



FAMILY REUNIFICATION OF THIRD-COUNTRY NATIONALS: STATE OF PLAY OF LAW AND PRACTICE

EMN FLASH #3 – 2025

BACKGROUND



Family reunification has long been one of the main channels of legal migration to the EU, accounting for 26% of all first residence permits issued in 2023, or nearly one million permits, according to Eurostat. It plays a crucial role in upholding the right to family life under international and EU law, supporting the integration of third-country nationals, and contributing to labour market needs when family members enter employment.

The EU's legal framework for family reunification of third-country nationals is anchored in Council Directive

2003/86/EC (Family Reunification Directive), which sets out the conditions and rights associated with family reunification for legally residing third-country nationals. Since its adoption in 2003, several significant developments have shaped its implementation, including amendments to national legislation, key rulings by the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR), and the growing digitalisation of migration procedures across Member States.

KEY TRENDS AND FINDINGS



- Family reunification policies have evolved significantly since 2017 when the last study on family reunification was published by the European Migration Network (EMN), with many Member and Observer Countries aligning their national laws with European Union (EU) case law, introducing digitalised procedures, and embedding family reunification in broader migration and labour strategies.¹
- EMN Member and Observer Countries have increasingly differentiated their approaches, facilitating family reunification for attracting certain categories such as skilled workers, while introducing stricter requirements for other groups, such as age thresholds, waiting periods, and proof of income.
- Eligibility rules for sponsors and family members vary, with most countries permitting third-country nationals with valid permits to act as sponsors. Definitions of eligible family members range from nuclear to extended family, depending on factors such as dependency and humanitarian grounds.
- Material and integration requirements remain key conditions for family reunification, although many countries apply exemptions or case-by-case flexibility for vulnerable groups such as beneficiaries of international protection (BIP), unaccompanied minors, and older adult dependents.
- Application procedures differ between Member States, including who can submit the application and how (via consulates, in-person, or online). Required documents, when unavailable, may be substituted with alternative evidence such as interviews or DNA testing, witness statements and history records of the family.
- Delays, high costs and administrative burdens persist, especially for applicants from conflict-affected regions. Good practices include digitalisation, priority processing

¹ Note for the reader: The key points/executive summary section provides a summary of the main information contained in the inform or study. For ease of reading, key points do not contain footnotes. Please note that EMN Member and Observer Countries referred to in the key points or executive summary are listed in the relevant sections within the current document.

for minors, and inter-agency coordination emerging as effective solutions.

- Post-reunification access to rights such as education, employment, and healthcare is generally granted, often supplemented by tailored support like language training, diploma recognition, and vocational services, particularly for BIP.

- Early access to long-term or autonomous residence varies, and delays risk dependency on the sponsor. Some countries provide conditions for earlier access in cases of domestic violence or widowhood and are exploring broader equal rights frameworks to enhance integration.

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