

THE RIGHT OF FAMILY REUNION UNDER EU LEGISLATION

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Abstract

Family Reunion is a fundamental right and a social right as well. It is a necessary way of making family life possible. This article examines EU legislation on family reunification. This is an important right in the general context of free movement and migration. Family reunification for EU citizens in the European Union is a right seen as a corollary right of the provision of free movement. Thus, family reunification of EU citizens falls under the general regime of free movement of persons that constitutes one of the fundamental freedoms of the internal market, and comprises an area without internal frontiers in which freedom is ensured in accordance with the provisions of the Treaty. Since 2006 the European Union has regulated family reunification of third-country nationals in the territory of the EU through the directive 2003/86/EC.

The purpose of the paper is to analyze the directive 2003/86/EC according to the family reunification and the family life. The aims of this study are the procedures, the condition and the beneficiaries of family reunification of migrants and refugees in the territory of European Union. It will analyze the definition of the family, the conditions of entry and stay and the rights conferred on family members and all the recent jurisprudence of the ECJ.

Keywords: family reunification, EU immigration legislation, Directive 2003/86/EU, family member, Jurisprudence, ECJ.