

International Dialogue on Migration 2014

Intercessional Workshop, 7-8 October - Migration and Families

Session III: The role of family reunification in facilitating integration

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1. Thank you to the IOM for the opportunity to attend and to contribute to this Workshop.
2. The British Refugee Council is the UK's leading NGO voice on refugee protection matters. Independent of Government, we work to ensure that people seeking protection from persecution and human rights abuses in their home countries, together with those who are granted refugee status in the UK, are treated with the respect and understanding they deserve and are assured the same rights and opportunities as other members of society.
3. We work, in particular, with separated children and young people who are in need of protection; with families who have been resettled in the UK as part of the UNHCR's Gateway Programme; with refugees seeking to live safe, stable and fulfilling lives in the UK, yet whose integration is impeded because of ill health, destitution or unemployment; and we provide a therapeutic casework service to refugees coping with the trauma of persecution and forced migration, and with the marginalisation, exclusion and isolation they experience, even in a safe country like the UK. We undertake research, using our service experience as an evidence base, and are presently contributing to an IOM project separated children and family reunification.
4. Given this specific focus, I will limit my remarks on the question of Family Reunification and its role in facilitating integration to the experience of refugees.
5. The position of the Refugee Council is clear: Family Reunification for people granted refugee status is a protection issue, not an immigration matter and is often an essential precondition for successful refugee integration. As a practitioner working in support of refugees who are keen to reunite their families, the Refugee Council knows the immense benefits that flow from family reunification – the enhanced motivation to embrace a future free from fear, to strive for betterment, to achieve financial independence, to take on the rights and responsibilities of citizenship, to contribute to building strong communities.
6. We also know from our daily engagement with refugees that family separation is linked to poor mental and physical health, which in turn impacts on the ability to learn a language, to seek or to retain employment, or simply to interact with others, including officials and authorities.
7. A forthcoming report on Family Reunification for separated refugee families in the EU, titled 'Disrupted Flight – The Realities of Separated Refugee families in the EU' is due to be published next week by the European Council on Refugees and Exiles (ECRE) and the Red Cross. Based on the frontline experience of NGOs in Austria, Belgium, Estonia, France, Hungary, the UK and six

other European Union Member States, the research finds that *'For people fleeing war and persecution, being reunited with their family members is generally their first priority upon arrival in the host country. Practitioners witness, on a daily basis, the negative impact family separation has on people seeking protection in Europe, and how it affects their ability to engage in most aspects of the integration process. The constant worry that people carry about the family they left behind... increases their vulnerability. Fleeing to Europe for protection can be an isolating ordeal, often lasting years, particularly when the journey to Europe is followed by lengthy and stressful asylum procedures and difficult reception conditions, including detention'*.

8. In addition to the beneficial impacts on individuals, there is also a strong and compelling business case for enabling family reunification for refugees. This can be measured in the positive impact on their health and the consequent reduction in demand on public health services; and in the increase in tax revenues that flow from higher levels of employment and the corresponding reduction in welfare expenditure. The benefits can also be assessed, though less quantifiably, in the broader positive contribution to society made by settled, integrated families, whether in our schools, our communities, our public services, the realm of arts and culture or in business and commerce.
9. In the UK, the principle of supporting and rewarding 'hard working families' is woven into the rhetoric and policies of all mainstream political parties. However, this explicit recognition of the crucial role that the settled family unit, and related extended family networks, play as an essential building block of a stable society – a recognition that, ironically, is reflected in the Gateway Refugee Resettlement Programme - is undermined by the treatment of refugee family reunion.
10. Indeed, in the UK one would be forgiven for thinking that Family Reunion has in recent years been viewed as a soft target by a Government committed to creating a 'hostile environment' for migrants and to reducing the overall level of net migration (that is, the difference between the number of people entering the UK for 12 months or more, and the number of those who leave).
11. The current and highly problematic treatment of refugee family reunion as an immigration, as opposed to a protection matter - meaning that applications are determined by border control officials, with limited or no understanding of the refugee experience, rather than by asylum officials – was exacerbated in 2011 by the decision to cut all Government funding for refugee integration assistance programmes, including the help and support given for Family Reunification applications, and in 2013, by the decision to cut all legal aid for refugee family reunification cases, on the grounds that the application and evidence gathering process was 'straightforward'.
12. People seeking refugee protection in the UK undergo a stringent and overly adversarial process that focuses far more on preventing abuse than on giving sanctuary and that can involve detention, the assumption of lying and the scarcity of competent publicly funded legal advice and representation.

13. For those who do establish an entitlement to protection this is then compounded by a Family Reunification process that is just as daunting and psychologically bruising. With disbelief set as its default position, it sets impractically high evidential thresholds; can be unnecessarily an bureaucratically protracted; forces many into indebtedness to pay for legal help; and generates deep uncertainty, anxiety and instability.
14. In seeking to address these procedural and psychological obstacles and barriers, our response must be twofold, as we look on one hand to providing practical help and support to refugees for whom family reunification is clearly a crucial step towards integration, and on the other to advocating for the reform of the family reunification process in order that it is, in future, treated as a key refugee protection issue, and not an immigration matter.
15. On the practical front, there are examples in the UK of the development of integrated NGO services that link the provision of specialist legal representation with broader holistic support, designed to ensure that the refugee's befriending, health access, education, employment, accommodation and welfare needs are being addressed at the same time that the family reunification application is being progressed. In the absence of any Government funding for this kind of service model, the challenges we face as NGOs are not only to raise the funding required to sustain and extend these initiatives from voluntary income sources, but to ensure that we are systematically gathering the evidence from their operation to demonstrate both the importance of family reunification to successful integration and the counterproductive impacts of a family reunification process that is geared more to gatekeeping than to protection.
16. On our advocacy of the need for and value of system reform, we need to make the case for a streamlined application and decision making process, that is integral to the refugee determination system and is predicated on facilitating, rather than impeding, family reunification in its broadest sense. In doing so, we will need to deploy a range of approaches and arguments, as the engagement with Government Ministers will differ to that with Government Officials, or that with Parliamentarians more generally, both domestic and European, or with mainstream civil society advocates and opinion formers. With Government, the emphasis will be more on efficiency, cost effectiveness and our legal obligations as signatories of the Refugee, Children's and Human Rights conventions, while for civil society the focus will be on fairness, justice, community cohesion and on observing the spirit and not simply the letter of our international obligations.
17. However, the context for our advocacy, whatever the specific audience, is the same: the global refugee and forced migration crisis that is presently unfolding on a scale unseen since the end of the Second World War, and that is abutting against Europe's borders on a daily basis with increasing desperation and in ever increasing numbers, requires a fundamental rethink and reorientation of our national, regional and global policy responses, particularly in respect of forced migration.
18. Clearly, the shift in the political complexion of the European Parliament over recent years towards more assertive nationalism and, at a time of austerity, greater fear and intolerance of immigration, will make this a more difficult project. However, we must recognise that a

defensive, reactive, stance, embodied in the concept of Fortress Europe, does little either to stem or to manage growing inward migration flows, or to alleviate or assuage domestic anxieties about immigration. What we, as civil society voices, must articulate is the conviction that our long term interests lie in rising to the challenges and realising the opportunities of interdependence, of responsibility sharing, and of promoting humanitarianism as an essential precondition and guarantor of global stability.

19. In focusing on the need for international and domestic migration policy to reflect the reality of the scale of mobility, whether forced or elective, in the 21st century, and on the need for that policy to be underpinned by an understanding of and commitment to the crucial role that families play in ensuring effective integration, The IOM is to be warmly commended.

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