



# **Family reunification of third-country nationals in the Netherlands**

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**National EMN-Conference 2017: “Migrant family reunification policy and practice”**

**27 November 2017, Dublin**

# Quiz

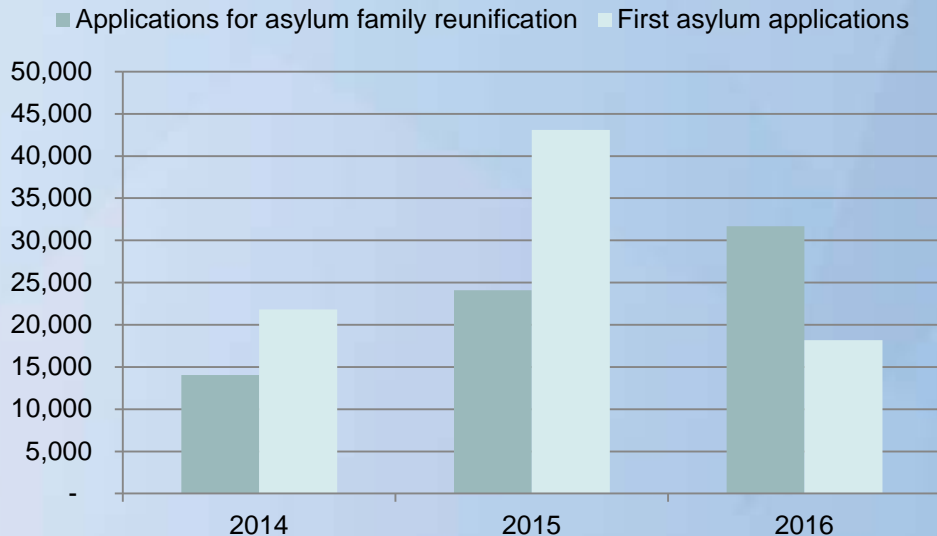


✳️ How many applications for family reunification were lodged in the Netherlands in 2016?

a) around 88.000

b) around 44.000

- ✓ 12.549 for regular family reunification
- ✓ 31.683 for asylum family reunification ('nareis')



Source: IND  
Note: The numbers on family reunification cover not only TCNs, but also cases with a Dutch sponsor.

# Quiz



👤 Which were the top 3 nationalities in decided family reunification cases in 2016?

- a) Syria, Eritrea, India
- b) Syria, Afghanistan, USA

✓ Regular family reunification

- India: 3.045
- USA: 1.261
- China: 991

✓ Asylum family reunification

- Syria: 13.261
- Eritrea: 5.993
- Stateless: 1.616

Source: IND

Note: The numbers cover not only TCNs, but also cases with a Dutch sponsor. The numbers concern the decisions issued by the IND in 2016.

# Content



- 1) General features of the Dutch policy
- 2) Eligible family members
- 3) Requirements
- 4) Application procedure
- 5) Recent development: the impact of the high influx on asylum family reunification

# Differences between regular family reunification and asylum family reunification

- ✳️ Asylum family reunification: If application for asylum family reunification is made within **3 months**, more favourable conditions apply
- ✳️ More favourable conditions for asylum family reunification, e.g.:
  - ✓ No fees
  - ✓ No income requirement
  - ✓ No compulsory civic integration exam abroad
  - ✓ More family members eligible (e.g. young adult children)

# The Dutch 'one-status system'

- ✳ Since 2001: Refugees and beneficiaries of subsidiary protection (BSPs) receive same residence permit with same rights
- ✳ No incentive to go to court
- ✳ Reduction of processing times and costs
- ✳ Better integration of BSPs

# Eligible family members

✳️ Which third-country nationals can act as a sponsor?

- ✓ TCNs residing lawfully in NL
- ✓ 21 years or older (for asylum family reunification 18 years + UAMs)
- ✓ A certain type of residence permit
  - Excluded i.e. are seasonal workers, interns, exchange students

TCNs = Third-country nationals  
UAMs = unaccompanied minors

# Eligible family members

- Family members that are eligible under the national policy

|   | Regular family reunification | Asylum family reunification |
|---|------------------------------|-----------------------------|
| Partners (including non-married and same-sex) | Yes                          | Yes                         |
| Minor children                                | Yes                          | Yes                         |
| Adult children                                | No                           | Yes                         |
| Parents of minor children                     | No                           | Yes                         |
| Parents of adult children                     | No                           | No                          |
| Other family members                          | No                           | No                          |

- Not eligible family members: possibility for residence permit under article 8 European Convention on Human Rights (ECHR)



# Requirements



- ✘✘ Income requirement\*
- ✘✘ Civic integration exam abroad\*
- ✘✘ 1 year waiting period for the sponsor\*
- ✘✘ 3-month deadline for submitting an application\*\*
- ✘✘ Cohabitation requirement
- ✘✘ No threat to public order or national security
- ✘✘ Valid passport or other travel document
- ✘✘ Tuberculosis test
- ✘✘ Sponsor has to agree to be responsible for family member

\* Not for asylum family reunification

\*\* Not for regular family reunification

# Income requirement

- ✘ Sponsors must independently and sustainably have sufficient (financial) means to maintain themselves and the family member who wants to come to the Netherlands
- ✘ Sufficient
  - ✓ Equal to or higher than the applicable minimum wage (as of 1 January 2017: 1.551,60 euro gross per month for couples and 1.086,12 euro for single parents excluding holiday pay)
- ✘ Sustainable
  - ✓ Income available for at least 1 year
  - ✓ If not available for 1 year: income was available during period of 1 year prior to application and will be available for half a year
- ✘ Independent
  - ✓ Income after taxes and social security contributions must be sufficient
- ✘ Exceptions: i.e. retired persons, fully and permanently incapacitated persons, victims of human trafficking

# Civic integration exam abroad

✳ Civic integration exam abroad must be passed to receive entry visa

## ✳ Components

- ✓ Speaking skills (level A1) in Dutch
- ✓ Reading skills (level A1) in Dutch
- ✓ Knowledge of Dutch society
  - 30 questions on the movie *Naar Nederland* [To the Netherlands]
  - Questions in Dutch, answers must be in Dutch as well



# Application procedure

- ✘✘ Most TCNs need an entry visa\*
- ✘✘ Full application is assessed based on application for entry visa
- ✘✘ Both sponsor and family member can submit application; both abroad or in the Netherlands
- ✘✘ Legal time limit for deciding on an application: 90 days (can be extended by an additional 90 days)
- ✘✘ Fees: \*
  - ✓ 237 euro for partner coming to NL
  - ✓ 51 euro for child coming to NL
- ✘✘ In case of a lack of documentary evidence the IND can offer a DNA test and/or an identification interview
- ✘✘ Once in the Netherlands, family members pick up residence permit at IND location

\* Not applicable for asylum family reunification

# Recent development: the impact of the high influx on asylum family reunification

- ✘ Backlog of applications for asylum family reunification due to high asylum influx in 2015
- ✘ Circa 15.500 open applications in May 2017 (decreased from 18.500 in February 2017)
- ✘ Average processing time entry visas in December 2016: circa 9 months
- ✘ Measures taken:
  - ✓ More staff working on applications
  - ✓ Legislative proposal: Extension of the maximum decision period from 6 to 9 months
  - ✓ Legislative proposal: extension of time limit for submitting an application from 3 to 6 months

# More information

 [www.emnnetherlands.nl](http://www.emnnetherlands.nl)

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All information in this presentation is also available in the report 'Family Reunification of third-country nationals in the Netherlands' (shortly available at [www.emnnetherlands.nl](http://www.emnnetherlands.nl))