

Question for written answer E-002343/2025
to the Commission
Rule 144
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Subject: Family reunification from countries where polygamy is practiced

A current case in Austria¹, and similar cases in Germany, reveal conflicts between EU rules on family reunification and prohibitions of polygamous marriages enshrined in criminal law. A Syrian refugee applied for family reunification for his wife and eight children. However, DNA analyses showed that the children are from two different mothers. While the second wife was refused entry, all children were granted entry under family reunification. Under current law, it can be assumed that the four children of the second wife can successfully apply for family reunification for their mother. The applicable provisions of EU law, in particular Directive 2003/86/EC on the right to family reunification, may, in their practical application, create situations which could be interpreted as indirect toleration of polygamous relationships. This raises significant questions as to the coherence of European legislation and national legal systems, such as the prohibition of bigamy enshrined in the national law of Austria (Section 44 of the Austrian Civil Code (ABGB) and Section 192 of the Austrian Criminal Code (StGB)) and of Germany (Section 1306 of the German Civil Code (BGB) and Section 172 of the German Criminal Code (StGB)).

1. How does the Commission assess the compatibility of Directive 2003/86/EC and its implementation in practice with national prohibitions of polygamy in the context of family reunification in relation to polygamous marriages?
2. What measures is the Commission considering in order to counteract the normalisation of polygamous relationships in the context of family reunification and to prevent the emergence of a right to protection under Union law for polygamous relationships?

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¹ <https://www.heute.at/s/familiennachzug-syrer-wollte-zweitfrau-ins-land-holen-120101639>