

Family Reunification Guidelines

These guidelines are based on presentations and discussions from the study visit on family reunification organized from September 10 until 13, in Riga within the project “Regional Cooperation for Refugees – one step forward to human rights and sustainability” funded by Nordic Council of Ministers Office in Latvia.¹ Study visit has brought together lawyers and advocacy specialists from NGO’s of Estonia, Lithuania, Finland, Denmark, Norway and Faroes Islands. The aim of the guidelines is to provide practical steps, shared practices, and actionable insights to facilitate family reunification processes, particularly for refugees and vulnerable populations.

1. General Principles for Family Reunification

1.1 Participants agreed that the state's responsibility covers not only the international protection status holders but also their family – a concept that derives from the right to family life as a human right. It is vital to ensure policies and procedures align with this principle to support the well-being and integration of refugees and their families.

1.2 States should prioritize the best interests of children and other vulnerable family members, ensuring timely and accessible reunification processes.

1.3. For the state power holders, the standards should be – facilitating the union of the families for those, who got the international protection, since also their family member suffer from the threats of their lives, health and well-being;

1.4. The states should ensure support for those volunteers, lawyers (including NGOs for all aforementioned), health takers and free-thinking persons, who are able and ready to provide any kind of support for refugees family reunification;

1.5. Refugee family reunification standards shall be updated, taking into account difficulties of those family members who are at risk and cannot escape from their home countries for their families in the EU due to disproportionately complex barriers in the context of transnational movement.

2. Comparison of the practices

✓ Estonia

In Estonia, family reunification is regulated by the Act on Granting International Protection to Aliens (AGIPA). Applications are reviewed within 30 days by the Police and Border Guard Board. Challenges include obtaining valid travel documents and parental consent for minors. Dependency

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cases are also considered, as demonstrated by a case where economic and emotional dependence of a parent on their child was successfully recognized.

✓ **Lithuania**

Lithuania faces significant challenges, including the lack of a specific procedure for family reunification. Family members must apply for residence permits through general procedures, often requiring them to travel to third countries. Success stories include the Lithuanian Red Cross mediating with embassies to facilitate visa issuance, as seen in cases involving refugees from Afghanistan and Syria. However, systemic issues, such as restrictions on Russian and Belarusian nationals, remain unresolved.

✓ **Finland**

Finland has implemented stricter family reunification laws since 2012, with income requirements and embassy visits posing significant barriers. Despite these challenges, legal aid organizations like the Finnish Refugee Advice Centre provide support to vulnerable families. Case examples include exemptions for minors and efforts to address rigid embassy requirements through advocacy. Finland's upcoming challenges and practices at the border should be closely verified.

✓ **Latvia**

In Latvia, refugee status holders and temporary protection status holder can initiate family reunification immediately, while those with subsidiary protection must wait for two years. Success stories include reducing the number of visits to embassy visits through intervention of Latvian Centre for Human Rights. Challenges include long processing times, lack of flexibility in procedures and lack of the exceptions from payment of the state fees (consular fee, residence permit fee).

✓ **Norway**

Norway demonstrates both challenges and positive developments. While application fees and narrow definitions of family create barriers, flexible rules for minors and exceptions for LGBTQ+ couples show progress. The country covers travel costs and collaborates with IOM for transport support. Norway enhances efficiency through the work of the Ministry of Foreign Affairs and embassies.

✓ **6. Denmark**

Denmark established their own autonomous family reunification system, independent of such from the EU. The country imposes strict documentation requirements and lengthy case processing times. Advocacy by the Danish Refugee Council emphasizes the need for proper assessment of the best interests of children and uniform rules for family reunification among refugees.

3. Specific Recommendations

3.1 Enhance cooperation with international organizations such as the IOM to facilitate travel and documentation processes.

3.2 Simplify procedures for obtaining Emergency travel documents and ensure their acceptance at border crossings.

3.3 Increase transparency and accessibility of family reunification procedures, including providing free legal aid at all stages;

3.4. Legally forcing foreign officials in cooperation with families of those, who received international protection in the EU.

4. Advocacy and Policy Suggestions

4.1 Advocate for broader definitions of family to include extended and dependent family members.

4.2 Promote the use of private funding and partnerships to support travel costs, ensuring compliance with legal regulations.

4.3 Engage with embassies of other countries to assist with processing applications and issuing visas;

4.4. To activate implementation of the emergency travel documents as a tool of last resort especially in cases when family members are in real danger while staying in any other third country.

Conclusion and Recommendations

The legal standards should be based on common values of the EU and invented for all families independently of countries of origin to get to the EU without inappropriate legal and factual barriers.

To improve family reunification processes, countries should adopt flexible procedures, enhance cooperation with international organizations like IOM, and prioritize the best interests of children. Specific recommendations include simplifying travel document requirements, providing free legal aid, and leveraging technology for remote application processing.