Panel Meeting on Family Reunification

26-27 November, 2015

Tbilisi
**ARMENIA**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

   The due legislation of Armenia applies equally to RA nationals, foreign nationals and stateless persons.

   RA Law on Social Support provides the following definition for family: “family means a small social group of persons who are linked with each other by matrimonial, kinship, courtship relations, maintaining a common household, sharing a common budget and pursuing common interests, and interacting based on principles of mutual assistance, moral and legal mutual responsibility. A single person household is also considered as a family.”

2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

   At the territory of Armenia, a marriage of an Armenian citizen and a foreign national is effected according to the due RA legislation.

3. Please briefly describe the procedure for family reunification in your country.

4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?

   Income levels, employment, language skills and housing availability considerations cannot prevent a family reunification in RA.

5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

   Up to July 2015, victims of trafficking were detected and identified according to Procedures of Referring Victims of Trafficking (approved by the RA Government). The document defined the range of persons engaged into identification of trafficking victims, and provided mechanisms for information exchange and victims’ referrals. In December 2014, a new law was adopted - RA Law on Identification and Provision of Assistance to Victims of Trafficking or Exploitation. The new law provides a more advanced mechanism of detection, identification and protection of trafficking victims.

6. How would you assess the impact of your family reunification system on the integration process?

7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

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### AZERBAIJAN

| 1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification. | According to Article 44 of the UN Convention “on the Protection of the Rights of Migrant Workers and Members of Their Families”, which Azerbaijan is also a party to, States Parties, recognizing that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, take appropriate measures to ensure the protection of the unity of the families of migrant workers. All rights of migrants and members of their families, who are included in aforementioned and other international documents, are considered in the national legislation.

According to the Migration Code of the Republic of Azerbaijan family reunification of migrant workers is not limited. Therefore according to the Migration Code temporary residence permission is granted to the family members of migrant workers in the Republic of Azerbaijan and temporarily or permanently residing foreigners or stateless persons.

According to Article 3.0.11 of the Migration Code family members of foreigner or a stateless person are foreigner’s or stateless person’s spouse, children under the age of 18, children who are 18 or older, but unable to work and parents supported by him/her.

According to Article 74.1 of the Migration Code of the Republic of Azerbaijan unless otherwise is envisaged by the Law and the international agreements which the Republic of Azerbaijan is a party to, foreigners and stateless persons enjoy equally all of the rights as the citizens of the Republic of Azerbaijan while staying in the Republic of Azerbaijan.

According to Article 6 of the Law “On status of refugees and internally displaced (persons displaced within the country) persons” unless otherwise is provided by the Constitution of the Republic of Azerbaijan, present Law and other legislative acts, the refugees use the rights and liberties of the citizens of the Republic of Azerbaijan and have the same duties with them. Persons obtained refugee status use the rights considered in the legislation of the Republic of Azerbaijan for foreigners and stateless persons and have same duties with them.

During 9 month of 2015 State Migration Service granted temporary residence permission to 15252 persons on grounds of close relatives and 4825 persons on grounds of family member of a migrant. |
| 2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)? | According to Article 2 of the Family Code of the Republic of Azerbaijan a marriage is a free-will alliance of a man and woman, registered in the appropriate executive authority with the purpose of establishing a family. Definition of family is not explained in the Code, however among the main definitions of the Law of the Republic of Azerbaijan dated from 2005 “on Direct state social assistance” definition of family is given. Therefore family is/are persons or person who has ties upon relationship or other characteristics defined by legislation, living together and possessing general housekeeping.


According to the Family Code registration of marriage is carried out by the relevant executive authority in personal presence of the persons concluding marriage, one month after submitting an application form together with reference confirming that they have passed medical examination. When the marriage is registered marriage certificate is given.

In the “Rules on state register of civil status acts” it is stated that registration of marriage is carried out by any registrar, consular office and representation of mayor’s office chosen by one of the persons concluding marriage or their parents. Persons intending to conclude marriage can... |
apply to registrar, consular office and representation of mayor’s office in written form with the reference certifying that they have passed through medical examination.

Conditions of registration of marriage for foreigners on the territory of Azerbaijan Republic are determined by the legislation of their own country and with compliance of requirements of Article 12 of the present Code. Cases prohibiting marriage between persons are indicated in Article 12 of the Family Code of the Republic of Azerbaijan. Those cases are:
- close relatives (parents and children, grandmothers, grandparents and grandchildren, brothers and sisters having common mother or father);
- adopting persons and adopted persons;
- if one or both of the persons are already registered in another marriage;
- if persons refusing to present reference confirming that they have passed medical examination;
- if one or both of the persons are found, by the court, to be disabled as a result of mental illness or mentally backward.

Conditions of registration of marriage by a stateless person are determined by the legislation of the country where this person has a permanent place of residence.

Unless otherwise is envisaged by the international agreements which the Republic of Azerbaijan is a party to, foreigners and stateless persons intending to get married are required to present a reference on marital status which is given by relevant authorities of the country of origin or permanent residence considering that remarks on marital status is not indicated in their identity documents.

3. Please briefly describe the procedure for family reunification in your country.

4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i. e. level of income, employment, language skills and housing?

5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

According to Article 50.0.2 of the Migration Code of the Republic of Azerbaijan for the purpose revealing and eliminating cases of legal residence in the country through providing falsified information relevant structural units of the State Migration Service inspects authenticity of marriages of foreigners who declared their marriage as a ground for legal residence when applying to the Service. When marriages of convenience are revealed relevant administrative decisions are made.


In order to strengthen fight against human trafficking, considering requirements of Law “on Fight against human trafficking”, special police unit has been established within the Ministry of Internal Affairs and National Coordinator has been appointed. Delivery of human trafficking victims
and potential victims to special police unit is carried out according to “Rules on delivery of victims of human trafficking crime” approved with 1 February 2008 dated Decision No.21 of the Cabinet of Ministers of the Republic of Azerbaijan.

Regarding identified persons application to special police unit is lodged in accordance with items 6 and 7 of the abovementioned Rules:

- In case suffering of person from human trafficking is revealed or preparation for or act of crime of human trafficking is identified by other authorities special police unit is immediately informed about the case in order to ensure safety of human trafficking victims, to render professional assistance to them, to collect and protect information on fight against human trafficking under single roof;
- After human trafficking victims and potential victims are identified their applications are processed according to the legislation, by taking immediate action for delivery to the special police unit within 24 hours, his/her document is presented to the unit and relevant assistance is provided.


Foreigners and stateless persons who are victims of human trafficking are provided with equal protection and assistance with citizens of the Republic of Azerbaijan. According to Article 79.4 of the Migration Code of the Republic of Azerbaijan. Decision on expulsion of foreigners and stateless persons, who are considered to be victims of human trafficking, is not made for the period of 1 year and for foreigners and stateless persons that assist the prosecuting authorities till the end of prosecution. Decision on expulsion is not made on minor victims of human trafficking.

At the same time ensuring safety of person suffered from human trafficking in the Republic of Azerbaijan is carried out in compliance with Laws of the Republic of Azerbaijan “on Fight against human trafficking” and “on State protection of persons participating in criminal proceedings”.

For the protection and temporary accommodation of human trafficking victims shelter and assistance centers has been established.


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<th>6. How would you assess the impact of your family reunification system on the integration process?</th>
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<td>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</td>
<td>The Migration Code of the Republic of Azerbaijan which establishes norms concerning implementation of the state policy in the sphere of migration in the Republic of Azerbaijan, regulation of migration processes and relations arising in this sphere and legal status of foreigners and stateless persons in the Republic of Azerbaijan entered into force in 2013. In the context of constantly changing migration processes within the framework of bilateral and multilateral cooperation gap analysis is conducted in the legislation regularly, needs are assessed and relevant addendums and amendments are made in the legislation.</td>
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**BELARUS**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

   According to Art. 59 of the Family Code of the Republic of Belarus (referred hereinafter to as the Family Code) a family is defined as a union of persons, who are united by moral and material commonality and support, joint housekeeping, rights and obligations based on marriage, close relationship, or adoption.

   According to Art. 65 of the Family Code, a family has to facilitate materialisation of rights and legitimate interests of the family members, the family is responsible for raising, education, care and protection of children.

   Foreign nationals and stateless persons (referred hereinafter to as foreigners), who enter the territory of the Republic of Belarus for family reunification with their relatives (family members), who are citizens of the Republic of Belarus or foreigners with the status of temporary/permanent residents (who, in their turn, entered Belarus inter alia for education or employment, and were granted temporary or permanent residence permits), are also entitled the right for issuance of such residence permits.

   Besides that, rights to family reunification are granted to foreigners who entered the territory of the Republic of Belarus as family members of a foreigner who have been granted refugee status in the Republic of Belarus or subsidiary protection in the Republic of Belarus.

   In particular, in Art. 2 of Law of the Republic of Belarus on Granting Refugee Status, Subsidiary and Temporary Protection to Foreign Nationals and Stateless Persons in the Republic of Belarus (referred hereinafter as the Law), family reunification is defined as entry of family members to the territory of the Republic of Belarus for cohabitation with a foreigner who has been granted refugee status in the Republic of Belarus or subsidiary protection in the Republic of Belarus.

   Family members of a foreigner with refugee status or under subsidiary protection, who entered the territory of the Republic of Belarus for family reunification, if no such grounds exists as specified in Art. 3 and section 7 of para 2 of Art. 43 of the Law, as well as children born in the Republic of Belarus in families of foreigners who have been granted refugee status or subsidiary protection, shall be also granted refugee status or subsidiary protection based on the principle of family unity.

   Since 2000, refugee status in the Republic of Belarus on family reunification grounds was granted to 31 persons.

2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

   Similar rules are applicable to marriages between citizens of the Republic of Belarus and foreigners, as well as to marriages between citizens of the Republic of Belarus, as specified by the Family Code.

   In particular, preconditions to a marriage include: mutual consent of the parties, marriable age and lack of obstacles to marriage as stipulated by Art. 19 of the Family Code. Besides that, a marriage should seek to establish a family.

3. Please briefly describe the procedure for family reunification in your country.

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4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of

   According to section 4 of para 1 of Art. 53 of Law of the Republic of Belarus on Legal Status of Foreign Nationals and Stateless Persons in the Republic of Belarus (referred hereinafter to as the Law of Legal Status) foreigners who have the right to family reunification shall be granted permits for permanent residence in the Republic of Belarus.
<table>
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<th>income, employment, language skills and housing?</th>
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<td>In particular, according to Art. 55 of Law on Legal Status, rights for family reunification are granted to spouses, underage children and adopted children, as well as single (never married) children and adopted children over 18, unemployable parents and adoptive parents with invitations from spouses, parents, adoptive parents, children and adopted children, respectively, who are citizens of the Republic of Belarus or foreigners who are permanent residents of the Republic of Belarus.</td>
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In some cases, rights for family reunification may be granted to other relatives (family members) of citizens of the Republic of Belarus and foreigners - permanent residents of the Republic of Belarus, who are not listed in para 1 of the Article, provided that a sponsor or a foreigner who applied for issuance of a permanent residence permit, have sufficient housing conditions, and the sponsor has a source of income sufficient to ensure the subsistence level (as set in the Republic of Belarus) for him/herself, his/her family members (spouse, children, adopted children under 18 and dependants), as well as for the foreigner who applied for the permanent residence permit, for the period of examination of the application.

In cases of family reunification, foreigners who apply for issuance of permits for permanent residence in the Republic of Belarus or persons who invite them, have to submit documents substantiating the right to family reunification.

In order to be issued a permanent residence permit, a foreigner has to submit documents as specified in sub-section 12.7.1. of section 12.7. of the List of Administrative Procedures Conducted by Governmental Bodies and other Governmental Organisations on Citizens' Applications (approved by Decree # 200 of the President of the Republic of Belarus of 26.04.2010) to a territorial unit on nationality and migration matters of a MoI body in the place of his/her anticipated residence in Belarus.

It is necessary to note that a permanent residence permit should not be issued to a foreigner if documents and/or other evidence items are available, suggesting that his/her marriage with a citizen of the Republic of Belarus or with a foreigner who is a permanent resident of the Republic of Belarus, was arranged by the foreigner for the sole purpose to be issued a temporary or permanent residence permit.

Besides that, a permanent residence permit issued to a foreigner may be annulled if the foreigner and his/her family members (spouse, children, single adopted children over 18, dependants), who reside permanently in the Republic of Belarus, do not have sources of legal income sufficient to ensure a subsistence level (as set in the Republic of Belarus) for the foreigner him/herself and his/her family members for six recent months.

In addition, a foreigner who had been granted refugee status or subsidiary protection, may apply to the unit on nationality and migration matters of his/her registration with a written submission asking for family reunification to facilitate entry of his/her family members to the Republic of Belarus; he/she also needs to submit documents supporting his/her family reunification claims.

In the case of an unaccompanied minor foreigner who had been granted refugee status or subsidiary protection, a written submission on family reunification on behalf of the minor to facilitate entry of his/her family members to the Republic of Belarus should be submitted by his/her guardian.

After entry to the Republic of Belarus for family reunification, family members of a foreigner with refugee status or under subsidiary protection should apply for protection according to established procedures.
A foreigner who entered the Republic of Belarus for family reunification and applying for protection, has to provide documents and evidence substantiating his/her rights for family reunification.

If deemed necessary to collect information supporting family reunification claims, a unit on citizenship and migration matters and the Department may interview the foreigner with refugee status or under subsidiary protection, whose family members entered the country for family reunification.

### 5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

Practical experience of enforcement of the Law on Legal Status, foreigners often use marriages with citizens of the Republic of Belarus or with foreigners who reside permanently in the Republic of Belarus for the sole purpose to legalise their stay in the Republic of Belarus be means of getting permits for temporary or permanent residence in the Republic of Belarus.

Later on, foreigners of the above category who reside de jure legally in the Republic of Belarus are often engaged into different criminal activities: illegal business activities, organisation of illegal migration, trafficking in persons, drug trafficking, etc.

As it was already noted, the Law on Legal Status stipulates that a temporary or permanent residence permit should not be issued to a foreigner if documents and/or other evidence items are available, suggesting that his/her marriage with a citizen of the Republic of Belarus or with a foreigner who is a permanent resident of the Republic of Belarus, was arranged by the foreigner for the sole purpose to be issued a temporary or permanent residence permit.

The list of such documents and evidence items, as well as procedures for their collection by MoI bodies are defined by the Regulation on procedures used by bodies of the Ministry of Interior to collect documents and/or evidence items suggesting that a marriage with a citizen of the Republic of Belarus or a foreigner/stateless person residing permanently in the Republic of Belarus was registered by a foreigner or a stateless person for the sole purpose of getting a permit for temporary or permanent residence in the Republic of Belarus (referred hereinafter to as the Regulation). The Regulation was approved by Decree # 891 of the Council of Ministers of the Republic of Belarus of 10.06.2010.

The Regulation primarily seeks to ensure a legal barrier in place for preventing abuse of the right to family reunification by foreigners who intend to get permits for permanent residence in the Republic of Belarus in connection with marriages of foreigners with citizens of the Republic of Belarus or foreigners who reside permanently in the Republic of Belarus, if such marriages were contracted by foreigners with the sole purpose of getting permits for temporary or permanent residence in the Republic of Belarus.

Outcomes of investigation of real purposes of foreigners' marriages may be further used in a legal action on declaring a marriage void (only a count may declare marriages void).

Besides that, para 2 of Art. 46 of the Family Code defines competences of MoI bodies in the course of legal actions to declare marriages void. According to the above provision, bodies of the Ministry of Interior may initiate a legal action to annul a marriage if the marriage of a foreigner with a citizen of the Republic of Belarus or a foreigner who resides permanently in the Republic of Belarus, served as legal grounds for issuance of a permit for temporary or permanent residence in the Republic of Belarus to the foreigner.

### 6. How would you assess the impact of your family reunification system on the integration process?

In recent time, major efforts were made at the territory of the Republic of Belarus to implement an active policy of social integration of foreigners who entered Belarus for family reunification purposes, including promotion of equal opportunities, and career advancement, provision of access to education, social services, etc.
It is necessary to note, that in the Republic of Belarus, the right for family reunification is intended to protect families and promote social and civil integration - in general terms, it reflects one of strategic dimensions of the national migration policy of the country (i.e. protection of migrants’ rights and promotion of their social integration).

In particular, it is worth to note a broad coverage of the provision of the Law on Legal Status, that grants the right for family reunification to foreigners - according to the provision, in addition to spouses and close relatives, other relatives (family members) of citizens of the Republic of Belarus or foreigners who reside permanently in the country, are also granted rights to family reunification.

Besides that, in the last year, the Law on Legal Status was amended by a provision that grants rights for compensations of travel and initial accommodation costs in the Republic of Belarus to certain categories of foreigners. According to the said provision, such rights are granted to such foreigners themselves and to their family members (spouses, underage children).

7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

At the contemporary stage of development of the migration legislation of the Republic of Belarus, no substantial changes are planned in family reunification rules.

**BULGARIA**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

   According to the Bulgarian Law on Asylum and Refugees, members of the family are:
   - the spouse or the person, with whom he/she is in a proven stable and long-term relationship and their underage and non-married children;
   - children of legal age who are not married who are not able to support themselves on their own due to serious health reasons;
   - the parents of each of the spouses who are not in position to take care of themselves because of old age or serious disease and it is imperative to live with their children in one household.
   
   The legal opportunities in Bulgaria for family reunification for beneficiaries of international protection are described in article 34 of the Law on Asylum and Refugees, namely: “The foreigner with a granted international protection (refugee status or a subsidiary protection) shall have the right to claim family uniting on the territory of the Republic of Bulgaria.”
   
   The number of persons granted residence permit through family reunification in the period from the beginning of 2011 till 08.10.2015 is 4417.

2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

   The answer of the question is outside of the sphere of competence of the State Agency for Refugees with the Council of Ministers of Republic of Bulgaria.

3. Please briefly describe the procedure for family reunification in your country.

   The President of the State Agency for Refugees shall give permit for uniting the family. The State Agency for Refugees shall facilitate uniting separated families, by assisting the foreigners in issuing traveling documents, visas and by providing access to the territory of the country. When the foreigner cannot present official documents, evidencing the matrimonial state or the relationship, they shall be evidenced by a signed by him/her declaration or in another way. When the location of the family members is unknown, the State Agency for the refugees in cooperation with the UNHCR, the Bulgarian Red Cross and other organizations shall undertake actions for their tracing.
4. **What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?**

The President of the State Agency for Refugees shall reject a permit for family reunification in the following cases:

- when with regard to any family member the following circumstances are available, namely: for whom enough evidence exists to suppose that he/she has committed an act which, according to the Bulgarian laws and the international agreements party to which is the Republic of Bulgaria, is determined as a war crime or as a crime against the peace and humankind; for or whom there are enough reasons to suppose that he has committed a severe crime of non-political nature outside the territory of the Republic of Bulgaria; for whom serious grounds exist that he is committing or rousing to actions contradicting the goals and the principles of the United Nations Organisation.

- with regard to another spouse – in case of polygamy, when the foreigner has already got a spouse in the Republic of Bulgaria.

5. **What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?**

In the process of considering the request for family reunification, the competent officials collate the information received to that which is provided at the beginning of the procedure for granting international protection. The aim is to be checked whether there are inconsistencies in the information provided at the different stages of proceedings.

6. **How would you assess the impact of your family reunification system on the integration process?**

Republic of Bulgaria strictly adheres to one of the fundamental principles of the international refugee law, namely the principle for preserving the unity of the family. Thus the process of integration will be facilitated.

7. **Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?**

Substantial changes in the rules for family reunification are not planned by the competent Bulgarian authorities.

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**CZECH REPUBLIC**

1. **Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.**

In Czech legal system, family reunification is taken into consideration. Family members have possibility to ask for a special Long term residence permit.

Definition of a family member:

a) the spouse of a foreign national in possession of a long-term or permanent residence permit,
b) the minor child or adult dependent child of a foreign national in possession of a long-term or permanent residence permit,
c) the minor child or adult dependent child of the spouse of a foreign national in possession of a long-term or permanent residence permit,
d) a minor child adopted by a foreign national in possession of a long-term or permanent residence permit or his/her spouse in accordance with a decision taken by the competent authority, or a minor child in foster care of a foreign national in possession of a long-term or permanent residence permit or his/her spouse; or the minor’s guardian or the spouse of the guardian is a foreign national with a long-term or permanent residence permit for the Czech Republic and the minor will be taken care of in the Czech Republic;
e) any one of the parents of minor children who have been granted asylum under a special legal regulation; if such minor children do not have parents, then any other relative in the direct ascending line, and if such a relative does not exist a guardian of such minor children, shall be entitled to file an application;
f) solitary foreign nationals older than 65 years or, regardless of age, foreign nationals who are objectively unable to provide for their own...
needs on account of their state of health if it concerns family reunification with a parent or a child with a long-term or permanent residence permit in the Czech Republic.

The Asylum act (No 325/1999 Coll.) also includes the definition of a family member for the purposes of granting asylum for the reasons of family reunification.

The definition of family member includes:

- the recognised refugee’s spouse or partner,
- the recognised refugee’s unmarried child under 18 years of age,
- a parent of a recognised refugee under 18 years of age, or
- an adult responsible for an unaccompanied minor pursuant to Section 2(14), or
- an unmarried sibling, under 18 years of age, of a recognised refugee.

The same definition is also applicable in the case of subsidiary protection status.

In the Czech Republic, out of the total number of 461 880 foreigners (as of September 30, 2015), there is about 31% people that gained their legal residence for the purpose of family reunification. It represent about 140 000 people.

### 2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

Family members (third country nationals) of Czech citizens have the same position and possibility of stay as EU citizens family members. A family member of an EU citizen who is not a citizen of the European Union can ask the Ministry for a Temporary stay if he/she intends to reside in the Czech Republic temporarily for a period longer than 3 months.

### 3. Please briefly describe the procedure for family reunification in your country.

In the Czech law system, the procedure for family reunification is included into the Act on Residence of Foreign Nationals No. 326/1999 Coll.

Important European Directives transposed into this Act:

- Council Directive 2003/86/EC on the right of family reunification,
- Council Directive 2003/109/EC concerning the status of Third- country nationals who are long-term residents and

Residence permits for the purpose of family reunification:

1) General Term residence permit
   - possibility to apply if a family member resides in the territory of the Czech Republic on a Visa for a stay over 90 days and intends to stay temporarily in the territory for more than six months.

2) Term residence permit for the purpose of family reunification
   - Family member is entitled to ask abroad at the Czech embassy without previous stay on the territory of the Czech Republic.
   - There is also possibility to ask on the territory (change of the purpose) if a family member resides here on the Term residence permit.

The process of family reunification in the case of persons with international protection status is more flexible and easier for foreigners involved in the process. The family member (for definition please see above) of recognized refugee is entitled to ask for permanent residence permit
### 4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?

- The foreign national, with whom the family member should be reunited, must be a holder of a long-term or permanent residence permit and has to have resided in the Czech Republic for at least 15 months; as regards reunification of spouses, each of them must be at least 20 years of age,
- The foreign national, with whom the applicant should be reunited, has to have resided in the Czech Republic for at least six months and must be a holder of an Employee Card.
- Level of income for uniting family member is advantaged in contrast to “standard” foreign national (it’s considered as monthly income of the family after unification).
- There are no special language skills requirements, there are general conditions for housing. Regarding to employment, family members with Long term residence permit for the purpose of family reunification have free entry into Labor Market, so they do not need any special employment permits.
- An alien with residence permits for the purpose of family reunification shall be entitled after 3 years of residence in the territory of, or after reaching the age of 18 to request the Ministry to issue a residence permit for another purpose.

### 5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

We carefully check out all circumstances of each individual case. (We can make interviews with family members, ask Foreign Police for carrying out residence check.)

### 6. How would you assess the impact of your family reunification system on the integration process?

Integration process is easier and smoother.

### 7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

We don’t plan any changes. No gaps, we don’t need any improvement.

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### ESTONIA

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through

A) The definition of family member

The definition of family member is stipulated, through the definition of spouse and the close relative (similarly as prescribed in the directive 2003/86/EC).

The close relative is:
- an minor child,
- an adult child if the child is unable to cope independently due to health reasons or a disability;
- parent or grandparent if the parent or grandparent needs care which he or she cannot receive in the country of his or her location;
- an ward in order to settle with the guardian who permanently resides in Estonia.
family reunification.

B) Who can apply for residence permit for family member

It is possible to apply for a residence permit to settle with a spouse who resides permanently in Estonia, if the spouse is an Estonian citizen or a citizen of the European Union who holds a right of residence and an alien, who has been residing in Estonia on the basis of a residence permit for at least two years, with the exception of such case if the spouse has received a residence permit for:

- business;
- for Master's or Doctor's degree studies;
- for study in Bachelor's degree in the context of programmes of international cooperation or agreement between States or higher education institution or Estonian state-funded or internationally recognized scholarship;
- employment on the basis of the European Union blue card;
- a long term residence permit as an alien formerly residing in Estonia on the basis of the European Union blue card;
- employment:
  - o in a performing arts institution as a person engaged in creative activities;
  - o as a teacher or a member of the academic staff;
  - o for scientific research;
  - o for professional activities as sportsman, coach, referee or sports official;
  - o as a member of the management body of a legal entity;
  - o as an expert, advisor or counsel;
  - o as a layer of devices or craftsman;
  - o as top specialist.

C) Statistics

Positive decisions to grant first time residence permit:

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<th>Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family reasons</td>
<td>1572</td>
<td>1380</td>
<td>1136</td>
<td>1063</td>
<td>1371</td>
<td>1255</td>
<td>1283</td>
<td>1387</td>
</tr>
<tr>
<td>Total number of residence permits</td>
<td>1572</td>
<td>1380</td>
<td>1136</td>
<td>1063</td>
<td>1371</td>
<td>3312</td>
<td>3503</td>
<td>4060</td>
</tr>
</tbody>
</table>

*The table describes the positive decisions made to grant first time residence permit for family reasons and the total number of decisions made for first time residence permit.

2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

The persons should be married, the family is stable and the marriage is not fictitious.
3. Please briefly describe the procedure for family reunification in your country.

An application should be submitted by a foreigner who wishes to arrive to Estonia. A legal representative (e.g. parent guardian, ward, etc.) can apply the relevant residence permit to a minor (a child under 15 years).

The application can be submitted to the Estonian foreign representative or inside Estonia directly to the police and Border Guard Service Office, if the foreigner has a legal base to arrive (visa free travel, etc.) to Estonia.

Granting or refusal of temporary residence permit shall be decided within 2 months from the acceptance of the application. In case of granting a residence permit, a residence card shall be issued to the applicant in person within 30 days at the foreign representation of Estonia or at the Service Office stated on the application form. Residence permit may be granted with the period of validity for up to 5 years.

After the arrival to Estonia, a foreigner can participate in the adaptation course, which is aimed to acquisition new knowledge and skills to cope with society, which provides an initial overview of Estonia, Estonian culture and basic language course (level A2). The Adaptation program is free of charge.

After residing in Estonia permanently for five years on the basis of temporary residence permit the foreigner can apply for long-term residence permit (generally, the requirement of knowledge of Estonian language at level B1 is required).

4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?

There are some legal requirements for the spouse and family life: required permanent legal income that shall ensure the subsistence of the family in Estonia, or the joint permanent legal income of the spouses shall ensure the subsistence of the family in Estonia; the family must have a registered place of residence and an actual dwelling in Estonia.

There are not any preconditions concerning the integration or language requirement.

5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

There are several legal requirements stipulated in the relevant law – the proof and status of marriage, requirement for previous residence in country, sufficient legal income and place of residence, the length of first residence permit.

Concerning the victims of trafficking, the victim support and conciliation service is established, which is a free public social service and aimed at maintaining or enhancing the victim’s ability to cope. Any person can contact with the service and if an person is a victim of trafficking, he or she directed to the victim support service.

6. How would you assess the impact of your family reunification system on the integration process?

N/A

7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

No
**GEORGIA**

1. **Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.**

   Family reunification is a one of the basic principles, which served the basis when elaborating different legal acts; for example the Law on Legal Status of Aliens and Stateless Persons, Law on Refugees and Humanitarian Statuses, Organic Law on Citizenship, etc. In Georgia the principle of family reunification is guaranteed by legislation for both Georgian nationals and foreigners.

   According to the Ordinance of the Government of Georgia on Approving the Procedures for Removing Aliens from Georgia, the principle of family unity shall be observed at every stage of removal, both during decision-making and during the actual process of removal. Family members may be separated only in exceptional cases. When executing a decision on removing a family, if there are any minors, efforts will be made to addressing the risk of minors being left without supervision and/or being interrupted from receiving education.

   Legal framework for refugees wishing for family reunification is stated under Law of Georgia on Refugees and Humanitarian Statuses (Articles 7 and 28(b)).

2. **What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?**

   If a foreigner is in Georgia and wishes to marry Georgian national, he/she should be staying in the country legally. Once an alien has formed a family in Georgia, he/she can obtain a permanent residence permit in Georgia. For this purpose, he/she should submit the following documents to the Public Service Development Agency of the Ministry of Justice:

   a) Application of established form;
   b) Copy of the travel document of alien;
   c) Copy of the document proving legal basis of alien’s staying in Georgia (immigration visa D4);
   d) Document proving family bond with Georgian national;
   e) Document proving legal income of the alien and/or Georgian national or his/her relative having residence permit in Georgia. If Georgian national is a pensioner or person receiving social assistance - than the document proving that the person receives pension or social assistance. Sum placed on the account of the alien may also be regarded as income;
   f) Photo, sized 3/4 cm.;
   g) Receipt of covering expenses for the service.

   Once the documents are fully submitted, the decision on permanent residence is made, and based on this permit – permanent residence card will be issued.

3. **Please briefly describe the procedure for family reunification in your country.**

   For the purpose of family reunification, Georgian residence permit shall be issued to the family member of the alien having residence permit in Georgia. For this purpose, an alien should submit the following documents to the Public Service Development Agency of the Ministry of Justice:

   a) Application of established form;
   b) Copy of travel document of alien;
   c) Copy of the document proving legal basis of alien’s staying in Georgia (immigration visa D4);
   d) Document proving family bond with Georgian national;
   e) Document proving legal income of the alien and/or Georgian national or his/her relative having residence permit in Georgia.
Sum placed on the account of the alien may also be regarded as income, amount of which, taking into account the length of the residence permit issued for family reunification should not be less than twice a subsistence minimum of average consumer in Georgia;
f) Photo, sized 3/4 cm.;
g) Receipt of covering expenses for the service.

Once the documents are fully submitted, the decision on residence permit on the basis of family reunification is made, and based on this permit – temporary residence card will be issued.

Article 7 of the Law of Georgia on Refugee and Humanitarian Statuses sets limitations for the family reunification, such as time limitation for family reunification up to 1 year from filing the application for refugees, as for humanitarian status holders they can enjoy the right of family reunification if they could not arrange reunification during previous year and also in other country. After the entrance of the family member of refugee/humanitarian status holder, they are protected under Article 6 of the respective law.

<table>
<thead>
<tr>
<th>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i. e. level of income, employment, language skills and housing?</th>
<th>The limitations for family reunification on the grounds, such as commitment international crimes, etc. are stated in Article 3 (1) of the respective law.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</td>
<td>Combating Trafficking in Persons (TIP) is one of the key priorities of the Government of Georgia (GoG). In this regard, the state policy is entirely focused on so called 4Ps (Prevention, Protection, Prosecution and Partnership) and GoG is committed to adopting efficient legal and institutional measures in order to enhance this principle. In this context, it is essential to put adequate legislative framework in place - since 2003 TIP is explicitly criminalized under Criminal Code of Georgia. Law on Combating Trafficking in Persons was adopted in 2006 aiming at preventing, protecting and prosecuting trafficking offenders. Notably, the latter was amended in accordance with the recommendation of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in April 2012. In particular, new chapter inserted in the Law refers to the social and legal protection, assistance and rehabilitation of the child victims. Later on in May 2014 and August 2015 respective provisions of Criminal Code of Georgia were amended to correspond the modern forms of trafficking in persons, encourage the reporting of using of services of TIP Victims and ensure the security of the testimonies. The amendments were based on the best practice of the states and went through international expertise by UNODC and IOM. Combating trafficking requires concerted interagency policy in implementation of the law. In this respect the role of the Interagency Council on Combating Trafficking in Persons (Interagency Council) set up in 2006 and chaired by Minister of Justice remains indispensable in adopting serious and sustainable measures on combating TIP. When it comes to the detection of the victims of human trafficking, it is worth mentioning that reinforcing proactive identification of the victims is one of top priorities for Georgian authorities. Therefore, TIP National Action Plan (NAP) for 2015-2016 focuses on enhancement of proactive methods of victim identification and developing efficient tools in order to detect the victims of human trafficking and increase number of prosecutions.</td>
</tr>
</tbody>
</table>
For the effective implementation of NAP, 4 TIP inspection mobile groups under the Ministry of Internal Affairs composed of detective-investigators and the Task Force, consisting of 7 investigators and 5 prosecutors, are operating in the high risk areas (such as saunas, night clubs, hotels, etc.) countrywide. The mobile groups and Task Force also check organizations with vague job offers in Georgia and abroad. Relevant representatives of law enforcement structures regularly conduct interviews with deported citizens of Georgia to reveal potential TIP cases.

Furthermore, Ministry of Internal Affairs further enhanced institutional measures to detect victims of human trafficking by establishing special Division for Combatting Human Trafficking in January 2014 in Adjara Region (bordering Turkey). The main functions of the division are to conduct effective investigation and implement proactive measures in order to identify TIP cases through the Western Georgia. Also, the staff of division is responsible for identification of (potential) victims of trafficking in persons and control and regularly interview deported Georgian nationals at Sarpi border crossing point 24/7.

In addition, the Interagency Council approved guidelines for the law enforcement authorities to promote proactive identification of TIP victims. The guidelines provide for proper interpretation of TIP Article of Criminal Code of Georgia and establishing the standards of interrogation of TIP victims including minors. Furthermore, Standard Operation Procedures (SOPs) were developed by Inter-agency Council and approved by the Minister of Internal Affairs in January 2015 that promotes proactive identification of TIP cases, establishes standards and conditions for interviewing potential victims, etc.

In addition, law enforcers are permanently trained in order to develop their skills and promote their capacity development with regard to TIP. GoG also pays particular attention to the detection of labor exploitation cases. Establishment of the Labour Inspectorate Department (2015) will greatly contribute to identification of more labour trafficking cases. A Memorandum of Understanding between the Department of Labour Inspectorate and the Criminal Police Department that was signed on August 13, 2015 will ensure timely sharing of information and intelligence and reporting on possible labour trafficking cases. Hence, it will serve as an efficient mechanism to identify and respond to the forced labour and labour exploitation in a timely and proactive manner.

When it comes to the protection of detected TIP victims, the efforts of the State Fund for the Protection and Assistance of the Trafficking Victims should be noted as it continuous to provide: a) Shelters; b) Legal aid; c) Physiological and medical assistance; d) Rehabilitation and reintegration measures to the victims since 2006. Furthermore, State Fund provides with the compensation to the victims of trafficking (1000 GEL). All services of State Fund are based on the individual necessity of victim/statutory victim, including minor victims/statutory victims and accompanied children.

<table>
<thead>
<tr>
<th>6. How would you assess the impact of your family reunification system on the integration process?</th>
<th>Family reunification component is one of the key aspects of integration of foreign citizens in the country. Saying this, it is important, to guarantee that a foreigner has access to the right of family reunification. The process of family reunification of refugees should be considered as promoting for integration process in Georgia.</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</td>
<td>The state institutions together with international organizations as well as NGOs regularly monitor existing legislation and practice in order to address the possible needs. The Law on the International Protection is being drafted by Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia, which will take into consideration new provisions about the family reunification as well.</td>
</tr>
</tbody>
</table>
### FINLAND

1. **Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.**

   If third country national wants to move to Finland to live with a member of his/her family who is already residing in the country, he/she will require a residence permit. A residence permit can be granted on the basis of family ties.

   The family members of non-EU (third country) citizens and comparable persons are: spouse, registered partner, cohabiting partner, guardian of a child under 18 years of age, and child.

   Last year, in 2014, to 6 774 persons were granted a residence permit through family reunification. In comparison 5 611 persons were granted a residence permit through study and 5 062 through work.

2. **What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?**

   The rules are basically the same even if a new family is formed and the sponsor is Finnish national. When the marriage is with Finnish national, the level of income is not required. The applicant can also apply the residence permit in Finland and can wait the decision in the country, when usually the permit is applied abroad.

3. **Please briefly describe the procedure for family reunification in your country.**

   A residence permit application on the basis of family ties can only be submitted by the applicant living abroad. The family member resident in Finland, i.e. the sponsor, cannot make the application on behalf of the applicant. An application on behalf of an underage child is filled in and submitted by the child’s guardian. The child must be present, however, when the application is submitted.

   A processing fee is charged for the residence permit application. The money will not be refunded even in the event of a negative decision. The fee will be collected at the embassy or police service point when you submit your application.

   The residence permit application must be submitted in person. All originals of the necessary appendices must be with the applicant when he/she goes to the embassy or police service point to submit the application. If submitting an application to the police, applicant may reside in Finland while his/her application is pending, even if visa or visa-free period expires during this time. Passport and a passport photo must be with the applicant to the embassy or police. The passport must be valid for the entire stay in Finland or longer. At the embassy or police service point, the applicant will also be fingerprinted for a biometric residence permit card. Children aged 6 years and over will also be fingerprinted.

   The applicant must prove the authenticity of his/her family ties by means of original documents, such as a marriage certificate or child’s birth certificate. If he/she is unable to provide documentation as evidence of his/her family ties, a written explanation must be done and appended into the residence permit application. The Finnish Immigration Service will then investigate, for example with the aid of an interview.

4. **What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?**

   The sponsor of the family and the family itself must be able to live in Finland basically with their own income. A secure income means that they have a sufficient income to fund sponsor’s and his/her family’s stay in Finland. The income can be from, for example, employment, private enterprise, own capital or pensions. The level of income is calculated from net income, i.e. income that remains after tax and employer’s and employee’s pension and insurance contributions.
### 5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

According to the Finnish Aliens’ Act, Section 36 (2) & (3), a residence permit may be refused if there are reasonable grounds to suspect that the alien intends to evade the provisions on entry into or residence in the country. A residence permit by reason of family ties may also be refused if there are reasonable grounds for suspecting that the sponsor has received a residence permit by circumventing the provisions on entry or residence by providing false information on his or her identity or family relations.

As a rule, the granting of a residence permit based on family reunification requires that the applicant’s income in Finland is secure. Although there are some exceptions to this rule, e.g. when the sponsor has been granted refugee status or subsidiary protection in Finland and he/she is seeking to reunify with family members that he/she had before he/she fled his/her country of origin, it is considered that the income requirement counteracts abuse of family reunification in general. Further, in cases where there are reasons to suspect abuse of the family reunification procedure, the FIS can interview any applicant (12 years and above) and the sponsor separately, as well as ask them to undergo DNA tests to establish their biological relation regardless of age. DNA tests require the agreement of all those (12 years and above) who are tested. Refusal to agree to testing may negatively affect the application. Further worth mentioning is, that when an applicant has lodged an application for a residence permit based on family ties while being present in Finland, and that application is rejected on suspicion of evasion of the provisions of the Aliens’ Act, the applicant is not given a 7-30 day period of voluntary departure from Finland. The applicant is required to leave immediately.

Applications are screened routinely to detect indications of human trafficking. The embassy is requested to interview applicants if there are any reasons to suspect that the applicant may be victim of trafficking. Especially applications with certain profile are screened thoroughly. For example, if the spouse applying for a residence permit is significantly younger (wife) than the sponsor (husband) and/or marriage seems arranged, the Finnish Immigration Service requests the embassy to interview the applicant. Interview is requested also concerning applications of foster children to find out if the foster child is in fact child in the family, instead of e.g. maid.

Indications of human trafficking is not basis to reject the application as such, but if the evidence of family ties is not reliable and there are indications of human trafficking, the application is rejected on the grounds mentioned above.

### 6. How would you assess the impact of your family reunification system on the integration process?

No actual assessment on this question has been made in Finland, yet it is seen as very important issue. The real possibility to family reunification is seen as a key factor in the integration process of sponsor and his/her family.

### 7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

The Ministry of the Interior has recently established a legislative project to review the family reunification criteria to comply with the EU Family Reunification Directive. The project will consider tightening the criteria of family reunification on the basis of the Directive. Reviewing the family reunification criteria is included in Prime Minister’s Government Program, accepted last spring. However, the recent migrant flows have a direct input on the project and the Government Proposal will thus be submitted to Parliament already in spring 2016.

The basic requirements of the Directive are included in the national Aliens Act but Finland has not implemented all of the optional requirements. The options include, for example, extending the scope of application of sufficient resources, the application of integration criteria, a period of lawful stay on the territory before having family members join the sponsor and accommodation requirements. Finland is currently evaluating the options in the Directive as well as comparing national legislation to other Northern and other EU-countries, also to identify possible pull factors. No final decisions on the applicable alternatives have been made yet.
opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

Implementing Government Decree 114/2007 implement the EU’s Family Reunification Directive (2003/86/EC). In general, it can be stated that Hungarian legislation already contains more favourable provisions when implementing the Directive. Hungarian implementing legislation provides for the possibility of family reunification with respect to all types of purpose of stay exceeding 90 days (except for seasonal workers), provided that the family member has obtained at least a residence permit or being granted a residence permit together with the sponsor. Therefore no waiting period is required; a family member can already request family reunification together with the first request of the sponsor’s residence permit.

Family member is the third country national’s spouse; minor child in common with his/her spouse (including adopted and foster children); dependant minor child (including adopted and foster children) of whom a third country national parent has the right of parental custody; spouse’s dependant minor child (including adopted and foster children) of whom the spouse has the right of parental custody. The following relatives of refugees may also be granted a residence permit on the grounds of family reunification: their parents who are dependents; their siblings, direct relatives on the ascending/descending line (e.g. grandparents/grandchildren) if they are unable to provide for themselves due to health reasons. The spouse of family reunification of refugees and beneficiaries of subsidiary protection may only be issued a residence permit for the purpose of family reunification if their marriage had been contracted before the refugee or beneficiary of subsidiary protection entered Hungary.

The Hungarian provisions transposing the Family Reunification Directive also provide for the possibility of family reunification for refugees and beneficiaries of subsidiary protection, and to some extent, there are preferential provisions set out in Hungarian legislation valid either only to refugees or both for refugees and beneficiaries of subsidiary protection.

As a general rule, family reunification of refugees may be requested under favourable conditions: family members do not have to verify compliance with certain requirements (proof of accommodations or place of residence in Hungary, sufficient means of subsistence and financial resources to cover their accommodation costs, health insurance or sufficient financial resources for healthcare services). They are requested to verify these conditions only if more than six months have elapsed between the time of granting refugee status and the time of lodging the request for family reunification. Nevertheless, these favourable conditions cannot be applied to family members of beneficiaries of subsidiary protection.

Furthermore, a decision rejecting an application for family reunification to a refugee or a beneficiary of subsidiary protection may not be based solely on the fact that documentary evidence of the family relationship is missing. The existence of family relationship can be proven in the course of family reunification to a refugee or beneficiary of subsidiary protection in any credible way, in particular by a birth certificate, marriage certificate, adoption document, or other reliable means or by DNA tests. The sample required for DNA testing is taken in the presence of the representative of the regional directorate of the Office of Immigration and Nationality or the consular officer. If the existence of family relationships is proven by a third country national through a DNA test performed abroad, the regional directorate contacts the Hungarian Institute for Forensic Sciences which gives an expert opinion. The applicant is required to cover all costs arising in connection with the DNA testing.

For further details on family reunification of third-country nationals in Hungary please see: http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=54&Itemid=808&lang=en#

Statistics on the number of applications for residence permit submitted by third-country national family members for the purpose of family reunification:
22

Purpose of stay in case of residence permit applications

<table>
<thead>
<tr>
<th>Number of applications in 2013</th>
<th>Number of applications in 2014</th>
<th>Number of applications in Jan.-June 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family reunification</td>
<td>5,609</td>
<td>7,742</td>
</tr>
<tr>
<td>(14.94% of all the applications for residence permit)</td>
<td>(19.61% of all the applications for residence permit)</td>
<td>(17.64% of all the applications for residence permit)</td>
</tr>
</tbody>
</table>

2) Apart from the family reunification of third-country nationals, Act I of 2007 on the entry and residence of persons with the right to free movement and residence and Government Decree 113/2007 provide the right to free movement and residence not only to family members of the Union citizen but also to the third-country national family members of the Hungarian nationals.

Providing compliance with the Free Movement Directive (2004/38/EC) the definition of family member is wider than in the case of family reunification of third-country nationals, as it includes the spouse or the registered partner (in case the registered partnership has the same effect as marriage) of an EEA national or of a Hungarian citizen; the direct descendants of an EEA national or of a Hungarian national and those of the spouse of an EEA national who are under the age of 21 or are dependents; the dependent direct relatives in the ascending line of an EEA national or of a Hungarian national and those of the spouse of an EEA national or of a Hungarian national; and the person who has parental custody of a minor child who is a Hungarian citizen; any person whose entry and residence has been authorized by the competent authority on grounds of family reunification (are dependents or members of the household of an EEA national or of a Hungarian citizen for a period of at least one year, or who require the personal care of an EEA national or of a Hungarian citizen due to serious health grounds.

The rules on the conditions and the procedure are more preferential than those described under questions 2-4, except for the deadline of decision-making, which can be a maximum of 3 months.

For further details please see:

http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=56&Itemid=810&lang=en# and

http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=54&Itemid=808&lang=en#

Statistics on third-country national family members of EEA nationals and Hungarian citizens having the right to free movement and residence in Hungary, not yet gaining the right to permanent residence:

<table>
<thead>
<tr>
<th>Name of Status</th>
<th>Number of Applications Filed</th>
<th>Number of Applications Processed</th>
</tr>
</thead>
</table>
2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

In case a foreign national would like to get married in Hungary, a procedure preceding the marriage should be carried out, during which the following documents need to be submitted: identification documents: passport, ID card, residence permit; birth certificate; document on the permanent address; document attesting the marital status; a certificate issued by the competent authorities of the own state of the foreigner attesting that under his/her personal right of the foreigner (law of nationality) there is no legal obstacle to the marriage. In justified cases, exemption from presenting the certificate can be requested and if accepted, the exemption is valid for 6 months. The foreign documents should be attached with diplomatic authentication and with certified Hungarian translation – unless different provisions of international bilateral or multilateral agreements or reciprocity make it unnecessary. The evaluation of the submitted documents is carried out by the county/metropolitan government office competent at the place of the planned marriage.

In Hungary, official marriage can only be conducted before the registrar, church marriages conducted in Hungary are not accepted officially. Regarding the marriage ceremony, in case one of the spouses or neither of them speaks/understands the Hungarian language, interpretation shall be provided. The concerned parties are required to provide proper interpretation for the contract of marriage and the competent authority shall provide interpretation for the proceedings prior to marriage.

After the marriage the foreign national spouse and further family members have the right to free movement and residence in Hungary, and therefore can apply for a residence card attesting it. For applicable law see answer 1/ii. For further information please see: http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=54&Itemid=808&lang=en#

3. Please briefly describe the procedure for family reunification in your country.

The family member is required to submit the first application for a residence permit – with the exception specified by the law, such as in cases of third-country nationals exempted from Schengen visa or those under special and equitable conditions – to the consular officer, or at any other place authorized to accept applications for a residence permit, which operates in the country of permanent or usual residence of the applicant, or of which the applicant is a citizen. Third-country citizens can request prior to entry, in their application for a residence permit, the issuing of a
The administrative service fee of the procedure for issuing residence permits is 60 EUR, which shall be paid at the foreign representations of Hungary primarily in EUR or other convertible currency, or in exceptional cases in the legal currency of the state where submitting the application. In case of domestic applications the administrative service fee is HUF 18,000 (~58 EUR), and the administrative service fee due relating to the proceedings for the renewal of a residence permit is HUF 10,000 (~32 EUR.

The decision regarding the application for a residence permit for family reunification is made by the competent regional directorate of the Office of Immigration and Nationality (OIN). If the regional directorate approves the application for a residence permit, it also grants permission for the issuing of the visa entitling to the receipt of the residence permit, of which it notifies the consular officer. The regional directorate considers the application for a residence permit for the purpose of ensuring family reunification within 21 days. The validity of the residence permit is usually in line with that of the sponsor (maximum of five years), except for if some objective conditions limit it (e.g. the validity of the passport of the family member).

A single application procedure needs to be carried out in case the family member wishes to establish an employment relationship as well. During the single application procedure the application for authorization for both work and stay is adjudicated within 90 days, involving both the immigration and employment authorities. The single permit issued as a result entitles its holder to be in an employment relationship with a specific employer.

In case of refusal the applicant can lodge an objection, which can be submitted at the authority that made the first instance decision within 8 days after the communication of the decision. The administrative service fee for appeal is HUF 5,500 (~18 EUR. The OIN takes the decision at second instance, the decision of which can be attacked at the court.

4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?

Basic requirements under national law regarding family reunification are the following: verification of the purpose of stay (in case of family reunification verification of the family link), proving sufficient resources and accommodation, and having full healthcare insurance or sufficient financial resources for healthcare services. In case the previously mentioned requirements are met and the family member holds a valid travel document, there is no public policy, public security and public health ground for refusal, the family member can obtain a residence permit to join the sponsor or, with a view to maintaining family unity, can already apply for a residence permit for the purpose of family reunification when the sponsor is applying for his/her first residence permit, thus without having to meet any integration requirement (such as language skills) or without the sponsor having to spend any waiting period in the territory of Hungary from the sponsor.

When making a decision on the sufficient resources, no concrete amount to be reached is set out in the national law, instead individual assessment is done in every case. A third-country national shall be construed to have sufficient resources to cover his/her subsistence for residence for a period of longer than three months if his/her income or assets or his/her family member's income or assets is sufficient to cover their living expenses, including accommodation, return travel, and if necessary, health care. The requirement of subsistence may be verified by several means, such as a certificate of income of the sponsor and/or the family member, bank account savings, etc.

5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

Abuses are detected most frequently within the area of relationship of convenience, such as marriage of convenience, partnership of convenience and false declaration of paternity. Third-country national family members of both EEA nationals as well as Hungarian nationals are involved in such abuses. Document fraud has also been observed, yet in a much smaller scale. It is usually carried out by submitting false or forged documents (most typically passports in cases of residence card applications), or documents containing false facts. For example it is more and more typical to find false or forged border stamps (instead of false or forged travel documents), or documents accompanying applications (e.g. documents concerning the bank savings, salary or the accommodation) sometimes contain fictive information.

In practice the most frequently used method to detect relationships of convenience is the parallel interviewing of the parties. The most conspicuous characteristics of such relationships are the following: the parties got to know each other on the internet or during a vacation; the lack of common language of communication; a major age difference; the third-country national party is usually undereducated and has a questionable financial and insecure existential situation; the third-country national is completely lacking travel references, and the parties
envision the family reunification exclusively on the territory of Hungary. In many cases the third-country national applicants have never visited Hungary, the Schengen area or have not even left their own country before. The interviews many times reveal that the parties do not even know the most basic information about each other; their answers given to the same questions differ to a great extent. Apart from the parallel interviews, the OIN can get in touch with further family members or make on the spot checks, or even a complete so-called environmental study could be made, which could provide further essential information for evaluating the authenticity of the relationship. In case of on the spot checks the parties are usually not informed in advance in order not to make them able to influence the outcome of the check (the home could be decorated or they could get prepared for the on the spot interview). In private homes such checks can primarily be carried out between 8 a.m. and 8 p.m. During the on the spot check it is usually observed who live in the flat/house habitually, and what signs refer to the permanent presence of certain persons in the flat/house. Photos are taken about the photos, personal belongings, clothes, shoes, and bathroom items. Minutes are prepared on the spot about observations and interviews made and a copy of it is given to the concerned parties. The colleagues of the OIN also try to collect information about the environment of the parties e.g. by interviewing the neighbours, and also make efforts to ascertain whether the information provided during the interview are real. Particularly in cases of registered partners’ databases, such as the database on the personal data and address or the immigration database, are also used for receiving information on whether the officially registered address of the third-country national family member and that of the Hungarian/EEA national are the same. In cases of false declaration of paternity, although it is difficult to prove the lack of effective exercise of the right of custody on behalf of the third-country national father, the on the spot checks as well as interviewing the third-country national applicant and the mother of the child can lead to proving the fact that the fully effective paternal acknowledgment had only been made in order to gain residence right. Legal provisions also provide basis for sanctioning the abuses. Section 14(2) of Act I of 2007 on the Entry and residence of Persons having the Right to Free Movement and Residence sets out that “the right of residence of a family member who is a third-country national shall terminate also if the family relationship was established for the purpose of obtaining the right of residence.” In cases of marriages concluded with Hungarian nationals, a special legal requirement set out in Section 24(2) of Government Decree 113/2007 intends to provide a preliminary filter for marriages of convenience, as the marriage certificate in this case can only be accepted to prove the family relationship if the marriage concluded abroad have been registered in Hungary, as well. As for the effective sanctioning of relationships of convenience, it should be highlighted that the new Hungarian Criminal Code (Act C of 2012) having entered into force on 1 July 2013 contains a new crime, namely the “abuse by establishing family relations”: “355. § A person above the age of 18, who, for financial gain, establishes a family relationship or takes a full force paternity statement only for the issuance of residence documents, if no more serious crime is realized, shall be punished with two years of imprisonment.” International cooperation necessarily had to be made during the investigation of the series of marriages of convenience, and therefore the Hungarian police authorities got in touch with e.g. the competent German authorities, while cooperation with the Serbian partners has been made through the police liaison officer of Hungary in Belgrade. We do not have a mechanism set up for the detection of victims of trafficking in human beings, nevertheless training for professionals of the state authorities on recognising cases of trafficking in human beings is provided occasionally. It should also be mentioned that detection activities related to cases of trafficking of human beings are being carried out in Hungary: during investigations primarily the hearing of witnesses and suspected persons provide evidence. Besides of these evidence can be obtained through phone-tapping and monitoring of bank accounts, money transfer systems and the gained information can supplement / confirm the hearings of witnesses and suspects.

### 6. How would you assess the impact of your family reunification system on the integration process?

As the Hungarian provisions on family reunification provide a preferential scheme for family reunification, it contributes to the integration of the foreign citizen to be carried out in an easier way and at an earlier stage. Consequently, the Hungarian legal environment therefore contributes to preserving the unity of the family.
| 7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement? | No, it is rather the practical revealing and fighting of abuses that could lead to a more effective implementation of rules on family reunification. |

### LATVIA

| 1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification. | Any third country national has right to family reunification with his/ her spouse, minor children (also those under guardianship) and persons under trusteeship of the foreigner or his/ her spouse if they can fulfill all the necessary criteria foreseen in the relevant provisions for issuance of the residence permit. They can request a temporary residence permit for the duration of the temporary residence permit issued to the foreigner with who family reunites. There is no family definition as such introduced in legal acts concerning migration, however range of relatives with who it is possible to reunite is defined in Immigration Law (please see paragraph above). As regards data on the number of persons granted residence permit through family reunification, for the last three years around 30% - 46% from the total number of annually issued temporary residence permits (TRP) were issued for family reunification reasons. In 2012 there were 2091 (total 6365 TRP), in 2013 – 3521 (total 7354 TRP) and in 2014 – 4903 (total 10 504 TRP) residence permits for reasons related to family reunification issued. |

| 2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)? | It is possible to reunify the family for third country national if he/she is up to the third step relative vertically or the third step relative horizontally or a brother/sister-in-law up to the third step to a citizen or a non-citizen of Latvia, an adult child of a citizen of Latvia or parents of a citizen of Latvia or a non-citizen of Latvia, a spouse of a citizen of Latvia or a non-citizen of Latvia. |

| 3. Please briefly describe the procedure for family reunification in your country. | In order for a family to reunite, an invitation for the request of a residence permit must be drawn up by the inviter at the Office of Citizenship and Migration Affairs (hereinafter – OCMA). If family members are not citizens of country whose nationals may enter in the territory of Schengen without a visa, he/she submits all the necessary documents to the diplomatic or consular mission of the Republic of Latvia. After receiving necessary documents OCMA takes decision on the issuance of a residence permit within 30 days (it is possible to examine the submitted documents for requesting a temporary residence permit through accelerated procedure also within 10 or 5 business days). In case of positive decision the diplomatic or consular mission of the Republic of Latvia on the basis of a decision of the Office issues long-term entry visa for family members (if necessary). After entry into the Republic of Latvia family members have to arrive in person in the OCMA to receive the residence permit. |

| 4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing? | It is necessary to present documents confirming envisaged place of residence in Latvia (it should be a valid address in Latvia but no criteria or standards for living premises have been set up in the national legislation), approval on stable and regular incomes that are sufficient to maintain himself/ herself and the members of his/her family. Language skills are not required when initial (temporary) residence permit is issued. |
5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

Right to family reunification are often abused in case of sham marriages. In case of doubts when Latvian citizen and third country national are going to conclude marriage they are interviewed and warned of the consequences caused by marriages of convenience. Forcing one of the person to enter into a sham marriage are considered also in the context of human trafficking.

In order to reduce risk of abuse of right to family reunification by concluding fictional marriage, there is obligation for third country national to register temporary residence permit he/she holds at OCMA every year. OCMA verifies whether third country national still fulfils all the necessary conditions to be able to stay Latvia. Besides, State Border Guard who performs immigration control task carry out risk-based checks in the place of residence of the couple to find evidence on genuine/ fictional marriage.

To reduce the number of sham marriages preventive work is carried out by informing society on risks and menace such marriages rouse, as well as educating social workers, police officers, border guards and other specialists to recognize cases of human trafficking and identify victims of trafficking. In order to inform society, respective authorities ensure available information on precautionary measures when they are going to work abroad, and on the risk of human trafficking and sham marriages.

6. How would you assess the impact of your family reunification system on the integration process?

Family reunification system being in place in Latvia favorably impacts integration process taking into account such aspects as short period of time for examination of applications for family reunification, simple and foreseeable procedures and fact that it is possible for any third country national to reunite with his/her family as far all the necessary conditions are met. When issuing temporary residence permit third country nationals are informed about the requirement to acquire Latvian language knowledge to obtain permanent residence permit after 5 years. Language tuition for third country nationals so far had been offered under the European Fund for the integration of third country nationals.

7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

Latvia is planning to introduce a provision allowing for the family members who have arrived in Latvia with aim to reunite with their family to work without any restrictions. Foreseeable, such access to labour market will contribute to country’s economy by filling gaps in labour market, as well as it would facilitate the integration process of family members where more efforts are needed.

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**LITHUANIA**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

Family members mean the spouse or the person with whom a registered partnership has been contracted, children (adopted children) (hereinafter- children) under the age of 18, including the children under the age of 18 of the spouse or the person with whom a registered partnership has been contracted, on condition that they are not married and are dependent, as well as direct relatives in the ascending line who have been dependent for at least one year and are unable to use the support of other family members resident in a foreign country.

To obtain temporary residence permit under the ground of family reunification third country national can:

- If both or at least one of the parents of a third country national live in the Republic of Lithuania and have citizenship of the Republic of Lithuania.
- If parents of minor of a third country national or one of them live in the Republic of Lithuania, or one of the spouses that is guarding minor third country national is a citizen of the Republic of Lithuania or has a permission to reside in the country.
- If a child of a third country national lives in the Republic of Lithuania and has citizenship of the Republic of Lithuania.
- If third country national’s child, who is granted asylum in the Republic of Lithuania and issued a permit to live in the Republic of Lithuania.
- If third country national’s spouse or a person with whom a registered partnership agreement is made and who is a citizen of the Republic of Lithuania or third country national having a permission to reside live in the Republic of Lithuania.
- If a third country national is a direct relative in the ascending line of a third country national having a right to reside.
- If parents of a third country national live in the Republic of Lithuania and are incapable of work because of old-age pension or disability and have a right to permanently reside.
- For persons that arrive as family members of persons participating in the implementation of nuclear power plant project.

If family reunification takes place with a third country national residing in the Republic of Lithuania who holds residence permit the condition that a sponsor should have had lived in the Republic of Lithuania for the past two years and possesses a permission to live in the country that is valid for no less than one year, and has reasonable prospect of being granted the right to permanently live in the Republic of Lithuania applies. However this condition is excluded for sponsors who holds Blue card, have residence permit under an employment contract concluded with a science and study establishment registered in the Republic of Lithuania, to work as a lecturer or conduct research and/or development (social, cultural) as a researcher or asylum was granted for such person.

In 2014 there were in total 5509 third country nationals who hold temporary residence permit under the ground of family reunification.

<table>
<thead>
<tr>
<th>2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?</th>
<th>The same rules for family reunification for third country nationals who wish to reunite with their family members who are citizens of the Republic of Lithuania or third country nationals residing in Lithuania apply.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Please briefly describe the procedure for family reunification in your country.</td>
<td>The third country national’s application for the issuance of the temporary residence permit must be considered not later than within four months from the lodging of the application to a Consular Post or Migration Service. An application for the replacement of a temporary residence permit (i.e., issuance of a new permit) is considered no later than within two months from the lodging of the application to Migration Service. Third country national, wishing to obtain temporary residence permit on the ground of family reunification in addition to the application form and documents confirming family ties must submit documents confirming that a person has enough funds and (or) receives regular income in order to survive in the Republic of Lithuania; (currently amounting to 325 EUR per month, for minors – 162.5 EUR), documents confirming that he or she has sufficient place of residence in the Republic of Lithuania (residential premises wherein he/she intends to declare his/her place of residence and the residential area of which, per each of-age person who has declared his/her place of residence therein, is no less than 7 square metres)</td>
</tr>
<tr>
<td>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i. e. level of income, employment, language skills and housing?</td>
<td>A person who applies for a temporary residence permit must prove that have sufficient resources (325 Eur per month) and residential premises the area of which, per each of-age person who has declared his/her place of residence therein, is no less than 7 square metres.</td>
</tr>
<tr>
<td>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</td>
<td>The most common abuse of family reunification is married of convenience. Usually the investigation itself takes a long period of time and it is hard to identify a fraud in the beginning. Usually the investigation takes place after the issuance of a residence permit as for refusal there still is lack of evidence at this stage. Further investigation conducted by authorities takes such measures as family observation, home visits, interviews with parents, siblings, other family members, neighbors etc. Sometimes family members only on interviews with authorities get aware that a person is married. Interviews with neighbors usually provide authorities with an information about cohabiting issues, such information can not be received before obtaining a residence permit as usually a third country national spouses waits for a residence permit in their home countries. A measure of home visits is also functional only after obtaining residence permit, when spouses should cohabit together in this stage is also easier to indicate if practical obligations of marriage exist.</td>
</tr>
</tbody>
</table>
The indicators which correspond to possible abuse cases are the following:

- spouses are not cohabiting;
- spouses had not met before the marriage;
- spouses do not speak a common language;
- there is significant age gap between spouses;
- spouses have very different social background;
- there is lack of evidence of practical obligation of marriage;
- the money has been exchanged in order to conduct a marriage (except in the case of dowry);
- there is a suspicion that one or both of spouses had been engaged in a marriage of convenience.

6. How would you assess the impact of your family reunification system on the integration process?

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<th>Positively.</th>
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7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?

<table>
<thead>
<tr>
<th></th>
<th>So far no changes are planned.</th>
</tr>
</thead>
</table>

**LUXEMBOURG**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

Third country nationals must be holder of a residence permit with a validity of at least a year, have a well-founded prospect to be once entitled to the status of long-term resident and have been living in Luxembourg for at least 12 months in order to apply for family reunification. Students f.ex. aren’t able to fulfill these conditions.

Refugees and persons under subsidiary protection may also apply for family reunification. They don’t have to fulfill certain conditions (sufficient funds, appropriate housing, sickness insurance) if they apply in a period of three months after the international protection was granted.

Family reunification is not possible for every family member. The following persons are eligible: the sponsor’s spouse (husband/wife), the registered partner, the minor unmarried children of the sponsor or his/her spouse/partner under the condition to have custody for them and that the children are dependent on him or her. In case of joint custody, the other parental party must agree. Can be eligible (with the minister’s preliminary agreement), first-degree relatives in the direct ascending line of the sponsor or his or her spouse, where they are dependent on them and do not enjoy proper family support in the country of origin, the adult unmarried children of the sponsor or his or her spouse, where they are objectively unable to provide for their own needs on account of their state of health, the legal tutor or any other family member of the unaccompanied minor, who benefits of an international protection, whenever he/she does not have immediate ascendants or these cannot be found.

In 2014, 1076 people were granted residence permits through family reunification in Luxembourg.

2. What rules apply for a citizen of your own country wishing to form a family with a third country national?

If the spouse is a third country national it depends on the nationality of the citizen to join.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>new family in your country (i.e. foreign spouse)?</td>
<td>If the citizen is European or Luxembourgish, the conditions regarding sufficient funds and appropriate housing must not be met. However, the applicants must be considered as family members according to the modified law of the 29 August 2008 about free movement and immigration.</td>
</tr>
<tr>
<td>3. Please briefly describe the procedure for family reunification in your country.</td>
<td>If family reunification between two third country nationals is granted, the third-country national receives a “temporary authorisation to stay”. This temporary authorisation to stay is valid for a period of 90 days. During this time, the third-country national must either request a visa to enter the Schengen area, if subject to visa obligation or, if not subject to visa obligation, enter on the territory of Luxembourg and make his/her declaration of arrival at the municipality (“administration communale”) of the chosen place of residence. After entering Luxembourg, the third-country national has to follow the procedure to apply for the residence permit. If the sponsor is a European citizen and the application for family reunification of a third country national is granted, the third-country national must either request a visa to enter the Schengen area, if subject to visa obligation or, if not subject to visa obligation, enter on the territory of Luxembourg and go to the municipality of his/her chosen residence to submit an application to obtain a « residence card for family members of a Union citizen ».</td>
</tr>
<tr>
<td>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?</td>
<td>Third country nationals who apply for family reunification must be holder of a residence permit with a validity of at least a year, have a well-founded prospect to be once entitled to the status of long-term resident and have been living in Luxembourg for at least 12 months. They have to prove that had sufficient funds during the past 12 months (level of the minimum social wage) and appropriate housing as well as sickness insurance. Language skills aren’t checked. These conditions aren’t checked if the sponsor is a European or Luxembourgish citizen.</td>
</tr>
<tr>
<td>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</td>
<td>In order to obtain a proof for the family bonds, the Immigration Directorate in Luxembourg or the consular section where the visa application is introduced may have an interview with the sponsor or the family member who applies for the visa or lead any other necessary investigation. The residence permit may be withdrawn or refused if the third country national uses false information or documents either to enter or stay in Luxembourg or to facilitate the entrance of someone else. The Immigration Department contacts other authorities if human trafficking is reported. Those authorities (f.ex. police) are in charge of detecting victims.</td>
</tr>
<tr>
<td>6. How would you assess the impact of your family reunification system on the integration process?</td>
<td>n/a</td>
</tr>
<tr>
<td>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</td>
<td>The rules for family reunification are based on two European directives, Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification and Directive 2004/38/EC on the right of EU citizens and their family members to move and reside freely within the territory of the Member. For the time being, no substantial modifications are foreseen.</td>
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<tr>
<td><strong>NETHERLANDS</strong></td>
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<tr>
<td><strong>1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.</strong></td>
<td>All third country nationals with a non temporary residence permit for at least one year or a temporary residence permit for labour, study, asylum (also persons under subsidiary protection), temporarily humanitarian grounds and family reunification have the legal opportunity for family reunification.</td>
</tr>
<tr>
<td></td>
<td>a. How is family defined? In the Netherlands the legal opportunity for family reunification is exclusive to members of the nuclear family: spouses, (registered) partners and minor children. When the sponsor has a residence permit for asylum also adult children can apply for family reunification.</td>
</tr>
</tbody>
</table>
| | b. If possible, please also share data on the number of persons granted residence permit through family reunification.

In 2014 15.130 procedures are concluded, from which 83% is granted a residence permit.  |
<p>| <strong>2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?</strong> | These rules are the same for a citizen of our own country as for third country nationals.  |
| | • Spouse/partner must be 21 years or older, and have an exclusive relationship.  |
| | • You have to live together in the Netherlands on the same address.  |
| | • If you need a mvv visa the spouse/partner has to pass an integration exam abroad.  |
| | • You have to be in the possession of a legitimate travelling document (i.e. passport).  |
| | • No danger to public policy or public security.  |
| | • Income requirement for the sponsor (100% minimum wage).  |
| | • No misuse of information in earlier procedures.  |
| <strong>3. Please briefly describe the procedure for family reunification in your country.</strong> | The sponsor in the Netherlands or the family member in the country of origin or legitimate stay can start the application procedure. An administrative fees have to be paid in order to start the procedure. The immigration and naturalization service assesses the application and checks if the sponsor and family member fulfill the requirements. If they do so, they can enter the Netherlands with the mvv visa and get the residence permit immediately after entering.  |
| <strong>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?</strong> | See answer question 2.  |
| <strong>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</strong> | In the Netherlands the immigration and naturalization service has several instruments for countering abuse of family reunification, for example: checks on the income requirement and simultaneous interviewing when there are indications of sham marriages.  |
| | Do you have mechanisms in place for detection of victims of trafficking? Yes, but not only specific for the family reunification procedure. Relevant persons from the immigration and naturalization services are trained in recognizing signals of trafficking in human beings.  |
| <strong>6. How would you assess the impact of your family reunification system on the integration process?</strong> | The Netherlands attaches great importance to enforcing pre- and post-entry integration measures. The Dutch civic integration policy ensures that migrants who wish to settle permanently in the Netherlands are prepared and motivated to come here and, after arrival, are able to acquire the language and learn about Dutch society so they are able to participate actively in society and support themselves. This is of great importance to prepare the partner/family member in another country and to become part of Dutch society, in which participation and |</p>
<table>
<thead>
<tr>
<th><strong>citizenship play a prominent role.</strong></th>
</tr>
</thead>
</table>
| **7.** Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?  
No. |

<table>
<thead>
<tr>
<th><strong>POLAND</strong></th>
</tr>
</thead>
</table>
| **1.** Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i. e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.  


**Temporary residence permit for the purpose of family reunification** is granted to a foreigner who **arrives** on the territory of the Republic of Poland or **stays** in that territory in order to join his/her family and **is a family member of the foreigner residing in the territory of the Republic of Poland**:

a) on the basis of a permanent residence permit,

b) on the basis of a long-term resident’s EU residence permit;

c) in connection with granting him/her the refugee status,

d) in connection with granting him/her supplementary protection;

e) at least for a period of two years based on subsequent temporary residence permits, including immediately before applying a temporary residence permit for a family member - on the basis of the permit granted to him for the period of residence of not less than one year,

f) on the basis of permit for temporary residence for the purpose of conducting research,

g) on the basis of permit for temporary residence for the purpose of conducting research where the foreigner holds a residence document referred to in Article 1(2) point (a) of the Council Regulation No 1030/2002, marked "scientist", issued by another Member State of the European Union, if the contract accepting the foreigner for carrying out a research project concluded with a competent scientific unit of that State provides for research or development work also on Polish territory,

h) on the basis of permit for temporary residence for the purpose of work in a profession requiring high qualifications,

i) in connection with the granting of permission to stay for humanitarian reasons.

A **family member of a foreigner** is defined as:

1) a person married to a foreigner, and the marriage is recognized by Polish law;

2) a minor child of the foreigner and a person married to him, including an adopted child;

3) a minor child of the foreigner, including an adopted child, dependent on him, over which the foreigner exercises actual parental authority; |
4) a minor child of a person referred to in point 1, including an adopted child, dependent on that person, over which the person exercises actual parental authority;

5) a direct descendant of a minor foreigner who has been granted refugee status or subsidiary protection status, staying on Polish territory unattended or an adult responsible for such minor in accordance with the laws of the Republic of Poland.

Number of persons who received positive decision on temporary stay (family reunification) - as of 30 September 2015

<table>
<thead>
<tr>
<th>CITIZENSHIP</th>
<th>2013</th>
<th>2014</th>
<th>2015 (as of 30.09)</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFGHANISTAN</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>ALBANIA</td>
<td>2</td>
<td>3</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>ALGERIA</td>
<td>7</td>
<td>7</td>
<td>1</td>
<td>15</td>
</tr>
<tr>
<td>ANGOLA</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>SAUDI ARABIA</td>
<td>5</td>
<td>5</td>
<td>26</td>
<td>36</td>
</tr>
<tr>
<td>ARMENIA</td>
<td>135</td>
<td>111</td>
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<tr>
<td>AUSTRALIA</td>
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<td>1</td>
</tr>
<tr>
<td>AUSTRALIA</td>
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<td>5</td>
<td>1</td>
<td>7</td>
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<tr>
<td>Azerbeijan</td>
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<td>F.Y. Republic of Macedonia</td>
<td>-</td>
<td>-</td>
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<td>1</td>
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<tr>
<td>BANGLADESH</td>
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<tr>
<td>STATELESS</td>
<td>2</td>
<td>-</td>
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<td>2</td>
</tr>
<tr>
<td>BELARUS</td>
<td>148</td>
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2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

Temporary residence permit in above mentioned case is granted to a foreigner if he/she:

1) is married to a citizen of the Republic of Poland under Polish law, or
2) is a minor child of a foreigner married to a citizen of the Republic of Poland under Polish law and having a temporary residence permit for a family member of a Polish citizen.
3. **Please briefly describe the procedure for family reunification in your country.**

A temporary residence permit for the purpose of family reunification is granted for a period of validity of up to 3 years, with the possibility to apply for consecutive permits.

The residence permit is granted at the request of a foreigner residing in the territory of the Republic of Poland, to which his/her family member arrives or with whom he/she resides in the territory of Poland.

An application shall be submitted to the voivod – the regional local governmental authority competent for the place of stay of the applicant.

If a family member for which the temporary residence permit for the purpose of family reunification has been granted stays abroad, he/she needs to obtain a visa to enter the Polish territory, if it is required.

A residence card is issued at a separate request of a family member, for which the residence permit has been granted, submitted to the voivod which issued the temporary residence permit for the purpose of family reunification.

Stamp duty for granting a temporary residence permit is 340 PLN (80 EUR). The fee for a residence card is 50 PLN (12 EUR).

4. **What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?**

To be granted a temporary residence permit for the purpose of family reunification the foreigner must fulfil the conditions of having health insurance, stable and regular source of income sufficient to cover the costs of living for himself and for his dependent family members and a guaranteed place of accommodation in the territory of the Republic of Poland.

The amount of the monthly income shall be higher than the amount of income which entitles to cash benefits from the social assistance system with respect to the foreigner and each family member dependent on him/her.

The requirement of having stable and regular source of income is deemed to be satisfied also if the foreigner’s living expenses will be covered by a family member obliged to support him/her, who resides in the territory of the Republic of Poland.

These conditions do not apply to a temporary residence permit for the purpose of family reunification granted to a family member of a foreigner who has been given refugee status or subsidiary protection status, when the application for this permit was made within 6 months from the date of obtaining refugee status or granting subsidiary protection.

No integration measures are applied including language skills requirement.

In the proceedings on granting or revoking temporary residence permit for the purpose of family reunification the following shall be taken into account:

1) the interest of a minor child;
2) the nature and stability of family ties in the territory of the Republic of Poland;
3) the period of the foreigner’s stay in the territory of the Republic of Poland;
4) the existence of family, cultural and social ties with the country of origin.

5. **What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?**

A foreigner shall be refused a temporary residence permit for the purposes of family reunification if:

- in the proceedings on granting the permit to a foreigner who is a spouse of a foreigner it was established that a marriage has been entered into in order to circumvent the Act on Foreigners;
- in the course of the proceedings on granting him/her a temporary residence permit, the foreigner:
  (a) filed an application containing false personal data or false information or attached documents containing such data or information to the application, or
  (b) testified untruthfully or concealed the truth, or forged or modified a document in order to use it as an authentic one, or used such a document as an authentic one.

In proceedings on granting of a temporary residence permit for the purpose of family reunification to a foreigner who is a spouse of a foreigner, the body conducting the proceedings determines whether the marriage was concluded in order to circumvent the Act on Foreigners.
For that purpose the body conducting the proceedings may request Polish Border Guard with jurisdiction over the foreigner’s place of residence, to conduct verification activities such as community interview, determination of the whereabouts of a spouse or other family member of a foreigner, and the person with whom the foreigner has family ties. Poland has no special mechanism in place for detection of victims of human trafficking in proceedings on granting temporary residence permit for the purposes of family reunification. In case of detection of such victim the law enforcement authorities are informed.

6. How would you assess the impact of your family reunification system on the integration process?  
Family reunification system plays an important role in the integration process of foreigners. A temporary residence permit for the purposes of family reunification entitles the holder to work without work permit requirement or to self-employment as well as to the education and to the services of the labour market.

7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement? 
No, Poland does not plan to make such changes in the near future.

**SLOVAKIA**

1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

There are two types of family reunification set out in national legislation of Slovak Republic: temporary residence for the purpose of family reunification and permanent residence.

- **Temporary residence for the purpose of family reunification**

  Temporary residence for the purpose of family reunification may be applied for by third country national that is:
  a) family member if the third country national with temporary residence or permanent residence;
  b) relative in a direct ascending line of a person granted asylum younger than 18 years of age; or
  c) dependent person in accordance with an international treaty.

  National legislation also provides for set of documents that are needed to submit along with the application: documents which confirm the purpose of stay, integrity, financial resources for residence and accommodation.

- **Permanent residence**

  Permanent residence may be granted to third country national that is:
  a) who is a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic or dependent relative in direct line of the Slovak Republic citizen with permanent residence in the Slovak Republic,
  b) who is a single child younger than 18 years of age entrusted into personal care of a third country national who is a spouse of the Slovak Republic citizen with permanent residence in the Slovak Republic territory;
c) who is a single child younger than 18 years of age of a third country national with permanent residence for five years or child younger than 18 years of age entrusted into personal care of a third country national with permanent residence for five years,
d) who is a dependent child younger than 18 years of age who cannot take care of himself/herself due to long term unfavourable health condition, third country national with permanent residence.

National legislation also provides for set of documents that are needed to submit along with the application: documents which confirm the purpose of stay, integrity, financial resources for residence and accommodation

Regarding the statistics on family reunification in Slovak Republic currently there are approximately 7283 third country nationals residing within the territory of Slovak Republic on the base of family reunification (both temporary residence for the purpose of family reunification and permanent residence).

<table>
<thead>
<tr>
<th>2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?</th>
<th>Conditions necessary for the marriage are regulated by national Act on Family. According relevant provisions of the Act a person who wishes to enter into marriage must be at least 18 years old, his/her will to enter into marriage must be free and must have a good knowledge of his/her partner’s health condition.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Please briefly describe the procedure for family reunification in your country.</td>
<td>See answer to question 1.</td>
</tr>
<tr>
<td>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?</td>
<td>See answer to question 1.</td>
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<tr>
<td>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</td>
<td>For countering abuse of family reunification in Slovak Republic there is a set of rules and measures that are implemented in accordance with the law of Slovak Republic and law of the EU.</td>
</tr>
<tr>
<td>6. How would you assess the impact of your family reunification system on the integration process?</td>
<td>Family reunification system of Slovak Republic is based on EU law in particular the Directive 2003/86/ES on family reunification. We consider this system for having a negative impact on integration process as it allows for abusing mainly in the area of contracting sham marriages and human trafficking.</td>
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<tr>
<td>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</td>
<td>N/A</td>
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</table>
1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.

Third country nationals are entitled to receive a residence permit if they are married to, have entered into a registered partnership with, or are common law spouse of someone who lives in Sweden. Also applicants that are going to marry or become a common law spouse with someone in Sweden can receive a residence permit if the Swedish Migration Agency considers their relation as serious.

The family member in Sweden must be a Swedish citizen or have a permanent residence permit. Children under 18 can receive residence permit if their parent live in Sweden or received residence permit.

The applicants must prove their identity and the relation with passport, marriage- and birth certificates.

According to the main rule it is the nuclear family (husband/wife/ partner/common law spouse and children under 18 years) who can receive residence permit. In special cases other relative then the nuclear family (children above 18 years, parents) can be granted a residence permit to move to another close relative in Sweden with whom he/she has lived in their home country. They should be able to prove that they have lived together immediately before their relative moved to Sweden and that they were socially and emotionally dependent on each other, and that this makes it hard for them to live apart. The practices in the Swedish migrations courts are very restrictive in these cases.

Parents can only receive residence permit if their child in Sweden have refugee status.

Labour migrants and students can also bring their family to Sweden. The family receives temporary residence permits, with the same duration as the labour migrant or student.

### Residence permits 2014

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<td>Relative to labor migrants</td>
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<td>Relative to students</td>
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</table>

2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?

The same rules apply for Swedish citizens as for third country residences with permanent residence permits in Sweden.

3. Please briefly describe the procedure for family reunification in your country.

According to the regulation in the Swedish Alien Act residence permit based on family reunification should be issued before entering Sweden. The applicants can make an electronic application or apply at a Swedish Mission abroad (embassy or general consulate). In family reunification cases the applicants must always visit the mission abroad to perform an interview, control all documents in original and submit biometrics for
the residence permit card.

After the visit at the mission abroad the cases are sent and/or transferred to Swedish Migration Agency for further processing and decision. If the applicant and the relative in Sweden lived together for more than two years, the applicant receives a permanent residence permit. In newly established relation (lived together for less than two years) the applicant receives a temporary residence permit normally valid for two years. If the relation sustains after two years the applicant can receive permanent residence permit.

4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e. level of income, employment, language skills and housing?

The person the applicants are going to live with in Sweden may be subject to a so-called maintenance requirement. The requirement means that they must be able to provide for themselves and have a home of sufficient size and standard in which they can live together once they have moved to Sweden. There are a lot of exceptions in the Swedish law concerning maintenance requirement. The law is for example not applicable on Swedish citizens, refugees or families with children. More than 99 % of the applications of family reunification are exempted from the maintenance requirement. There are no other preconditions or limitations in Swedish law.

Relatives to students must be able to support themselves.

5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?

There is always an interview with the applicant at a Swedish Mission abroad in family reunification cases. If there is any suspicion of abuse, the Swedish Migration Agency performs an interview with relative in Sweden. At the Swedish Mission abroad the staff also controls passports and other relevant document.

There is also a possibility for the Swedish Migration Agency to detect abuse when prolonging residence permits and conduct further investigations concerning the seriousness of a relationship or a marriage. Residence permits may be revoked if it is revealed that the application is based on untrue claims of kinship and relationship.

The Swedish Migration Agency educates the staff in trafficking and how to discover trafficking. At the Migration Agency there is a coordinator for the work against trafficking.

From time to time sham marriages are discovered among applications for visas as well as applications for residence permits, though not in great numbers. During the period from the end of 2012 until the first half of 2013, the Migration Board noticed an increase in the number of applications for residence permits on the basis of marriages between EU citizens and asylum seekers present in other countries.

Another trend relates to EU citizens with non-EU background who invites spouses for visits, where police liaison officers were able to retrieve information showing that the documents submitted as supporting the visa applications were invalid or fake, and the applications were subsequently refused.

6. How would you assess the impact of your family reunification system on the integration process?

For many migrants the possibility of family reunification is a crucial precondition for starting the integration process. For labour migrants it can be a determining factor when choosing the country of destination. It is more difficult to integrate refugees and other migrants without the possibility to reunite with their family.
<table>
<thead>
<tr>
<th><strong>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</strong></th>
<th>At the moment there are no proposed legal changes concerning family reunification at the Swedish Parliament. Improvements in the application and processing procedure might be needed in light of the current refugee crises which will also have effect on the number of family reunification cases. Processing time is expected to grow.</th>
</tr>
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### UKRAINE

**1. Please briefly outline the legal opportunities in your country for family reunification for third country nationals, i.e. labour migrants, students, refugees, persons under subsidiary protection? How is family defined? If possible, please also share data on the number of persons granted residence permit through family reunification.**

Law of Ukraine on Legal Status of Foreigners and Stateless Persons defines “family reunification” as entry and temporary or permanent residence in Ukraine of family members of a foreigner or a stateless person who reside in Ukraine legally and can provide documentary evidence of sufficient means to support the family members in Ukraine, for joint residence, regardless a time of emergence of relevant family relations - i.e. before or after arrival of the foreigner or the stateless person in Ukraine. The Law also defines family members of a foreigner or a stateless persons as: his/her spouse, underage children (including underage children of the spouse), unemployable parents and other persons who are considered as family members according to law of a country of origin.

According to Law of Ukraine on Refugees and Persons in Need of Subsidiary Protection, family members of a recognised refugee in Ukraine or a person in need of subsidiary protection, or a person granted temporary protection in Ukraine, are entitled rights to enter the territory of Ukraine for family reunification and to be recognised as refugees or as persons in need of subsidiary protection, or to be granted temporary protection. If refugees or persons in need of subsidiary protection, or persons granted temporary protection cannot provide documentary evidence of family relations with their family members, other evidence items should be taken into account and evaluated according to the due legislation of Ukraine. Applications for family reunification cannot be rejected solely on grounds of lack of documents that confirm existence of family relations.

As at September 1, 2015, in Ukraine, 14,050 foreigners and stateless persons reside based on temporary residence permits for family reunification with Ukrainian nationals; in addition, 1032 foreigners and stateless persons were granted residence permits for family reunification with foreigners and stateless persons who reside temporarily at the territory of Ukraine.

**2. What rules apply for a citizen of your own country wishing to form a new family in your country (i.e. foreign spouse)?**

To register marriage of a Ukrainian national and a foreigner/stateless person, the latter needs to submit a national passport or a passport document with a registration entry made by the authorised body on legal grounds for his/her stay in Ukraine. If, in the course of marriage registration procedures in state civil registry bodies of Ukraine, passports or passport documents of foreigners or stateless persons do not contain information on marital status of these persons, they have to submit a document certifying that they are not married (the document should be issued by a competent body of a country of citizenship or permanent residence and duly legalised).

**3. Please briefly describe the procedure for family reunification in your country.**

Family reunification procedures are not uniform for all categories of migrants. In the case of foreigners who are recognised refugees, their family members have to submit applications for refugee status.

In the case of foreigners and stateless persons who entered Ukraine for family reunification with citizens of Ukraine, they need to apply for temporary residence permits and later get immigration permits. Migrants of the latter category may apply for issuance of their immigration permits in diplomatic missions or consulates of Ukraine abroad in countries of their permanent residence. Foreigners and stateless persons who
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<th>Question</th>
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<td>4. What limitations are there in place for the exercising of the right to family reunification? Do you have a set of preconditions concerning i.e., level of income, employment, language skills and housing?</td>
<td>The due legislation stipulates the need to provide relevant supporting documents conforming availability of sufficient finance resources to support family members in Ukraine.</td>
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<td>5. What measures does your country have in place for countering abuse of family reunification? Do you have mechanisms in place for detection of victims of trafficking?</td>
<td>In order to prevent abuse of family reunification, immigration permits are granted to foreigners and stateless persons who were married to citizens of Ukraine for at least two years.</td>
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<td>6. How would you assess the impact of your family reunification system on the integration process?</td>
<td>The family reunification system does not generate any obstacles for the process of integration of foreigners and stateless persons in Ukraine.</td>
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<td>7. Does your country plan to make any substantial changes in the rules for family reunification and have you identified any gaps in need of improvement?</td>
<td>There are no plans to make any substantial changes in the family reunification rules, but the issue of necessary measures to combat abuse of family reunification still remains relevant.</td>
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