

CIRCULAR NOTE

Amendment to the Aliens Act:

New procedures for applying for visas and residence permits applicable to all diplomats/employees from third countries posted to embassies or international organisations in Denmark

The Danish Ministry of Foreign Affairs, Protocol Department, presents its compliments to all Heads of Diplomatic Missions and the Consulate accredited to and resident in Denmark, Heads of International Organisations and other Missions resident in Copenhagen and has the honour to inform that new procedures for applying for visas and residence permits to diplomats/employees from third countries posted at embassies or international organisations in Denmark will be introduced.

Legal basis:

The Danish Parliament has passed an amendment to the Aliens Act, which came into force on 1 July 2021.

The Aliens Act, section 47, para 1, authorises the Minister of Foreign Affairs to issue residence permits to persons who, pursuant to the Vienna Convention or a host agreement with an international organisation, enjoy diplomatic rights, as well as to their family members and private servants.

Today, diplomats/employees at embassies and staff of international organisations from third countries enter either visa-free or on a short-stay visa (C-visa), which is contrary to the rules of the EU Visa Code, as the intent is to work and/or stay in Denmark for more than 90 days. With the amendment of the Aliens Act, all diplomats and others from third countries who are posted to Denmark will need to obtain a long-term visa (D-visa) prior to entry into Denmark. This also applies to persons who are visa-free if they enter for a shorter stay. EU/EEA and Swiss nationals are exempt.

The issuance of a long-term visa will be conditional on the person in question having been granted a residence permit by the Protocol Department in advance, cf. section 4 a, para 3, of the Aliens Act.

Timing:

The new procedure will be introduced gradually, which means that for a period of four (4) months the current and the new procedure will run in parallel: **From**

To Heads of Diplomatic Missions and the Consulate accredited to and resident in Denmark, Heads of International Organisations and other Missions resident in Copenhagen

1 December 2021 to 31 March 2022, the Protocol Department will both be handling applications for residence permits from persons who have already entered Denmark and applications relating to persons with expected arrival after 31 March 2022. **As of 1 April 2022, all diplomats and others from third countries who are to be posted to Denmark will need to obtain a long-term visa (D-visa) prior to entry into Denmark.**

New procedure:

To apply for a residence permit, the applicable registration form (see [Protocol Department's homepage](#)) together with a diplomatic note and copy of the passport (including passports for dependant family members) must be submitted to the Protocol Department as soon as possible and **well in advance** of the planned departure for Denmark.

The Protocol Department will inform the Embassy/International Organisation/other Mission, once the residence permit has been approved and the long-term visa can be issued. The applicant must then contact the relevant Danish mission outside of the Schengen area directly to make an appointment to collect the visa. See appendix for an overview of relevant Danish missions including their contact information. Alternatively, the passport of the applicant can be forwarded to the Mission as registered mail or by courier. Return postage/fee to a courier company must be enclosed. Private servants must participate in an interview with staff at a Danish mission prior to final approval of the residence permit and then collect their visa directly at a Danish mission.

The Protocol Department will issue residence cards for the employee and dependant family, which will be ready for collection once the diplomat/employee and dependant family have arrived in Denmark. Please be informed that when collecting the residence card, the passport of your employee and dependent family members must be presented. Private servants must collect their residence card in person.

The grand advantage of this new procedure is that the employee and dependant family will obtain his/her residence card with an administrative CPR number immediately after arrival in Denmark, which will make it easier to settle in Denmark without delay.

The Ministry of Foreign Affairs, Protocol Department, avails itself of this opportunity to renew to all Heads of Diplomatic Missions and the Consulate accredited to and resident in Denmark, Heads of International Organisations and other Missions resident in Copenhagen the assurances of its highest consideration.

Copenhagen, 15 November 2021

