



## Mobility of researchers, third-country nationals, in the European Union

A third-country national who holds a valid residence permit as a researcher in another Member State of the European Union may stay in Luxembourg to conduct part of his research in a research organization. The procedure to follow varies according to the length of stay. A distinction must be made between short-term mobility (less than 180 days over a 360-day period) and long-term mobility (between 180 and 360 days).

Family members of the researcher, namely the spouse, the registered partner and minor children can accompany the researcher as part of his mobility.

### 1. Short term mobility (< 180 days)

A third-country national who holds a valid residence permit issued by the first Member State as a researcher may be authorized to stay in the Grand Duchy of Luxembourg to conduct part of his research for **a period of up to 180 days in any 360-day period**. In the context of short-term mobility, a notification procedure applies.

The researcher or the research organization established in the Grand Duchy of Luxembourg shall notify the competent authorities of the first Member State and the Minister in charge of immigration of the intention of the researcher to carry out part of the research work within the research organization in the Grand Duchy of Luxembourg as soon as the mobility project is known. **The notification must be made before the beginning of the mobility.**

The notification to the Minister in charge of immigration<sup>1</sup> must include the following information and documents:

- A copy of his/her valid passport, in its entirety (all pages);
- A copy of the valid residence permit issued by the first Member State covering the entire mobility period;
- The hosting agreement concluded with the research organization in the Grand Duchy of Luxembourg;
- The expected duration and dates of the mobility when that data does not appear in the hosting agreement;
- Evidence that the researcher has sufficient resources during the planned stay to cover his living expenses without resorting to the social assistance system, as well as his return costs. The researcher must justify monthly resources corresponding at least to the social minimum wage for qualified employees;
- Proof of a valid health insurance.

In case family members wish to accompany the researcher, the following documents from the family members must be notified :

- A copy of the valid passport, in its entirety (all pages);

<sup>1</sup> The application should be sent to the Directorate of immigration (see postal address below).

- The valid residence permit issued by the first Member State covering the entire mobility period;
- The hosting agreement concluded between the researcher and the research organization in the Grand Duchy of Luxembourg;
- Proof that the family member has a valid health insurance.

The mobility can begin immediately after it has been notified to the Minister or at any later date during the period of validity of the residence permit as a researcher issued by the first Member State.

**The researcher is issued (either by post or when presenting himself at the Directorate of Immigration) a document attesting that he is authorized to stay in Luxembourg for the duration of his mobility.** This certificate is to facilitate the declaration of arrival at the municipality of the chosen place of residence.

In the event of objection by the Minister in charge of immigration, the third-country national is not authorized to conduct part of his research in the Grand Duchy of Luxembourg and when the mobility has already taken place, the researcher shall immediately cease to carry on any activity and leave the territory of the Grand Duchy of Luxembourg to the first Member State.

## **2. Long term mobility (between 180 and 360 days)**

A third-country national who holds a valid residence permit issued by the first Member State as a researcher may be authorized to stay in the Grand Duchy of Luxembourg to conduct part of his research in any research institution for a period of 180 days to 360 days. In the context of long term mobility, the researcher must apply for a temporary residence permit as a researcher.

The researcher or research organization established in the Grand Duchy of Luxembourg must submit an application to the Minister responsible for immigration. The following documents must be attached to the application:

- A copy of his/her valid passport, in its entirety (all pages);
- A recent extract from his/her police record or an *affidavit* issued in the country of residence;
- A resume ;
- A copy of the diplomas or professional qualifications;
- A hosting agreement signed beforehand with an approved research organization<sup>2</sup> ;
- A nominative financial statement of support concerning the charges of residence and return of the researcher. This statement is signed by the research organism after the signature of the hosting agreement;
- If need be, a mandate/proxy<sup>3</sup>.

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<sup>2</sup> By this convention, the researcher commits to carry out the research project. The research organization commits to host the researcher for this purpose, provided that the research activity has been accepted by the competent bodies of the organization, after examination of the following :

- a) the subject and the duration of the research, and the availability of the financial means necessary for their realization;
- b) the researcher's qualifications with regard to the subject-matter of the research, attested by a certified copy of the diplomas required;
- c) the researcher has sufficient monthly resources during his / her stay, corresponding at least to the minimum social wage for qualified workers, to cover his / her living and return expenses without resorting to the social assistance system while being covered by health insurance.

The hosting agreement shall also include the start and end dates or the expected duration of the research activity, information on the planned mobility project in one or more second Member States, if such mobility is known at the time of application, as well as information relating to the working conditions of the researcher.

<sup>3</sup> The third-country national may confer mandate to a third person so as to submit the application in his/her place. In this case, the appointed person, except for juridical consultants, must present a duly signed and dated mandate from the third-country national. The signature must be preceded by the handwritten phrase « good for power of attorney ». You can find a model of a mandate/proxy on the internet site [www.guichet.lu](http://www.guichet.lu)

In case family members wish to accompany the researcher, the following documents from the family members must be notified:

- A copy of the valid passport, in its entirety (all pages);
- The valid residence permit issued by the first Member State covering the entire mobility period;
- The hosting agreement concluded between the researcher and the research organization in the Grand Duchy of Luxembourg;
- Proof that the family member has a health insurance.

**It should be noted that the researcher does not have to leave the Schengen Area to apply for a residence permit and is not subject to the visa requirement.**

In addition, the researcher is authorized to carry out part of his research within the research organization established in the Grand Duchy of Luxembourg until the Minister has decided on the application for authorization to stay for a mobility of long-term, provided that:

- his stay in Luxembourg has not yet exceeded 180 days,
- the period of validity of the authorization issued by the first Member State has not expired and
- the complete application has been submitted to the Minister at least 30 days before the start of the long term mobility.

An application for a residence permit for long-term mobility and a short-term mobility notification cannot be submitted simultaneously.

When a long-term mobility is required while the researcher's period of short-term mobility has already started, the application for a residence permit for long-term mobility must be submitted to the Minister at least 30 days before end of the period of short-term mobility.

The decision on the application is taken within sixty days.

**The third-country national authorized to stay is issued a residence permit for 'researcher' with the mention 'mobility of researcher' allowing him to stay and conduct part of his research in the Grand Duchy of Luxembourg for the duration of the mobility.**

The research organization in the Grand Duchy of Luxembourg or the researcher shall inform the Minister of any change affecting the conditions on the basis of which the mobility has been authorized.

**For further information (in English, French and German), please visit the web site [www.guichet.lu](http://www.guichet.lu)**

**Information note on the protection of personal data**

The Directorate of Immigration of the Ministry of Foreign and European Affairs collects and uses your personal data in the context of its public interest mission in implementation of the amended law of 29 August 2008 on the free movement of persons and immigration, and in compliance with the legal provisions on data protection. More detailed information on the processing of your data, as well as on your rights in the matter, are available on the website: <https://maee.gouvernement.lu/en/services-aux-citoyens/visa-immigration.html>