

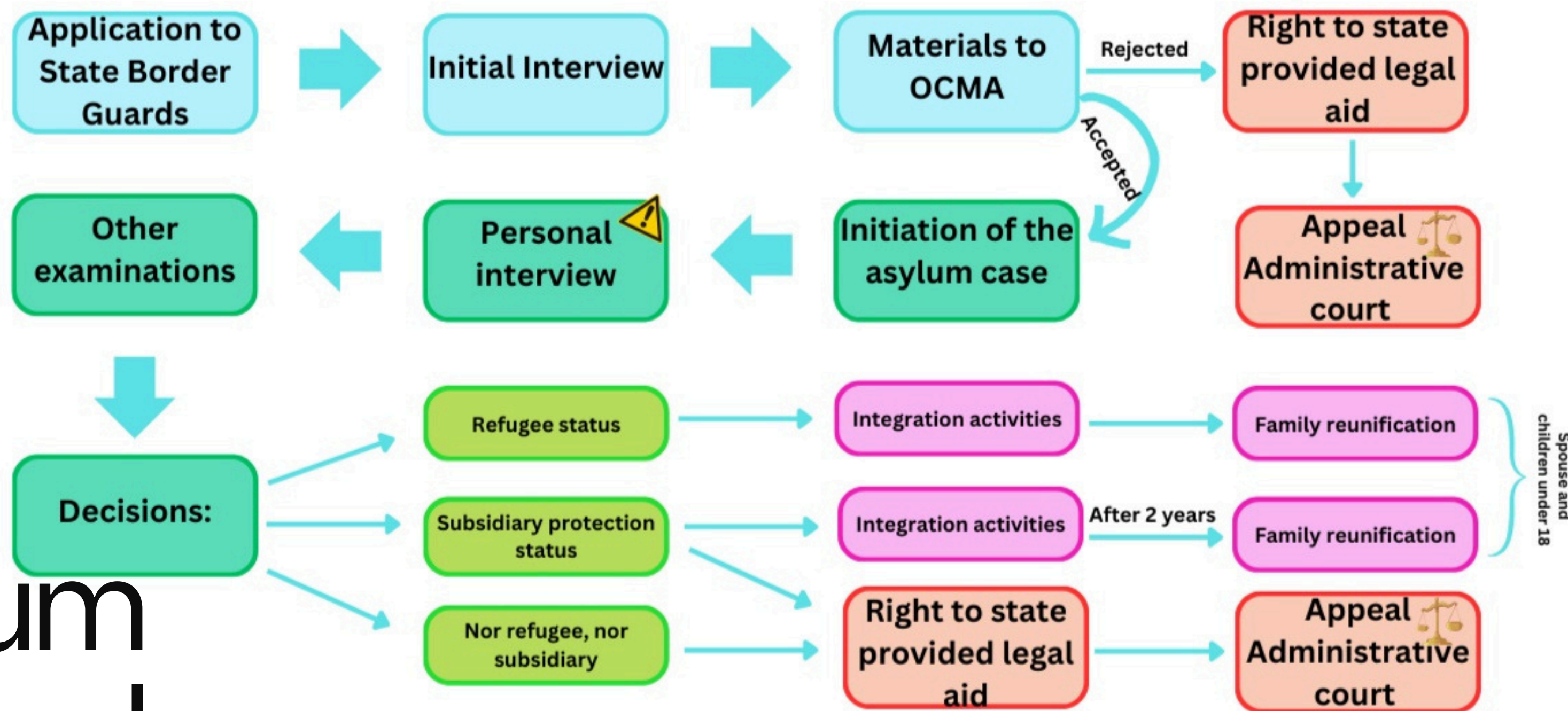


# Family reunification

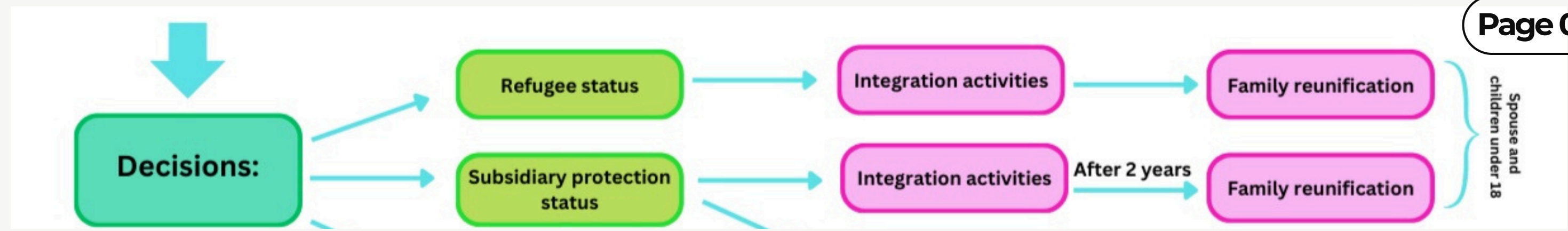
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# Asylum procedure in Latvia



# Asylum procedure



## Definition of the Family

### Asylum law of Latvia

Family member - (1) the spouse of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection, and also the minor child of an asylum seeker, refugee or a person who has been granted alternative status or temporary protection and the spouse of such person, who is not married and is dependent on both or one of the spouses or is adopted, and also the father, mother or other adult who in accordance with the laws and regulations of the Republic of Latvia is responsible for the beneficiary of international protection, if the above-mentioned beneficiary of international protection is a minor and not married, (2) provided that such family has already existed in the country of origin;

**Broadening the definition? In CJEU/ECHR case law, but how is in the practice?**

## Legal differences

### One big difference - time

Refugee status holder can start the family reunification procedure as soon as they have received the documents and bank account.

Subsidiary protection status holder - only after 2 years from the moment of the obtaining the status. In reality - 3 years until the family is reunited (case of Afghan family).

Conditions for the family reunification of the temporary protection status holders the same as for refugee status holders - the procedure can be initiated as soon as the status is obtained.

## Requirements

- Bank account;
- Money for state fees;
- Valid travel documents.

No need for:

- language knowledge;
- minimal income costs;
- integration activities.

In practice:

- requests to submit the proof of the financial means for covering the costs of the stay during the visa term.



# Family reunification steps

01 **International protection status**



02 **Invitations for visa and residence permits**



Invitations for residence permits - decisions - invitations for visa

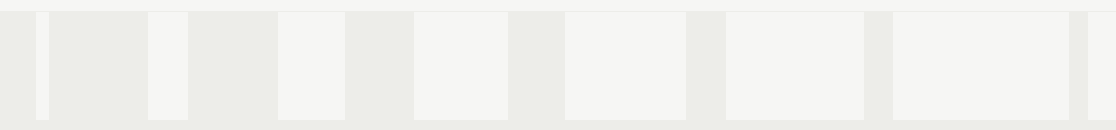
03 **Visit of Embassy of Latvia**



04 **Traveling to Latvia**

At least two visits to Embassy.  
Security checks to perform.

Submitting documents for the residence permit or application for the international protection.





# Successful cases

## EU judgment C-1/23 PPU

Families from Afghanistan have problems with the traveling to the countries where Embassy of Latvia is located.

After the intervention of LHCR, Ministry of Foreign Affairs provided flexible approach and minimized the number of visits to the Embassy:

- 1) documents prepared and send electronically;
- 2) decision without the presence of family members;
- 3) one visit to Embassy to obtain the visa for entry in Latvia.

## Embassy of Hungary in Iran

In 2023 one Afghan family successfully arrived in Latvia via assistance provided from Embassy of Hungary in Iran.

Embassy of Hungary in Iran has issued short term visa (not possible for long term visa).

Family members requested international protection.

Ministry of Foreign Affairs later has not accepted to use this path for the following cases of family reunification.



# Challenges

## ★ **Afghanistan v Russia**

Different approaches - for Afghan families no need to apply for the residence permits at the Embassy, only for visa.

## ★ **The full potential of the embassies of EU member states has not been discovered yet**

## ★ **Long time, lack of flexibility**

- family from Afghanistan (length of the procedure: 1 year and 4 months),
- family from Russia (length of the procedure: 1 year and 3 months),
- family from Russia (length of the procedure: 6 months).
- family from Afghanistan (length of the procedure: 10 months).

## ★ **Unwillingness to admit mistakes**

Case of family from Russia

