

Abstract

This thesis explores the topic of the legal and practical constraints of the family reunification procedure applied to unaccompanied asylum-seeking children (UASC) under the Dublin III Regulation (DR III). It critically analyses the relevant provisions on the occasion of the multiple rejections of the 'take-charge requests' from Greece by Germany given their impact on the right of UASC to family life. It also includes selected practical challenges stemming from the Greek and German practice which further prolong the family separations together with the crisis management measures deriving from the tensions at the Greek-Turkish borders as well as Covid-19 related challenges. It stresses that the selective compliance with only some parts of the Dublin provisions, the undue adherence to bureaucratic obstacles and the wrongful interpretation of the respective provisions contravene the purpose and scope of the DR III. Thus, this thesis seeks to explore how the UASC can effectively enjoy their right to family life as it is anchored not only in International and European human rights law but also in EU law. It stresses that a rights-compliant approach can be achieved by merely respecting the hierarchy of the criteria and by using the discretionary clauses when the rigid interpretation of the compulsory responsibility criteria puts family life of UASC at stake. Lastly, it underscores that due regard should be paid to the best interests of the child so as to pave the way towards a child-oriented implementation of the DR III.