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EMN European Migration Network

# 2026.58 Counting the period of temporary protection towards the residence period required to obtain a permanent residence permit

## European Migration Network Ad-hoc query

**November, 2026**

# AD-HOC QUERY ON 2026.58 COUNTING THE PERIOD OF TEMPORARY PROTECTION TOWARDS THE RESIDENCE PERIOD REQUIRED TO OBTAIN A PERMANENT RESIDENCE PERMIT

## REQUESTED BY EMN NCP SLOVENIA ON 10 SEPTEMBER 2026

## COMPILATION PRODUCED ON 1 NOVEMBER 2026

**Exported for:** Unrestricted Dissemination

**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 Finland, EMN NCP France, 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 **(23 in total)**

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## BACKGROUND INFORMATION

A permanent residence permit in the Republic of Slovenia may be issued to a third country national who has resided legally in the Republic of Slovenia for five consecutive years on the basis of a temporary residence permit and long-term residence status if all the conditions for obtaining the status have been met.
In 2027, beneficiaries of temporary protection will begin fulfilling the five consecutive years of legal residence condition.

In addition, the proposal to recast the LTR Directive does provide that all periods of legal residence would be fully counted, including the time beneficiaries spent under temporary protection status, but the proposal has not yet been adopted.
We are interested in the practices of other MS on whether the time period of legal residence based on holding the temporary protection status in your MS is taken, or will be taken into account when calculating the period of residence required to obtain a permanent residence permit.

## WE WOULD LIKE TO ASK THE FOLLOWING QUESTIONS:

We would very much appreciate your responses by **1 October 2026**.

1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.

2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)

RESPONSES

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| | **EMN NCP Austria** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>Yes. According to Art. 41a para. 7b of the Settlement and Residence Act, a lawful stay under the Regulation on Displaced Persons (Art. 62 para. 1 of the Asylum Act 2005) immediately preceding the Red-White-Red Card Plus is considered settlement and can therefore be fully credited towards the five-year period required for a permanent residence permit ("Permanent Residence – EU" pursuant to Art. 45 of the Settlement and Residence Act). It should be noted that it is not possible to transition directly from a displaced person status (status of a person under temporary protection) to a permanent residence permit; but rather, first, the transition to a temporary residence permit "Red-White-Red Card Plus" pursuant to Art. 41a para.7b of the Settlement and Residence Act, is required.<br>---<br>Source: Ministry of the Interior<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>See the answer to Question 1<br>--- |

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| | | | Source: Ministry of the Interior |
| | **EMN NCP Belgium** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO. From a legal point of view, no transition to permanent residence is possible based on temporary residence under temporary protection.<br>(source: Belgian Immigration Office)<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>Not applicable. |
| | **EMN NCP Bulgaria** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>No<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or |

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| | | | plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>- |
| | **EMN NCP Croatia** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>No.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A. |
| | **EMN NCP Cyprus** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO. The period of stay of holders of temporary protection status (Ukrainians) is not taken into account if they apply for a national permanent residence permit. With regard to the long-term resident status, TPD holders do not have the right to submit an application under current |

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| | | | legislation.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A. |
| | **EMN NCP Czech Republic** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>Yes. The Czech Republic counts time spent under temporary protection towards the five-year period of continuous residence in the Czech Republic required for a permanent residence permit under Section 68 of Act No. 326/1999 Coll. (after 5 years of residence in the Czech Republic).<br><br>This applies, in particular, if a beneficiary of temporary protection subsequently obtains the special long-term residence permit introduced for eligible beneficiaries of temporary protection.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>Residence under temporary protection granted by the Czech Republic is counted at 50 % of its |

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| | | | actual duration. This rule is laid down in Section 7w(6) of Act No. 65/2022 Coll. Subsequent residence under the special long-term residence permit is counted in full, as it constitutes long-term residence.<br><br>For example, four years under temporary protection count as two years towards the required five-year period. A further three years under the special long-term residence permit would therefore complete the five-year qualifying period.<br><br>Temporary protection itself does not automatically confer permanent residence; the applicant must also meet the other statutory requirements.<br><br>Only temporary protection granted by the Czech Republic is covered by this specific rule. |
| | **EMN NCP Estonia** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>Yes. The residence time that a beneficiary of temporary protection has resided in Estonia based on residence permit for temporary protection is counted as residence time required to obtain a long-term residence permit.<br><br>As a general rule, a residence period on the basis of a residence permit for at least five years is required in order to be eligible for a residence permit for long-term resident.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only |

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| | | | partially counted, etc.)<br><br>The entire period of the residence time that a beneficiary of temporary protection has resided in Estonia based on residence permit for temporary protection is counted as residence time required to obtain a long-term residence permit. The legislation does not exclude periods of residence on the basis of temporary protection from the calculation of this five-year period.<br>According to the Aliens Act Article 232 a residence permit for a long-term resident may be issued to a foreign national who corresponds to the following conditions:<br>1) he or she has resided in Estonia on the basis of a residence permit for at least last five years before the submission of the application for a residence permit for a long-term resident;<br>2) he or she has a valid temporary residence permit;<br>3) he or she has a permanent legal income which ensures his or her own subsistence in Estonia;<br>4) he or she is deemed to be an insured person for the purposes of the Health Insurance Act or a treaty of the Republic of Estonia;<br>5) he or she has met the integration requirement;<br>6) the information of his or her place of residence has been registered in the Population Register;<br>7) no facts which are the basis for the refusal to issue a residence permit for a long-term resident exist in respect of him or her.<br><br>According to the Aliens Act Article 233 the period of residence in Estonia required for the issue of a residence permit for a long-term resident shall include the period of his or her temporary stay outside Estonia, which does not exceed six consecutive months and in total ten months within five last years immediately before the lodging of the application for a residence permit for long-term residents.<br><br>If a foreign national’s stay outside Estonia within five last years before the lodging of an |

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| | | | application for a residence permit for a long-term resident has lasted longer than six consecutive months and in total ten months within five last years and the Police and Border Guard Board has considered his or her stay outside Estonia justified, the period of permanent residence in Estonia required for the issue of a residence permit for a long-term resident shall extend by the length of the period of the stay away, which exceeds the allowed time period specified in subsection 1 of this section. |
| | **EMN NCP Finland** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO. According to Section 56 of the Aliens Act, only the period spent in the country under a continuous (A) permit is counted towards the period of residence. Temporary protection permit is a temporary (B) residence permit, and therefore the time spent in Finland under temporary protection is not counted towards the period of residence.<br><br>If a beneficiary of temporary protection wishes to stay in Finland permanently, it is advised to apply for an extended permit (e.g., on the basis of family ties, work or studies). The required residence time for a permanent residence permit (4 or 6 years) starts to accumulate when the applicant has been granted a continuous (A) permit (including, e.g., residence permits granted on the basis of family ties and some residence permits granted on the basis of work).<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.) |

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| | | | N/A |
| | **EMN NCP France** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>France pays particular attention to changes in the status of beneficiaries of temporary protection (BTP) and to their gradual transition from this scheme to residence permits under ordinary law.<br><br>When applications are made to renew a provisional residence permit bearing the words 'temporary protection', the prefectures carry out a full assessment of the foreign national's individual circumstances in order to determine whether they are eligible for ordinary law (in particular under a 'worker' or 'private and family life' residence permit). Where necessary, additional supporting documents may be requested in order to carry out this assessment. The foreign national may not be required to prove lawful entry, as this is presumed, nor to hold a long-stay visa (VLS) beforehand. Similarly, in the event of a favourable decision, the foreign national will be exempt from the requirement for a regularisation visa.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>BTP's access to a permanent residence permit is not necessarily subject to a minimum period of residence on French territory. In any event, for Ukrainians benefiting from temporary |

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| | | | protection who change their status, French authorities usually issue 'temporary residence permits' rather than 'ten-year residence permits', given their recent arrival on French territory. |
| | **EMN NCP Germany** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>YES. The residence time spent in Germany as a beneficiary of temporary protection is fully counted as residence time. Generally, a residence period of five years is required in order to be eligible for a permanent settlement permit.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>The time spent in Germany on the basis of temporary protection already fully counts as residence time. |
| | **EMN NCP Greece** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>No. According to migration legislation in force (Migration Code, article 3, par.3 of l.5038/2023), the relevant provisions do not apply to beneficiaries of temporary protection |

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| | | | and thus it is not counted the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain either an EU long term residence status (Directive 2003/109), or a national of ten year duration permanent residence permit (article 161 of l.5038/2023).<br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A |
| | **EMN NCP Hungary** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>Yes. Under Hungarian legislation and current administrative practice, the period during which a third-country national has resided in Hungary as a beneficiary of temporary protection is taken into account towards the period of residence required for acquiring long-term residence status, subject to the applicable statutory conditions.<br><br>A third-country national may, for the purpose of acquiring long-term residence status in Hungary, apply for a National Residence Card under national legislation or an EU Residence Card under Directive 2003/109/EC. The National Residence Card generally requires three years of lawful and uninterrupted residence in Hungary, while the EU Residence Card generally requires five years of lawful and uninterrupted residence, subject to the fulfilment of the other statutory conditions. |

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| | | | With regard to the EU Residence Card, Article 88(3) of Act XC of 2023 on the General Rules for the Entry and Residence of Third-Country Nationals (Btátv.) expressly provides that the period during which a third-country national has been recognised as a refugee or has resided in Hungary as a beneficiary of temporary or subsidiary protection is taken into account when calculating the period of residence required for entitlement to an EU Residence Card.<br><br>As regards the National Residence Card, although the Btátv. does not expressly refer to periods spent in Hungary as a beneficiary of temporary protection, under current administrative practice such periods are considered to fall within the concept of residence under Article 82(1)(b) of Government Decree No 35/2024 (II. 28.) implementing the Btátv.<br><br>It should be noted that holding beneficiary-of-temporary-protection status does not in itself entitle a third-country national to apply for either of these forms of long-term residence status. Where a third-country national applies under a legal status that is not excluded by the Btátv., the period spent in Hungary as a beneficiary of temporary protection is taken into account towards the applicable period of residence.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>The entire period spent under beneficiary-of-temporary-protection status shall be fully taken into account towards the required period of residence, without any reduction. |

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| | **EMN NCP Ireland** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>To provide a pathway to permanent residence, the Government has agreed to introduce an alternative residence permission for Beneficiaries of Temporary Protection who wish to remain in Ireland independently and who satisfy certain eligibility criteria. Applicants are required to have been resident in Ireland for at least one year as a Beneficiary of Temporary Protection, have independent accommodation, be in employment or self-employment for a period of at least six months immediately prior to application, and have an annual gross income of at least €29,432.<br><br>The permission will be granted for a period of up to two years and will be renewable thereafter.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>For beneficiaries of temporary protection who have transitioned to the alterative permission, time spent on this new permission will be reckonable for the purposes of an application for Irish citizenship by naturalisation and will count towards permission to remain without condition as to time. |

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| | **EMN NCP Italy** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>No, our legislation (Article 9(3) of the Consolidated Act on Immigration – TUI) excludes holders of temporary protection from obtaining a permanent residence permit.<br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>n/a |
| | **EMN NCP Latvia** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>No.<br>Under the legislation of the Republic of Latvia, the period a person spends in the country with temporary protection status is excluded from (does not count towards) the five-year qualifying period required to obtain European Union (EU) long-term resident status. This rule is established by both Latvian national regulations and fundamental principles of EU law.<br><br>Ukrainian civilians can only begin accruing the necessary five years period required to obtain a permanent residence permit if they change their legal status in Latvia to one of the types of temporary residence permits available under general procedures (e.g., based on employment, business activity, or family reunification). In such a case, the five-year period begins on the |

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| | | | date the first permit issued under general procedures is granted.<br><br>However, there are amendments to the Law on Assistance to Ukrainian Civilians under discussion that contain the possibility to grant a national permanent residence permit after five years residence as holders of temporary protection status. If these amendments are accepted, all period Ukrainian civilians have spent in Latvia as holders of temporary protection status, will qualify for the necessary five years period.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A |
| | **EMN NCP Lithuania** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>YES. Beneficiaries of temporary protection in Lithuania are issued a temporary residence permit under Article 40(1)(10) of the Law on the Legal Status of Foreigners. Under Article 53(1)(8) of the Law, a permanent residence permit may be issued to a foreigner who has lawfully and continuously resided in Lithuania for the preceding five years while holding a document granting or confirming the right to reside in Lithuania. The legislation does not exclude periods of residence on the basis of temporary protection from the calculation of this five-year period. |

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| | | | 2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>The entire period of lawful residence under temporary protection is counted toward the five-year residence requirement. Lithuanian legislation does not provide for a reduced or partial calculation specifically for beneficiaries of temporary protection. By comparison, the the Law on the Legal Status of Foreigners expressly provides for partial counting in certain other cases, such as periods of residence for studies and certain periods preceding the granting of subsidiary protection.<br><br>The general rules on continuity of residence apply: an absence from Lithuania does not interrupt the five-year period if it does not exceed six consecutive months and does not exceed ten months in total during the five-year period. |
| | **EMN NCP Luxembourg** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO. In Luxembourg, article 80 (2) c) of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law) expressly excludes that individuals benefiting of temporary protection may apply for long-term residence.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only |

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| | | | partially counted, etc.)<br><br>N/A. |
| | **EMN NCP Netherlands** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO, the Netherlands does not count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the Netherlands required in order to obtain a permanent residence permit.<br><br>Article 1 of the Aliens Act 2000 (Vreemdelingenwet 2000) defines temporary protection as follows: lawful residence within the meaning of Article 8(f) or (h) of the Aliens Act 2000 for a third country national whose removal is suspended in connection with an application as referred to in Article 28 of the Aliens Act 2000, pursuant to the Temporary Protection Directive. (^1)<br><br>The right of residence of third country nationals covered by the Temporary Protection Directive (RTB) is therefore right of residence for procedural reasons pursuant to Article 8(f) or (h) of the Vw 2000. Right of residence for procedural reasons does not count towards the period of residence in the Netherlands required in order to obtain a permanent residence permit. (^2)<br>^ Aliens Act 2000, https://wetten.overheid.nl/BWBR0011823/2026-09-01, last accessed on 14 September 2026.^Immigration and Naturalisation Service, https://open.overheid.nl/documenten/392a7237-763f-4fc8-90f8-d8af0c2d6cad/file, |

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| | | | last accessed on 14 September 2026.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br>N/A |
| | **EMN NCP Poland** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>n/a |
| | **EMN NCP Slovakia** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain. |

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| | | | In principle, yes. In the Slovak Republic this concerns the long-term residence.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br>According to the Act on Residence of Foreigners, a beneficiary of temporary protection may apply for the issuance of a residence document for the purpose of business, employment, study, special activity, research and development and family reunification, which he or she has been exercising for at least six months immediately before the termination of the provision of temporary protection in the Slovak Republic and has been continuously performing it as of the date of submitting the application for the issuance of a residence document, i.e. he or she will thus obtain temporary residence for a specific purpose. Subsequently, after meeting the conditions set by the Act, he/she can apply for long-term residence, where the period of temporary protection is also included in the continuous stay (minimum period of five years). |
| | **EMN NCP Slovenia** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>Beneficiaries of temporary protection must first apply for a temporary residence permit for a specific purpose of stay (e.g., study, work, etc.), and may then apply for a permanent residence permit.<br><br>No clear guidelines have yet been adopted regarding whether prior residence under temporary |

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| | | | protection counts toward the period required to obtain a permanent residence permit or long term residence status.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A |
| | **EMN NCP Spain** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>YES.<br>Holders of a residence permit in Spain granted under Council Implementing Decision (EU) 2022/382 of 4 March 2022 may apply for a national long-term residence permit, in accordance with Chapter III of Title X of the Regulation implementing Organic Law 4/2000 of 11 January (Immigration Regulation).<br><br>For this purpose, the entire period during which they have held a residence permit in Spain under Council Implementing Decision (EU) 2022/382 of 4 March 2022 counts towards the five-year period of legal and continuous residence required for obtaining long-term residence status. This period is accumulated together with any subsequent period of residence under another residence authorisation they may obtain.<br><br>Sources: SEM Instruction 2/2026 on the transition from temporary protection beneficiary |

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| | | | status under Council Implementing Decision (EU) 2022/382 of 4 March 2022 to other residence authorisations; and Royal Decree 1155/2024 of 19 November, approving the Regulation implementing Organic Law 4/2000 of 11 January on the rights and freedoms of foreign nationals in Spain and their social integration (Immigration Regulation).<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>See Q1. |
| | **EMN NCP Sweden** | **Yes** | 1. Q1. Does your Member State count or intend to count the residence time that a beneficiary of temporary protection has resided in the territory toward the period of residence in the country required in order to obtain a permanent residence permit? YES/NO. Please explain.<br><br>NO.<br>Temporary protection cannot be taken into account when assessing lawful residence in connection with an application for permanent resident status. This is stated in Chapter 5a, Section 1, paragraph 3 of the Aliens Act: When calculating the length of stay, stays in Sweden for temporary reasons or for the purpose of study shall not be counted.<br><br>Worth mentioning in this context is that following changes to the law, it is since 12 July 2026 no longer possible for individuals who have been granted a permit on the grounds of protection to obtain a permanent residence permit. |

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| | | | Until now, it has been a requirement to have a permanent residence permit in order to become a Swedish citizen. Now, certain individuals can apply for Swedish citizenship even if they do not have a permanent residence permit. This exception applies to the following temporary residence permits:<br>status as a long-term resident in Sweden, as a refugee, or as a person in need of protection or subsidiary protection, due to particularly compelling circumstances, due to certain persistent obstacles to enforcementdue to a family relationship with a person who holds a residence permit for one of the above reasons.To be eligible for this exception, individuals must have well-founded prospects of being granted a long-term residence permit. For individuals who already have been resident in Sweden for at least ten years and meet the other requirements for Swedish citizenship, the requirement for well-founded prospects of being granted a long-term residence permit does not apply.<br><br>2. Q2. If you answer YES to Q1, please explain to what extent your Member State is taking or plan to take this time into account (e.g., the entire period is counted, the period is only partially counted, etc.)<br><br>N/A |

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# Ad-Hoc Query on 2026.58 Counting the period of temporary protection towards the residence period required to obtain a permanent residence permit