

# Factsheet: Family Reunion: Dublin III

This factsheet is intended to assist non-lawyers to understand eligibility and the process for family reunification under Dublin III.

Recent developments have made it clear that there is a safe, legal way for unaccompanied minors in Europe to be reunited with their relatives in the UK. If you are legally in the UK and you have a relative who is a child alone in Europe seeking to join you, it may be possible for them to be brought to the UK to be reunited with you. The Migrants' Law Project is working with Safe Passage to provide assistance to people seeking Family Reunion under Dublin III. If you believe that you or your family may benefit from family reunion under Dublin III, please contact Safe Passage:

Main line: 020 7112 4984; email: [info@safepassage.org.uk](mailto:info@safepassage.org.uk); website: [www.safepassage.org.uk](http://www.safepassage.org.uk)

If you are a legal representative seeking information on helping clients to make applications for family reunion in reliance on Dublin III, please see our training materials on this topic. If, having considered the training materials, you require additional support, please contact the MLP at [www.themigrantslawproject.org](http://www.themigrantslawproject.org).

## The criteria

- Unaccompanied child, aged under 18 years, within an EU Member State
- Family member legally present in the UK
- No other family member in another EU Member State able to look after the child
- In the child's best interest to be in the UK
- If the family member in the UK is an adult aunt, uncle or grandparent, they must be able to take care of the child

## The process

- Information and evidence collated (see below) and Dublin III Annexes completed
  - Application for asylum made by child in the EU Member State informing the authorities there is a family member in the UK they wish to reunite with
  - EU Member State may request further information and evidence, as necessary
  - EU Member State contacts the UK authorities to ask the UK 'take charge' of the case
  - If the UK agrees to 'take charge' of the case, the child will be transferred to the UK to reunite with their family member
- If the UK refuses to 'take charge' of the case, it may be possible to challenge the refusal by way of judicial review - further legal advice should be sought.

Note: once in the UK, the child will be an asylum seeker and will have their asylum claim processed in the UK

### Information required - supported by evidence where possible

- Identity of the child, including nationality
- Child is under 18 years of age
- Relationship between the child and the family member in the UK
- Legal status of the family member in the UK
- Contact between the child and the family member in the UK
- Willingness and, in some cases, ability of the family member in the UK to care for the child
- Impact of separation on the child

### Other cases

- Child with an extended family member legally in the UK may be able to apply to enter the UK on a discretionary basis
- Adult with a spouse, unmarried partner or minor child who is the beneficiary of international protection or has an application for asylum under consideration in the UK may apply
- Adult dependent on assistance of child, sibling or parent legally resident in the UK for reason of pregnancy; a new-born child; serious illness; severe disability; or old age may be able to apply as a dependent
- Adult who is very vulnerable may be able to apply on a discretionary basis

**Note:** The criteria and process for family reunification under Dublin III is outlined above for the purpose of raising awareness of Dublin III routes to reunification. Given the importance of the application and the difficulty of a child, dependent or vulnerable adult making an application alone outside their country of origin it is advisable to seek legal advice and representation prior to making an application