



AD HOC QUERY ON 2021.58 DE Regulations to family reunification with persons who have been granted subsidiary protection

Requested by EMN NCP Germany on 30 September 2021

Responses from Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (24 in Total)

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1. Background information

Family reunification with persons who have been granted subsidiary protection according to the Directive 2011/95/EU is extensively regulated in German national law. However, this group of persons is excluded from the scope of application of Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (Article 3(2)(c)).

Therefore, Germany is interested in finding out, which regulations exist in the other member states in this context. The topic has already been partly addressed in the EMN study "Family reunification of third-country nationals in the EU and Norway: National approaches" 2016. However, seeing that the study is five years old some of the information will not be valid.

As German legislation has changed in the meantime, Germany would like to ask the following questions:

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2. Questions

1. Which of the following individuals are allowed family reunification with a sponsor who has been granted subsidiary protection status under Directive 2011/95/EU? Please indicate for each category if they are entitled by law or if it is to the discretionary power of the competent authority to grant family reunification: a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. b) minor children (please differentiate according to whether they are single or married) c) adult children (please differentiate according to whether they are single or married) d) parents (please distinguish if the sponsor is a minor or an adult) e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) f) other family members (please specify)

Please indicate for each category if they are entitled by law or if it is to the discretionary power of the competent authority to grant family reunification: a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. b) minor children (please differentiate according to whether they are single or married) c) adult children (please differentiate according to whether they are single or married) d) parents (please distinguish if the sponsor is a minor or an adult) e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) f) other family members (please specify)

2. Which requirements do the sponsor and the family members have to fulfil in order to be granted family reunification?

3. Are there quotas/limits to the number of family members who fulfil the requirements for family reunification with individuals who have received subsidiary protection status? YES/NO/OTHER. If your answer is YES, please explain what those quotas/limits are and the grounds to impose them.

4. Does a family member who wants to join a sponsor in your Member State through family reunification have to fulfil specific individual requirements prior to entry, (e.g. proof of language proficiency)? YES/NO/n/a. If YES, please indicate whether there are any exceptions or hardship provisions that may apply only to certain family members.

5. What rights does the family member of an individual who has been granted subsidiary protection have once the family member arrived in your MS? (e.g. residence permit, access to the labour market, the issuance of a aliens travel document)

6. Are these rights different from those granted to family members of those who obtain refugee status? YES/NO/N/A.


We would very much appreciate your responses by **29 October 2021**.

3. Responses

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		Wider Dissemination ²	
	EMN NCP Austria	Yes	<p>1. In Austria, according to Art. 35 para 5 Asylum Act 2005, the following persons are considered family members of persons who have been granted subsidiary protection status, so that family reunification can be considered for them:</p> <ul style="list-style-type: none"> a) spouse/registered partner, provided that the marriage/registered partnership already existed prior to the entry of the beneficiary of subsidiary protection b) child who is a minor and unmarried at the time of application d) Parent of a minor child <p>2. According to Art. 35 para 2 Asylum Act 2005, family members of foreigners who have been granted subsidiary protection status and who are abroad may apply to the representation authority for an entry title for the purpose of filing an application for international protection at the earliest three years after the subsidiary protection status has been legally granted. For this, it is necessary that family members meet the requirements pursuant to Art. 60 para 2 subpara 1 to 3, inter alia:</p>

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."


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			<ul style="list-style-type: none">- family members prove a legal claim to accommodation which is considered locally customary for a family of comparable size- family members have health insurance coverage covering all risks and this insurance is also liable in Austria- the stay of family members could not lead to a financial burden for a local authority. <p>These requirements are deemed fulfilled if the family members are the parent of an unaccompanied minor who has been granted the subsidiary protection status (Art. 35 para 2a Asylum Act 2005).</p> <p>If these requirements are met, entry must be granted, unless it could be assumed based on certain facts that the requirements for granting the subsidiary protection status no longer exist or will no longer exist in three months. The representation authority must grant family members a visa to enter the country based on an application for an entry permit if the Federal Office for Immigration and Asylum has indicated that an application for international protection is likely to be granted by granting subsidiary protection status. The Federal Office for Immigration and Asylum may only issue such a notification if</p> <ul style="list-style-type: none">- there are no proceedings pending against the foreigner who has been granted subsidiary protection status- the Federal Ministry of the Interior, which is to be consulted, has stated that entry into the country does not contradict the public interests according to Art. 8 para 2 ECHR, and- the requirements of Art. 60 para 2 subpara 1 to 3 are met, unless granting the application is necessary to maintain private and family life within the meaning of Art. 8 ECHR. <p>3. In Austria, the circle of family members is strictly limited to the nuclear family (Eppel/Reyhani, Asylum and Aliens Law, Register 2, chapter 9.2.2, p. 1). In addition, Art. 34 para 6 Asylum Act 2005 prohibits chain family procedures. According to this, only those persons are reference persons who originally received their protection status. Family members who have been granted the same protection as the reference person cannot bring in other family members (except for minor children) (Eppel/Reyhani, Asylum and Aliens Law, Register 2, Chapter 9.2.6., p. 1).</p>
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			<p>4. See answer to question 2.</p> <p>5. In Austria, family members are granted asylum or subsidiary protection status (Art. 34 para 3 Asylum Act 2005). This means that the persons concerned are entitled to (temporary) residence in Austria (Art. 3 para 4, Art. 8 para 4 Asylum Act 2005). Persons who have been granted asylum or subsidiary protection status have access to the labour market (Art. 1 para 2 subpara a Act Governing the Employment of Foreign Nationals) and can obtain a convention or alien's travel document (Art. 94 para 1 or Art. 88 para 2a Aliens Police Act).</p> <p>6. No, see answer to question 5.</p>
	EMN NCP Belgium	Yes	<p>1. a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. Yes, entitled by law. b) minor children (please differentiate according to whether they are single or married) Yes, minor children (-18y) who are single, entitled by law c) adult children (please differentiate according to whether they are single or married) No. d) parents (please distinguish if the sponsor is a minor or an adult) No, exception: see f). e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) No. f) other family members (please specify)</p>

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			<ul style="list-style-type: none"> - The handicapped child older than 18y who is unable to provide for himself because of the handicap, entitled by law; - The parents of a non-accompanied minor who obtained subsidiary protection, entitled by law. <p>2.</p> <ul style="list-style-type: none"> - Sufficient, stable and regular financial means. - Sufficient housing. - Health insurance for sponsor and applicant. - Medical attestation (applicant). - Absence of criminal record (applicant). <p><u>Exception:</u> No requirement of financial means, sufficient housing and health insurance when the family members apply within 12 months after the status of subsidiary protection has been granted, on condition that the applicant was already a family member when the sponsor arrived in Belgium.</p> <p>3. No.</p> <p>4. No.</p> <p>5. The family member receives a residence permit with a validity of one year, yearly renewable during the first 5 years. After 5 years the family member can apply for unlimited residence. Access to labour market: yes. Issuance of travel document: no.</p> <p>6. No.</p>
	EMN NCP Bulgaria	Yes	1. Beneficiaries of international protection - refugees and subsidiary protection holders - are entitled to ask to be reunited with their families in the Republic of Bulgaria.


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			<p>The Law on Asylum and Refugees allows for family reunification with the following family members:</p> <ul style="list-style-type: none">- the husband, the wife or an individual with whom the foreigner has an evidenced stable long-term relationship and their minor unmarried children;- minor unmarried children who are unable to provide for themselves due to grave health conditions;- the parents of either one of the spouses who are unable to take care of themselves due to old age or a serious health condition and they have share the household of their children; <p>Unaccompanied children who have been granted international protection also have the right to reunite with their parents, and also with another adult member of their family or with a person who is in charge of him/her by law or custom when the parents are deceased or missing.</p> <p>2. A foreigner with granted international protection is entitled to ask to reunite with his family on the territory of the Republic of Bulgaria, provided that the family ties precede the entry of the foreigner on the territory of the country. In case of polygamy, reunion with a second and subsequent wife is not allowed if one of the wives is already in Bulgaria. Family reunification can be refused on the basis of an exclusion clause.</p> <p>3. No</p> <p>4. No</p> <p>5. The family members are granted the same status as their sponsors.</p> <p>6. There is no difference between refugees and subsidiary protection beneficiaries with regard to access to labour market, health care and education. Beneficiaries of international protection have access to all types of social assistance envisaged by the law. The duration of validity of identity documents is 5 years for refugee status holders, and 3 years for subsidiary protection holders.</p>
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			<p>The waiting period for obtaining citizenship for refugees is 3 years and for subsidiary protection holders is 5 years. The validity of the refugee travel document is up to 5 years. The travel document of persons granted humanitarian status is up to 3 years.</p>
	<p>EMN NCP Croatia</p>	<p>Yes</p>	<p>1. The right to family reunification and the manners of exercising the right are regulated by the provisions of the Act on International and Temporary Protection (Official Gazette 70/15, 127/17) and the provisions of the Aliens Act (Official Gazette 133/20).</p> <p>a) Spouses / (same-sex) partners in a registered partnership/cohabitants who have entered into a long-term partnership</p> <p>Spouse or extramarital partner according to the regulations of the Republic of Croatia, as well as persons who are cohabitating, which according to the regulations of Croatia can be considered a life partnership or informal life partnership, have the statutory right to family reunification with a beneficiary of international protection. In the case of a polygamous marriage, family reunification in the territory of Croatia will be granted only to one spouse. Furthermore, a temporary stay for the purpose of family reunification will not be granted if the spouse or extramarital partner already has a marital union or is in a long-term relationship with another person, or does not live in a real marital or extramarital relationship.</p> <p>b) minor children (please differentiate according to whether they are single or married.)</p> <p>A family member is considered to be a minor child of spouses and extramarital partners: their minor adopted child, minor child, and minor adopted child of a spouse,</p>

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			<p>extramarital partner, or life partner who provides parental care for the child.</p> <p>The Act on International and Temporary Protection stipulates that a minor child of a beneficiary of international protection, who has not started his/her own family, continues to be a part of the family of the asylum seeker and if a legal representative is granted international protection, he/she is the part of the legal position.</p> <p>c) adult children (please differentiate according to whether they are single or married.)</p> <p>The Act on International and Temporary Protection stipulates that adult unmarried children who are unable to take care of their needs due to their health condition are also considered to be members of the family of a beneficiary of international protection.</p> <p>d) parents (please distinguish if the sponsor is a minor or an adult.)</p> <p>The Act on International and Temporary Protection stipulates that a parent or other legal representative of a child is also considered a member of the family of a beneficiary of international protection. A family member is also considered a first-degree relative in a straight line with whom the person lived in a joint household if it is determined that the family member is dependent on the care of a beneficiary of international protection.</p> <p>e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult)/ f) other family members (please specify.)</p> <p>The Aliens Act stipulates that as a family member of a third-country national who has been granted international protection may be considered another relative if there are special personal or humanitarian reasons for family reunification in the Republic of Croatia.</p>
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			<p>2. Pursuant to the provisions of the Act on International and Temporary Protection, a family member with reasons for exclusion of international protection, and if there are reasons for the protection of national security or public order of the Republic of Croatia, is not entitled to family reunification.</p> <p>Furthermore, the provisions of the Aliens Act stipulate that a family member of a third-country national who has been granted international protection in Croatia will be granted temporary stay if he proves the purpose of temporary stay, has a valid foreign travel document, and provides proof that he has not been convicted of criminal offenses one year prior to the arrival in Croatia, is not banned from entering and staying in Croatia, or has not been issued a warning in the SIS for the purpose of banning entry, and finally does not pose a threat to public order, national security or public health.</p> <p>In connection with the above, the Aliens Act stipulates that a close family member of a third-country national who has been granted international protection, and who cannot provide proof of a certain family relationship with a beneficiary of international protection, other evidence of the existence of such a relationship may be taken into account, which is assessed in accordance with the regulation governing the general administrative procedure.</p> <p>3. NO.</p> <p>4. NO.</p> <p>5. In accordance with the provisions of the Act on International and Temporary Protection, a family member of a beneficiary of international protection exercises the same rights as a beneficiary of international protection. Specifically, a family member of an individual granted subsidiary protection in the Republic of Croatia exercises the right to stay,</p>
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			<p>the right to accommodation, the right to work, health care, the right to education, the right to freedom of religion, free legal aid, the right to social welfare, Croatian language, history and culture learning, the right to documents, the right to assistance in inclusion in society, property ownership and the right to acquire Croatian citizenship.</p> <p>If a family member of a beneficiary of international protection in Croatia is reunited in accordance with the provisions of the Aliens Act, the family member is not entitled to a travel document for a third-country national, and temporary stay (according to the residence permit card) is issued validly for up to one year.</p> <p>6. NO.</p>
	<p>EMN NCP Cyprus</p>	<p>Yes</p>	<p>1. The Refugee Law 2000-2020 provides the right to family reunification only to refugees (Art. 25(5)-(19)). Beneficiaries of subsidiary protection or persons who are still in the asylum procedure do not have the right to family reunification.</p> <p>Under the Refugee Law (Art. 25(5)) a person outside the European Union can be reunited with a recognized refugee in Cyprus if that person is:</p> <ul style="list-style-type: none"> • His/her spouse (minimum age as specified in the Refugee Law is 21). In the event of a polygamous marriage, the family reunification of a further spouse is not authorized. • Minor unmarried children of the refugee and/or of his/her spouse, including legally adopted children. In the event of a polygamous marriage, family reunification with children of a further spouse is not be authorized. • Where an unaccompanied minor (UM) is a refugee in Cyprus, his/her parent/s can join him/her in Cyprus.


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			<p>[1] Article 25(5)-(19) Refugee Law. [2] Article 25(5) Refugee Law</p> <p>2. N/A. Please see Question 1.</p> <p>3. Other. N/A. Please see Question 1.</p> <p>4. N/A. Please see Question 1.</p> <p>5. N/A. Please see Question 1.</p> <p>6. YES. Beneficiaries of subsidiary protection do not have the right to family reunification. In the case of recognized refugees, family members joining a recognized refugee in Cyprus receive the same legal status as their sponsor and they enjoy the same rights (Art. 15 (14) Refugee Law).</p>
	<p>EMN NCP Czech Republic</p>	<p>Yes</p>	<p>1. Beneficiaries of subsidiary protection have the possibility of family reunification according to the general provisions of the Act on the Residence of Foreign Nationals in the Czech Republic. Foreigners first apply for visas for stays over 90 days in accordance with § 30 of the Act on the Residence of Foreign Nationals, and then for a long-term stay in accordance with § 42 of the Act on the Residence of Foreign Nationals in the Czech Republic. Thus foreigners are excluded from the scope of the Directive on the right to family reunification and do not enjoy any benefits under the Directive. However, it is regulated by law.</p> <p>1. Spouses and registered partners are allowed family reunification, cohabitants who have entered into a long-term partnership are not allowed</p>

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			<p>2. Minor children (single) are allowed family reunification, although the law does not specifically address this</p> <p>3. Adult children are allowed family reunification, but only those who are dependent</p> <p>4. Parents are allowed family reunification if the sponsor is a minor. If he is an adult, the parents must be older than 65</p> <p>5. People within this category are considered for allowing family reunification in the case they can not provide for themselves</p> <p>6. People within this category are considered for allowing family reunification in the case they can not provide for themselves</p> <p>2. The sponsor and the family members have to submit documents proving family ties, passport (can be substituted) and proof of accommodation. Means of subsistence are not required.</p> <p>3. No.</p> <p>4. No.</p> <p>5. Individuals who have been granted subsidiary protection have rights that are connected to the type of residence title (first long-term visa than long-term residence permit). The fact that it is a family reunification with a beneficiary of subsidiary protection does not have any influence.</p> <p>6. No, see question 5.</p>
	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1.</p> <ul style="list-style-type: none"> - Spouses / (same-sex) partners in a registered partnership/ cohabitants who have entered into a long-term partnership.

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			<p>According to the Act on Granting International Protection to Alien (AGIPA) spouses are considered family members of a person eligible for subsidiary protection and are allowed family reunification. There is no regulation in the AGIPA on partners in registered partnership/cohabitants. The legislation foresees that for family reunification the person has to be married.</p> <ul style="list-style-type: none">- minor children (please differentiate according to whether they are single or married) <p>According to the AGIPA minor children, including adopted children, who are not married are eligible for family reunification with a person eligible for subsidiary protection. Also, unmarried and minor children who are under his or her spouse 's custody, including an adopted child are eligible for family reunification.</p> <ul style="list-style-type: none">- adult children (please differentiate according to whether they are single or married) <p>According to the AGIPA an unmarried adult child of the person eligible for subsidiary protection or his or her spouse is allowed family reunification if the child is unable to cope independently due to his or her state of health or disability.</p> <ul style="list-style-type: none">- parents (please distinguish if the sponsor is a minor or an adult) <p>According to the AGIPA a parent or grandparent maintained by an adult person who is eligible for subsidiary protection or his or her spouse if the country of origin does not provide support resulting from other family ties is allowed family reunification.</p> <p>The legislation also foresees that parents are considered family members of an unaccompanied minor person eligible for subsidiary protection.</p> <ul style="list-style-type: none">- siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) <p>Reunification of siblings (minor and adult) of beneficiaries (minor and adult) is not regulated by law.</p> <p>f) other family members (please specify)</p> <p>Family members of an unaccompanied minor person eligible for subsidiary protection eligible for reunification is also possible for his or her guardian or other family member if he or she has no parents or if the parents cannot be traced unless this is contrary to the rights and interests of the minor.</p>
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			<p>2. Family members specified in the AGIPA shall be considered a family if the family existed in the country of origin, including if the marriage that was contracted before entry into Estonia.</p> <p>A family member shall be refused the issue or extension of a residence permit, or a residence permit shall be revoked, if:</p> <ol style="list-style-type: none">1) the family member poses a threat to national security, public safety or public order;2) in the case provided for in subsection 22 (1) or (3) of this Act; (a TCN shall not be recognised as a person eligible for subsidiary protection if: 1) there is good reason to believe that he or she has committed a crime against peace or humanity or a war crime as defined in international instruments; 2) there is good reason to believe that he or she has committed a serious crime; 3) there is good reason to believe that he or she is guilty of committing an act contrary to the purposes and principles of the United Nations; 4) there is good reason to believe that he or she may pose a threat to public order or national security; 5) he or she has left the country of origin on the ground that he or she has committed an act other than those specified in clauses 1)-4) of this subsection for which imprisonment is prescribed.)3) if family reunification is possible in another country and the conditions provided for in subsection (4) of this section are not complied with. <p>The person eligible for subsidiary protection will have the obligations of the sponsor in case the application for family reunification is not submitted within 6 months as of receiving the subsidiary protection.</p> <p>3. No.</p> <p>4. No. Apart from the requirement that the family existed already in the country of origin.</p> <p>5.</p> <ul style="list-style-type: none">- The residence permit for persons granted subsidiary protection status is issued for one year and may be extended for an additional two years. The number of extensions is not limited and is dependent only of meeting the criteria. The validity of the temporary
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			<p>residence permit issued to the family member who joined them for the purpose of family reunification may not exceed the validity of the permit of the TCN.</p> <ul style="list-style-type: none"> - They have automatic access to the labour market. - They have the right to apply for an alien 's passport. - They have access to education. <p>6. No. In general, the rights of family members who joined persons granted subsidiary protection are not different from the rights of family members who joined persons granted refugee status. However, the validity of the temporary residence permit issued to the family member shall not exceed the validity of the temporary residence permit of the TCN. As the first residence permit issued to persons granted refugee status is three years, but the first residence permit issued to a person granted subsidiary protection is for only one year, the validity of residence permit granted to the family member varies accordingly.</p>
	<p>EMN NCP Finland</p>	<p>Yes</p>	<p>1. In Finland, family reunification is based on law. The Aliens Act stipulates who is considered a family member. The Aliens Act also stipulates on granting a residence permit for other family members. Other family members are persons who are not considered to be immediate family. The definitions of a family member and other family members are the same in all family reunification cases. In other words, the definitions are not dependent on the status of the sponsor.</p> <p>a) The spouse of a person residing in Finland is considered a family member. A person of the same sex is also considered a family member if the partnership has been registered nationally. Persons living in a marriage-like relationship in the same household on a permanent basis are considered to be a married couple regardless of their sex. It is required that they have lived together for at least two years. This is not required if the persons have a child in their joint custody or if there are other serious reasons.</p>


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			<p>b) Unmarried children under 18 years of age of whom the person residing in Finland or his or her spouse has custody are considered family members.</p> <p>c) Adult children are not considered family members. Instead, adult children are considered other family members. In these cases, it does not matter if the adult child is married or unmarried.</p> <p>d) If the person residing in Finland is a minor, the person who has custody of him or her is considered a family member. Usually the custodians are the parents. If the sponsor is an adult, his or her parents may apply for a residence permit as other family members.</p> <p>e) According to the Aliens Act, siblings are not considered family members. Siblings are considered to be other family members. In these cases, it does not matter whether the siblings are minors or adults.</p> <p>f) -</p> <p>2. A residence permit is issued on the basis of family ties to a family member of an alien who has been issued with a residence permit on the basis of subsidiary protection if the sponsor lives in Finland or has been issued with a residence permit for the purpose of moving to Finland; and the applicant is not considered a danger to public order or security or public health. Issuing a residence permit requires that the alien has sufficient financial resources. In addition, the applicant must meet the general requirements for granting a residence permit.</p> <p>3. NO</p> <p>4. NO</p> <p>5. A fixed-term residence permit, unrestricted right to work, the right to apply for an alien's passport.</p> <p>6. NO</p>
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	<p>EMN NCP France</p>	<p>Yes</p>	<p>1. French legislation distinguishes between the family reunification (regroupement familial) that concerns the entry and stay of family members of third-country nationals who are legally resident in France and the family reunification of refugees, beneficiaries of subsidiary protection or stateless persons (réunification familiale) (hereafter family reunification of refugees).</p> <p>a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership: The refugee, beneficiary of subsidiary protection or stateless person may apply to be joined by his or her <u>spouse or civil partner</u>, who are over the age of 18 (same sex or different sex), as long as the marriage or civil union took place prior to the date upon which they requested protection. If the family reunification application concerns the sponsor's <u>unmarried partner</u>, he or she must prove that a "sufficiently stable and continuous cohabiting relationship" existed prior to the date of the asylum application.</p> <p>b) minor children (please differentiate according to whether they are single or married): Family reunification of refugees applies to the <u>couples' unmarried children aged 19 or under</u>. The age limit is 18 if they are children from a previous relationship. The age of the children concerned is assessed on the date of the application for family reunification and not on the date the application for international protection is lodged. If the beneficiary or his or her spouse have minor children from another union, they will not be eligible for reunification if their other parent is still present in the country of origin and has parental authority.</p> <p>c) adult children (please differentiate according to whether they are single or married): No, the maximum age is 19 (see 1. b).</p> <p>d) parents (please distinguish if the sponsor is a minor or an adult): Yes, if the beneficiary of subsidiary protection is an unmarried minor.</p> <p>e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult):</p>
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			<p>If the refugee or beneficiary of subsidiary protection is an unmarried minor, he or she may apply for the right to be joined by his or her unmarried minor brothers and sisters for whom his or her parents are effectively responsible.</p> <p>f) other family members (please specify): No</p> <p>Please indicate for each category if they are entitled by law or if it is to the discretionary power of the competent authority to grant family reunification:</p> <p>Each category is entitled by law.</p> <p>2. The sponsor must have obtained the subsidiary protection. The person concerned may in principle apply for family reunification as soon as his or her protection is recognised, without having to wait for a residence permit to be formally issued. In practice, it is up to the family members to take the main steps with a French consulate, as soon as they are in possession of a copy of the foreign national's protection decision in France.</p> <p>The application for family reunification of refugees is submitted as part of the long-stay visa application by the family member(s) of the refugee, the beneficiary of subsidiary protection or the stateless person to the French diplomatic or consular authorities closest to their home in their country of origin.</p> <p>Within the framework of the family reunification of refugees, the family member(s) of the refugee, beneficiary of subsidiary protection or stateless person must provide the following documents to prove their identity and family relationship:</p> <ul style="list-style-type: none">- a passport (visas may be issued for a laissez-passer in justified cases);- passport photographs;- evidence of protection granted by the OFPRA to the sponsor;- full copy of the birth certificate and/or marriage certificate establishing the family relationship to the protected person, or any other document proving this link. <p>3. No</p>
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			<p>4. No The family reunification of refugees is not subject to the prior duration of legal stay, resources or accommodation requirements. This also applies to members of the extended family.</p> <p>5. Family members admitted under family reunification or the family reunification of refugees have access to the rights granted to foreign nationals under common law (except for the right to vote, which is not granted to non-French nationals). They do not benefit from privileged access to certain rights.</p> <p>Residence permit Family members of the subsidiary protected person: family members of a person benefiting from subsidiary protection benefit, like the protected person, from <u>a four-year multi-annual residence permit</u> (a "private and family life" residence permit) and then, under the same conditions as the protected person, from a residence permit (refugee family members: are entitled to a residence permit valid for 10 years).</p> <p>Access to labour market Family members who have arrived through the family reunification of refugees procedure receive a residence permit (refugees) or a temporary residence permit (beneficiaries of subsidiary protection or stateless persons) that authorises them to <u>exercise the profession of their choice</u>. As soon as protection is granted, the receipt that is issued bears a mention of the status and confers on the holder the right to exercise the profession of his choice.</p> <p>Access to education In France "education is compulsory for children of both sexes, French and foreign nationals, between the ages of six and sixteen". The status granted for residence has no consequences on access to education for children aged under sixteen years. Consequently, from their arrival, all third-country nationals from six to sixteen years benefit from direct access to education. Young people over 16, who are no longer subject to an educational obligation, may nevertheless be received in professional, general or technological secondary schools and benefit from an individual professional project.</p>
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			<p>Language training: as part of the Republican Integration Contract, beneficiaries of protection receive up to 400 hours of free (and compulsory) training in French.</p> <p>Social Security</p> <p>All foreign nationals legally living in France are covered by the French social security system. The conditions for cover vary depending on the grounds for residence (student, salaried worker, liberal profession, etc.).</p> <p>Universal healthcare cover applies to applicants who have their legal and habitual residence in France, but who lack sufficient resources. This cover applies generally to people who do not exercise a professional activity, whatever the status under which they were admitted for residence purposes.</p> <p>Family benefits</p> <p>According to the Social Security Code (CSS), "all French or foreign persons residing in France, within the meaning of article L.111-2-3, and financially responsible for one or several children living in France, benefit from family benefits for these children under the conditions stipulated by this Code, as long as the children do not benefit personally from one or several family benefits, social housing benefit or individual housing assistance".</p> <p>Thus, article L.512-2 of the CSS lists the categories of foreign nationals that can benefit from family benefits: they must prove that they are financially responsible for the children for whom the family benefits are requested, and that they meet one of the situations listed in the code. The family members who have entered France under family reunification or family reunification of refugees come under this system.</p> <p>Mobility</p> <p>Foreign nationals who are legally staying in France have freedom of movement.</p> <p>All foreign nationals legally staying in France have free intra-EU movement within the Schengen area for a period not exceeding three months. For a stay over 90 days, they must request a visa and/or residence permit in the country in which they wish to stay.</p> <p>Long-term residence permit</p>
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			<p>A person may obtain a long-term EU residence permit after an uninterrupted stay of five years on the French territory subject to fulfilling the conditions of holding healthcare insurance and proving his/her intention to durably stay in France, particularly with regard to his/her professional activity, if he/she has one, and means of existence.</p> <p>Citizenship To have access to citizenship by decree according to the provisions in common law, third-country nationals legally residing in France must prove five years of habitual residence in France after the application has been filed, and show that they are integrated into French society and adhere to its values. Family members of refugees benefit from the same rights as the sponsor under the principle of family unity, and are, therefore, exempt from the five-year residence requirement. This exemption does not apply to beneficiaries of subsidiary protection and their family members.</p> <p>6. See answer to Q5.</p>
	<p>EMN NCP Germany</p>	<p>Yes</p>	<p>1. There is no legal claim to family reunification with persons granted subsidiary protection status. The decision is at the discretion of the authorities (§ 36a Aufenthaltsgesetz, for the English version of the German Residence Act, see https://www.gesetze-im-internet.de/englisch_aufenthg/index.html). (The option of admission for humanitarian reasons and resettlement - isolated from family reunion - remains unaffected for all family members.)</p> <p>a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. Reunification of spouses is at the discretion of the competent authorities. If the individual is married to several spouses, family reunification is only possible for one spouse.</p> <p>b) minor children (please differentiate according to whether they are single or married) Reunification of minor, unmarried children with their parents is at the discretion of the competent authorities.</p> <p>c) adult children (please differentiate according to whether they are single or married)</p>

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			<p>Reunification of children above the age of 18 with their parents is not possible.</p> <p>d) parents (please distinguish if the sponsor is a minor or an adult) Reunification of parents with minor children is at the discretion of the competent authorities if no primary care-taker is already residing in Germany. The reunification of parents with adult children is not possible.</p> <p>e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) Reunification of siblings (minor and full-aged) of beneficiaries (minor and full-aged) is not regulated by law. However, after the subsequent immigration of the parents, they might be able to join as minor, unmarried children if all other requirements are fulfilled.</p> <p>f) other family members (please specify) The joining of other relatives is not possible.</p> <p>2. The decision on subsequent immigration to beneficiaries of subsidiary protection may be granted on humanitarian grounds such as:</p> <ul style="list-style-type: none">- it has not been possible for a long time to live together as a family unit,- a minor, unmarried child is affected,- life, limb or liberty of the family member are at serious risk in the state of residence,- the beneficiary or the family member is seriously ill, in need of care because his or her autonomy or capabilities are impaired or has a severe disability. <p>Furthermore, in principle, both spouses must be above 18 years of age and must have been married before fleeing.</p> <p>Contrary to the general rules for subsequent immigration for the purpose of family reunion, individuals granted subsidiary protection status do not have to prove secure subsistence and sufficient living space.</p> <p>For reasons of public safety, the family reunification can be denied.</p>
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			<p>3. YES. The contingent is limited to 1,000 visas per month. Special attention is paid to the well-being of children and integration aspects when deciding on subsequent immigration to join persons granted subsidiary protection status. The contingent was introduced to reduce the burden on the national reception and integration systems.</p> <p>4. NO. Apart from the close family relationship to the beneficiary of subsidiary protection, there are no specific personal requirements. However, integration aspects like knowledge of the German language can be helpful as, if there are more visa applications than the quota permits, they are taken into consideration in the selection process.</p> <p>5.</p> <ul style="list-style-type: none">- The residence permit for persons granted subsidiary protection status is issued for one year and may be extended for an additional two years. The permit of the family members who joined them for the purpose of family reunion may not have a longer validity period than the permit of the principal person.- The residence permits for both purposes, subsidiary protection and family reunification, grant access to economic activity.- The person granted subsidiary protection status and his or her family members are entitled to attend an integration course. If they receive social benefits, they are required to attend an integration course.- If their permanent residence is in Germany, persons granted subsidiary protection status and their family members are entitled to receive study grants and loans.- If certain requirements (like secured subsistence, a valid work permit and sufficient knowledge of the German language) are fulfilled, persons with subsidiary protection status normally are entitled to a permanent settlement permit after five years. By way of derogation, spouses get a permanent settlement permit without fulfilling the work-related requirements as long as the other spouse fulfils those.
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			<ul style="list-style-type: none"> - Children receive an independent, permanent right of residence if they have been in possession of a temporary residence permit by the time they turn 16. The same applies to individuals who turn 18, if additional requirements are fulfilled (sufficient knowledge of the German language, secured subsistence or in education or training which leads to a recognised school, vocational or higher education qualification). <p>6. NO. In general, the rights of family members who joined persons granted subsidiary protection are not different from the rights of family members who joined persons granted refugee status. However, the first residence permit for persons granted refugee status is issued for three years (while the permit for persons granted subsidiary protection is issued only for one year). As a consequence, the residence permit of the refugee's family members can be issued for three years as well (while the permit for family members of persons granted subsidiary protection can only be issued for one year, with the possibility of an extension for an additional two years).</p>
	<p>EMN NCP Greece</p>	<p>Yes</p>	<p>1. Pursuant to Greek Legislation (Law) 3386/2005) the beneficiaries of subsidiary protection in Greece are not entitled by law to apply for family reunification with members of his/her family. Only persons who obtained refugee status can apply for family reunification.</p> <p>2. n/a</p> <p>3. n/a</p> <p>4. n/a</p> <p>5. n/a</p> <p>6. n/a</p>

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	<p>EMN NCP Hungary</p>	<p>Yes</p>	<p>1. According to Act LXXX. of 2007 on Asylum (Asylum Act) family member of a person who has been granted subsidiary protection status, the unaccompanied minors (who has been granted subsidiary protection status) parent or, in the absence of a parent, the minor's guardian or his/her dependent direct relatives in the ascending line for sibling. The minor child of the person who has been granted subsidiary protection status, notably if the child was born on the territory of Hungary after the status was granted.</p> <p>a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership: Yes, spouses are included in the family definition, if the family relationship already existed before the arrival in Hungary.</p> <p>b) minor children (please differentiate according to whether they are single or married): Yes, minor children are allowed family reunification, including the adopted and foster child. If a child is born on the territory of Hungary to a person who has been granted subsidiary protection status, the child must be recognized as a protected person if an application is made. No information on married or single minors.</p> <p>c) adult children (please differentiate according to whether they are single or married)Yes, but only if the direct descendant id dependent person, due to their health condition.</p> <p>d) parents (please distinguish if the sponsor is a minor or an adult)Yes. For minor children family reunification is always allowed regarding the parent or the person accompanying him/her who is responsible for the child under Hungarian law (e.g.: guardian of the minor).For adults, the family reunification with a parent is allowed, if the parents are dependent to him/her due to their health condition.</p> <p>e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult)Yes, if the sibling/siblings are dependent to the person who has been granted subsidiary protection status due to their health condition.</p> <p>f) other family members (please specify)No. Please note that the status must be provided to the persons listed above, if the application was jointly handed in by the person who has been granted subsidiary protection status and the person concerned with family reunification or the application for recognition was submitted by the family member with the consent of the foreign</p>
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			<p>national who has been granted subsidiary protection status before the decision was taken on his/her status.</p> <p>2. The status must be provided to the persons listed in Q1, if the application was jointly handed in by the person who has been granted subsidiary protection status and the person concerned with family reunification or the application for recognition was submitted by the family member with the consent of the foreign national who has been granted subsidiary protection status before the decision was taken on his/her status. According to Article 15. of the Asylum Act subsidiary protection status cannot be granted to foreign persons, if there are grounds for believing or suspecting the grounds of refusal are existing, committed a crime against peace, war or crimes against humanity as defined in international instruments or committed a crime contrary to the purposes and principles of the United Nations. The status cannot be provided for persons whose presence on the territory of Hungary endangers national security. Family reunification purpose can be verified with birth certificate; marriage certificate; an adoption certificate; other document proving the existence of a family relationship. Please also note that a authentic instrument issued abroad, or a private document authenticated by a foreign court, administrative authority, notary or other person vested with public authority, unless otherwise provided by law, international treaty or reciprocal practice, has the evidentiary effect under Hungarian law only if it has been subject to diplomatic certification by the Hungarian diplomatic mission of the state where it was issued. Unless otherwise provided by law, a document issued in a language other than Hungarian may be accepted only if accompanied by a certified Hungarian translation. The existence of a family link in the context of family reunification with a person recognized as a refugee or a person granted subsidiary protection status may be proven by any credible means, in particular by DNA testing. The sampling for DNA testing shall be carried out in the presence of a representative of the regional directorate or the consular officer. If the existence of a family relationship is proved by the third-country national on the basis of DNA testing carried out abroad, the regional directorate shall get the experts' opinion on the admissibility of the proof. All costs incurred in connection with the DNA test shall be covered by the applicant.</p>
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			<p>3. No, there are no quotas/limits to the number of family members who fulfill the requirements for family reunification.</p> <p>4. No, the family member who wants to join a sponsor in Hungary through family reunification does not have to fulfil specific individual requirements prior to entry.</p> <p>5. The family member has the right to enter and stay visa-free for a period not exceeding ninety days within a period of one hundred and eighty days on the territory of the Schengen Member States and also entitled to engage in gainful employment. Please note that if to establish an employment, the responsible regional directorate of the National Directorate General of Aliens Policing needs to be notified in order to issue a single permit for employment.</p> <p>6. No. The rights are not different from family members who obtain refugee status.</p>
	<p>EMN NCP Ireland</p>	<p>Yes</p>	<p>1. The International Protection Act 2015 regulates the granting of subsidiary protection in Irish law. Ireland does not participate in Council Directive 2003/86/EC. Under the International Protection Act 2015, a 'qualified person' is defined as a person who has received a declaration of refugee status or a declaration of subsidiary protection. Sections 56 and 57 of the International Protection Act 2015 regulate the right in law for certain family members of a qualified person to enter and reside in the state. Categories of family member under section 56 of the International Protection Act 2015 are as follows (corresponding to the categories in the question):</p> <ul style="list-style-type: none"> - a) Spouse/civil partner, provided that the marriage/civil partnership is subsisting on the date the sponsor made an application for international protection in the State - b) minor unmarried children

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			<ul style="list-style-type: none">- d) and e) where the sponsor is a minor and unmarried, his/her parents and their children who are under 18 and unmarried. <p>Applications under Sections 56 and 57 of the Act must be made within 12 months of the granting of subsidiary protection.</p> <p>Sponsors may make applications for family reunification, including applications outside of the 12-month requirement under the International Protection Act 2015, in accordance with the discretionary power of the Minister for Justice in accordance with the terms of the Department of Justice Policy on non-EEA family reunification.</p> <p>The categories of family member for under the Policy on non-EEA family reunification are as follows:</p> <p>(a) Immediate family</p> <ul style="list-style-type: none">- Nuclear family – Spouse and children under the age of 18;- de facto partners (for the purposes of this document a de facto relationship is a cohabiting relationship akin to marriage duly attested); <p>(b) Parents;</p> <p>(c) Other family.</p> <p>policy_document_on_non-eea_family_reunification.pdf</p> <p>2. Under section 56 of the International Protection Act 2015, an application is investigated to determine</p> <ul style="list-style-type: none">(a) the identity of the person who is the subject of the application,(b) the relationship between the sponsor and the person who is the subject of the application, and(c) the domestic circumstances of the person who is the subject of the application. <p>It is the duty of the sponsor and the person who is the subject of the application to co-operate fully in the investigation, including by providing all information in his or her possession, control or procurement relevant to the application.</p>
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			<p>Applications under the terms of the Policy Document on non-EEA family reunification for other categories of family member must comply with criteria in relation to, for example, establishing dependency, residency requirements for the sponsor and financial requirements.</p> <p>3. No.</p> <p>4. No.</p> <p>5. Under section 56 of the International Protection Act 2015, the family member has the same rights as the qualified person under section 53 of the International Protection Act 2015. These include:</p> <ul style="list-style-type: none">- to seek and enter employment, to engage in any business, trade or profession and to have access to education and training in the State in the like manner and to the like extent in all respects as an Irish citizen- to receive, upon and subject to the same conditions applicable to Irish citizens, the same medical care and the same social welfare benefits as those to which Irish citizens are entitled- the right to reside in the State – for a qualified person this is a period of not less than three years. For a family member, it is an initial period of not less than one year, and on renewal of not less than two years.- The same right to travel in and out of the State as an Irish person is entitled, subject to section 55 of the International Protection Act 2015. A travel document may be provided under section 55 of the International Protection Act 2015 to a qualified person or a family member. However, the Minister is not obliged to give a travel document to a person in respect of whom a declaration of subsidiary protection is in force and the person can obtain a national passport. <p>Outside of the International Protection Act 2015, beneficiaries of family reunification under the Policy Document on non-EEA family reunification are granted a residence permission based on the</p>
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			<p>category of the family member of the holder of subsidiary protection status. Certain categories (immediate family members granted family reunification under the Policy Document on non-EEA family reunification) are granted a residence permission which entitles them to access the labour market without the need for a work permit. Other categories (non-immediate family members granted family reunification under the Policy Document on non-EEA family reunification) are granted a residence permission which does not entitle them to access the labour market without a work permit.</p> <p>6. No, apart from the provisions in relation to a travel document under section 55 of the International Protection Act 2015. The Minister is not obliged to give a travel document to a person in respect of whom a declaration of subsidiary protection is in force and the person can obtain a national passport.</p>
	<p>EMN NCP Italy</p>	<p>Yes</p>	<p>1. The family reunification with a foreign citizen beneficiary of subsidiary protection is recognized by art. 22 of the Legislative Decree no. 251/2007, which in paragraph 4 states: The foreign citizen admitted to subsidiary protection has the right to family reunification pursuant to and under the conditions provided for by art. 29-bis of the Legislative Decree no. 286 of July 25, 1998. The categories of family members who can be reunited are those provided for by art. 29 of Legislative Decree no. 286/98: 1) spouse not legally separated and not younger than 18 years old; 2) minor children, also of the spouse or born out of wedlock, not married; 3) dependent children aged over 18, if for objective reasons they cannot provide for their own indispensable living needs due to their state of health that leads to total disability; 4) dependent parents, if they have no other children in the country of origin, or parents over sixty-five years old, if the other children are unable to support them for serious health reasons.</p> <p>2. For foreign citizens benefiting from subsidiary protection, for the purposes of family reunification, art. 29 - paragraph 3 of Legislative Decree no. 286/98 does not apply and therefore</p>

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			<p>they are exempted from proving the possession of a suitable accommodation according to hygienic and sanitary requirements, nor a sufficient income, nor health insurance.</p> <p>3. The national legislation does not provide for a numerical limit of family members to be reunited, but only - as mentioned above - their type of kinship with the applicant.</p> <p>4. Before entering Italy, the family member is not required to meet any requirements. However, at the time of registration of his entry, the same is required to sign the Integration Agreement with which he commits himself to a path of integration that he can follow through special sessions of civic education and information on civic life in Italy, as well as courses to learn the Italian language.</p> <p>5. After registration of entry into the State, the foreign citizen is issued a residence permit for family reasons, which allows the performance of work activities, as well as access to study, even at a higher level than compulsory schooling.</p> <p>6. No</p>
	<p>EMN NCP Latvia</p>	<p>Yes</p>	<p>1.</p> <ul style="list-style-type: none"> - Spouse (entitled by the law). Provided that such family has already existed in the country of origin; - Minor children, who is not married and is dependent on both or one of the spouses or is adopted (entitled by the law); - N/A - 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

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			<p style="text-align: center;">above-mentioned beneficiary of international protection is a minor and not married, provided that such family has already existed in the country of origin (entitled by the law);</p> <ul style="list-style-type: none"> - N/A; - N/A. <p>2. The person having acquired alternative status has such a right for family reunification, if he or she has resided in the Republic of Latvia for at least two years after acquisition of such status. To initiate a family reunification procedure, a person, who acquired subsidiary protection, must apply to any territorial unit of the Office of Citizenship and Migration Affairs and draw up an invitation application for the receipt of residence permit, meanwhile the relatives living abroad must apply to the diplomatic or consular representative office of the Republic of Latvia and submit the documents for the request of a residence permit. All members of the family who wish to reunite are indicated in the invitation. If an unaccompanied minor to whom subsidiary protection has been granted wants to reunite with his or her mother or father, and the opinion of the Orphan's court has been received that it is in the interests of the minor, his or her legal representative shall draw up an invitation. For drawing up an invitation, individual shall:</p> <ul style="list-style-type: none"> - present a personal identification document. If the invitation is drawn up for a spouse, the inviter shall submit a copy of his or her personal identification document by presenting the original; - provide information regarding his or her telephone number or other information (for example, electronic mail address) which ensures communication possibilities; - provide information about the family member: name (names) and surname in Latin alphabet spelling, as specified in the travel document of the foreigner; the country affiliation; sex; date of birth; place of birth; residence address abroad; envisaged place of residence in the Republic of Latvia; purpose and duration of stay in the Republic of Latvia - pay the State fee.
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			<p>An official of the Office of Citizenship and Migration Affairs shall take a decision on the approval of the invitation within two working days. If additional verification is required for taking of the decision, the official shall inform the inviter thereof and shall take a decision within 10 working days. After approval of the invitation a family members must submit following documents to the diplomatic or consular representation of the Republic of Latvia:</p> <ul style="list-style-type: none">- a valid travel document,- photography,- completed questionnaire of a specific sample for requesting a residence permit- and pay the State fee. <p>A family member must submit copies of documents certifying kinship (the original must also be presented). If a family member cannot submit the above mentioned document and has indicated a justified reason in writing, the Office of Citizenship and Migration Affairs may accept documents for family reunification without the relevant document. The diplomatic or consular representation of the Republic of Latvia, on the basis of a decision to issue a residence permit to family members, shall issue to them a one-time long-term visa with a validity period of up to 30 days. After entry into the Republic of Latvia, a foreigner shall within the period of the legal stay arrive at the Office of Citizenship and Migration Affairs in person in order to receive a residence permit. A family member is issued a temporary residence permit by the Office of Citizenship and Migration Affairs for the same time period as the temporary residence permit of the beneficiary of subsidiary protection. No other legal status is granted to a family member.</p> <p>3. No</p> <p>4. No.</p>
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			<p>5. A family member is issued a temporary residence permit, which allows him or her to reside in Latvia and work without specific restrictions. A family member has to have his or her own ID document issued in the country of origin. It is not possible to obtain any ID document (ID card, passport, travel document) issued by the Latvian authorities (particularly the Office of Citizenship and Migration Affairs).</p> <p>6. Yes, because family members of those who obtain subsidiary protection and those who obtain refugee status receive different kind of residence permits. First category obtains temporary residence permits, second category obtains permanent residence permits. Their rights (concerning traveling, healthcare, education, social care etc.) vary according from the type of residence permit.</p>
	<p>EMN NCP Lithuania</p>	<p>Yes</p>	<p>1. The rules for family reunification with a sponsor who has been granted subsidiary protection status are set forth in the Law on the Legal Status of Aliens and the competent authority follows the law. Persons granted subsidiary protection have had the right to family reunification since 2015.</p> <p>The law defines family members as “a spouse or a person with whom a registered partnership agreement was made, underaged natural and adopted children, if they are unmarried and are dependent on their parents, as well as relatives in the direct ancestors who have been supported for at least a year and may not rely on the support of other family members living abroad”.</p> <p>Therefore, family reunification is available for the following categories (Art. 43):</p> <ul style="list-style-type: none"> - Spouses and registered partners (a) - Children under the age of 18 if they are unmarried and dependent on parents (b) - Parents of a minor who has been granted subsidiary protection; the minor must be unmarried and dependent on parents (d) - Parents, grandparents, and great-grandparents if they are dependent and cannot be supported by other family members living abroad (f)


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			<p>2. In accordance with Article 12 of the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, Lithuania distinguishes between family reunification applications submitted within three months after the granting of the refugee status and those submitted at a later time. If the application for family reunification is not submitted within a period of three months after the granting of the refugee status, the following requirements apply:</p> <ul style="list-style-type: none">- documents proving family relations; documents must be legalized or certified by an apostille; if the original documents are not in English, they must have an official translation into English or Lithuanian- fulfilment of the entry requirements specified in the Visa Code (26.1.1.), including a valid travel document- health insurance or a pledge to cover the costs of the health services during the period of stay (26.1.2)- document proving sufficient funds or income to cover the living expenses (26.1.3), e.g., a bank statement or employment contract- a written promise to declare residence in a suitable place of accommodation (at least 7 m2 per person) (26.1.4)- provide a list of visits to and residence in foreign states (26.1.5);- provide detailed information about himself and past or current relationships with persons residing in the Republic of Lithuania (26.1.6); if there is a state where the applicant resided for longer than 6 months in a year during the past two years, a criminal record issued by the competent authority of that state not earlier than 6 months prior to the application's submission is required <p>If the family members of the sponsor apply for family reunification within 3 months after the sponsor receives subsidiary protection, they are exempt from the requirements of 26.1.2-26.1.5.</p> <p>3. NO</p>
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			<p>4. NO</p> <p>5. Family members reuniting with a sponsor who has been granted subsidiary protection status receive <u>a temporary residence permit</u> for the same period as the sponsor's temporary residence permit (Art. 43.5). If the sponsor has a permanent residence permit, family members receive a temporary residence permit valid for a year, which can subsequently be extended for two years. The person who has been granted subsidiary protection and his/her family members receive <u>integration support</u> for up to 12 months. The financial support includes an allowance for settling in; a monthly benefit to cover the costs of food, clothes, public transport, rent and utilities; a compensation of part of the rent; a childbirth benefit; a funeral benefit; a monthly child benefit; and child education support. Other integration support measures include help finding accommodation, intensive Lithuanian language and culture courses for adults, assessment of employment competencies, support for improving qualification, and searching for a job.</p> <p>6. No, these rights are the same</p>
	<p>EMN NCP Luxembourg</p>	<p>Yes</p>	<p>1. In Luxembourg, the amended law of 18 December 2015 on international protection and temporary protection (Asylum Law) foresees that the beneficiary of the status of subsidiary protection has the right to family reunification (article 56 (1)). In Luxembourg the categories of family members that the beneficiary of international protection for applying for family reunification are established in article 70 in relation with article 69 (3) of the amended law of 29 August 2008 on free movement of persons and immigration (Immigration Law). There is no distinction between beneficiaries of the refugee status and beneficiaries of subsidiary protection.</p> <p>a) spouses (article 70 (1) a) and partners in a registered partnership (article 70 (1) b) (entitled by law); b) minor children who are single (article 70 (1) c) (entitled by law) ;</p>


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			<p>c) unmarried adult children of the applicant or of his or her spouse or partner, where they are objectively unable to support themselves because of their health condition (article 70 (5) b) (discretionary power);</p> <p>d) parents of an unaccompanied minor (in accordance with article 56 (1) in accordance with article 63(5) of the asylum law) (article 70(4) Immigration Law, entitled by law); the guardian and other family members if there are no parents or if they cannot be found (article 70 (5) c) of the Immigration Law);</p> <p>if the sponsor is an adult: parents of the sponsor or his/her spouse or partner when they are dependent on him/her and lack the necessary family support in their country of origin (article 70 (5) a) (discretionary power);</p> <p>f) not foreseen</p> <p>2. In accordance with article 69 (1) the sponsor and the family members have to fulfil the following conditions in order to be granted family reunification:</p> <p>a) he/she demonstrates that he/she has stable, regular and sufficient resources to support him/herself and his/her dependent family members, without recourse to the social assistance system,</p> <p>b) he/she has suitable accommodation to receive the member(s) of his/her family;</p> <p>c) he/she has health insurance cover for himself/herself and for the members of his/her family</p> <p>These requisites will not have to be fulfilled by the beneficiary of international protection if he/she files the application in the six months following the granting of the status (article 69(3) Immigration Law).</p> <p>3. NO.</p> <p>If your answer is YES, please explain what those quotas/limits are and the grounds to impose</p>
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			<p>them.</p> <p>N/A.</p> <p>4. NO.</p> <p>If YES, please indicate whether there are any exceptions or hardship provisions that may apply only to certain family members.</p> <p>N/A.</p> <p>5. They are granted in accordance with article 74 (1) of the Immigration Law a residence permit as a family member of one year, renewable on demand. They have access to education and orientation, formation, professional improvement and recycling, and the right to exercise a salary or independent activity in accordance to legal conditions (articles 74(2), 42, 51 Immigration Law).</p> <p>6. YES.</p>
	<p>EMN NCP Netherlands</p>	<p>Yes</p>	<p>1. It is important to notice that the Netherlands has a 'one-status system', meaning that no distinction is made between refugees and beneficiaries of subsidiary protection. Where it concerns the residence status, no distinction is made in the Netherlands between refugees and beneficiaries of subsidiary protection. Both groups receive the same type of residence permit (temporary asylum residence permit) with the same conditions and rights. In the Netherlands, the Family Reunification Directive is applied to both refugees as well as to beneficiaries of subsidiary protection. In addition to the members of the family defined as nuclear family in the Directive, the following family members also count as nuclear family in the Netherlands: registered partners, unmarried</p>

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			<p>partners and partners of the same gender (married, registered or not married cohabiting partners).</p> <p>For family reunification of all other relatives and family members, with the exception of adult children for asylum family reunifications, no policy has been developed in national laws and regulations. These family members (e.g. parents of adult children, brothers, sisters, uncles and aunts) may submit an application based on the right to enjoy family life as stipulated in Article 8 ECHR.[1]</p> <p>[1] Europees Migratienetwerk (2017), Family Reunification of Third-Country Nationals in the EU plus Norway: National Practices, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_family_reunification_synthesis_report_final_en_print_ready_0.pdf</p> <p>2. The Aliens Act establishes which third-country national may act as a sponsor for family reunification. The sponsor must:</p> <ul style="list-style-type: none">- be 21 years of age or older- have right of residence in the Netherlands as meant in Section 8, paragraphs a to e and l of the Aliens Act.- have a non-temporary purpose of stay within the meaning of Article 3.5 of the Aliens Decree <p>In practice this means that a third-country national can act as a sponsor if s/he is in possession of a residence permit for:</p> <ul style="list-style-type: none">- Asylum (refugees and beneficiaries of subsidiary protection)- Working in employment- Working on a self-employed basis
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			<ul style="list-style-type: none">- Working as highly skilled migrants- Scientific Researcher as meant in Directive 2005/71/EC- Holders of an EU Blue Card- An economically non-active long-term resident or wealthy foreign national- Medical treatment- Study <p>For a person with subsidiary protection no additional requirements like an accommodation suitable for the size of the family, healthcare insurance, or sufficient financial resources are needed. [1]</p> <p>[1] Europees Migratienetwerk (2017), Family Reunification of Third-Country Nationals in the EU plus Norway: National Practices, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_family_reunification_synthesis_report_final_en_print_ready_0.pdf</p> <p>3. No</p> <p>4. In the Netherlands, the application for a residence permit based on family reunification is done together with the application for a 'regular provisional residence permit' (MVV). An MVV is an entry visa for persons who want to stay in the Netherlands for more than three months. The substantive assessment of the application for family reunification will take place during the MVV application. If the application is granted, the person may enter the Netherlands. Then issuance of the official residence permit in the Netherlands is merely a formality.[1]</p> <p>This includes the following language requirements: The examination comprises the following three components:</p> <ul style="list-style-type: none">- Speaking skills (level A1) in Dutch
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			<ul style="list-style-type: none">- Reading skills (level A1) in Dutch- Knowledge of Dutch society: The examination component Knowledge of Dutch society consists of 30 questions on the movie "To the Netherlands". The questions are in Dutch and the answers must be in Dutch.[2] <p>[1] An MVV is not always mandatory. There are a number of nationalities exempted from the MVV requirement and certain situations could result in exemption. Countries that are not subject to the MVV requirement are, Australia, Belgium, Bulgaria, Canada, Cyprus, Germany, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Japan, Croatia, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, New Zealand, Norway, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, the Czech Republic, United Kingdom, United States of America, Iceland, Vatican City, South Korea, Sweden, Switzerland.</p> <p>[2] Europees Migratienetwerk (2017), Family Reunification of Third-Country Nationals in the EU plus Norway: National Practices, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_family_reunification_synthesis_report_final_en_print_ready_0.pdf</p> <p>5. Persons who come to the Netherlands by means of family reunification have the same rights regarding access to education as other third-country nationals with a residence permit. Whether a family member may work or not is dependent on the type of residence permit of his/her sponsor. In principle, family members may only work in the Netherlands if the sponsor has the right to work in the Netherlands. There are many measures from government and civil society organisations to stimulate access to education and the labour market for Dutch nationals and third-country nationals. These measures, however, are mostly generic by nature and are not specifically geared towards people who have come to the Netherlands through family reunification.[1]</p> <p>[1] Europees Migratienetwerk (2017), Family Reunification of Third-Country Nationals in the EU plus Norway: National Practices, https://ec.europa.eu/</p>
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			<p>home-affairs/sites/homeaffairs/files/00_family_reunification_synthesis_report_final_en_print_ready_0.pdf</p> <p>6. No</p>
	<p>EMN NCP Poland</p>	<p>Yes</p>	<p>1. a) Spouses* / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. - under “shall” clause * Family reunification procedure (based on the provisions of the directive 2003/86/EC) with a sponsor who has been granted subsidiary protection status under Directive 2011/95/EU is limited only to the cases where the marriage is recognized by the Polish law (i.a. polygamous, same-sex marriages, marriages concluded by proxy or only of religious character are not recognized by the Polish law). In the case of above-mentioned relationships not recognised by the Polish law (registered partners/cohabitants/same-sex marriages), the granting of a temporary residence permit, under national law, is limited only to cases of illegal residence. Then the legitimacy of granting the permit is considered on the grounds of the right to family life within the meaning of the Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950, pursuant to Article 187(6) of the Act on Foreigners. Within the meaning of the Act, these relationships are therefore treated in a manner corresponding to the treatment of informal relationships (partnerships). - under “may” clause b) minor children (please differentiate according to whether they are single or married) * both categories, with no differentiation. - under “shall” clause c) adult children (please differentiate according to whether they are single or married) d) parents (please distinguish if the sponsor is a minor or an adult)</p>

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			<p>* only when a sponsor is an unaccompanied minor - under “shall” clause</p> <p>e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult)</p> <p>* only adult siblings of an unaccompanied minor being a sponsor - under “shall” clause</p> <p>f) other family members (please specify)</p> <p>* direct ascendant (i.a. grandfather/ grandmother) or adult who is responsible, under the Polish law, for unaccompanied minor, being a sponsor. - under “shall” clause</p> <p>2. Temporary residence permit shall be granted under condition of proving family ties with a sponsor and if the circumstances, which constitute the basis for application for the permit, justify the foreigner’s stay within the territory of the Republic of Poland for a period longer than 3 months.</p> <p>A family member has to fulfil the condition of being in possession of health insurance, having a stable and regular source of income sufficient to cover his/her own and his/her dependent family members' subsistence costs (for a person in a family – in the amount higher than net PLN 528 per month) and having a guaranteed place of residence on the territory of the Republic of Poland. The requirement of having a stable and regular source of income shall be deemed fulfilled also when the costs of living of the foreigner will be covered by a family member responsible for supporting the foreigner and residing on the territory of the Republic of Poland.</p> <p>These conditions do not apply to the spouse of a foreigner who has been granted international protection in Poland, if the application for the permit is submitted within 6 months after the foreigner has been granted such protection.</p> <p>The permit is being granted upon a formal request made in person by a family member during his/her legal stay in Poland or in case whether a foreigner stays outside the Poland and intends to join a family members - by the sponsor living in Poland. Making the application by a family</p>
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			<p>member of the foreigner requires a written consent thereof or their legal representative consent, unless the applicant is legal representative thereof. Expression of the consent is equal with granting the foreigner residing within the territory of Poland power of attorney for acting on behalf of the family member in the given proceedings.</p> <p>3. No.</p> <p>4. No.</p> <p>5. The temporary residence permit issued for a purpose of family reunification provides entitlement to work without the need to hold additional document allowing the foreigner to perform work in the form of work permit. The residence card issued in relation with granting the foreigner the temporary residence permit shall be annotated with "access to labour market".</p> <p>6. No. Please read as well the general note: A Family member of beneficiary of international protection (granted a refugee or subsidiary protection status) is eligible to apply for a temporary residence permit for the purpose of family reunification under the Act of 12 December 2013 Foreigners (JoL from 2020, item 35, as amended). A family member of the aforementioned foreigner is:</p> <ol style="list-style-type: none">1. a person who is married to that person and the marriage is recognized under the law of the Republic of Poland;2. a minor child of the foreigner and the person married thereto by marriage recognized under the law of the Republic of Poland, including also an adopted child;3. a minor child of the foreigner, including also an adopted child, dependant on the foreigner, over whom the foreigner effectively exercises parental custody;
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			<ol style="list-style-type: none">4. a minor child of the person referred to in letter a, including also an adopted child, dependant on the foreigner, over whom the person effectively exercises parental custody;5. a direct ascendant or an adult responsible for a minor foreigner, who was granted refugee status or subsidiary protection, staying within the territory of the Republic of Poland unattended. <p>Temporary residence permit is an authorisation for residence in the territory of the Republic of Poland for a period not exceeding 3 years granted in a way of administrative decision taken by the regional governor component for a place of current or future residence of a foreigner or by the Head of the Office of Foreigners within the appellate procedure.</p> <p>Granting the permit requires an application that should be made by the third country national in person (if he/she resides in Poland) or by a member of his/her family he/she intends to join in Poland (if the applicant stays abroad). Permit may be renewed on request (subsequent application procedure).</p> <p>The permit provides entitlement to work without the need to hold additional document allowing the foreigner to perform work in the form of work permit. The residence card issued in relation with granting the foreigner the temporary residence permit shall be annotated with "access to labour market".</p> <p>The family reunification procedure is in line with the Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. This Directive does not apply i.a. where the sponsor is:</p> <ol style="list-style-type: none">(a) applying for recognition of refugee status whose application has not yet given rise to a final decision;(b) authorised to reside in a Member State on the basis of temporary protection or applying for authorisation to reside on that basis and awaiting a decision on his status;(c) authorised to reside in a Member State on the basis of a subsidiary form of protection in accordance with international obligations, national legislation or the practice of the Member States or applying for authorisation to reside on that basis and awaiting a decision on his status.
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			<p>For additional information please refer to: http://archiwalna.udsc.gov.pl/en/cudzoziemcy/obywatele-panstw-trzecich/chce-przedluzyc-swoj-pobyt-w-polsce/zezwolecie-na-pobyt-czasowy/pobyt-z-rodzina/pobyt-z-obywatelem-panstwa-trzeciego/malzonek-maloletnie-dziecko-lub-pasierb-cudzoziemca-oraz-rodzice-lub-opiekun-przebywajacego-w-polsce-bez-opieki-maloletniego-beneficjenta-ochrony-miedzynarodowej/</p>
	<p>EMN NCP Portugal</p>	<p>Yes</p>	<p>1. a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. All categories foreseen by law. b) minor children (please differentiate according to whether they are single or married) If single - by law c) adult children (please differentiate according to whether they are single or married) Adult dependent children of the couple or one of the spouses, who are single and studying - by law d) parents (please distinguish if the sponsor is a minor or an adult) Adult, as long as dependent on the sponsor - by law e) siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult) Minor siblings, unmarried, as long as they are under the guardianship of the resident adult - by law f) other family members (please specify) By law, the following are also recognized as family members for the purpose of family reunification of unaccompanied minor refugees (a) Their first-degree direct ascendants (b) His legal guardian or any other member of his family, if the “refugee” has no relatives in the direct ascending line or such relatives cannot be traced.</p> <p>2. There are no conditions attached to the exercise of the right to family reunion; however, by law, the application must be accompanied by evidence of the existence of relevant family ties or</p>

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			<p>unmarried partners and certified copies of the travel documents of the family members or unmarried partner. If the existence of family ties cannot be proven, other evidence of the relationship must be taken into consideration.</p> <p>3. No</p> <p>4. No</p> <p>5. By law, the subsidiary protection effects are extended to the family members.</p> <p>6. The family members of the beneficiary of refugee or subsidiary protection status receive an extraordinary residence permit, which has the same validity and rights as the beneficiary of asylum or subsidiary protection. With refugee status the residence permit is initially valid for five years, renewable for equal periods, unless imperative reasons of national security or public order prevent it, while for the family members of beneficiaries of subsidiary protection status it is for three years, renewable for equal periods, preceded by an analysis of the evolution of the situation in the country of origin, unless imperative reasons of national security or public order prevent it.</p>
	<p>EMN NCP Slovakia</p>	<p>Yes</p>	<p>1. According to the Slovak Act on Asylum 480/2002 Coll., the Migration Office shall grant subsidiary protection for the purpose of family reunification to a) the spouse of the foreigner granted subsidiary protection if their marriage continues, and continued, also at the time when the foreigner left his/her country of origin and provided the foreigner gave prior written consent to the reunification; b) unmarried children of the foreigner granted subsidiary protection, or of a person pursuant to Subparagraph (a) who are younger than 18 years of age; or c) parents of an unmarried foreigner granted subsidiary who is younger than 18 years of age or to the person given custody of such foreigner provided the foreigner granted subsidiary protection gives a prior written consent to such reunification.</p>


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			<p>2. Applicants must be staying in the Slovak Republic and must not have a permanent residence in the Slovak Republic.</p> <p>Documents needed for the application for temporary residence for the purpose of family reunification are:</p> <ul style="list-style-type: none">- Valid travel document- Document proving the purpose of stay- vital records document (e.g. marriage certificate, birth certificate of the child)- affidavit of the legal guardian that the child is single- copy of the residence documents of the child's parents- copy of the residence card of the sponsor- copy of the decision of the competent authority that the child was entrusted into his/her care- document proving long-lasting unfavourable health condition- document proving dependency (e.g. document on the health condition of the third country national which states that the health condition inevitably requires care of another person and affidavit on the fact that in country where he/she comes from there is no family member to care for him/her)- Document proving clear criminal record- Document proving financial coverage of the stay- Document proving accommodation <p>3. No.</p> <p>4. One of the biggest challenges is proving family relationship. To provide vital records document to prove family relations is one of the conditions to apply for temporary residence for family reunification.</p>
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			<p>Many times they do not possess documents confirming their family relationship, like marriage or birth certificate). In case of unaccompanied minors, where there is a legal basis for reunification also with relatives (not only with family members), proving is even more complicated (e.g. DNA samples) and time consuming, mostly without positive result of the Dublin procedure.</p> <p>5. After being granted the subsidiary protection, they enjoy the same rights as the individual whom they have been reunited with (temporary residence permit, access to the labour market or the possibility to start business, and the issuance of the travel document (Alien ´s passport). If they do not have public health insurance, the Ministry of Health covers the costs for medical treatment.).</p> <p>6. Yes, there is a difference in type of residence permit (asylum – permanent, subsidiary protection – temporary), health insurance (public health insurance for 6 months – then they or the employer contributes), type of travel document they receive (travel document of the foreigner).</p>
	<p>EMN NCP Slovenia</p>	<p>Yes</p>	<p>1. a) Spouses / (same-sex) partners in a registered partnership / cohabitants who have entered into a long-term partnership. Entitled by law. In the event of a polygamous marriage, a temporary residence permit for the purpose of family reunification may only be issued to one spouse.</p> <p>b) Minor children (please differentiate according to whether they are single or married) Entitled by law:</p> <ul style="list-style-type: none"> - the unmarried minor children of a sponsor under subsidiary protection; - the minor unmarried children of the spouse, partner in a civil partnership or civil union or partner with whom the sponsor under subsidiary protection is in a long-term relationship <p>c) Adult children (please differentiate according to whether they are single or married) Entitled by law:</p>

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			<ul style="list-style-type: none">- the adult unmarried children of the sponsor under subsidiary protection, spouse, partner in a civil partnership or civil union or partner with whom the sponsor under subsidiary protection is in a long-term relationship, if the sponsor under subsidiary protection, spouse, partner in a civil partnership or civil union or partner with whom the sponsor under subsidiary protection is in a long-term relationship is obliged to maintain him or her under the acts of his or her country of citizenship <p>d) Parents (please distinguish if the sponsor is a minor or an adult)</p> <p>Entitled by law:</p> <ul style="list-style-type: none">- the parents of the sponsor under subsidiary protection, spouse, partner in a civil partnership or civil union or partner with whom the sponsor under subsidiary protection is in a long-term relationship, if the sponsor under subsidiary protection, spouse, partner in a civil partnership or civil union or partner with whom the sponsor under subsidiary protection is in a long-term relationship is obliged to maintain him or her under the acts of his or her country of citizenship;- the parents of a sponsor under subsidiary protection who is an unaccompanied minor. <p>e) Siblings (please distinguish whether they are minors and/or unmarried and whether the sponsor is a minor or an adult)</p> <p>In accordance with Article 47b(4) of the Foreigners Act, in exceptional cases, the competent authority may deem another relative of a person under subsidiary protection to be his or her family member if special circumstances justify family reunification in the Republic of Slovenia. Special circumstances shall exist where the relationship between other relatives, due to the specific actual circumstances, is basically equivalent to a nuclear family and has the same function as a nuclear family, which primarily means genuine family ties between family members, physical care, protection, emotional support and financial dependency.</p> <p>f) Other family members (please specify)</p> <p>Only if they fulfill conditions from Article 47b (4) of the Foreigners Act (described above).</p>
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			<p>2. 1. Family reunification with family members, provided that the family existed before the person granted subsidiary protection entered the Republic of Slovenia</p> <p>A foreigner who has been granted subsidiary protection in the Republic of Slovenia on the basis of the International Protection Act for more than one year shall be granted the right to family reunification with family members who are foreigners, provided that the family existed before the person under subsidiary protection entered the Republic of Slovenia.</p> <p>A person granted subsidiary protection for one year shall be granted the right to family reunification when his or her subsidiary protection is extended in accordance with the International Protection Act.</p> <ul style="list-style-type: none">- Application lodged within 90 days of having been granted subsidiary protection <p>A temporary residence permit shall be issued to a family member of a person under subsidiary protection whose identity has been established at the request of the person under subsidiary protection, who must lodge an application within 90 days of having been granted subsidiary protection at the ministry responsible for the interior. The application must include documentary evidence proving the family ties and the family member's identity. If a person granted subsidiary protection does not possess and is unable to obtain documentary evidence to show the family ties or the identity of his family members, he or she must state in his application all the facts concerning the family members with whom he is seeking to join, in particular their personal names, dates and places of birth, the address of residence and details of where they reside at the time when the application is made, and state the reason why he or she cannot obtain documentary evidence to demonstrate family ties or the identity of family members. The application must also be accompanied by written consent allowing the competent authority to provide information on family members to international organisations active in the field of migration in order to verify family ties and the identity of family members. Before transmitting the data to international</p>
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			<p>organisations active in the field of migration, the competent authority shall obtain a written declaration from that organisation that it will protect the data from the authorities of the country of origin.</p> <p>A temporary residence permit may be issued to a family member of a person under subsidiary protection whose identity has been established if there are no reasons for refusing a residence permit referred to in indents three, five, six, seven, ten or eleven of paragraph one of Article 55 of the Foreigners Act:</p> <ul style="list-style-type: none">- if the foreigner has been banned entry into the country;- if there are reasons for suspecting that the foreigner could represent a threat to the public order and security or international relations of the Republic of Slovenia or there is a suspicion that his or her residing in the country will be linked to terrorist or other violent acts, illegal intelligence activities, the production of or trade in illicit drugs or other criminal acts;- if there are reasons for believing that the foreigner will not act in compliance with the legal order of the Republic of Slovenia;- if in a first residence permit procedure it is established that there are serious reasons for believing that during his or her stay in the Republic of Slovenia the foreigner could be a victim of trafficking in human beings;- if in a first temporary residence permit procedure it is established that the foreigner comes from regions where infectious diseases with epidemic potential are prevalent and listed in the international health rules of the World Health Organisation, or from regions where infectious diseases with epidemic potential listed in the International Health Regulations of the World Health Organization are prevalent, or from regions where infectious diseases are prevalent that could represent a threat to people's health and which require that measures be taken in accordance with the Act governing infectious diseases;- if in a first temporary residence procedure it is established that a foreigner was refused a visa in the last six months prior to applying for a permit due to a threat to the public order,
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			<p>security or international relations of the Republic of Slovenia or due to suspicion that his or her residing in the country will be linked to terrorist or other violent acts, illegal intelligence activities, the production of or trade in illicit drugs or other criminal acts;</p> <p>Application lodged after 90 days of having been granted subsidiary protection</p> <p>If a person with subsidiary protection does not submit an application for family reunification within 90 days of having been granted subsidiary protection, a temporary residence permit may be issued to a family member whose identity is not disputed, provided that there are no grounds for refusing to issue a residence permit as referred to in the third, fifth, sixth, seventh, tenth, eleventh or twelfth indents of Article 55(1) of the Foreigners Act (listed above) and provided that the family member satisfies the conditions laid down for the issue of the permit referred to in Article 33(3) of the Foreigners Act (a valid travel document that is valid for at least three months beyond the intended residence in the Republic of Slovenia, adequate health insurance, which covers at least emergency health services in the Republic of Slovenia and sufficient means of subsistence during his or her residence in the country, or other guarantees that his or her means of subsistence will be provided). The means of subsistence by which he/she provides for the subsistence of family members may not be less than the level laid down for the acquisition of the right to financial social assistance in accordance with the law governing social security benefits per month. In case of doubt that the integration of an unaccompanied minor with a family member is in the best interests of the minor, the competent authority shall also seek the opinion of the competent social work centre. If, in the course of the proceedings, it is established that the reunification of an unaccompanied minor with a family member is not in the best interests of the minor, a temporary residence permit shall not be granted to the family member.</p> <p>2. Family reunification with family members, provided that the family did not exist before the person granted subsidiary protection entered the Republic of Slovenia</p>
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			<p>For a person who became a family member of a person under subsidiary protection after the latter's entry into the Republic of Slovenia, the provisions of Article 47 of the Foreigners Act shall apply regarding the issuance of a residence permit for the purpose of family reunification (under conditions from Family Reunification Directive 2003/86/EC).</p> <p>3. No.</p> <p>4. No.</p> <p>5. A temporary residence permit is issued for the period of a foreigner's subsidiary protection and shall be extended under the same conditions as those applicable to its issuance, for the same period as the foreigner's subsidiary protection.</p> <p>A foreigner residing in the Republic of Slovenia on the basis of a temporary residence permit as a family member of a person under subsidiary protection shall have equal rights to health care, social care, education and employment as the citizens of the Republic of Slovenia.</p> <p>The right of free access to the labour market applies to foreigners granted the right to international protection in the Republic of Slovenia and their family members residing in the Republic of Slovenia on the basis of a residence permit for family reunification.</p> <p>Non-EU foreigners are also entitled to programmes that ensure faster integration into the cultural, economic and social life of the Republic of Slovenia, namely:</p> <ul style="list-style-type: none">- one-off co-financing of the costs of participating in programmes of learning the Slovenian language and familiarising with Slovenian history, culture and constitutional arrangements in the amount of 50 % of the price of the programme, whereby the programmes of learning the Slovenian language and the knowledge of Slovenian society
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			<p>can be carried out separately or may be combined in substance and implemented as a single programme,</p> <ul style="list-style-type: none"> - mutual knowledge and understanding programmes with Slovenian citizens, - information regarding their integration into Slovenian society. <p>Foreign nationals who are not EU citizens with a valid temporary residence permit for the purpose of family reunification shall also be eligible for one-off co-financing of the costs of participation in the programmes.</p> <p>6. No.</p>
	<p>EMN NCP Spain</p>	<p>Yes</p>	<p>1. In accordance with Law 12/2009 of 30 October, regulating the right to asylum and subsidiary protection, the beneficiaries of subsidiary protection may choose to regroup, even if they are already in Spain:</p> <ul style="list-style-type: none"> a) The spouse or person linked by an analogous relationship of affectivity and cohabitation, except in cases of divorce, legal separation, de facto separation, or when in the application file it is accredited that the person has suffered or has had well-founded fears of suffering persecution singled out for gender violence by their spouse or cohabitant. b) First-degree ascendants who can prove dependency and their first-degree descendants who are minors. c) Another adult who is responsible for the beneficiary of subsidiary protection when such beneficiary is an unmarried minor. d) other members of the family of the refugee or beneficiary of subsidiary protection provided that dependency on them and the existence of previous cohabitation in the country of origin is sufficiently established.


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			<p>2. Reunification will always be applicable when the beneficiaries are of a different nationality than the refugee or beneficiary of subsidiary protection. Persons eligible for reunification may not be subject to the grounds for exclusion or refusal provided for by law:</p> <ul style="list-style-type: none">a) have committed a crime against peace, a war crime or a crime against humanity, as defined in the international instruments establishing provisions relating to such crimes;b) have committed a serious crime outside the country of protection, that is to say, a serious crime under the Spanish Criminal Code affecting life, liberty, sexual indemnity or freedom, the integrity of persons or property, provided that it was committed with force, violence or intimidation against persons, as well as in cases of organised crime.c) be guilty of acts contrary to the purposes and principles of the United Nations as set out in the Preamble and Articles 1 and 2 of the Charter of the United Nations;d) constitute a danger to the internal or external security of Spain or to public order.e) constitute, for reasonable grounds, a danger to the security of Spain;d) persons who, having been convicted of a serious crime, constitute a threat to the community. <p>3. YES. Family reunification may only be exercised once, and persons who have been reunited and have obtained authorisation to reside in Spain by virtue of the above may not apply for successive reunifications of their family members.</p> <p>4. NO</p> <p>5. The decision by which family reunification is agreed shall imply the granting of authorisation of residence and, where appropriate, work authorisation, of analogous validity to that of the person reuniting the family.</p> <p>6. NO</p>
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	<p>EMN NCP Sweden</p>	<p>Yes</p>	<p>1. a) Spouses, same-sex partners and cohabiting partners have a right – by law – to family reunification with a sponsor who has been granted subsidiary protection status, provided that the sponsor has a permanent residence permit or has a temporary residence permit and meets the requirements stipulated in Article 3.1 in Directive 2003/86/EC. A sponsor who holds a temporary residence permit must have reasonable prospects of obtaining a residence permit <i>for a longer period of time</i> (Article 3.1 in Directive 2003/86/EC). The sponsor may be required to provide evidence that he or she has accommodation and stable and regular resources which are sufficient to maintain himself/herself and the members of his/her family (see Article 7.1 a and c Directive 2003/86/EC). The exceptions in Article 9.2 and Article 12 in Directive 2003/86/EC apply, not only to family members of refugees, but also to family members of sponsors who have been granted subsidiary protection status.</p> <p>b) Minor children have a right – by law – to family reunification, provided that they are unmarried and that the sponsor meets certain requirements (see above).</p> <p>c) Adult children do not have a right to family reunification. However, an adult child may be granted a residence permit if he or she has been a member of the same household as the sponsor and there exists a special relationship of dependence between the relatives that already existed in the country of origin. Moreover, the sponsor must have a permanent residence permit and/or meet the requirements in Article 3.1 and 7.1 a and c in Directive 2003/86/EC – as implemented in the Swedish Aliens Act – or be exempt from the requirements. If an adult child is married, it may affect the assessment concerning the relationship of dependence between the relatives.</p> <p>d) Parents have a right – by law – to family reunification with an unmarried child who has been granted subsidiary protection status, if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been left alone after arrival (see Article 10.3 in Directive 2003/86/EC). Like adult children, parents do not have a right to family reunification if the sponsor is an adult. However, a parent may be granted a residence permit if he or she has been a member of the same household as the sponsor and there exists a special relationship of dependence between the</p>
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			<p>relatives that already existed in the country of origin. Moreover, the sponsor must have a permanent residence permit and/or meet the requirements in Article 3.1 and 7.1 a and c in Directive 2003/86/EC – as implemented in the Swedish Aliens Act – or be exempt from the requirements.</p> <p>When determining whether the sponsor shall be regarded as minor within the meaning of Article 2(f) of Directive 2003/86/EC, the judgement of the ECJ in case C-550/16 must be considered.</p> <p>e) Siblings do not have a right to family reunification. However, a sibling may be granted a residence permit if he or she has been a member of the same household as the sponsor and there exists a special relationship of dependence between the relatives that already existed in the country of origin. A prerequisite is that the sponsor has a permanent residence permit and/or meet the requirements in Article 3.1 and 7.1 a and c in Directive 2003/86/EC – as implemented in the Swedish Aliens Act – or be exempt from the requirements. When there are exceptional grounds a residence permit may be granted if the applicant has a special tie with Sweden.</p> <p>f) Other family members are not entitled by law to family reunification. However, other family members may be granted a residence permit if he or she has been a member of the same household as the sponsor and there exists a special relationship of dependence between the relatives that already existed in the country of origin. Moreover, when there are exceptional grounds a residence permit may be granted if the applicant has a special tie with Sweden.</p> <p>2. Please see above. General requirements include the possession of a valid passport, proven identity (certain exceptions can be made) and evidence of the family relationship.</p> <p>3. No.</p> <p>4. No.</p> <p>5. Family members who are granted residence permits based on family ties receive temporary residence permits and work permits, either with the same duration of the residence permit held by</p>
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			<p>the sponsor, or for a duration of two years if the sponsor has a permanent residence permit in Sweden.</p> <p>Family members are not entitled to travel documents by law. However, if the family member has no document that is valid as a passport and cannot procure such a document, he or she may be issued with an alien's passport.</p> <p>6. No.</p>
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