



## Migration and the Law in [name of country]

Dear Sir or Madam,

We are reaching out to you in your capacity as an expert on refugee and asylum seeker related issues in [name of country].

The World Bank is working on a novel project titled “**Migration and the Law.**” Over the past decade, international migration has come to dominate the global policy agenda. While much attention has been given to the benefits of migration, the role of migrant integration policies is often less highlighted in the migration and development discourse. Refugees and asylum seekers constitute a significant share of those who migrate; therefore, one of the purposes of this project is to understand integration policies that specifically pertain to them.

This project aims to construct a unique database benchmarking migrant and refugee integration policies, as described in formal laws and regulations. This study will be the first of its kind. It aims to go beyond the existing focus on benchmarking integration practices in a limited number of countries to creating a global database with over 100 economies. The ultimate goal of the project is to better inform governments, policy-makers, and international organizations on regulatory gaps that hinder successful integration of migrants, refugees, and asylum seekers.

The purpose of this questionnaire is to capture legal integration policies for refugees and asylum seekers in seven main areas: 1) economic opportunities; 2) health; 3) education; 4) housing; 5) family; 6) active citizenship; and 7) anti-discrimination.

As an expert on refugee and asylum seeker related issues, we would greatly value your participation in completing the attached questionnaire to document laws and regulations relevant to the integration of refugees/asylum seekers in [name of country]. As a token of gratitude for a completed questionnaire, we will acknowledge your name and affiliation as a contributor on the project’s website as well as in the published report.

Our team would be happy to answer any questions you may have about this project or the questionnaire. Please return the questionnaire to [integration@worldbank.org](mailto:integration@worldbank.org) no later than June 10<sup>th</sup>, 2017.

Thank you very much in advance for your assistance.

Sincerely,

### **Dilip Ratha**

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## Section 1: Contributor Information

### Primary Contributor Information:

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Title ( <i>Mr., Ms., Dr.</i> )	[ ]	Firm/Organization Name	[ ]
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Street	[ ]
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Country	[ ]

### Additional contributor(s) who worked on this questionnaire:

<b>Name:</b>	<b>Occupation:</b>	<b>E-mail:</b>	<b>Phone:</b>
[title] [first name] [last name]	[position]	[ ]	[phone] [mobile]
[title] [first name] [last name]	[position]	[ ]	[phone] [mobile]
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## Section 2: General Definitions

### **Definitions:**

This questionnaire asks about integration policies pertaining to refugees. In answering the questions below, please assume the following characteristics of refugees and asylum seekers.

A **refugee** is an individual who:

- a) has been granted legal refugee status, due to his/her well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions
- b) is residing in [country]

An **asylum seeker** is an individual who:

- a) is seeking safety from persecution or serious harm in the host country and awaits a decision on his/her application

### **How to answer this questionnaire:**

Since this project aims to benchmark refugee and asylum seeker integration policies, this questionnaire only asks about **legally binding regulations in your country in force as of December 31<sup>st</sup>, 2016**. When responding to the following questions, please consider only what is written in the law (de jure) and *not* how the law is implemented or perceived (de facto). For the purposes of this questionnaire, please consider the following as examples of legally binding regulations:

- Acts (of parliament)
- Ordinances
- Decrees
- Executive orders

When applicable, please make references to these legally binding regulations in the fields "*Please specify the legal basis.*"

### **Technical instructions:**

- To the extent possible, please respond to all questions. If you are unable to answer some questions, please indicate "*don't know.*"
- When applicable, please select multiple responses.
- **If certain refugees or asylum seekers are treated differently based on their country of origin or ethnic group please indicate this in the fields "*Other*" or "*Additional comments.*"**
- Please save this document as a MS Word file and fill it out on the computer. Please send the document back by email as an attachment.

### Section 3: Introductory Questions

#### 3.1 Does your country make a legal distinction between a *refugee* and an *asylum seeker*?

Yes  No

If yes, please provide the definitions:

Refugee: [ ]

Asylum seeker: [ ]

#### 3.2 For how long is the initial residence permit valid for both refugees and, if applicable, asylum seekers?

**Refugees:**

Initial residence permit is a permanent residence permit

Initial residence permit is a temporary permit. If so, please indicate the length of the temporary permit: [ ]

Please specify the legal basis: [ ]

**Asylum seekers:**

Initial residence permit is a temporary permit. If so, please indicate the length of the temporary permit: [ ]

Please specify the legal basis: [ ]

Additional comments: [ ]

#### 3.3 Can a refugee lose his or her status as a refugee if the threatening situation in his or her country of origin ceased to exist?

Yes  No

If yes, must the refugee immediately leave the host country?  Yes  No

Please specify the legal basis: [ ]

Additional comments: [ ]

#### 3.4 If an asylum seeker's application is rejected, does he or she have the right to appeal the decision?

Yes  No

Please specify the legal basis: [ ]

Additional comments: [ ]

#### 3.5 If applicable, does the law require detention of asylum seekers?

Yes  No  Only on certain conditions. Please specify: [ ]

If yes, please indicate the duration of the detention: [ ]

Please specify the legal basis: [ ]

Additional comments: [ ]

## Section 4: Economic Opportunity

*This section covers the process by which the law facilitates a refugee's access and ability to navigate the labor market.*

### 4.1 Under what conditions does the law allow a refugee to work in the private or public sector?

**Private sector:**

- Work permit is granted after a certain amount of time in the host country. Indicate length of time: [      ]
- Refugee is restricted to certain professions in the private sector
- Refugee cannot work in the private sector
- Other. Please explain: [      ]
  - If asylum seekers face different conditions, please indicate and explain: [      ]

Please specify the legal basis: [      ]

**Public sector:**

- Work permit is granted after a certain amount of time in the host country. Indicate length of time: [      ]
- Refugee is restricted to certain professions in the public sector
- Refugee cannot work in the public sector
- Other. Please explain: [      ]
  - If asylum seekers face different conditions, please indicate and explain: [      ]

Please specify the legal basis: [      ]

### 4.2 Under what conditions can refugees change jobs?

- If the new employer sponsors the refugee
- If the refugee has obtained permanent residence
- Refugee is not allowed to change jobs
- Not applicable as refugees are not permitted to work
- Other. Please explain: [      ]
  - If asylum seekers face different conditions, please indicate here and explain: [      ]

Please specify the legal basis: [      ]

**4.3 Are the conditions for opening a business the same for refugees and citizens?**
 Yes  No  Refugee is not allowed to open a business

If no, please state the conditions under which a refugee can open a business:

- If the refugee obtains a temporary residency permit
- If the refugee obtains permanent residency
- If the refugee obtains a specific work permit
- Refugee can open a business only in a certain area (e.g.: specific camp or province)
- If the refugee invests a certain amount of money. Please specify the investment amount: [ ]
- A citizen must be a part/co-owner. If so, please indicate the minimum share (%) the citizen must have in the business: [ ]
- If the refugee employs a certain number of citizens. Please specify the minimum number of citizens that must be employed: [ ]
- Other. Please specify: [ ]
  - If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**4.4 Does the law require refugees to attend certain integration programs?**
**Language courses:**  Yes  No

Please specify the legal basis: [ ]

**Civics courses:**  Yes  No

Please specify the legal basis: [ ]

 Other. Please explain: [ ]

- If asylum seekers face different conditions, please indicate here and explain: [ ]

**4.5 Are foreign qualifications recognized for refugees?**
**Academic qualifications:**  Yes  No  Only on certain conditions. Please specify: [ ]

 Other. Please explain: [ ]

- If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Vocational qualifications:**  Yes  No  Only on certain conditions. Please specify: [ ]

 Other. Please explain: [ ]

- If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**4.6 Is there a different treatment for refugees to get foreign qualifications recognized compared to citizens?**

**Academic qualifications:**  Yes  No

If yes, please indicate if the refugee must:

Pay a higher fee

Provide more documentation

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Vocational qualifications:**  Yes  No

If yes, please indicate if the refugee must:

Pay a higher fee

Provide more documentation

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**4.7 If there is a national minimum wage policy, does the law apply equally to both refugees and citizens?**

Yes  No  There is no national minimum wage policy

Not applicable as refugees are not permitted to work

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**4.8 Under what conditions are employers allowed to deduct costs from the salary of a refugee?**

**Conditions for deducting costs:**

For health insurance

For levies

For accommodation expenses

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Are the conditions the same for both refugees and citizens?**  Yes  No

If no, please specify the differences: [ ]

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Not applicable as refugees are not permitted to work

Please specify the legal basis: [ ]

**4.9 Can refugees join trade unions in the same manner as citizens?**

Yes  No  Refugee is not allowed to join a trade union

If no, please specify the conditions under which a refugee can join a trade union:

If the refugee is a permanent resident

Other conditions. Please specify: [ ]

Not applicable as refugees are not permitted to work

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**4.10 Do refugees have a legal right to open a bank account?**

- Yes    No    Only on certain conditions. Please specify: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

**4.11 Are the conditions for obtaining a consumer loan the same for both refugees and citizens?**

- Yes    No    Refugee is not eligible for a consumer loan  
 If no, please specify the differences: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

**4.12 Are refugees entitled to receive social benefits, such as unemployment benefits or social security?**

- Unemployment benefits:**  Yes    No    Only on certain conditions. Please specify: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]  
**Social security:**  Yes    No    Only on certain conditions. Please specify: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]  
 Other benefits. Please explain: [            ]

**4.13 Under what conditions can a refugee obtain a driver's license from the host country?**

- Refugee must have lived in the host country for a minimum length of time. Please specify minimum length: [            ]  
 Refugee must be a permanent resident  
 Other conditions. Please specify: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Refugee cannot obtain a driver's license from the host country.  
 Please specify the legal basis: [            ]

## Section 5: Health

*This section covers the process by which the law facilitates access to health services for refugees.*

**5.1 Does the law guarantee refugees access to healthcare services on an equal basis with citizens?**

- Yes    No    Only on certain conditions. Please specify: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]



**5.2 Under what conditions can refugees be covered by the public health care system?**

- Refugees have spent 6 months or more in the host country
  - Refugees have contributed to the social welfare scheme for more than 1 year
  - Refugees cannot be covered by the public health care system
  - There is no public health care system in the host country
  - Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]

**5.3 Does the law provide for maternity leave for refugees in the same manner as for citizens?**

- Yes  No  Only on certain conditions. Please specify: [ ]
  - Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]

## Section 6: Education

*This section covers the process by which the law facilitates access to education for refugees.*

**6.1 Does the law allow refugees to access education in the same manner as citizens, assuming that cost is not a barrier?**

- Primary education:**  Yes  No  Only on certain conditions. Please specify: [ ]
- Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]
- Secondary education:**  Yes  No  Only on certain conditions. Please specify: [ ]
- Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]
- Tertiary education:**  Yes  No  Only on certain conditions. Please specify: [ ]
- Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]

**6.2 Does the law allow refugees to pursue vocational education in the same manner as citizens, assuming that cost is not a barrier?**

- Yes  No  Only on certain conditions. Please specify: [ ]
  - Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]

**6.3 Does the law allow refugees to apply for government education funding (study loans) on an equal basis with citizens?**

- Yes  No  Only on certain conditions. Please specify: [ ]
  - Other. Please explain: [ ]
    - If asylum seekers face different conditions, please indicate here and explain: [ ]
- Please specify the legal basis: [ ]

## Section 7: Housing

*This section captures the process by which the law allows access to housing options for refugees.*

### 7.1 Does the law allow refugees to reside anywhere in the host country without restriction?

- Yes    No    Only on certain conditions. Please specify: [            ]  
 If no, please specify where the refugee is allowed to reside (e.g.: refugee camp): [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

### 7.2 Does the law allow refugees to move and travel within the host country without restriction?

- Yes    No    Only on certain conditions. Please specify: [            ]  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

### 7.3 If applicable, under what conditions can refugees apply for public housing?

- Refugee must qualify as "low income"  
 Age requirement. Please specify minimum age: [            ]  
 After residing for a certain amount of time in the host country. Please specify in months: [            ]  
 Refugee cannot apply for public housing  
 Not applicable  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

### 7.4 If applicable, under what conditions can refugees buy property in the host country?

- Refugee must have resided in the host country for a certain period of time. Please specify minimum residence length: [            ]  
 A citizen must be a part/co-owner  
 Refugee cannot buy property  
 Not applicable  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

### 7.5 If applicable, under what conditions can refugees rent property in the host country?

- Refugee must have resided in the host country for a certain period of time. Please specify minimum residence length: [            ]  
 A citizen must co-sign the lease  
 Refugee cannot rent property  
 Not applicable  
 Other. Please explain: [            ]  
      If asylum seekers face different conditions, please indicate here and explain: [            ]  
 Please specify the legal basis: [            ]

## Section 8: Family

*This section captures how the laws and regulations apply to family members of refugees.*

### **Definitions:**

For Section 8, please refer to the following definitions:

- **Family members:** an immediate member, including spouse/partner, child, or parent.
- **Principal refugee:** the refugee who is the primary beneficiary of the refugee status.

### **8.1 Under what conditions does the law allow a refugee to have a family member join him/her in the host country?**

- If the refugee proves that he/she can provide sufficient financial support  
 Refugee is not permitted to petition for a family member to join him/her in the host country  
 Other conditions. Please specify: [       ]  
 Other. Please explain: [       ]  
      If asylum seekers face different conditions, please indicate here and explain: [       ]  
 Please specify the legal basis: [       ]

### **8.2 Does the law allow for the sponsored family member of the principal refugee to be eligible for employment (private, public, or self-employment)?**

- Yes    No    Only under certain conditions. Please specify: [       ]  
 Other. Please explain: [       ]  
      If family members of asylum seekers face different conditions, please indicate here and explain:  
     [       ] a  
 Please specify the legal basis: [       ]

### **8.3 Under what conditions does the law provide a refugee's child with a path to citizenship?**

- If the principal refugee has host country citizenship  
 If the refugee's child was born in the host country  
 If the refugee's child is over 18 years of age  
 If the refugee's child relinquishes original citizenship  
 The refugee's child does not have a path to citizenship  
 Other. Please explain: [       ]  
      If the children of asylum seekers face different conditions, please indicate here and explain:  
     [       ]  
 Please specify the legal basis: [       ]

**8.4 Does the law allow a refugee's child (under the age of 18, and who does not have citizenship of the host country) to receive the same education as children of citizens?**

**Primary education:**  Yes  No  Only on certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If the children of asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Secondary education:**  Yes  No  Only on certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If the children of asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Tertiary education:**  Yes  No  Only on certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If the children of asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**8.5 Does the law allow a refugee's child (under the age of 18, and who does not have citizenship of the host country) to apply for government education funding (study loans) on an equal basis as citizens?**

Yes  No  Only on certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If the children of asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**8.6 Does the law guarantee a refugee's family members access to health care services on equal basis with citizens?**

Yes  No  Only under certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If family members of asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

## Section 9: Active Citizenship

*This section captures the process by which the law allows refugees to access permanent residency and citizenship.*

**9.1 What is the minimum legal period of time that refugees can become citizens?**

Please state the minimum number of years: [ ]

Refugees cannot become citizens. If so, please move directly to question 9.3

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**9.2 Under what conditions can refugees become citizens?**

- Refugee must demonstrate language proficiency
  - Refugee must demonstrate cultural or civic proficiency
  - Refugee must already be considered a permanent resident
  - Refugee must have resided in the host country uninterrupted for a certain period of time
  - Refugee must relinquish original citizenship
  - Refugee must pay an application fee. Please indicate the approximate fee in your currency: [      ]
  - Other. Please explain: [      ]
    - If asylum seekers face different conditions, please indicate here and explain: [      ]
- Please specify the legal basis: [      ]

**9.3 Under what conditions does the law provide a refugee with eligibility for permanent residence?**

- Refugee must have resided in the host country for a certain period of time. Please specify minimum residence length: [      ]
  - Refugee must demonstrate expertise in a specific skill
  - Refugee must pay an application fee. Please indicate the approximate fee in your currency: [      ]
  - Other. Please explain: [      ]
    - If asylum seekers face different conditions, please indicate here and explain: [      ]
- Please specify the legal basis: [      ]

## Section 10: Anti-Discrimination

*This section captures the process by which the law protects refugees from discrimination in certain areas.*

**10.1 Is there a specific anti-discrimination law that prohibits discrimination, harassment, and/or instruction to discriminate against refugees on the grounds of race/ethnicity, religion/belief, or nationality?**

- Yes    No    Only on certain conditions. Please specify: [      ]
- If yes, does the law apply to both refugees and asylum seekers?    Yes    No    Not applicable
- If no, you have finished the questionnaire**
- Please specify the legal basis: [      ]

**10.2 Please indicate the scope of the anti-discrimination law.**

- Employment/vocational training
- Education (primary and secondary level)
- Social protection, including social security
- Housing
- Health
- Other. Please explain: [      ]
  - If asylum seekers face different conditions, please indicate here and explain: [      ]

**10.3 Does the law provide for criminal punishment or a monetary penalty for committing a crime against a refugee motivated by racial, national, ethnic or religious prejudice?**

**Criminal punishment:**  Yes  No  Only under certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Monetary penalty:**  Yes  No  Only under certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**10.4 Are refugees free to practice their religion?**

Yes  No  Only on certain conditions. Please specify: [ ]

Other. Please explain: [ ]

If asylum seekers face different conditions, please indicate here and explain: [ ]

Please specify the legal basis: [ ]

**Thank you for completing the questionnaire!** Please email it back to  
[integration@worldbank.org](mailto:integration@worldbank.org)