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2026.25 EMN Cyprus AHQ: Removal of Third-Country Nationals from National Lists of Prohibited Persons (Stop List/entry ban list) on the Basis of Marriage to a EU Citizen

**European Migration Network
Ad-hoc query**

June, 2026

Ad-Hoc Query on 2026.25 EMN Cyprus AHQ: Removal of Third-Country Nationals from National Lists of Prohibited Persons (Stop List/entry ban list) on the Basis of Marriage to a EU Citizen

AD-HOC QUERY ON 2026.25 EMN CYPRUS AHQ: REMOVAL OF THIRD-COUNTRY NATIONALS FROM NATIONAL LISTS OF PROHIBITED PERSONS (STOP LIST/ENTRY BAN LIST) ON THE BASIS OF MARRIAGE TO A EU CITIZEN

REQUESTED BY EMN NCP LUXEMBOURG ON 24 APRIL 2026

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Responses from: EMN NCP Austria, EMN NCP Belgium, EMN NCP Bulgaria, EMN NCP Croatia, EMN NCP Cyprus, EMN NCP Czech Republic, EMN NCP Estonia, EMN NCP Germany, EMN NCP Greece, EMN NCP Hungary, EMN NCP Ireland, EMN NCP Italy, EMN NCP Latvia, EMN NCP Lithuania, EMN NCP Luxembourg, EMN NCP Netherlands, EMN NCP Poland, EMN NCP Slovakia, EMN NCP Slovenia, EMN NCP Spain, EMN NCP Sweden **(21 in total)**

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BACKGROUND INFORMATION

On behalf of EMN Cyprus:

In recent years in Cyprus, the Migration Department has observed a recurring pattern in which Cypriot and EU citizens contract

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marriages abroad with third-country nationals who had previously been designated as Prohibited Migrants by the competent authorities of the Republic of Cyprus and whose details are included in the national List of Prohibited Persons (Stop List or entry ban list).

In such cases, following the marriage, Cypriot citizens return to the Republic and submit applications to the Migration Department requesting the removal of their spouses' details from the List of Prohibited Persons, on the basis of proof of marriage. Such removal enables the re-entry and residence of the spouses within the territory of the Republic. In Cyprus, these cases are examined on a case-by-case basis, taking into account the particulars of each case.

In light of this phenomenon, the competent authorities of Cyprus wish to examine how other Member States address similar situations.

Note from the co-chair of the AHQWG: This ad-hoc query has to be addressed from the point of view of the removal of the entry ban based on if the marriage is a marriage of convenience or not and how the national immigration authority analyse the case.

WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:


We would very much appreciate your responses by **15 May 2026**.

1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?
2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.

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3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?
4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?
5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.
6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.

RESPONSES

		Unrestricted Dissemination ?	
	EMN NCP Austria	Yes	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No, marriage to an EU citizen does not in itself lead to the immediate lifting of an entry ban</p>


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			<p>previously imposed on a third-country national. The law only provides for the reduction or lifting of an entry ban following the submission of a relevant application if the third-country national has left the territory of the Member States in a timely manner and the reasons that led to the issuance of the entry ban have since ceased to exist.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>n/a</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>n/a</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public</p>
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			<p>order concerns, etc.)?</p> <p>See question 5.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>A return decision and the associated entry ban cease to apply upon the grant of a residence permit on the grounds of Article 8 of the European Convention on Human Rights (ECHR). In the procedure for granting this residence permit, all parameters of the applicant's private and family life are assessed and weighed against any conflicting public interests. In any event, the existence and the intensity of a relationship or marriage shall be taken into account when determining whether a family life exists. In the case of other national residence permits, an existing entry ban constitutes an obstacle to the grant of such a permit; consequently, a previously imposed entry ban would prevent the acquisition of a right of residence. A right of residence under EU law would likewise not exist if there were a threat to public order and security – this is the case if the reasons for the imposition of an entry ban still apply.</p> <p>---</p> <p>Source: Ministry of the Interior</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p>
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			<p>Third-country nationals residing in the country unlawfully regularly submit applications for the granting of a residence permit on the grounds of Article 8 of the European Convention on Human Rights (ECHR) (see Question 5), as these applications (for example, following the conclusion of asylum proceedings) represent the last opportunity to obtain a residence permit, and the authorities are required, within the framework of this procedure, to examine the applicant’s private and family life in detail. However, unlike the asylum procedure, such an application does not confer a right to remain and such applications cannot therefore be used to delay removal from the country. No accumulation of cases in connection with existing entry bans and subsequent marriages is known.</p> <p>---</p> <p>Source: Ministry of the Interior</p>
	<p>EMN NCP Belgium</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>NO. If the marriage has been recognized by the Belgian authorities (registration in the civil register), there are no explicitly foreseen exceptions in the Belgian legislation.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p>

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3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?

The proof of the registration of the marriage concluded abroad in the Belgian civil register.

4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?

Case by case assessment of the individual situation: we have to make the balance between the reason why someone has been given an entry ban and the fact that there is now a durable relationship / marriage with an citizen of a EU MS. In case of severe public order issues or national security issues, this would be a reason not to lift the entry ban and to refuse the request to stay / obtain a staying permit / obtain a family reunification visa. Of course a (non-suspensive) appeal is possible at the Council for Aliens' Law Litigation (CALL) against this refusal but also against the non-lifting of the entry ban.

5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.

Article 74/12 of the Immigration Law of 15/12/1980 :


§ 1. The Minister or his representative may lift or suspend the entry ban on humanitarian grounds.

Once two-thirds of the duration of the entry ban has elapsed, the third-country national may request a suspension or lifting of the entry ban for professional or educational reasons.


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			<p>Subject to the exceptions provided for in an international treaty, a law, or a royal decree, the third-country national shall submit the reasoned request to the Belgian diplomatic or consular mission competent for his or her place of residence or stay abroad.</p> <p>§ 2. A third-country national may submit to the Minister or his authorized representative an application for the lifting or suspension of the entry ban, justified by compliance with a previously issued removal order, provided he submits written proof that he has left Belgian territory in full compliance with the removal decision.</p> <p>§ 3. A decision regarding the application for the lifting or suspension of the entry ban shall be made no later than four months from the date of submission of the application. If no decision has been made within four months, the decision shall be deemed negative.</p> <p>§ 4. During the examination of the application for lifting or suspension, the third-country national concerned shall have no right of entry into or residence in the Kingdom.</p> <p>§ 5. The Minister may, by decision, define the categories of persons for whom the entry ban is lifted or suspended in the event of humanitarian disasters.</p> <p>§ 6. Where a third-country national is subject to an entry ban issued by another Member State and the Minister or his representative is considering issuing him a residence permit or another form of authorization to stay, he shall consult that Member State in advance to take its interests into account.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>Belgium has observed similar trends to those described in Cyprus. Belgium has, for example Albanian men who marry in their home country and adopt their wives' surnames to bypass SIS signaling.</p> <p>Fictitious names: An Albanian man BERISHA Erion will marry VANDENBOSSCHE Ann and</p>
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			<p>change his name to VANDENBOSSCHE Erion. As Erion VANDENBOSSCHE he will apply for a new passport.</p>
	<p>EMN NCP Bulgaria</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>-</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>-</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p>

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			<p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>The decision for inclusion in the national List of Prohibited Persons is not subject to appeal. However, the entry ban could be contested before the Administrative Courts. Generally, the public order and national security are considered interests that stand above personal interests, including above family life and interests associated with it.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No, we haven't.</p>
	<p>EMN NCP Croatia</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No</p>

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			<p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>n/a</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>n/a</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The main criteria taken into account by the Croatian authorities include in particular:</p> <ul style="list-style-type: none">• whether there is still a real, present and sufficiently serious threat to public order, public health or national security,• the personal conduct of the person to whom the measure applies,• the existence of a genuine and durable marital or family relationship with an EU citizen,• respect for the principle of proportionality and the right to family life,• the duration of residence in the Republic of Croatia, the degree of integration and personal and family circumstances,• the person's previous conduct and the possible risk of repeating the unlawful conduct.
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			<p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>Yes.</p> <p>The Croatian Aliens Act provides for the possibility of lifting and shortening the entry ban if the reasons for which the ban was imposed have ceased to exist (danger to public order, national security and public health or illegal stay) and for humanitarian reasons, reasons of national security or if it is in the interest of the Republic of Croatia.</p> <p>A proposal for lifting and shortening the entry ban may be submitted when half of the time of the entry ban has elapsed, and in any case when three years have elapsed from the start of the calculation of the entry ban.</p> <p>A third-country national who has been expelled solely for illegal residence in the Republic of Croatia may submit a proposal for the lifting and shortening of the entry ban when he or she leaves the EEA within the period for voluntary departure as determined by the return decision. If the third-country national is subsequently granted temporary residence, long-term residence, permanent residence or international protection, the expulsion decision (containing entry ban) shall be lifted by that approval or by a special decision.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No</p>
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	<p>EMN NCP Cyprus</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/A</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The main criteria applied by Cyprus for considering the lifting of an entry ban in the case of marriage with a Cypriot citizen include public order and public security concerns, as well as</p>
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			<p>the individual’s history of unlawful stay or immigration violations, including any previous abuse of the asylum procedure. The Cypriot authorities also consider any family circumstances, or other humanitarian considerations. These criteria ensure that each case is reviewed comprehensively, balancing the rights of the individual with the interests of public order and security.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>Yes. In practice, the lifting of an entry ban may still be possible under other applicable legal provisions. Specifically, the competent authority may exercise discretionary powers to revoke or lift an entry ban imposed on any individual. This discretion is typically applied on a case-by-case basis, taking into account the specific circumstances and any humanitarian or public interest considerations.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>Since there is no specific legislation that directly governs such cases, each situation is assessed on an individual basis, taking into account its particular facts and circumstances. As mentioned above, in practice, Cyprus follows a case-by-case approach, considering factors such the individual’s history of compliance with immigration laws and any potential threats to public order or security. Concerns related to unlawful stay or abuse of asylum procedures play a significant role in the decision. Additionally, family circumstances, including humanitarian factors are carefully evaluated. This approach allows the authorities to make balanced</p>
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			<p>decisions that respect the rights of individuals, while ensuring the integrity of Cyprus' immigration system.</p>
	<p>EMN NCP Czech Republic</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>NO Czech legislation does not provide for the automatic removal of third-country national from the national list of prohibited persons (ENO) solely based on a marriage to an EU citizen.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>Not applicable.</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>Not applicable.</p>

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			<p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>In general, the Czech authorities assess each application on a case-by-case basis. In doing so, they consider the nature and seriousness of the reasons that led to the imposition of the entry ban, the time elapsed since the decision, and the conduct of the third-country national. Furthermore, consideration is given to the existence of family ties (including marriage to an EU citizen), the genuineness and durability of the relationship, as well as public policy and security considerations. The principle of proportionality is also applied, notably considering the right to family life, together with all other relevant circumstances of the individual case.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>Yes</p> <p>An entry ban may be revoked, shortened, or waived upon application and following an assessment of all relevant circumstances. Such requests are always examined on an individual basis.</p> <p>This matter falls within the competence of the Police authorities. In certain cases, specified by law, the Police are also obliged to periodically review a foreign national's inclusion in the register of undesirable persons as part of their official duties.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases</p>
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			<p>in practice.</p> <p>Given that marriage in the Czech Republic does not automatically lead to removal from the register of undesirable persons, this type of misuse is not particularly common. Nevertheless, more generally, the Czech authorities consider the current legislative framework and case law concerning family members of EU citizens under Directive 2004/38/EC to be extensive and, in some respects, challenging in practice, potentially going beyond the original intent of the legislator. A significant proportion of misuse in the field of migration law is associated with (alleged) family members of EU citizens, while effective tools to address such situations remain limited.</p>
<p>EMN NCP Estonia</p>		<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p>

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			<p>N/A</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>A third-country national must prove that relationship was real and existed before marriage. Also, justification is needed, why it is not possible to live family life outside of Schengen area. The Police and Border Guard Board consider individual's history of unlawful stay, previous violations, including any previous abuse of the asylum procedure or other previous residence permits, possible threat to public order and security and humanitarian reasons. Each application for lifting an entry ban is reviewed case-by-case.</p> <p>We proceed from the principle that if the marriage was concluded at a time when an entry ban was in force for a TCN, the person had to consider the fact that family life would not be possible in the Schengen area while it was in force.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>According to national legislation, the Obligation to Leave and Prohibition on Entry Act § 32 (1), the Ministry of the Interior or an authorised governmental authority within the area of the government of the Ministry of Interior shall revoke the prohibition on entry or shorten the period of validity of the prohibition on entry at the justified request of the TCN or on the justified proposal of a governmental authority or a state agency administered by the</p>
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			<p>governmental authority at the request of the competent authority of a Member State of the Schengen Convention or the European Union, except Estonia, if the circumstances forming the basis for application of the prohibition on entry have changed or ceased to exist, as well as for humanitarian reasons if this does not pose a threat on national security or public order.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No.</p>
	<p>EMN NCP Germany</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>Yes, but the removal is subject to an assessment.</p> <p>Under German law, marriage to an EU citizen does not in itself lead to the automatic removal of an entry ban. However, it constitutes a significant factor in the assessment of whether an entry ban should be lifted or shortened.</p> <p>The relevant legal basis is § 11(4) of the Residence Act (AufenthG), which allows for the limitation or lifting of an entry ban upon application. While the law does not explicitly provide marriage to an EU citizen as a formal ground for exemption, such family ties must be taken into account within the proportionality assessment, particularly in light of:</p>

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			<p>Article 6 of the German Basic Law (protection of marriage and family), Article 7 of the Charter of Fundamental Rights of the European Union, Relevant case law of the Court of Justice of the European Union (CJEU)</p> <p>In general, an entry in national and EU databases listing third-country nationals subject to a refusal of entry or stay shall be deleted pursuant to Article 40 of Regulation (EU) 2018/1861 – the SIS Regulation – if the competent German administrative authority issues these third-country nationals with documents authorizing their stay. If there is no intention to establish residence in Germany, the issuing authority shall review a refusal of entry and residence pursuant to Article 26 of the SIS Regulation if the filing in the SIS or national databases.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>The procedure generally includes the following steps:</p> <ul style="list-style-type: none">- Submission of an application for lifting or shortening the entry ban pursuant to § 11(4) AufenthG;- Competence lies with the authority that imposed the entry ban;- Examination of the individual case, including: assessment of public security concerns, evaluation of family life and relationship with the EU citizen; Consideration of EU law where applicable (in particular where free movement rights are
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			<p>engaged);</p> <ul style="list-style-type: none">- Issuance of a discretionary decision subject to the principle of proportionality. <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>Applicants are typically required to submit:</p> <p>Valid marriage certificate (with legalization or apostille where applicable), Proof of EU citizenship of the spouse, Evidence of a genuine and subsisting relationship (e.g. cohabitation, communication), Registration certificates (if applicable), Criminal record extracts (for risk assessment), Statement of grounds for the application.</p> <p>Additional documentation may be requested in cases where a marriage of convenience is suspected.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The lifting of an entry ban is assessed on a case-by-case basis. Key criteria include:</p> <ul style="list-style-type: none">- Genuineness of the marriage
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			<p>Authorities assess whether the marriage is genuine or constitutes a marriage of convenience.</p> <ul style="list-style-type: none">- Public security and order considerations <p>Prior criminal conduct or grounds for expulsion under §§ 53 et seq. AufenthG are central.</p> <ul style="list-style-type: none">- Proportionality <p>The interference with family life must be proportionate, taking into account constitutional and EU law protections.</p> <ul style="list-style-type: none">- Strength of family ties <p>Duration of the relationship, actual cohabitation, and existence of children are relevant factors.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>As outlined in the answer to Q1: even if marriage is not explicitly regulated as a ground for lifting an entry ban, removal may still occur under § 11(4) AufenthG. The competent authority is required to exercise its discretion in line with higher-ranking law, including constitutional guarantees and EU law obligations.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases</p>
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			<p>in practice.</p> <p>German authorities have observed similar patterns to those described:</p> <p>Marriages concluded abroad following the imposition of an entry ban; Subsequent applications for lifting the ban based on family reunification.</p> <p>Administrative responses include:</p> <p>Increased scrutiny of potential marriages of convenience; Thorough case-by-case examination; Cooperation with civil registry offices and diplomatic missions.</p> <p>While such applications are not systematically rejected, authorities apply strict evidentiary standards and conduct detailed proportionality assessments.</p> <p>Conclusion</p> <p>In Germany, the lifting of entry bans in cases involving marriage to an EU citizen is not automatic but is regularly considered within a structured legal framework. Decisions are made on a case-by-case basis, balancing public security interests against the fundamental right to family life under both national and EU law.</p>
	<p>EMN NCP Greece</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p>


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			<p>NO. Under Greek law, marriage to an EU citizen does not automatically lead to the removal of a third-country national from the national entry ban list (National List of Undesirable Aliens). However, such a marriage may constitute a factor that justifies the re-examination of the entry ban. Greek legislation does not explicitly provide for automatic exemptions on this ground, but allows for lifting or suspending the entry ban following an individual assessment.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>-</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>-</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The assessment is conducted on a case-by-case basis, taking into account in particular: The genuineness and durability of the marital relationship (to exclude marriages of convenience). Considerations of public policy and public security. The reasons that led to the</p>
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			<p>initial imposition of the entry ban. The conduct of the third-country national. The right to family life, in line with EU law</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>YES. The lifting of an entry ban may still occur in practice under: Humanitarian grounds Family reunification considerations Administrative discretion of the competent authorities Compliance with EU law obligations, particularly regarding free movement and family life.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>YES. Greek authorities have observed similar patterns involving marriages between EU citizens and third-country nationals previously subject to entry bans. In practice, such cases are addressed through: Thorough examination to detect marriages of convenience Cross-checking of information and, where necessary, personal interviews Inter-agency cooperation (police, civil registries, consular authorities) Individualised assessment of each case Where abuse is identified, requests are rejected. Conversely, where a genuine family relationship is established and no public order concerns arise, lifting of the entry ban may be granted.</p>
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	<p>EMN NCP Hungary</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No. As we understand Q5, Q1 is to be understood as automatic removal, that is why our answer is no. As a general rule, entry bans may be lifted based on a decision taken in the discretionary power of the immigration authority but not automatically based on the mere fact of a marriage.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A.</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/A.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p>
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			<p>See our answer for Q5. The applicant shall attach the marriage certificate and the request for removal of the entry ban must be detailed. In the course of the investigation, the aliens policing authority is examining the marriage following the order of the return and the entry ban, where the TCN's right to private life enjoys a higher level of protection due to the marriage concluded than the objective sought by maintaining the entry ban.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>Yes. TCNs having Hungarian national family members do not fall under the scope of Act I of 2007 on the Admission and Residence of Persons with the Right of Free Movement and Residence (implemented based on Directive 2004/38/EC; hereinafter referred to as Act I of 2007), they fall under the scope of Act XC of 2023 on General Rules for the Admission and Right of Residence of Third-Country Nationals (implemented based on Directive 2008/115; hereinafter referred to as Act XC of 2023) instead. According to Article 126 of Act XC of 2023, (1) [t]he immigration authority may withdraw – upon request or on its own motion – the entry ban, or may reduce its duration, if: a) the entry ban was ordered in conjunction with return featuring the possibility of voluntary departure, and the third-country national affected is able to demonstrate that (s)he has fully complied with the return decision, or b) keeping the entry ban order in force is no longer justified due to considerable changes in the underlying circumstances. (2) Where the legal basis for ordering the return was not the threat to national security, public</p>
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			<p>security or public policy, the immigration authority may – ex officio – withdraw such return order and/or entry ban before the return executed, if:</p> <ul style="list-style-type: none">a) the return is not carried out within twenty-four months following the date when the return order became final and enforceable for reasons beyond the third-country national’s control, orb) after the return was ordered, there has been a significant change in the health or living conditions of the person concerned, as demonstrated by the third-country national. <p>(3) Where the return and/or the entry ban attached to the return shall be withdrawn by the immigration authority if:</p> <ul style="list-style-type: none">a) the person subject of the return decision was granted authorization to stay or refugee status, and/or temporary or subsidiary protection by decision of the Hungarian authorities after the return was ordered, orb) the threat to national security, public order, or public safety no longer exists, according to the information provided by the law enforcement agency specified in the relevant government decree. <p>(4) The decision adopted under Subsections (1) and (2) may not be appealed.</p> <p>Based on the current immigration related legislation, if there has been a significant change in the living circumstances of the third-country national – including marriage to a person who is a national of Hungary – the immigration authority may, at the TCN’s request and at the authority’s discretion, decide to revoke the entry ban or reduce its duration.</p> <p>TCNs who have family members who are citizens of the EU and EEC, fall under the scope of Act I of 2007.</p> <p>According to Section 47/B of Act I of 2007, pursuant to Act XXXIX of 2001 on the Entry and Residence of Foreigners and Act XC of 2023, immigration-related return orders issued against third-country nationals, as well as alerts entered into the Schengen Information System based on such return decisions, prohibiting the entry and stay (hereinafter referred to as alert) must be reviewed prior to the enforcement of the return of the third-country family member or during the procedure for issuing a document certifying the right of residence taking into</p>
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			<p>account the provisions of Section 33. If the return, the entry ban, and the maintenance of the warning notice entail a disproportionate infringement of interests, the decision ordering the return under immigration-related law shall be revoked by the competent immigration authority. The competent immigration authority shall conduct the proceedings within twenty days and issue a decision.</p> <p>Based on Article 47/B, the right of persons subject to this Act to enter and reside in the country may be restricted only in accordance with the principle of proportionality and solely on the basis of conduct on the part of the person concerned that poses a genuine, immediate, and serious threat to public order, public safety, national security, or public health.</p> <p>Regarding both kind of requests/applications, it must be highlighted that the applicant shall not be the EU national, the client of each procedure is the third-country national subject of the return and the entry ban.</p> <p>As the query's subject is the removal of the valid entry bans (national level entry bans and SIS entry bans), it is obvious that the TCN is staying outside of the territory of the Member States, so the applications mentioned above shall only be launched at Hungary's diplomatic missions in third countries and the rules of representation applies.</p> <p>Generally, if the client's physical presence is not mandatory by law, unless otherwise provided for by this Act,</p> <p>a) the client may be substituted by:</p> <ul style="list-style-type: none">aa) his or her legal representative,ab) his or her spouse with the right of residence in Hungary for a period exceeding 90 days,ac) his or her adult child with the right of residence in Hungary for a period exceeding 90 in the case of a dependent ascendant, orad) a person designated by the client or his or her legal representative, spouse or adult child in the case of a dependent ascendant; furthermore <p>b) the client may proceed together with his or her representative.</p> <p>If the client is not involved personally, the immigration authority shall check the</p>
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			<p>representative’s authorization for representation. The representative shall be required to verify his or her authorization for representation by way of the means specified in this Act.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>Please see our answer to Q5, where we explained who is the client in the procedure, and how representation is ruled by the law.</p> <p>In Hungary, since TCNs having Hungarian national family members do not fall under the scope of Act I of 2007, the number of such applications decreased.</p> <p>In the past, it was a common occurrence for third-country nationals to attempt to prevent their removal by citing marriages entered into for the purpose of abuse or the recognition of paternity over Hungarian children, without any actual or genuine family ties.</p> <p>In all of the cases it was cleared that the applications had been filed without any genuine family relationship or actual cohabitation. In nearly all of these cases, the courts upheld the decisions rejecting the applications.</p>
	<p>EMN NCP Ireland</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No. The inherent entry ban contained within the deportation order in Ireland is of indefinite duration.</p> <p>Ireland does not participate in the EU Return Directive and therefore Ireland does not apply</p>


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			<p>entry bans as set out under Article 11 of the Directive. The Immigration Act,1999 is the key legislative instrument governing the return of non-EU nationals from Ireland. The Immigration Act 1999 provides for the issuing of deportation orders, with inherent entry bans, requiring the recipient to leave the State and to remain thereafter outside the State. Unlike other Member States, the entry bans are not issued independently of deportation orders in Ireland. A deportation order contains an entry ban of indefinite duration in Ireland is the closest equivalent to an entry ban under EU Return Directive.</p> <p>The power of the Irish State to deport is inherent to the State and decisions on deportation must remain with the Executive. The Immigration Act, 1999 provides for the possibility to apply for the revocation of a deportation order. Deportation orders, by extension, the entry ban, other than by way of revocation, cannot be suspended, withdrawn, or administratively appealed.</p> <p>*https://emn.ie/files/p_201503090309092014_emn_synthesis_reentry_bans_and_readmission_agreements_final.pdf</p> <p>* EMN (2015). Strategies used to support Return Policy in Ireland, available at https://emn.ie/files/p_201507210418562015_IE%20strategies%20to%20support%20return%20online.pdf 2015)</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p> <p>Each deportation order issued in Ireland contains an inherent entry ban of indefinite duration. Entry bans are not issued independently of deportation orders. An entry ban is in force unless the deportation order is revoked.</p> <p>*EMN (2017). The effectiveness of return in EU Member States: Challenges and good</p>
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			<p>practices linked to EU rules and standards, available at https://emn.ie/files/p_20171114045337EMN%20Effectiveness%20of%20Return_07.11.2017.pdf)</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/A. See question 2.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>N/A. See question 2.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>No. Each deportation order issued in Ireland contains an inherent entry ban of indefinite duration. The Immigration Act,1999 provides for the possibility to apply for the revocation of a deportation order. Deportation orders, by extension, the entry ban, other than by way of revocation, cannot be suspended, withdrawn, or administratively appealed. *EMN (2015). Strategies used to support Return Policy in Ireland, available at</p>
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			<p>https://emn.ie/files/p_201507210418562015_IE%20strategies%20to%20support%20return%20online.pdf 2015)</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>N/A</p>
	<p>EMN NCP Italy</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>Yes.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>If the individual submits valid documentation attesting to their link with the Union citizen and, on that basis, obtains a residence permit, the entry ban shall also be revoked by the office issuing the permit, provided that the ban was entered by Italy. If, however, the ban was entered by another Member State (MS), the MS that entered the ban shall be notified of the issuance of the permit in Italy, for the purpose of the possible cancellation of the ban, should that MS deem it appropriate.</p>

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			<p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>The individual must submit a valid certificate attesting to the marriage or registered civil partnership between the two persons, in addition to the other documents generally required for the issuance of the permit.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>A marriage certificate or certificate of registered civil partnership is required. The individual's potential dangerousness profile shall also be assessed before the permit is issued and, consequently, before the ban is revoked.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>N/A</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p>
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			N/A
	EMN NCP Latvia	Yes	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/a</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/a</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p>

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			<p>The main criteria applied by Latvia when considering the lifting of an entry ban in cases involving marriage to an EU citizen include: Duration of the relationship (with supporting documentation); public order; whether the marriage was entered into before or after the entry ban was imposed; illegal employment; immigration violations, abuse of the asylum procedure; long-standing ties to the country; the right to private and family life; and humanitarian considerations.</p> <p>A person may appeal an entry ban by citing specific circumstances to the Head of the Office of Citizenship and Migration Affairs, for assessment on a case-by-case basis.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>An entry ban may be lifted if there has been a change in the circumstances of the individual's case, for example, where the individual has been issued a residence permit in Latvia or another EU Member State, where humanitarian grounds apply, or where the entry ban was imposed unlawfully).</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No.</p>
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	<p>EMN NCP Lithuania</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>NO. Lithuania does not remove a third-country national from the national entry ban list solely on the basis of marriage to an EU or Lithuanian citizen. There is no automatic entitlement to removal, nor does national legislation explicitly provide for marriage as a standalone ground for lifting an entry ban. The primary determinant is the grounds on which the entry ban was originally imposed, not the applicant's marital status.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/A</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case</p>
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			<p>of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>As indicated in the response to Q.1, the key criterion applied by Lithuanian authorities is the legal basis on which the entry ban was originally imposed. Depending on those grounds, the authorities determine either whether the ban may be lifted entirely or whether the duration of the ban may be shortened. Each case is examined individually, with the original grounds for the ban remaining the central consideration.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>YES.</p> <p>In practice, an entry ban may be lifted where the person concerned does not pose a threat to national security. Outside of security-related grounds, administrative review may result in the removal of the ban, taking into account the individual circumstances of the case.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>Such cases do occur in Lithuania, but they remain isolated incidents rather than a discernible trend or pattern. Each case is handled on an individual basis, with the authorities examining the specific circumstances, including the grounds on which the entry ban was originally imposed and any relevant changes in the applicant's situation.</p>
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	<p>EMN NCP Luxembourg</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>A third-country national who has been removed from the territory and is subject to an entry ban under article 112 (1) of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law) may request the lifting of that ban. The request must be submitted to the Ministry in charge of Immigration and Asylum after a reasonable period, depending on the circumstances, and in any case no earlier than three years after removal (Article 112(2)). The applicant must demonstrate a material change in the circumstances that justified the entry ban. The Minister is required to take a decision within six months. In practice, this three-year waiting period may not apply in cases involving marriage.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>See answer to Q.1. In cases where the applicant seeks to lift the entry ban on the basis of marriage, the individual must submit an application stating that he/she has married an EU citizen lawfully residing in Luxembourg and request that the entry ban be lifted on that basis.</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>The third country national and their spouse must submit the application together, including: a</p>
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			<p>duly legalized marriage certificate (with translation if not issued in English, French, German, or Luxembourgish), a criminal record extract, a full certified copy of the third-country national's passport, proof that the EU citizen has sufficient financial resources to support the applicant, and evidence of adequate accommodation.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>In assessing the application, the authorities will verify the authenticity and validity of the documents, examine whether the relationship is genuine and durable, and determine whether the EU citizen has sufficient resources to support both themselves and their spouse, including health insurance coverage. The request may also be refused on grounds of public order or national security.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>NO.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p>
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			NO. These are isolated cases.
	EMN NCP Netherlands	Yes	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>NO.</p> <p>An entry ban or pronouncement of undesirability of a TCN will not be lifted only on the basis of marriage to an EU citizen. Removal of the entry ban or pronouncement of undesirability requires multiple considerations of which public order and national security are very important.</p> <p>An entry ban can be lifted indefinitely and temporarily in the below situations. The pronouncement of undesirability can only be lifted temporarily in these situations.[1] It is necessary for the TCN to come to the Netherlands due to important situations in their family, or dire personal circumstances[2]It is necessary for the TCN to come to the Netherlands to testify in a court case.It is necessary for the TCN to come to the Netherlands because they have their own criminal case in the Netherlands.The pronouncement of undesirability can only be lifted indefinitely in the following two situations:[3] The pronouncement of undesirability conflicts with the European Convention on Human Rights (ECHR).The TCN receives a residence permit in the Netherlands after a previous pronouncement of undesirability.^</p> <p>Immigration and Naturalisation Service, Entry ban, 2 October 2025. Immigration and Naturalisation Service, Pronouncement of undesirability, 9 October 2025. ^</p>

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			<p>Aliens Act Implementation Guidelines 2000 A4/2.5.2 ^ Immigration and Naturalisation Service, Pronouncement of undesirability, 9 October 2025.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>N/A</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>N/A</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The consideration for removal of an entry ban or pronouncement of undesirability is indeed a case-by-case consideration by the Immigration and Naturalisation Service (Immigratie- en Naturalisatiedienst, IND) which requires close attention to the individual and specific situation of the applicant. For lifting an entry ban or pronouncement of undesirability a separate application needs to be handed in. This application will be considered together with the family</p>
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			<p>reunion and/or provisional residence permit.</p> <p>For starters the requirements for the family reunion and/or provisional residence permit application (MVV) are checked. These requirements can include:[1]</p> <p>Valid travel documentsVerifiable relationshipIncome requirementsTuberculosis testNo danger to public order and national securityCivic integration certificate/examThe indefinite removal of the one year entry ban has several requirements:[2]</p> <p>The TCN has voluntarily and independently left the EU within the set period.The TCN has been outside the EU for at least half of the duration of the entry ban, or longer, without interruption.The TCN has not committed serious crimes during their stay outside the Netherlands.The TCN is not currently being prosecuted for a criminal offense.The TCN does not pose a danger to public order or national security.There is no reason to impose a severe entry ban on the TCN.For the indefinite removal of a two year entry ban, additional requirements are applicable, namely:[3]</p> <p>The TCN has voluntarily and independently left the EU within the set period; Or; The TCN has voluntarily and independently left the EU after this period, or no departure time limit was given.Before receiving the entry ban, the TCN was not subject to a return procedure that led to their departure from the EU.There are no prescribed conditions under which an entry ban with a duration of ten years is prematurely lifted. It is possible however to request the removal of the ban if the TCN believes there are urgent personal reasons for doing so.[4] A pronouncement of undesirability has no end date and can only be lifted by decision of the IND.[5] Besides the situations in which a temporary or indefinite lift of the pronouncement can be requested (Q1), there are no additional set requirements the TCN needs to meet. However, public order and national security are important considerations for deciding on lifting the</p>
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			<p>pronouncement.[6] ^ Immigration and Naturalisation Service, Residence permit for partner, 18 December 2025 ^ Immigration and Naturalisation Service, Entry ban, 2 October 2025 ^ Ibid. ^ Ibid. ^ Immigration and Naturalisation Service, Pronouncement of undesirability, 9 October 2025. ^ Ibid. Rijksoverheid, Wanneer kan de ongewenstverklaring opgeheven worden? [When can the pronouncement of undesirability be lifted?], last accessed on 29 April 2026.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>YES. As explained in question 1 and 4, the entry ban can be lifted under other legal provisions. A case-by-case consideration will be made in which the TCN needs to have a compelling reason to be granted a removal of the ban (see applicable situations in Q1). Most important are the considerations for the public order and national security.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases</p>
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			<p>in practice.</p> <p>NO.</p> <p>Information on these trends and patterns is also not recorded.</p>
<p> EMN NCP Poland</p>		<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>NO – Poland’s Act on Foreigners does not consider the marriage to an EU citizen as the basis to not include the data of the foreigner on the list of foreigners whose stay within the territory of the Republic of Poland is undesirable.</p> <p>Such EU citizen would have to hold a long-term EU resident's residence permit within the territory of the Republic of Poland for their spouse’s data not be included on the list of prohibited persons.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>n/a</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p>

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			<p>n/a</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>no answer</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>It depends on the individual situation of a foreigner – the migration authorities consider each case on its own merits, e.g. taking into account the EU’s citizen possible additional information.</p> <p>The general rule is that the list shall not include the data of a foreigner who</p> <ul style="list-style-type: none">- is a spouse of a Polish citizen, or- is a spouse of a foreigner who resides within the territory of the Republic of Poland and holds a permanent residence permit or a long-term EU resident's residence permit within the territory of the Republic of Poland, <p>with the exceptions of reasons of defence or state security or the protection of public safety and order or the interests of the Republic of Poland.</p>
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			<p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>NO, we have not observed such trends.</p>
	<p>EMN NCP Slovakia</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>No.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>NA</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>NA</p>

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			<p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The third country national may request the lifting of the entry ban, each application is assessed individually.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>According to Article 86 of the Act on the Residence of Foreigners: (1) An entry ban may be lifted by the Ministry of Interior for a third-country national who has been administratively expelled if he/she:</p> <ul style="list-style-type: none">a) proves that he or she has left the country within the time limit set by the police department in the decision, orb) left the country as part of assisted voluntary returns. <p>(2) The Ministry of Interior may authorise entry to a third-country national who has been issued an entry ban in an administrative expulsion decision or an entry ban decision if:</p> <ul style="list-style-type: none">(a) the purpose of stay is for humanitarian reasons, in particular the death or visit of a seriously ill person who is a close relative of the third-country national, orb) his/her stay is in the interest of the Slovak Republic and the matter cannot be settled abroad. <p>(3) The lifting of the entry ban under par. (1) and the entry permit under par. (2) shall not be subject to the general rules on administrative procedure. The Ministry of Interior shall send the third-country national a written notification of whether or not his or her application under paragraph 1 or paragraph 2 has been granted.</p>
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			<p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No.</p>
	<p>EMN NCP Slovenia</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>Yes.</p> <p>The entry ban imposed by a return decision may be revoked, shortened, or temporarily suspended by the authority that issued the decision, either ex officio or at the request of the foreign national, inter alia, if the foreign national proves that he or she enjoys the right to free movement under European Union law or has subsequently acquired that right.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>SIS alerts against third-country nationals who are family members of EU citizens are not automatically removed, instead, we follow a consultation procedure.</p> <p>The procedure is conducted as part of an administrative proceeding before the competent authority in accordance with the provisions of the Foreigners Act (ZTuj-2) and relevant EU legislation, particularly with regard to the exercise of the rights of family members of EU</p>

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			<p>citizens.</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>The Foreigners Act does not explicitly specify which documents must be submitted; therefore, any evidence from which it can be determined that the third country national enjoys the right to free movement under European Union law or has subsequently acquired that right is taken into account.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>We do not have specific criteria in place, the assessment is based on a review of all the circumstances of the specific case.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>N/A</p>
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			<p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>No trends or patterns have been observed, as there have not been many such cases in Slovenia.</p>
	<p>EMN NCP Spain</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>Spanish legislation does not expressly provide for the revocation of an entry ban imposed on a third-country national on the grounds of marriage to a citizen of the European Union. Nevertheless, where the entry ban was imposed on the third-country national as a consequence of an irregular stay and the individual subsequently obtains an EU Citizen’s Family Member Residence Card, such entry ban must be revoked as a result of the change in immigration status, in accordance with the prevailing legal doctrine.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p> <p>The individual subject to the entry ban must apply for the revocation of the entry ban before the authority that issued the decision, or the entry ban may be revoked ex officio where it was imposed by the same authority that grants the EU Citizen’s Family Member Residence Card.</p>

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			<p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>They must submit the documentation evidencing the status of the EU citizen, as well as the documentation proving the marital relationship or analogous situation, for the purpose of obtaining the EU Citizen’s Family Member Residence Card (the granting of which entails an assessment of any criminal record in order to determine whether the person constitutes a threat to public order or public security, in which case the application for residence will be refused).</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>The marital relationship must be duly evidenced, and the grounds for the entry ban must be based on an irregular stay within the national territory. Where there are considerations relating to public order or public security that establish that the individual constitutes a threat to public order or public security, the EU Citizen’s Family Member Residence Card will not be granted and the entry ban will remain in force.</p> <p>The Supreme Court has issued case law upholding expulsion measures adopted on grounds of public order and public security under the general immigration regime, even where a change of immigration regime occurs, given that in such cases the underlying grounds for the expulsion remain the same.</p>
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			<p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>It is a relatively frequent practice to enter into a marriage or to establish a de facto partnership (particularly the latter) with a Spanish or EU citizen for the fraudulent purpose of obtaining a residence permit. Such conduct constitutes an administrative offence and, in certain cases, criminal proceedings may be initiated for documentary falsification where evidentiary indications of fraud of law are detected. In such cases, the termination of the granted residence authorisation is provided for.</p>
	<p>EMN NCP Sweden</p>	<p align="center">Yes</p>	<p>1. Are the details of a third-country national included in a entry ban list removed on the basis of marriage to an EU citizen? YES/NO. If YES, does your national legislation explicitly provide for such exemptions or grounds for removal?</p> <p>Yes, to both questions.</p> <p>2. If you answer YES to Q.1, please describe the procedure followed in your Member State when a request is submitted for the lifting of an entry ban of a third-country national on the basis of marriage to a citizen.</p>

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			<p>Applicants who are subject to a national or Schengen entry ban must first submit an application for a residence card or residence permit based on their family relationship with an EU citizen. The application is then assessed in accordance with the relevant provisions governing free movement rights and residence rights of family members of EU citizens. As part of the examination, the authorities assess whether the applicant meets the requirements for being granted a residence card or residence permit. If the requirements are fulfilled and there are no remaining grounds justifying the entry ban, the national re-entry ban may be revoked before the permit is granted.</p> <p>If the alert is entered in the Schengen Information System (SIS) by another Member State, Sweden will consult the issuing Member State in accordance with the applicable SIS procedures before a residence permit or residence card is granted. The process is handled in accordance with national legislation, the provisions governing the Schengen Information System, and the Swedish Migration Agency's internal procedures.</p> <p>Applications are assessed on an individual basis. Marriage to an EU citizen does not automatically lead to the lifting of an entry ban. The primary consideration is whether the applicant fulfils the requirements for the residence permit or residence card applied for and whether the grounds that originally justified the entry ban still exist.</p> <p>In particular, the Swedish authorities assess the reasons for the entry ban, including whether it was based on public policy, public security or other immigration-related grounds. Where relevant, checks are carried out in the Schengen Information System (SIS) and national registers. If the applicant is subject to a SIS alert issued by another Member State, consultations are conducted with the issuing Member State in accordance with the applicable SIS rules. The assessment also takes into account the applicant's family relationship with the EU citizen and whether the conditions for residence rights under EU free movement rules are met. Any decision to lift an entry ban is based on an overall assessment of the individual</p>
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			<p>circumstances of the case.</p> <p>3. If you answer YES to Q.1, what documents the applicant (EU citizen) must submit with the application for lifting the entry ban (e.g. marriage certificate, criminal record, etc.)?</p> <p>Applicants can apply for a permit on various grounds. If they are applying for residence card, they must attach copies of these documents: Passport for both the applicant and the family member, documents showing the relationship and documents showing that the family member in Sweden meets the requirements for right of residence. The Migration Agency perform checks in Schengen Information System (SIS) and our national criminal records.</p> <p>4. As the analysis of the lifting of an entry ban is made on a case-by-case basis which is the main criteria applied by your Member State for considering the lifting of the entry ban in case of marriage with an EU citizen (e.g. existence of a genuine and durable relationship, public order concerns, etc.)?</p> <p>See answer under question 2. Applications are assessed on an individual basis, and a proportionality assessment is made.</p> <p>5. If you answer NO to Q.1, can the lifting of the entry ban may still occur in practice, under other legal provisions or administrative discretion? YES/NO. Please explain.</p> <p>N/A.</p>
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			<p>6. Have you observed trends or patterns in your Member State similar to those described by Cyprus? If YES, please describe how your authorities have addressed or managed such cases in practice.</p> <p>This occurrence is not known within the Swedish Migration Agency. It is not to be ruled out that it occurs, but probably not to any great extent. The Swedish Migration Agency have not specifically investigated it before.</p>
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