Constitutional Court declares 5 provisions of immigration law on family reunification to be unconstitutional

The President of the Republic vetoed amendments to Law No 23/2007 of 4 July 2025 on the legal status of entry, residence, departure and removal of foreigners on national territory.

Following the Constitutional Court ruling, which considered five provisions of the law submitted for preventive constitutional review to be unconstitutional, the President of the Republic will return to the Assembly of the Republic, without promulgation, pursuant to Article 279(1) of the Constitution, the Decree of the Assembly of the Republic amending Law No 23/2007 of 4 July 2025.

The Constitutional Court ruled that the provisions of the law restricting access to family reunification and limiting the right to appeal to the courts against the Agency for Integration, Migration and Asylum (AIMA) are not in accordance with the Constitution of the Portuguese Republic. By a majority vote, the proposed provisions were declared unconstitutional on 8 August 2025.

Source(s)

- Presidency of the Portoguese Republic | Presidencia da República Portuguesa (8 August, 2025), Presidente da República vetou alterações à Lei n.º 23/2007, de 4 de julho, que aprova o regime jurídico de entrada, permanência, saída e afastamento de estrangeiros do território nacional [The President of the Republic vetoed amendments to Law No. 23/2007, of 4 July, which approves the legal regime for the entry, stay, exit and removal of foreigners from national territory], https://www.presidencia.pt/atualidade/toda-a-atualidade/2025/08/presidente-da-republica-vetou-alteracoes-a-lei-n-o-23-2007-de-4-de-julho-que-aprova-o-regime-juridico-de-entrada-permanencia-saida-e-afastamento-de-estrangeiros-do-territorio-nacional/
- Constitutional Court | Tribunal Constitucional (8 August, 2025), Acordao Nº 785/2025 [Judgement N. 785/2025], https://www.tribunalconstitucional.pt/tc/acordaos/20250785.html

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