integration examination abroad if they are at least 18 years old. If the foreign national has reached the statutory pensionable age or is older, they need not take the examination. In some cases, a foreign national can be exempted on the basis of diplomas, certificates or other documents. The foreign national can also be eligible for an exemption if special individual circumstances such as age, level of education, financial situation or medical situation gives reason thereto.</p> <p>Integration obligation in the Netherlands If it concerns a third-country national who already has a residence permit, the Law on integration (<i>Wet inburgering</i>) obliges the TCN to learn Dutch and pass an exam within a few years of their arrival in the Netherlands.</p> <p>When a TCN has a residence permit, the person may be obligated to integrate. In order to show that he/she is sufficiently integrated, he/she has to obtain the civic integration diploma. The Education Executive Agency (DUO) ensures the implementation and enforcement of the Civic Integration Act. IF the TCN is subject to the integration requirement, DUO will send a letter telling the date on which the TCN has to start the integration. The TCN has 3 years to complete the civic integration. This is called the integration period. If it take longer than that, the TCN will have to pay a fine.</p> <p>Civic integration examination: condition for residence permit 'humanitarian non-temporary' and 'permanent stay' If the TCN applies for a permanent residence permit or for a temporary residence permit on non-temporary humanitarian grounds following a 5-year stay with a family member, he/she must have obtained the civic integration diploma.</p>
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			<p>There are exceptions for TCN who, for example, are physically or mentally not able to obtain the civic integration diploma. The Netherlands also has exceptions for people under the age of 18 and people over the legal pension age. Other exemptions include people who have obtained certain diplomas or have followed Dutch education for a longer period of time.</p> <p>Civic integration examination: condition for naturalization</p> <p>To become a Dutch citizen via naturalization, the TCN must also obtain the civic integration examination.</p> <p>There are exceptions for TCN who, for example, physically or mentally not able to obtain the civic integration diploma. Other exemptions include people who have obtained certain diplomas or have followed Dutch education for a longer period of time.</p> <p>Further information: https://www.inburgeren.nl/en/</p> <p>2. As described in question 1, in the Netherlands a TCN has to obtain the civic integration diploma if they apply for naturalization, a permanent residence permit or for a temporary residence permit on non-temporary humanitarian grounds following a 5-year stay with a family member.</p> <p>3. To pass the civic integration exam the TCN must at least reach level A2 reading, writing and listening in Dutch according to the Common European Framework of Reference for Languages (CEFR). Some course providers give the opportunity to the TCN to get more lessons and reach the B1 or B2 level in Dutch.</p> <p>The standardization of the reading, listening and speaking skills components of the civic integration examination abroad is related to one of the levels (A1) of the Common European Framework of Reference for Languages (CEFR)</p> <p>4. In the Netherlands the language courses and exams are provided by different schools and course providers out of which the TCN can choose. The TCN has to pay for the Integration course including the language courses themselves. There is a self-study pack available for the civic integration examination that the TCN can purchase to prepare for the exam. The TCN is not obligated to make use of the self-study pack.</p> <p>To help the TCN pay for the courses they can borrow money from the Education Executive Agency (DUO), but only for approved schools. These schools have the 'Blik op Werk' approval mark, which</p>
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			<p>gives the TCN certain advantages such as; they can borrow money from DUO to attend schools on this list, if the TCN has not finished integration in time they may get a lower fine or they may not be fined at all. If the TCN is an asylum migrant or is their partner, parent or child is an asylum migrant, they won't have to pay back the loan in certain situations. Such as; they obtain their diploma in time, they are awarded a full dispensation in time, they are awarded a full exemption in time.</p> <p>If the TCN has finished the integration course they have 10 years to pay back the loan. The payments start 6 months after finishing the course. The TCN can repay their loan in monthly instalments.</p> <p>Further Information: https://ind.nl/en/Pages/Integration-in-the-netherlands.aspx#Civic-integr... https://www.inburgeren.nl/en/</p> <p>5. For the payment of the civic integration exam and language exam the same conditions as described in question 4 apply. This means that the TCN is responsible for the payment themselves and can rake out a loan from DUO to ensure payment.</p> <p>Further Information: https://ind.nl/en/Pages/Integration-in-the-netherlands.aspx#Civic-integr... https://www.inburgeren.nl/en/</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. In order to receive a temporary residence permit or permanent resident permit there is no need for a foreigner to meet polish language requirement. Such requirement is needed in case of foreigners who want to apply for a long-term residence permit in the EU and for those who wish to obtain a polish citizenship.</p> <p>2. As indicated in answer to the 1 question the knowledge of national language is not an obligatory condition for obtaining any above mentioned kind of residence permit.</p> <p>3. N/A.</p>


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			<p>4. The Preparatory Course for Study in Polish Language provides and finances by the Polish National Agency for International Exchange under the supervision of Ministry of Science and Higher Education. These courses are dedicated to scholarship holders of scholarship programmes: https://nawa.gov.pl/en/students/foreign-students The commercial polish language courses are organised also by higher educational institutions or language schools.</p> <p>5. After finishing the Preparatory Course for Study in Polish scholarship holders need to take final exams and receive certificates. The costs are covered by the Polish National Agency for International Exchange. There are also the state exams in Polish as a foreign language. The state exams in Polish as a foreign language are conducted at levels A1 to C2. The certificate is obtained after passing the exam at the appropriate level. Knowledge of the Polish language must be confirmed by certificate level B1, which is the minimum required level in order to obtain a long-term resident's EU residence permit and Polish citizenship. You can take the exam in the following centers: http://www.bip.nauka.gov.pl/g2/oryginal/2020_04/4d285533784ef4d74ddc90e8c1e8d924.pdf More information about the exam can be found at: https://nawa.gov.pl/en/the-polish-language/certification</p>
	EMN NCP Portugal	Yes	<p>1. Yes.</p> <p>2. Yes if considering permanent residence permit/long term resident and to access nationality.</p>


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			<p>3. The PPT - Portuguese for All Program provides certified Portuguese training courses to the immigrant population, at no cost to participants. Knowledge of the Portuguese language will allow access to nationality, permanent residence permit and / or long-term resident status (with level A2 certificate). Technical Portuguese courses for the trade, hospitality, beauty care, building and civil engineering sectors will also enhance better access and integration into the labor market.</p> <p>4. The Program PPT – Portuguese for All – is an initiative that aims to develop portuguese language courses for foreigners and that certify the levels A2 – Elementary User; B2 – Independent User; and technical Portuguese targeted to the immigrant population. Co-financed by the European Social Fund (ESF) and managed by ACM, I.P. as an Intermediate Body of the Operational Programme Social Inclusion and Employment. The training courses are provided at schools.</p> <p>5. The issuance of a certificate is part of the language course. The costs are covered by the government.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. No. Knowledge of the Slovak language is required only in order to obtain Slovak citizenship.</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p> <p>5. N/A</p>

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	EMN NCP Sweden	Yes	<ol style="list-style-type: none">1. No2. No. Not applicable.3. Not applicable4. Everyone not having Swedish as their mother tongue is offered "Swedish for immigrants" through the municipality.5. Not applicable
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