

REALISING THE RIGHT TO FAMILY REUNIFICATION OF REFUGEES IN EUROPE

International human rights standards require that people seeking protection can reunify with their families in an effective way within a reasonable time. However, many legal and practical obstacles in Europe make family reunification unnecessarily complex and lengthy, causing additional human suffering.

European States must lift these obstacles and treat all people seeking protection – refugees and people with subsidiary protection – equally.

WHO SEEKS PROTECTION?

- **Refugees** are people recognised under the 1951 Refugee Convention because they face individual persecution in their countries.
- **People with subsidiary protection** flee because of more general dangers, such as war. They are also protected from return like refugees, but often get a less secure, shorter-term status.



WHY CARE?

- Every person's **right to family life** is protected by the European Convention on Human Rights.
- **For refugees**, who cannot go back to their countries of origin to be with their families, **family reunification is essential to protecting their enjoyment of the right to family life.**
- **Family separation often has a huge negative impact on refugees**, including on their health conditions and can lead to depression and sleep and eating disorders.
- Lack of family reunification can prevent **successful integration of refugees.** Prolonged anxiety over the fate of family members left behind often gets in the way of language learning and finding work.

- **Flexible and quick family reunification procedures allow refugees and their families to fully focus on their integration trajectories.** Particularly for children, the sooner they are exposed to the educational system of the host country, the easier they will adapt.
- **Effective family reunification procedures can save lives by offering safe and legal routes to Europe.** In the absence of effective procedures, people seeking protection do not have a prospect of quick family reunification. Family members left behind in conflict zones, camps, or precarious or dangerous conditions may try to reunite with a refugee family member in Europe by putting their lives at risk on irregular routes often controlled by smugglers.

WHAT PROBLEMS ?

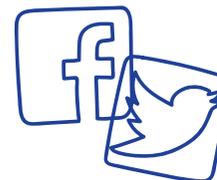
- **Some European countries have progressively toughened their laws regulating family reunification for refugees and have adopted a less favourable regime for beneficiaries of subsidiary protection.**
- **Eligible family members are not the same in all countries.** Some countries do not allow family reunification of persons other than spouses and min or children. This may prevent unmarried or same-sex couples, or dependent adult children or elderly relatives from reuniting with the refugee.
- Some countries have too **short deadlines** to request family reunification, leaving too little time for the refugee to gather the evidence needed. Others impose **long waiting times** – sometimes years – before refugees are allowed to apply for family reunification.
- **Onerous evidential requirements, prohibitive financial costs and intrusive medical tests** – such as mandatory DNA testing or age assessments – have been introduced.
- **Child refugees may face particular obstacles**, including the risk of losing the right to reunite after they reach the age of 18, even if they applied for reunification while still minors.

- Refugees' family members face many **obstacles in their country of origin** to obtain necessary documentation. In some cases demanding such documentation can pose risks for refugees, by making their governments aware of their activities and place of residence, or their families' plans to flee. In other cases family members have limited access to embassies and consulates which are often far away from their place of residence, if not in different countries.

HOW TO CHANGE?

- **Ensure that family reunification procedures for all refugees are flexible, prompt, effective and happen in a reasonable time.**
- **Ensure the definition of family members eligible for reunification is appropriately broad.**
- **Pay particular attention to children's needs.**
- **Establish clear limits on age assessment processes** and avoid routine use of DNA and other biometric assessments.
- **Allow refugees sufficient time** to apply for family reunification.
- **Take into account the practical obstacles refugees and their families face in reunification procedures**, including with regard to obtaining and presenting the necessary documentation.

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