

Family Reunification (FR) Process for Refugees and People granted Subsidiary Protection

What is family reunification?

It is the process whereby a refugee, under Section 18 of the Refugee Act 1996, (as amended) requests permission for their immediate family members to join them in Ireland. Beneficiaries of subsidiary protection are also entitled to family reunification under Section 16 of the European Communities (Eligibility for Protection) Regulations 2006.

Who can apply for family reunification?

Refugees and beneficiaries of subsidiary protection are entitled to apply for certain immediate family members as well as dependent family members to join them.

Which family members are allowed to join the refugee & beneficiary of subsidiary protection, making the application?

- If married, husband/wife (provided the marriage is still valid and this could be demonstrated through evidence of civil registration of a religious marriage, confirmation of the validity of a traditional marriage from an appropriate local court)
- If the marriage by proxy, it will necessary to provide a declaration from the Irish courts under section 29 of the Family Law Act, 1995, that the marriage in question is entitled to be recognised in this jurisdiction
- Unmarried children, under 18 years of age (biological or adopted children)
- If unmarried and under 18, S/he can apply for his/her parents

A request for any other family member who is dependent (financially or medically on the applicant) is granted at the absolute discretion of the Minister for Justice, Equality and Law Reform.

A Dependent person is defined as the grandparent, parent, brother, sister, child, grandchild, ward or guardian of a refugee or of a beneficiary of subsidiary protection who is dependent on him/ her or is suffering from a disability which prevents that person from maintaining himself or herself fully.

What proof must be submitted with the application if the family member is financially dependent?

For financially dependent family members, the applicant can provide proof of this dependence by submitting documents including Western Union/ Bank Transfer receipts to show that s/he has been maintaining this family member.

What proof should an applicant submit if a family member has a disability?

If the family member has a physical or mental disability, the applicant should submit a detailed medical certificate/report (from a hospital Consultant) setting out the nature and duration of the disability and the future prognosis.

The applicant must be in a position to provide financial support in respect of his/her dependent family member(s) and it is advisable that they be in employment when an application for a dependent family member is made.

How does a person apply for family members who are resident outside Ireland?

S/he must apply directly in writing to the Family Reunification Section, Irish Naturalisation and Immigration Service at the Department of Justice, Equality and Law Reform in Dublin, regardless of where the family member resides. When making the application, it is essential to quote his/her refugee reference number and name.

What type of documents does a person submit with their application for family reunification?

The application must be submitted to the Family Reunification Section, INIS, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2. It is important to send all correspondence by registered post. It is important to notify the INIS in writing of any change of address.

The following documents should be included:

- A cover letter quoting the refugee's 69/---/-- reference number and giving details of the circumstances of the refugee and family i.e. where and with whom they are living.
- Copy of Refugee Declaration letter or letter informing the applicant that s/he has been granted subsidiary protection.
- Copy of GNIB registration card
- 2 passport-sized photographs of the family member in respect of whom the application is being made (Photo of full face, front view, must have a white background & have name, date of birth, reference number of person making the application for FR & the date on which the photo was taken, printed on back)
- Original passports for each of the family members
- Original certificates to prove relationship, e.g. birth certificates and marriage certificates. In the event that the original birth &/or marriage certificates are not available, the applicant must provide a detailed explanation as to why the original documents are not available
- Any additional evidence proving the relationship: photos, letters etc and evidence of contact with family members

Where relevant the following documents should also be provided:

- Proof of dependency (such as money transfer receipts) in the case of a family member who is not the spouse or child of the applicant.

- Original Statement of Parental Authorisation (granting permission for the child to travel to Ireland) from other parent if not traveling with child to Ireland
- Original Death Certificate of other parent(if applicable)
- Letter of authorisation from current guardian if child not in the care of his/her parents
- In the case of an adopted child/ ward of court, the applicant must submit proof of this, i.e. original court orders or other national documents

NOTE: (APPLICANTS ARE ADVISED TO KEEP A COPY OF THE COMPLETE ORIGINAL APPLICATION FOR THEIR OWN RECORDS. IT IS ALSO ADVISABLE TO SEND THE APPLICATION BY REGISTERED POST AND KEEP THE POSTAL RECEIPT).

How much does it cost for the Family Reunification application?

There is no fee involved until such time as the application for reunification has been granted. When the application is granted, a fee of €60 is payable for each visa issued.

What is the procedure where the family member already resides in Ireland?

The application process is the same as for family members residing outside Ireland. If help is needed, please contact the RIS office at the address set out below.

What is the process towards family reunification?

The process takes approximately 24 months and involves the following;

- The Family Reunification Section in the Irish Naturalisation and Immigration Service (INIS) acknowledges the application
- The application is forwarded to the Office of the Refugee Applications Commissioner (ORAC) for investigation
- The ORAC sends a questionnaire to the applicant which must be completed within a specified timeframe
- ORAC satisfies itself that the information regarding family member is correct & consistent with the application
- ORAC completes report and sends it to Family Reunification Section of the INIS for a decision
- The decision is issued, in writing, to the applicant
- If the decision is positive and permission is given for the family member to enter and reside in Ireland, the Family Reunification Section will notify the Visa Section of the INIS.
- The Visa Section will inform the applicant when it is in a position to issue the visas in respect of the family members coming to Ireland

What if the application for family reunification is denied?

The applicant will be informed, in writing, stating the reasons why the application has been refused. There is no provision to appeal this refusal and there is no statutory provision for a review. However, the individual may ask the Department of Justice, Equality and Law Reform to review the case if there is some additional information to support the case. Depending on the circumstances of the case, there may be grounds to seek a judicial review of the decision. Applicants should consult their legal representative in this regard.

Can an applicant reapply again after a refusal?

Yes, it is possible to reapply at any time.

What if a person has already become an Irish citizen? Do they need to file an application for Family Reunification?

If they are a naturalised Irish citizen, they are no longer a refugee and must apply under standard visa procedures rather than Section 18 of the Refugee Act 1996. They should apply for a "Family Member of Irish National visa". If the individual become a naturalised Irish citizen during the course of the application process, this will not affect the application for family reunification.

Travel Documents

If the refugee's family member does not have a passport and is unable to obtain one it will be necessary to get a travel document. The International Committee of the Red Cross (ICRC) in the family member's country of residence should be contacted. UNHCR Dublin can facilitate the family member in obtaining a convention travel document if the family member is already displaced and outside their country of origin. For family members who are still residing in their country of origin, but are unable to obtain a passport or travel document, UNHCR may be able to assist in getting an International Committee for the Red Cross one-way travel document

Travel Assistance

The UNHCR travel assistance for refugees who cannot afford to bring their family members to Ireland. The Travel Assistance Scheme is administered by the Irish Red Cross and applicants must complete an application which is then sent to the UNHCR in Geneva. Those eligible must be either in receipt of social welfare payments or on a low income. The UNHCR will then decide on the request for financial assistance, this process takes a minimum of 12 weeks.

Rights of family members

According to Section 18(3)(b) of the Refugee Act 1996 (as amended) family reunified members are permitted to reside in the State and are entitled to the same rights and privileges as the refugee for such a period as the refugee is entitled to remain in the State. The family members are entitled to full civil, political, economic, social and cultural rights. These rights and privileges include the right to work or set up a business and the right to access education and training and to the provision of health services. However family reunified persons do not have the right to family re-unification nor the right to a convention travel document.