

Press statement and Open letter from Caritas Europa's Executive Board

The Right to Family Life: Caritas Europa calls for a better implementation of the EU Directive on family reunification

Brussels, 16 March, 2012

The Executive Board of Caritas Europa urges the European Union to ensure respect for the right to family life for non-EU nationals and their families living in the EU. At a meeting in Brussels, the Board called for a better implementation of the current EU Directive on family reunification. It agreed that the EU should ensure equal treatment and non-discrimination of third country nationals and their family members with regards to access to labour market, education and training as well as to independent residence status for reunited family members as early as possible.

The Executive Board, which is the governing body of 49 member organisations of the Caritas Europa network, met in Brussels on 13 – 15 March, 2012. It discussed the right to family reunification of third country nationals in the EU, following Caritas Europa's response to European Commission's Green Paper on the family reunification Directive.

The goal of the EU Directive on family reunification is to facilitate and enable family life of migrants and to promote family reunification in the EU. To achieve these goals, Caritas Europa's Executive Board calls for better implementation of the current Directive. At the meeting in Brussels, the Executive Board raised its concerns over current practices in some EU Member States that prevent migrants and refugees from being reunited with their families. It also stressed that the right to family life must be ensured and respected at EU level with regards to third country nationals.

Background information:

The European Commission launched a [Public Consultation](#) on the right to family reunification of third-country nationals living in the EU. The Consultation refers to the EU Directive on family reunification (Directive 2003/86/EG), adopted in 2003. The Directive defines the conditions of entry and residence for non-EU family members joining a non-EU citizen already legally residing in a Member State.

Caritas Europa [responded](#) to the Green paper on 1 March 2012 by using input from CE's member organisations. Detailed information on the contribution can be found on [Caritas Europa's website](#).

The main issues stressed in Caritas Europa's response were:

- Having no (or at least as short as possible) **waiting period** for family reunification
- Non-discrimination of third country nationals in terms of **minimum age for family reunification**.
- The need to allow for family reunification also for **extended family members** (such as dependent or de facto family members).
- Pre-entry measures not to be **pre-entry conditions**. Language tests in the country of origin or high fees can be in breach of the right to family life. Instead, language courses should be part of the integration process.
- The need for **independent residence permit** for all family members.
- The vulnerability of refugees and the three months period after being granted a refugee status for family reunification being too short and unjustified.
- The necessity to take the **best interests of the child** into consideration.

The European Commission [has published](#) all received contributions and there will be a public hearing on the issue organised by the Commission later this year, where Caritas Europa will take part.

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