

Webinar to launch the publication

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

2 July 2020

Opening speech by

The Special Representative of the Secretary General on Migration and Refugees,
Ambassador Drahoslav Štefánek

Thank you everyone for joining us at this online event, organized to launch our latest publication – the Handbook “Family reunification for refugee and migrant children: standards and promising practices”.

It has been developed under the umbrella of the Council of Europe Action Plan on protecting refugee and migrant children in Europe, completed in December 2019. The Council of Europe remains committed to the protection of refugee and migrant children, as a group exposed to various forms of vulnerability.

The publication was developed together with four consultants and I use this opportunity to thank them for their contribution:

- Dr Ellen Desmet and Dr Mark Klaassen from the academia (Ghent university and Leiden university),
- Ms Florence Boreil and Ms Georgia Dimitropoulou with extensive practical experience in family reunification and in children’s rights in the context of migration, respectively.

The handbook covers both legal standards - EU, UN, CRC, ECHR and examples of promising practices from states, international organisations, and civil society. I use this occasion to extend thanks to over 40 external contributors who replied to our call and submitted examples of their work.

The work on the publication started in autumn 2018 but today in 2020 work on family reunification remains just as pertinent if not even more so. Statistics on family reunification are scarce and incomplete. However, one can discern from the trends a clear decrease in the numbers of visas issued for family reunion across many nations and lengthy procedures for those who eventually get visas.

The cases pending before the European Court of Human Rights also show a systemic concern across different states on the way procedural and substantive

requirements to family reunion make any reunification for beneficiaries of subsidiary protection tedious if not impossible.

Aside from family reunion as a substantive right under EU law and national legislation, there is also the possibility of achieving family reunion through relocation within EU borders. This is so very pertinent for unaccompanied children in frontline countries. Greece alone is currently hosting over 5,000 unaccompanied children.

Family reunification under the Dublin III Regulation has been underused and from what negotiations appear today, there won't be any possibility for family reunion in the UK after Brexit. In the absence of sustainable/predictable relocation agreements, family reunification remains a feasible legal pathway to decongest facilities in frontline countries and to promote effective asylum procedures throughout the continent. It is a vital tool to ensure respect for children's rights and their best interests. In fact, as the handbook outlines, special safeguards need to be in place in order to children to be genuinely able to exercise their rights in view of family reunion.

This is to quickly outline the so many various elements pertinent to any meaningful discussion on family reunification. Today we hope to have a quick look at the handbook but also discuss more about the developments in the past years.

For this we have invited to join us here today speakers who have valuable insights to share from different perspectives: the Commissioner for Human Rights, the Parliamentary Assembly of the Council of Europe, the research understanding of academia, the personal views and experience of Ms Moulana, the judicial insight of the European Court of Human Rights, and the practical insight of IOM, UNHCR and ICRC.

We also expect participants to interact with us, via short oral interventions, the chat and Facebook. If you have questions to speakers, please post them on the chat so we can group them.

I look forward to our discussion today and I am glad to see the significant interest solicited by the topic and this event, with so many registering.

A recording and conclusions from the event will be made later available on my website.

With this, I welcome you once again and give the floor to Mr Christos Giakoumopoulos, Director General of Human Rights and Rule of Law, Council of

Europe, who in addition to his dedicated work to human rights in general, has been the Migration expert of the Council of Europe for many years.