



17th of June 2018

In this information sheet, we will discuss what family reunion is, who is eligible, how you can apply in Greece, as well as some of the difficulties and problems people face in doing so:

Have you arrived in Greece and do you have family elsewhere in Europe? Maybe your husband, wife, son or daughter travelled ahead to Northern Europe, a year, two years or six months ago and you want to reunite with them?

Or maybe your family have experienced a different situation. We know how expensive and difficult it has been to travel to Northern Europe since March 2016 - especially for a whole family. Lack of employment, and low levels financial support, mean that it can be very difficult to survive in Greece. Perhaps you decided that travelling to Northern Europe provides a more secure life for you and your children.

We know that many families have made a very difficult decision to send on one family member from Greece "irregularly" to another European country, like Germany or Austria, and then submitted an application for family reunion, so the rest of the family can join them safely and legally. Many families have done this successfully. However, many are still struggling and have been rejected, which has created heartbreakingly long, painful and traumatic separations.

If you are based in Greece and your **eligible family member (we will discuss who is eligible later)** is a recipient or applicant for international protection (aka they are applying for or have been granted refugee status or subsidiary protection) and is in Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, the UK, Austria, Sweden, Finland, Norway, Iceland, Switzerland or Iceland, an application for family reunion can be made under a set of EU laws, called Dublin III.

These laws determine which European country is responsible for an asylum claim. They determine that If you have fingerprints in Greece or Italy and you end up in Germany, you could be sent back to these countries. This is because, the first European country that you enter, is usually responsible for your asylum claim.

It also recognises that people should be able to claim asylum in the same country where other immediate family members are, which is what allows for family reunion to happen.

It is very important to remember that Macedonia, Albania, Montenegro, Serbia and Bosnia are not included in the Dublin Regulation, so you cannot apply for Family reunification under Dublin III if you travel there.

So, who is Eligible for family reunion - under the Dublin III regulation:

1. If you are a child under 18 years old and you are travelling without your parents or a legal guardian, you can ask to be taken to your mother/father, sister/brother, aunt/uncle, or grandmother/grandfather. (If

you are 17, and are turning 18 - your application is relevant in relation to your age when you first make the application).

2. If you are an adult over 18 years old, you can ask to live with your spouse or your child who is not yet an adult, if they are applying for or have received asylum or international protection. (If you are 17, and are turning 18 - your application is relevant in relation to your age when you first make the application).
3. In some cases, a European country can approve Family Reunification even if you do not fulfil the conditions that we just discussed, under "humanitarian grounds." This may be the case for people who have very serious health problems, or are vulnerable or who have other specific needs. If you have such needs, be sure to ask about Family Reunification at your registration appointment. This is decided on a case-by-case basis and is now very difficult.

Sadly, in practice, most medical documents are not sufficient for family reunification purposes, unless you can prove that because of the severe illness, you are dependent on your family member whom you have been separated from. If you have been separated for a long time from your family member and you try to say that you are dependent on them, then again you must provide information as to how you have managed to take care of yourself since you have been apart, and why family reunion is still so vital for you

How can I apply for family reunion?

If a family member arrives in Northern Europe and they want to be reunited with their family in the country they have arrived in, they must register for asylum. When claiming asylum, it is vital that your relative mentions that they have relatives elsewhere in the world and that they want to be reunited with them.

Make sure that your family member provides the authorities with the full names and date of births of your family members in Greece - using the European alphabet and calendar and in the same format as you have registered your names and dates of birth in Greece.

Ask your relative to send you the newest identity document he/she received from the authorities in the country he/she applied for asylum in order to cross check with an NGO in which state of registration he/she is.

If you are in Greece, and your family member is elsewhere in Europe you fall under the criteria that we discussed was required for family reunion. Go to the Asylum Service and state that you wish to apply for family reunion as soon as possible.

Get an appointment at the Asylum Service in Athens, Thessaloniki or elsewhere in order to ask for family reunification. You will typically go through the asylum procedure but instead you will apply for family reunification.

You will be given a consent letter to sign that says that you consent for your application for international protection to be examined in the other European country (where your family member is located).

A consent letter of your family member in the other European country is also necessary. If the person registering the family reunification request in the other European country forgets to prepare it, they must be aware and ask assistance for its submittal. This form must be filled out!

At this point it is important to submit any medical evidence or documents that prove your vulnerability and that you ought to be transferred more hastily. All medical documents must be in English - try to obtain the original medical documents in English in order to avoid the inconvenience of having someone translate them later. Medical documents can be translated at the German Ministry of Foreign Affairs (Arionos 10, Monastiraki).

Remember that the Greek Asylum service are overstuffed and sadly it is not their job to support you or be next to you. Therefore, you must take control and action in your case, yourself:

1. It is very very very important that you and your relative keep the same local number as you put down in your initial correspondence with the Greek Asylum Service and the Asylum service in the country that your family member is in. Do not use Whatsapp or Viber as a contact for the Asylum Service. Please have a phone number that works for local calls--not whatsapp, viber etc. This can lead to missing deadlines or even having your case closed.

2. Please take active action in having good and clear copies of your documents and documents of your family members. You can download the CamScanner app that takes good scans. When your family members apply for asylum in another EU country, ask your relative to send you the newest identity document he/she received from the authorities in the country he/she applied for asylum in order to cross check with an NGO in which state of registration he/she is.

3. Please print a copy of the identification document of your relative, please also take any contact of your relative and his/her lawyer or other supporters with you.

Please make copies of, and bring with you, pages of your family book, a marriage certificate, birth certificate, documents from your country that prove your family relationship, such as family photos. Authorities can ask for a DNA test if you lack other proof.

4. Please take active action in finding the right documents before approaching your lawyer. It is a great idea to translate whatever you can into English or German.

5. Follow the asylum service's facebook page to receive updates about their opening hours, strikes or anything else.

6. Your family member in the other european country should try to get a witness statement of a social worker, doctor or a psychologist. If they have witnessed phone or skype calls, or have noticed how difficult your seperation has been for you or your family member psychologically, they can provide a professional account that your family relationship is genuine and that you ought to be reunited as soon as possible.

Visit an NGO that can assist you in the procedure in Greece:

Aitima

It is open 9 - 5pm and they have Farsi, Kurmanji, Farsi, French, Bangla, Arabic and Kurdish translators available.

Tripou 4-6, Athina 117 41, Greece

[+30 21 0924 1677](tel:+302109241677)

The Ecumenical Refugee Program (ECRP).

20 Iridanou St.; 11528 Ilisia, Athens, Tel .: + 30-210729 59 26/27, Fax: + 30- 210729 59 28,
e-mail: ecrpath@gmail.com.

Solidarity Now

Athens: Domokou 2 (opposite the railway station Larissa), Tel (+30) 210 8220883, Fax: (+30) 210 8250986 E-mail:
athens@solidaritynow.org

Thessaloniki: Leontos Sofou / Egnatia Str, Tel (+30) 2310 501030, (+30) 2310 501 040, e-mail:
thessaloniki@solidaritynow.org

GCR

Address: 25, Solomou str., 10682, Athen
Phone: +30 210 3800990-1
Fax: +30 210 3803774
E-mail: gcr1@gcr.gr

Arisis - for minors

Athens:

43 Mauro Mateon street, 10434 Athens,
Tel./Fax: + 30-210 8259880, email: arsisathina@gmail.com

Thessaloniki:

35 Ptolemeon street, 546 30 Thessaloniki, Tel.: + 30-2310-526150, Fax: + 30- 2310-552813, Email:
infothes@arsis.gr

Volos:

Makrinitza, 37011 Volos, T el / Fax: + 30-24280-99939 / 44,
Email: arsis.xenonas@hotmail.com

Kozani:

4 Aminta street, 50100 Kozani, Tel./Fax: + 30-24610-49799, Email: infokoz@arsis.gr

Alexandroupoli:

2 Alexandroupolis-Makris Road, 68100 Alexandroupoli, Tel.: + 30-2551038952 Fax: + 30-2551038947, e-mail:
arsisalex@gmail.com

The Ecumenical Refugee Program (ECRP).

20 Iridanou St.; 11528 Ilisia, Athens, Tel .: + 30-210729 59 26/27, Fax: + 30- 210729 59 28,
e-mail: ecrpath@gmail.com.

Most lawyers in Greece are very very busy and have too much work (especially with family reunion applications) - please make sure you have all your documents, your medical documents phone numbers organised before going to your appointment

It is very important to bear in mind a silent 3 month deadline when applying for family reunion in Greece.

If you apply for family re-union from Greece three months after you have registered and applied for asylum, it automatically becomes a lot lot lot more difficult. The Greek Dublin Unit puts the application at the bottom of the pile and might send the request several months later. This means that the request will arrive delayed at the other country where your family is and it is likely to be rejected.

After the first rejection, there is a period of 3 weeks in which you can apply for a reconsideration but it can be difficult to monitor if you do not have a lawyer as often the people applying for asylum or family re-union are often not contacted by the Greek Asylum service. So keep going to the asylum service and asking for updates about your case.

How long will the procedure take?

Greece sends your application for family reunion within the 3 months if you make the application within three months after your full registration. In practice, if the application is made out of the three month time limit then it might be sent after one year. art 21 states: 'as quickly as possible and in any event within three months of the date on which the application was lodged within the meaning of Article 20(2), request that other Member State to take charge of the applicant.' The definition of the application corresponds to the 'full registration' of the asylum claim in Greece.

The other country has another two months to send its answer back to the Dublin office in Greece.

3. After a positive answer Greece has six months to "send" you to the country you applied to go. In total the maximum time according to law is 11 months, however we know that this is often taking far longer - especially with countries like Germany.

What rights do I have in Greece after I apply for family reunification?

- You get the same rights as an asylum applicant.
- You can apply for housing in an open reception centre.
- You have access to the public health system and get free medical aid in hospitals.
- You are also allowed to rent a room, flat, house.
- Children can go to school.

Could an application for family reunion harm my relatives Asylum case? No - providing that you inform him/her before applying and check what he/she said in her asylum case so as not to say something contradictory and in order for your personal information to be written correctly.

Over the past two years, we have seen European governments making family reunions increasingly difficult.

You may remember in 2017, Germany only allowed 70 people a month to travel from Greece, who had been accepted for family reunion. This meant that people ended up having to wait for two years to be reunited with their family.

This was challenged in Court by a Syrian family and their supporters, and they won. Now it seems like in response, Germany has introduced new, more damaging tactics, to reduce reunions.

However, Germany rejected 67 % of the family reunion take-charge requests from Greece in 2018. Rejections are often based on obviously unlawful or even absurd reasons. This means that it is getting difficult to get family reunion granted. Even with strong applications, people face severe delays.

We know only too hard how increasingly cruel European governments are being towards many refugees. Whether you are applying for family reunion or not, if you arrive in a country in Northern Europe, instruct a lawyer.

In Germany you usually have to pay, but it is worth the cost and worth considering when thinking about the costs of travelling clandestinely to Northern Europe. You will usually be able to pay some of the cost in monthly installments. It is vital that you take professional advice from a lawyer in the country you are claiming asylum in - the law in relation to asylum is complicated and can change - you should seek assistance from an expert. You should also try and build up support from as many volunteers and solidarity groups and NGO's as possible. Try to reach out for help - even if it is hard when you feel you are being ignored.

It is very important to consider that if you have applied for asylum in Greece as a family and one of your family member leaves, three months after you have claimed asylum in Greece, then you are very very likely to have your family reunion application rejected. This looks very much like a "manufactured case."

In some cases, such as in Austria, children are interrogated in the interview process and applications for family reunion are being rejected on the basis of what your child says (under a lot of pressure). Authorities have argued that families have sent the child on deliberately, so they could do family reunion later. If it looks like you have "manufactured" a family reunion application, you are likely to find it far harder to be reunited with your family members. In fact, some countries have started to introduce take back requests of children to Greece, to where the rest of the family are. Please bear in mind that if you send your child on alone, having arrived in Greece together, you risk being separated for years.

This is particularly the case if you have registered for asylum as a family in Greece in the first place, and even more so if you have applied for family reunion after the silent three month deadline. Families who have separated in Greece and apply for family reunification must provide a "valid excuse" justifying why they separated, otherwise the claim will be immediately rejected. Please, bear in mind, that the argument about the bad conditions for asylum applicants in Greece is not being accepted by most countries anymore.

Another very difficult hurdle, is that many people in Germany are being granted temporary leave to stay and not asylum, this is called Abscheidungsverbot (otherwise known as Duldung Status) - if this is granted, you are not permitted to apply for family reunion.

You are not granted asylum - you are granted a temporary stay on your deportation. Maybe you are not being deported due to a health concern, or because your travel documents are unavailable, or that the situation in the country means that you are temporarily unable to leave the country. This is happening increasingly and when someone has Duldung Status - they can't apply for family reunion. Make sure your family member gets a lawyer at the earliest of opportunities when arriving and claiming asylum so they are supported in their asylum claim.

Other forms of Family Reunion:

If your family member has been given refugee status, or sometimes even subsidiary protection, each individual country has specific rules for family reunion and sometimes your family can be reunited with you from outside of the EU, or you can arrange for family reunion with the embassy for that country in Greece. However these rules are specific to each country and can change - ask your lawyer, or your asylum office in the country you have applied for asylum for more information. If you are still stuck, feel free to message Refugee Info Bus and we will try to help!

In theory, you can apply for family reunion in Greece with family members that are in third countries such as Syria and Afghanistan. The application needs to be made within a month at the Asylum Service but even if this application is successful there is still no way to bring a family member from your home country as there is still no VISA procedure in place in Greece. The Ministry of Foreign Affairs is the competent Ministry to inform you about this but there are still applications pending from 2016 of people that are waiting to bring their families to Greece legally. This process is clearly so so difficult.

Finally, it is difficult and heartbreaking to split up your family.

Have you and all your family members been registered in Greece for more than 3 months? If so, is it really worth the huge expense and danger of sending a family member on to Northern Europe if you do not know when you can make the family reunion? Bear in mind it is worth getting a lawyer in the other European country - these are all costs that you must consider. Maybe for you, the risk is worth it and if it is your child, having more employment or education opportunities in the future is worth the pain of separation. But, please bear in mind the huge risk that you won't see them for many years.

The laws on Family Reunion in the EU were introduced under an understanding that integration can only succeed when those who have fled their home country no longer need to worry about their parents, spouses and children they left behind in their country of origin or even stranded in transit countries (such as Greece). While family reunion is more difficult from Greece, it is important to know the rules and it is important to campaign so that your right to family reunion should be realised. However, it wasn't designed for families to "create" family reunion cases, by sending on one family member, months after arriving in Greece - many countries allowed this when the borders closed in 2016 as there was still so much confusion and they classes the situation as an "emergency". Some cases may still be successful, but it many many are still getting rejections and governments responses are getting stricter and stricter.

If you have fled war and your family are separated, we believe that you should be able to re-unite with your family in a country where you can survive and make a living. This shouldn't be so difficult to achieve, we are so sorry that European governments are now making this so difficult. We wish you strength and support you in order for your rights to be realised.

Good Luck!