

# Advice on Family Reunification:

March 2018

## Can I bring my family to Germany?

There are **two different procedures** regarding family reunification. Which process is relevant in your case depends on where your family members are currently living.

- The first is the **Visa Procedure (1.)** This can be applied no matter where your family members currently live (see page 2).
- The second is the **Dublin Regulation Procedure (2.)** This can be applied, if family members have already arrived in a European country (see page 3).

The laws and regulations about family reunification are complex. In the short overview that follows, we cannot deal with all details and problems that could arise. That is why we strongly advise you to contact an advice center and/or a lawyer, so that the regulations can be explained in more detail.

## Which family members am I allowed to bring to Germany?

- If your family is **still in your country of origin** or in another country outside Europe (e.g. Turkey or Serbia), you only have a right to claim family reunification for your husband or your wife, and for unmarried children under the age of eighteen. Children under the age of eighteen also have a right to bring their parents. You are only allowed to bring other relatives (e.g. sibling, aunt or uncle) in exceptional circumstances.
- If your family **has already arrived in a European country**, a procedure using the so-called Dublin Regulation can, alongside the reunification of marital partners and children, in some cases lead to the reunification of a wider circle of relatives, i.e. children over the age of eighteen, siblings, aunts, uncles and grandparents.

## Which procedure applies for my family members and me?

1. **The Visa Procedure: your family members are in your country of origin, in another state, or in Europe.**

Whether or not you will be allowed to bring family members to Germany using the Visa Procedure depends on your own residency status. This point is explained in the following table:

Status	Residency Permit and Category	Possibility of Family Reunification
Right to asylum or status as a refugee	Residency permit according to section 25 paragraph 1 or section 25 paragraph 2, sentence 1, alternative 1 of the AufenthG (Aufenthaltsgesetz/Residency Act)	<p>You have the right to bring the family members named above to Germany. <b>Important! Within 3 months</b> of your recognition as a refugee, you must register your request for family reunification at <a href="http://www.fap.diplo.de">www.fap.diplo.de</a>, save this request as a PDF, and print it out. Within these same three months, you should also inform your »Ausländerbehörde« (local foreigners authority) that you intend to apply for family reunification.</p> <p>To start the Visa Procedure, your family members have to book <b>an appointment at the designated German embassy</b>. Information about this can be found at: <a href="https://service2.diplo.de/rktermin/extern/">https://service2.diplo.de/rktermin/extern/</a>. In order to book an appointment, all family members normally need a passport or other identity document, a telephone number, and an email address.</p>
Subsidiary protection status (in accordance with EU Directive 2011/95)	Residency permit according to section 25 paragraph 2, sentence 1, alternative 2 AufenthG	Family reunification for persons with subsidiary protection status was suspended in March 2016. From August 2018 onwards, 1000 family members of persons with subsidiary protection status shall be allowed to enter Germany per month. In special circumstances, the entry into Germany can also be permitted because of »urgent humanitarian reasons.« For more information about this, please contact an advice center.
Prohibition of deportation (national humanitarian protection according to section 60 paragraphs 5 and 7 AufenthG)	Residency permit according to section 25 paragraph 3 AufenthG	You can only relocate your family to Germany, if particular circumstances support this. Additionally, you have to prove that you have sufficient living space and a dependable income to cover the cost of living for you and your family members. For more information about this please contact an advice center.
»Duldung« (temporary suspension of deportation, this does not include the official permission to reside or stay in Germany)	»Duldung« according to paragraph § 60a AufenthG	You are not allowed to bring your family to Germany.
Permission to remain during the asylum procedure	Permission to remain pending the asylum decision according to section 55 of the Asylgesetz (Asylum Act)	Until your asylum procedure has been concluded, you are not allowed to <b>use the Visa Procedure</b> to bring your family to Germany. However, it is possible for you to use the Dublin Procedure (see below.)

## 2. The Dublin Procedure: Your Family Members are already in a European Country

If your family is already staying in a European Union member state, in Switzerland, Liechtenstein, Norway or Iceland, it may be possible to apply for **family reunification according to the Dublin Procedure**. This procedure can enable you to reunite with family members, not only when you already possess a residency permit, but also when you are still in the middle of the Asylum Procedure.

- The Asylum Authority in the European state, in which your family members are currently staying, is responsible for family reunification in accordance with the Dublin Procedure, not the German embassy in that state. To start this procedure, your family members have to submit an application for asylum in the state they are currently staying in and they have to inform the authorities as early as possible that they want to move to Germany.
- For information and advice regarding the Dublin Procedure, please consult an advice center. Please bring with you a copy of your identity documents, including your current identification document (e.g. »Aufenthaltsgestattung« or »Aufenthaltserlaubnis«) and copies/photos of the identity documents of your family members, which have been issued to them for the asylum procedure in the other European country.

### Where can I get advice and what should I take to my advice appointment?

There are many free **advice centers**. You can find addresses for advice centers near you at <https://adressen.asyl.net>. Please find out in advance if the advice center has fixed opening hours, or if you have to make an appointment. Additionally, find out if there will be someone there who can translate for you, or bring your own **translator** with you. Please bring **all important documents** to the advice appointment – these include the most recent papers that the German authorities have issued you with. This includes the different types of residency permits in Germany: »Aufenthaltsgestattung,« »Aufenthaltserlaubnis« etc. Further, documents about your family members could all be important, e.g. copies of passports and identity cards, family certificates proving birth and marriage, and medical reports.

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