



Ad-Hoc Query on the arrangements made by MS in the aftermath of January 12, 2010, Haiti earthquake

Requested by FR EMN NCP on 9th February 2010

Compilation produced on 5th March 2010

Responses from Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovak Republic, Spain, Sweden, United Kingdom (20 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.






1. Background Information

During the informal JAI Council that took place in Toledo at the end of January, the French Minister of Immigration mentioned the measures taken by the Ministry to help the Haitian nationals after the January 12, 2010, Haiti earthquake. In this regard, the French Ministry of Immigration would like to learn from the management of this crisis. In this context, we find it very interesting and useful to know what provisions have been made by each Member State for Haitian nationals in response to this particular situation.

It would be very much appreciated if we could receive your answers **by 18th February 2010.**

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2. Responses¹




		Wider Dissemination? ²	<ol style="list-style-type: none"> 1. Did the January 12, 2010, Haiti earthquake lead your authorities to make specific arrangements with regard to Haitian nationals? 2. If not, why? 3. If yes, please describe the measures taken in order to facilitate the arrival of the earthquake victims and/or to allow them to stay on your territory?
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<p>Belgium has also made special arrangements from January 14th, however limited. It should be noted that the Haitian community in Belgium is small and that the numbers of applications for visa and asylum are very limited (e.g. 1 asylum application in 2009, 1 in 2008, less than 10 visa applications in 2009). The general conditions for family reunification (only spouse or registered partner and their children) were not changed after the earthquake.</p> <p>Belgium did however facilitate and accelerate the adoption of Haitian children by Belgian families, but only for cases in which the procedure had started before the earthquake. This resulted in the arrival of 14 Haitian children in Belgium on January 25, 2010. Belgium has frozen all adoptions from Haiti afterwards (no new adoptions are being accepted or processed by the Haitian government). Instructions were also given by the Belgian Immigration Department to extend the stay of Haitian nationals who were legally residing in Belgium and whose visas or residence permits had expired.</p>
	Czech Republic	Yes	<p>Czech Republic analyses whether there can be patients in Haiti fitting its program of medical evacuations (MEDEVAC) designed for patients whose life is at risk and for whom it is not possible to ensure medical treatment in the country of origin.</p> <p>Czech Republic did not make arrangements similar to those in France as there is no substantial number of Haitian nationals in our territory.</p>
	Denmark	Yes	Denmark has not implemented any special arrangements with regard to Haitian nationals.
	Estonia	Yes	<p>Estonia didn't provide such help, as facilitating the earthquake victim's arrival to Estonia, but in case international organisations will ask from Estonia such help, it will be organized and provided. According to the data of Estonian Police and Border Guard Board in Estonia there are no Haiti nationals.</p> <p>So far Estonian Ministry of Foreign Affairs' aid is:</p>

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."






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			<ul style="list-style-type: none"> through the International Red Cross and Red Crescent Movement to Haiti is currently 2.5 million kroons (about 159 785 EUR) of financial assistance and; through the International Humanitarian Partnership about 3,16 million kroons (about 201 968 EUR) to send experts to help in crisis region - Estonia sent to Haiti an IT expert and one of the 3-members logistics group with their equipment to support activities of international organizations. Estonian experts participate in this mission within the framework of the Nordic International Humanitarian Partnership.
	Finland	Yes	There were no specific arrangements made in the aftermath of January 12 2010 Haiti earthquake.
	France	Yes	<p>France has made special arrangements from January 14th to take into consideration the extent and severity of the natural disaster in Haiti and the impact on the 80 000 Haitian nationals living in France.</p> <p>That is how an exceptional and temporary plan for receiving the victims in France has been established:</p> <ul style="list-style-type: none"> to alleviate the conditions for family reunification and accelerate the processing of family reunification; to facilitate their access to the territory, with exemptions of entry permits to persons who have asked for family reunification and persons who must be evacuated to be treated in France; to extend the stay of Haitian nationals legally residing in France and whose visas or residence permits have expired after January 12, 2010.
	Germany	Yes	<ul style="list-style-type: none"> Visa and residence Germany has simplified certain procedure ways as an immediate measure, so that a quick decision on visa applications of Haitian citizens is allowed. Beyond that, further actions have not been taken yet. Adoption of children At the time of the earthquake disaster, numerous adoption and adoption placement proceedings were in progress for Germans wishing to adopt a child from Haiti. In the wake of the disaster the international placement office approved for Haiti in Germany, "HELP a child", requested the German government to bring approx. 60 children to Germany whose adoption processes were in their advanced stages. The German government drew up the following criteria for the provision of such exceptional assistance on account of the risk to which the children were subject in Haiti: <ul style="list-style-type: none"> - At least one match (final assignment) had to have taken place between the adoptive parents and the child in the course of the adoption process. - The child's departure from Haiti had to be approved by the Haitian government. - The adoption applicants had to sign a declaration confirming that the children would be returned to Haiti, should the natural parents unexpectedly withdraw their consent to adoption. - The child's entry into Germany had to be approved by the German foreigners' authorities. - No other grounds for refusing the child's transfer to Germany were to apply.








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			<p>These criteria were met in approx. 60 cases. "HELP a child" duly arranged for the children to be flown from Santo Domingo to Frankfurt. The children have since arrived safe and sound in Germany and have been taken into the care of their adoptive parents and adoption applicants.</p> <p>The adoption proceedings have been suspended in all other cases, in which no matching of adoptive children and adoptive parents has yet taken place. It is to be expected that it will be some months before the Haitian authorities are able to operate once again. Only then will it be possible to resume current proceedings or take receipt of new applications.</p>
	Hungary	Yes	<p>Hungary does not have many immigrants coming from the Latin-American and Caribbean countries. In 2008 for instance, there were only 2 Haitian nationals in Hungary having a residence permit and there were no Haitian asylum-seekers between 2006 and 2008. These data show that Hungary is not a destination country for Haitian nationals.</p> <p>The very low number of Haitian nationals in Hungary explains the fact that the government did not make any special arrangements after 12 January 2010 to facilitate the arrival of earthquake victims. Hungary did help the victims however, but with the help of other means, such as by sending special rescue teams, doctors, by collecting donations and by providing 10 000 Euros in the framework of the EU coordinated aid programme.</p>
	Italy	Yes	<p>In Italy it's not excluded that in the near future specific measures could be implemented. In the days following the earthquake, the Prime Minister announced that initiatives were being examined to ensure assistance to the hundreds of thousands of refugees (January 19th, 2010). As part of today, however, national authorities have expressly requested to exercise great caution with regard to international adoption, in the absence of the Haitian authorities that can act as mentors for children's rights. Regarding the possibility to arrange special conditions for Haitian citizens already living in Italy, it must be taken in consideration that at the end of 2008 just 166 Haitian citizens were regularly residents in Italy. In light of this situation until now it has not been undertaken any special provisions.</p>
	Latvia	Yes	<p>Latvia has not introduced any special measures for citizens of Haiti due to the lack of economic and cultural ties with this country. In 1st January 2010 there has not been registered any citizen of Haiti with a residence permit. Number of visa applications for citizens of Haiti in 2009 is also 0.</p>
	Lithuania	Yes	<p>Lithuania has taken only financial measure regarding support for Haiti:</p> <ul style="list-style-type: none"> • Ministry of Foreign affairs of the Republic of Lithuania donated 50 thousand litas (approx. 15 thousand Euros) to Haiti nationals suffered from the earthquake; • Non-governmental organizations have already collected and sent over 640 thousand litas (approx. 185 thousand Euros) in donations ("Save the children" – 508 thousand litas, Red cross Lithuania – 83 thousand litas, Caritas Lithuania – over 50 thousand Litas). Caritas is still accepting donations, while other organizations have already finished their initiatives and delivered collected funds.
	Malta	Yes	<p>The Maltese authorities did not make specific arrangements to resettle Haitian nationals to Malta. However, €30,000 worth of blankets have been sent to Haiti and in the coming days the following will be sent: 1 container of tinned food (€30,000), 2 containers of clothing (€40,000) and 12,000 water bottles (2 containers worth €1,000). Malta has also contributed financially with €50,000 to assist the victims of the earthquake.</p>

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	Netherlands	Yes	The situation in Haiti is not a reason itself to accelerate the procedure of admission to the Netherlands. Neither is the situation in Haiti a reason to accelerate the procedure of naturalisation. The current admission- and naturalisation policy remains in force. Nevertheless, the Netherlands will take into account the exceptional individual circumstances. Therefore each case will separately be judged whether the circumstances are a reason to differ from the valid conditions. It is important to prioritize cases that make an appeal to the situation in Haiti.
	Poland	Yes	Since there is no substantial number of Haitian nationals in the territory of Poland (only 1 Haitian national was granted residence permit for a fixed period in 2009), there were no specific arrangements made with regard to Haitian nationals.
	Portugal	Yes	On immigration and asylum framework, so far, the Portuguese authorities did not make specific arrangements regarding Haitian citizens after the earthquake.
	Slovak Republic	Yes	Slovak Republic has not made any special arrangements with regard to Haitian nationals. There have been no Haitian nationals as migrants and/or asylum seekers in the Slovak Republic in the last several years. However, Slovak Republic has provided humanitarian aid to Haiti since the first days after the earthquake.
	Spain	Yes	Spain, in addition to contributing with humanitarian aid, has taken some measures related with Haiti nationals: <ul style="list-style-type: none"> • Steps have been taken so that Haitian minors may travel to Spain with the Spanish families which had finalized adoption procedures in accordance with Haitian law. Given that adoptions in Haiti are simple adoptions and do not result in paternity effects, these minors continue to be Haitian nationals and travel to Spain as such. On another hand, Spain suspended adoption processes with Haiti, in general, in June 2007. • Likewise, Haiti has been offered a genetic identification programme which would contribute toward the fight against mafias involved in human trafficking in that country. Biological samples are taken of minors without known family members and of fathers and mothers who report the disappearance of their children for the purpose of creating a database which will be made available to Haitian authorities. The programme's main objective is to fight against mafias which intend to kidnap minors to exploit them through smuggling or trafficking. • Furthermore, Spain has facilitated the return of Haitian residents of member countries of the European Union.
	Sweden	Yes	No, Sweden has not made any changes in policy regarding Haitian national due to the earthquake in January. Sweden is directing its efforts towards the emergency area. Sweden is providing extensive humanitarian support to mitigate the emergency situation in Haiti. Sweden's support for the emergency situation in Haiti now amounts to SEK 180 million. In addition, Sweden will disburse its entire annual contribution of SEK 425 million to the UN Central Emergency Response Fund (CERF). SIDA (Swedish International Development Cooperation Agency) has set aside SEK 100 million for the appeal towards the work of various organizations responding to the emergency situation.
	United Kingdom	Yes	The UK government is working with Haiti and its international partners to deal with the immediate situation on the ground. We will continue to deal with future issues arising from the devastation that the earthquake has brought. The UK will not be removing anyone to Haiti at present. We will keep the situation under close review, and will deal with any individuals that come to our attention on a case-by-case basis, taking into account any compassionate circumstances.

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