

**Council of Europe Special Representative of the Secretary General  
on Migration and Refugees**

*Webinar*

Launch of the Handbook

“Family reunification for refugee and migrant children: standards and promising practices”

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It is a pleasure to mark the occasion of the launch by the Special Representative of this new Handbook on family reunification of refugee and migrant children.

As Human Rights Commissioner, the protection of the rights of refugees, asylum seekers and migrants is one of my key areas of work. Within that area, I have devoted significant attention to the issue of family reunification.

However, I observe in many Council of Europe member states that family reunification is increasingly seen as a second order, non-essential issue. Also, with increasing focus on preventing arrivals to Europe, family reunification is seen as an added burden. It is unsurprising, from that perspective, that restrictions on family reunification were introduced in many member states in the wake of increased arrivals of asylum seekers and migrants in 2015 and 2016. Not only was this meant to keep the numbers of additional arrivals down, it was also clearly intended to make member states less attractive as destinations in the first place.

Despite this, it is clear both at a human and a normative level that ensuring families can be together is by no means a luxury. If the recent period of confinement tells us anything, it is that our families are a key part of our identities and our lives. And that being separated from them is very distressing. It is with good reason that the Universal Declaration on Human Rights recognises the family as the natural and fundamental group unit of society. And that the European Convention on Human Rights explicitly protects the right to family life. For those that are separated across borders, family reunification procedures are an important tool to ensure families can be together. In certain situations, a clear right to family reunification exists, although – as I mentioned – it is increasingly subject to restrictions and too often poorly implemented.

We only have to look at the human cost of family separation to understand how family reunification needs to be at the centre of human rights-compliant asylum and migration policies. This is particularly true when it comes to children, both those already inside Europe and those outside of it, waiting to be reunited with family members already here. In my own visits to Council of Europe member states, I have encountered many of them. On the Greek islands as well as on the mainland, there are thousands of unaccompanied or separated children left in extremely vulnerable and often catastrophic conditions. A significant number of them are likely to have family members in other member states. However, family reunification procedures, including under the Dublin system, are slow and cumbersome. Elsewhere, from

the Mediterranean to the English Channel, and from Turkey to the Western Balkans, we see children or parents taking considerable risks to be reunited with their loved ones. And sometimes they lose their lives in pursuit of this goal.

Overly restrictive or poorly implemented family reunification policies also deeply affect those who have left family members behind. Several studies have shown that concerns over family members left behind, sometimes in dangerous or precarious situations, have an acute impact on the mental health and well-being of those already settled in Europe. The stress of separation often gets in the way of language learning, pursuing education, or other steps necessary to integrate in our societies. Integration and inclusion of refugees and migrants is one of the key challenges Europe faces at this moment, and policies that lead to long-term family separation may well be undermining this objective. In this way, not only refugees, migrants and their families suffer the negative consequences, but our societies as a whole.

These are just some of the compelling reasons why we should consider family reunification as a key issue for the protection of the rights of refugees and migrants, especially children. And for the promotion of inclusive, successful societies.

To do so, we need to work on several fronts.

My own Office's work, for example, has focused on providing tools to civil society and National Human Rights Institutions to challenge restrictions on family reunification for persons in need of international protection, including through litigation. I have myself intervened before the European Court of Human Rights in cases dealing with such restrictions.

But improving family reunification policies does not only require telling states what they should *not* do. Positive guidance on how they can design better policies is absolutely crucial.

From this perspective, the Handbook launched today by the Special Representative is a very welcome addition to the tools that Council of Europe member states have at their disposal. The promising practices outlined in the Handbook should have a positive impact on member states' thinking about their family reunification policies. The Handbook is of particular significance because it puts the situation of those for whom family reunification is most meaningful – refugee and migrant children – at the heart of the discussion.

For this reason, I warmly congratulate the Special Representative, his team, and the experts who have helped draft this document. And I encourage all those concerned with family reunification, including national human rights institutions, NGOs, legal practitioners, but above all those responsible for family reunification policies at the political and technical levels in Council of Europe member states, to take full advantage of this resource.