

EMN Ireland conference summary

Migrant family reunification: policy and practice

27 November 2017 | No 6 Kildare Street, Dublin 2



*EMN Ireland, the Irish National Contact Point for the European Migrant Network located within the Economic and Social Research Institute (ESRI), hosted its annual national conference on **Migrant family reunification policy and practice** on 27 November 2017.*



EMN Ireland is funded by the European Union's Asylum, Migration and Integration Fund and co-funded by the Department of Justice and Equality.



European Migration Network

EMN Ireland | www.emn.ie





Conference background

Family reunification promotes the integration of migrants already in the host country and can be an important route to safety for the family members of refugees. Family migration is diverse in character but often closely linked to labour migration. The conference was organised to provide an opportunity to exchange information on family reunification schemes in Ireland and abroad.

The conference brought together a range of speakers on the issue in order to provide international context, to discuss and compare the family reunification policy frameworks in other EU Member States, and to provide insights on the Irish system from national policymakers and I/NGOs working in the field.

Discussions on the comparative situation at EU level drew on the European Migration Network Study *Family Reunification of Third Country Nationals in the EU plus Norway*, published in April 2017 and on the EMN Ireland study *Family Reunification of non-EU nationals in Ireland*, published in May 2017.

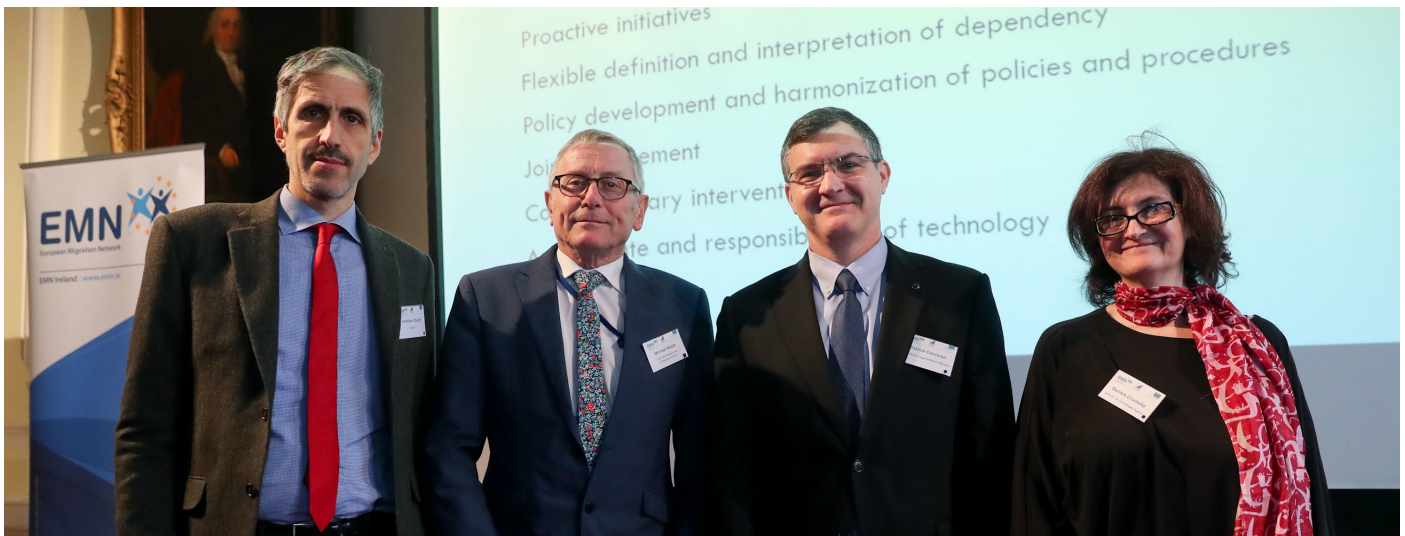
Speakers from international organisations, Ireland and other EU Member States (Netherlands and France) and Irish policymakers and I/NGOs working in the field in Ireland spoke over three thematic sessions – International context; Family reunification law and policy in the EU Member States; and Family reunification in Ireland.

Opening remarks

Reflecting EMN Ireland's links with the overall mission of the Economic and Social Research Institute (ESRI) to produce research to inform evidence-based policymaking, the conference was opened by **Professor Alan Barrett, Director, ESRI**.

In his introduction, Professor Barrett thanked the EMN team for their work and acknowledged the contribution of the Department of Justice and Equality in their ongoing support to the work of EMN Ireland.

Session 1: International context

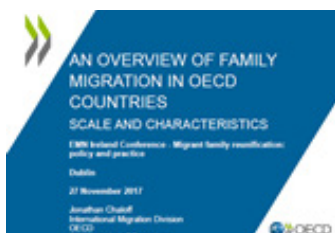


Jonathan Chaloff, Michael Walsh, Patrick Corcoran, Daniela Cicchella

This session was chaired by **Michael Walsh, Immigration and Citizenship Policy Division, Irish Naturalisation and Immigration Service**. Speakers from the OECD, IOM and UNHCR presented on the international context to family migration policies.

Chairperson Michael Walsh introduced the session by drawing out the link between the conference topic and the impact of the migration crisis. He referred to the three strands of the EU's response to the migration crisis: provision of aid; developing legal pathways for migration towards the EU; and protection.

Presentations



An overview of family migration in OECD countries: scale and characteristics

Jonathan Chaloff, Organisation for Economic Co-operation and Development (OECD)



Migrant family reunification at IOM: programme solutions

Patrick Corcoran, International Organization for Migration (IOM)

[Link to IOM video](#)



Refugee family reunification

Daniela Cicchella, UNHCR, the UN Refugee Agency

(no slides)

REFUGEE FAMILY REUNIFICATION | DANIELA CICCHELLA
UNHCR



Session 1: International context

An overview of family migration in OECD countries: scale and characteristics

Jonathan Chaloff, Directorate for Employment, Labour and Social Affairs, OECD



This presentation emphasised that family migration drives migration more than labour migration or protection. **Of the 4.5 – 5 million people who migrate to OECD countries, the largest share move for family reasons.** Figures in

the presentation showed that, in the United States, 72% of migration is for family reasons. **In Ireland the proportion is 42%.** These figures exclude free movement. About 50% of free movement flows are for family reasons.

The presentation also pointed to the current standardised definition for family reunification – where family reunification is always linked to a sponsor. This can be ambiguous – as the first family member moves for ostensibly labour reasons and it is the second family member accompanying or joining that is counted as a migrant for family reasons.

Migrant families are also formed in different ways – family members may accompany the sponsoring migrant; may be admitted following admission of the sponsor based on a pre-existing relationship (family reunification); or may be admitted on the basis of a new family relationship with the sponsor (family formation). In France most family migration is family formation reflecting the longer-established migrant communities. In Spain and Italy, by contrast, most family migration is family reunification. Integration outcomes vary for family migrants – in general family migrants have poorer language skills than labour migrants.

The presentation also showed that there are many different family relationships covered – 10% of marriages in OECD countries are between a citizen

and a foreigner; international adoptions are in decline but still significant, and channels exist for reunification with parents and grandparents in some but not all countries.

Family migration has many drivers – for example, in the US, naturalisation is the main driver for family migration. The presentation highlighted the different sponsor profiles in the United States – spouse, child, sibling and parents of US citizens accounted for 64% of sponsor applications in 2015 while, in Germany, child of foreigner and partner of foreigner accounted for 62% of the total.

At State level, the need to attract talent is key in developing attractive family migration policies. Most OECD countries lift restrictive conditions for sought after categories of migrant – for example, age limits, integration requirements or language tests. In Germany, spouses of high qualified labour migrants don't have to pass a language test. Restrictive family reunification policies can be damaging in competitiveness in attracting talent – for example, highly educated migrants tend to have highly educated spouses/partners and job opportunities are a factor in choosing a destination.

The presentation argued that family members of skilled migrants could effectively double the contribution of labour migration to the skilled workforce and that the labour market outcomes for spouses are closely linked to the likelihood that skilled migrants will stay in a host country. Possible responses to address this could include “welcome packages” for spouses and direct access to language classes for family members. While the family migration framework in Europe is generally favourable, there are factors to increase attractiveness including better integration policy.

The presentation referenced recent OECD research: **International Migration Outlook 2017.**

Session 1: International context



Migrant family reunification at the International Organization for Migration (IOM): programme solutions

Patrick Corcoran, Facilitated Migration Services, Department of Migration Management, IOM



Presentation on the practical perspective of implementing a programme solution from many years of operational experience of IOM in facilitating migration.

for consideration of the implications of the family unit on migration and society – including acknowledging the contribution of migrant families; and moving away from the tendency in research and policy debates to focus on individual rather than family units and on an economic perspective. The findings pointed to the need for more studies and research on the impact of migration on the family unit and the need for enhanced data.

The IDM found that there was a need to acknowledge the human dimension of family migration and that government policies should be guided by a rights-based migrant centred approach. The IDM also considered that family reunification policies targeted at youth should promote access to employment and education opportunities.

The presentation also pointed to family reunification considerations which should be considered as part of the Global Compact on Safe, Orderly and Regular Migration which is to be agreed in 2018. The Global Compact should consider the significant increase in family migration – especially women and youth

This presentation argued that definitions of family reunification are key – for example, IOM definition and EU definition of family reunification are different and a lack of common definitions can hinder progress.

Key findings from IOM's International Dialogue on Family Migration (IDM), which was held in 2014 were presented. The IDM found that there is a **greater need**

and evidence based policies are needed to tackle the negative implications of separated families and vulnerable individuals.

The presentation outlined IOM's Facilitated Migration Services which provide services along the migration continuum including: help with documentation; movement assistance; counter-trafficking; health assessments; DNA sampling; pre-departure orientation and assisted voluntary return. Examples included a project in Ghana where IOM assist children trafficked in country to be reunited with their families and the US 'T visa' programme for trafficking victims.

As a best practice example, the presentation described the Family Assistance Programme for Germany. The German programme has run since summer 2016, and the primary applicants are Syrians or Iraqis – mainly Christian and Yazidi. The context was the surge in family reunification applications in Germany and increased waiting times at consulates. Once the current two year stay on applications from subsidiary protection beneficiaries ends in March 2018, this will put further pressure on the system. Germany approached IOM with the need to provide for order and disrupt the smuggler business model in particular in relation to female refugees; 80% of principal applicants under the programme are women. Germany shares the names of those eligible with IOM and IOM provides a one-stop shop for formalities and arrangements. This is mostly linked to applications at consulates. Almost 30,000 families (just over 80,000 beneficiaries) have been assisted under the programme so far.

The presentation finished with a short video telling the story of three little Syrian boys who were reunited with their father in Germany, via the IOM programme, after a two-year separation. Their mother had died on the refugee route and the father's message was if there had been safe and legal routes, his boys would have their mother today.



Session 1: International context

Refugee family reunification

Daniela Cicchella, UNHCR, the UN Refugee Agency



Daniela Cicchella has worked for more than 22 years for UNHCR all over the world. She is currently working in Jordan.

The presentation emphasised the impact of the refugee situation on Jordan.

The population of Jordan is 6 million and 700,000 refugees are hosted. These refugees come from 42 different nationalities. **30% of Syrians in Jordan have family links outside Jordan – in the Gulf countries or in 20 European countries, including Ireland.** Family

separation occurs at different stages along the refugee journey. Family reunification barriers and a perception that the rules are complex and expensive lead to further separation.

The presentation emphasised that protection is key. Factors that lead to a protection need for Syrians include the prolonged conflict; multiple displacement; dispersed families; different asylum systems and the destruction of civil registries in Syria.

The presentation focussed on family reunification as a safe and legal solution. It noted that the Syrian pull factor to Europe is not very strong – it is more of a push factor due to conditions in Jordan such as lack of access to free medical care. The presentation also noted the prevalence of spontaneous returns among Syrians – 7,000 returned from Jordan in

2016. Syrian students have also changed their areas of study to specialise in areas which will help them eventually return. UNHCR has noted that increased UNHCR resettlement has reduced secondary movement.

The presentation emphasised that UNHCR is ready to assist governments in becoming more engaged with family reunification and the presentation pointed to pilot projects with Sweden and Austria. It also gave the example of a technology project – Application for Integrated Protection Solutions – an anti-fraud pilot project with the United States. This combines the Iris biometric obtained by UNHCR in the camps with fingerprint records held by governments and has allowed for a reduction in fraud.

Over 2015 and 2016, UNHCR Jordan resettled 56,000 refugees worldwide – 8% of the refugee population in Jordan. UNHCR consider that other solutions are needed – labour mobility; scholarship schemes and interagency coordination with other migration agencies and NGOs.

In summary, UNHCR consider that there is a need for:

- family reunification policies to be protection focussed;
- a flexible definition and interpretation of dependency;
- proactive initiatives;
- harmonisation of policies and procedures;
- joint engagement between relevant actors;
- complementary interventions; and
- appropriate and responsible use of technology.

Session 2: Family Reunification and policy in the EU Member States



Emma Quinn, Samantha Arnold, Julie Wington, Hans Lemmens, Tamara Buschek-Chauvel

This session was chaired by Emma Quinn, Head of EMN Ireland at the Economic and Social Research Institute. This session included a comparative presentation on family reunification policies in Ireland seen in an EU context and presentations from representatives from the Netherlands and France on policies on non-EU national family reunification in those respective Member States.

Presentations



Family reunification of non-EU nationals: Ireland in an EU context

Samantha Arnold, EMN Ireland, Economic and Social Research Institute



Family reunification of non-EU nationals in the Netherlands

Hans Lemmens, EMN NCP Netherlands, Immigration and Naturalisation Service, Netherlands



Family reunification of beneficiaries of International Protection in France

Julie Wington, Direction Générale des étrangers en France, Ministère de l'Intérieur (General Directorate for Foreign Nationals in France, Ministry of the Interior)



Session 2: Family Reunification and policy in the EU Member States

Family reunification of non-EU nationals: Ireland in an EU context

Samantha Arnold, EMN Ireland, Economic and Social Research Institute



This presentation showed that family migration flows are lower in Ireland than elsewhere in Europe. At EU level first residence permits granted for family reasons was 30% in 2011 - 2015. **In Ireland this figure was 9%.**

Ireland had the second lowest proportion of permits for family reasons, only higher than Poland at 1%. Whereas Croatia, Greece and Luxembourg has almost 60% first permits for family reasons. **However in 2015, 26% of total residence permits in Ireland were for family reasons.**

The Syrian Humanitarian Assistance Programme introduced by the Irish Government in 2014, was a once-off time bound scheme in response to the crisis in Syria. Out of applications made on behalf of 308 persons, 119 persons were granted permissions to reside in Ireland, for an initial period of two years. Significant differences exist between Ireland and the EU in terms of legislation on family reunification. Ireland, does not participate in the EU Family Reunification Directive (2003/86/EC). In Ireland, two systems operate – family reunification for non-refugees granted on the basis of ministerial discretion and in accordance with policy guidelines set out in the *INIS Policy Document on Non-EEA Family Reunification and family reunification* in the context of international protection which is governed by the International Protection Act 2015.

In relation to non-refugee family reunification, Ireland is similar to most EU Member States in extending the scope of family reunification beyond the nuclear family. Ireland is among a few Member States to accept applications from partners in a *de facto* family relationship.

Ireland is similar to other EU MS in requiring applicants to fulfill requirements in relation to health insurance and minimum income. Unlike many other Member States, accommodation does not normally form part of the assessment of an application in Ireland. Ireland has a different approach to other Member States in

allowing only restricted access to the labour market to some family members. Ireland's approach is similar to other Member States in allowing only restricted or no access to social assistance payments to family members.

In the protection context, the International Protection Act 2015 provides for a clear legal entitlement to family reunification for nuclear family members, and no financial requirements are imposed on the sponsor. There is a twelve month time limit for applications.

Other EU MS have introduced restrictions on the right to family reunification for beneficiaries of subsidiary protection. Germany and Sweden have introduced temporary bans on applications from subsidiary protection beneficiaries and Cyprus and Malta do not provide family reunification for this category. The definition of family member in the International Protection Act 2015 is confined to the nuclear family and to marriages/civil partnerships subsisting prior to the asylum application.

The definition of family member for unaccompanied minors is broader in the EU Family Reunification Directive – including first degree relatives of the child 'in the direct ascending line' and legal guardians or any other member of the family where the child refugee has no family in the direct ascending line or where they cannot be traced. The UK is the only Member State which does not allow for family reunification for unaccompanied minors.

The former legal regime, the Refugee Act 1996 included provision for consideration of applications from other "dependent family members". Dependent family members can now make applications under the *INIS Policy Document on non-EEA family reunification*.

Challenges in the Irish family reunification regime, highlighted by NGOs, include onerous and costly requirements for some applicants; no targeted integration supports available for family members; protracted periods of separation, cultural and language differences; and poor access to adequate housing. Integration supports were emphasised as key after arrival.

Session 2: Family Reunification and policy in the EU Member States



Family reunification of third-country nationals in the Netherlands

Hans Lemmens, EMN NCP Netherlands, Immigration and Naturalisation Service, Netherlands



This presentation looked at family reunification schemes for both beneficiaries of international protection and non-protection related applicants in the Netherlands.

Some 44,000 applications for

family reunification were lodged in the Netherlands in 2016 - 12,549 for regular family reunification and 31,683 for asylum family reunification. The top three nationalities of applicants were **Syria and Eritrea (asylum family reunification) and India (regular family reunification)**. The figures include both cases with a Dutch sponsor and cases with a Third Country National sponsor. Due to the high influx of asylum applicants in 2015, there is a backlog in asylum related applications with around 15,500 applications open in May 2017.

The presentation set out some differences between the Dutch policy for asylum related family reunification applications, which are part of the asylum procedure, and regular family reunification applications. More favourable conditions apply to an asylum family reunification application made within three months – for example, no fees; no income requirement; no compulsory civic integration examination abroad; and a broader range of eligible family members.

The Netherlands operates a ‘one-status system’ where refugees and beneficiaries of subsidiary protection receive the same residence permit with the same rights. Their family members receive that same status with the same rights if they apply within three months. This leads to better integration of beneficiaries of subsidiary protection.

Third Country Nationals residing lawfully in the Netherlands on certain residence permits (excluding seasonal workers, interns, exchange students) can act as sponsors. Sponsors have to be over 21 years of

age, except in the case of asylum family reunification and of unaccompanied minors.

Some family members beyond the nuclear family are eligible under asylum family reunification whereas the regular family reunification scheme is confined to partners and minor children. Ineligible family members have the possibility to apply for a residence permit under article 8 of the European Convention on Human Rights - right to family life, for example grandparents. These are exceptional cases.

Sponsors must be able to demonstrate financial sufficiency, set at the applicable national minimum wage, and demonstrate it is sustainable over a period of time. Most family members need an entry visa (not applicable to asylum family reunification) and the assessment process is based on the application for the entry visa. There is a legal time limit of 90 days for assessing an application, extendable by a further 90 days. Due to the high asylum influx in 2015, there is a backlog of applications and the average processing time in December 2016 was nine months. There are legislative proposals on the table to extend the maximum decision period from six to nine months and to extend the time limit for submitting an asylum-related application from three to six months. Fees apply to applicants for the regular family reunification stream. A DNA test or identification interview can be offered by the Dutch authorities in cases where there is good reason for a lack of documentary evidence of the family link.

A particular requirement of the Dutch system is the civic integration examination which takes place abroad. This exam must be passed for the family member to receive an entry visa. The test comprises a language test in Dutch at level A1 of the Common European Framework of Reference for Languages (CEFR) for both speaking and reading skills, and knowledge of Dutch society integration test is designed to be a hurdle, and requires preparation and time investment by the applicant, as its purpose is to prepare for integration in advance. Free online courses are available.



Session 2: Family Reunification and policy in the EU Member States

Family reunification of beneficiaries of International Protection in France

Julie Wington, General Directorate for Foreign Nationals, France



This presentation focused on France's family reunification scheme for beneficiaries of international protection only. The scheme includes refugees, beneficiaries of subsidiary protection and stateless persons.

The law of 29 July 2015 introduced family reunification of refugees into the Code on Entry and Residence of Foreign Nationals and Right of Asylum. Family reunification of refugees existed before this law but the law of 2015 recognised family reunification as a specific right, different to regular family reunification without prior conditions. **In 2016, 88,000 first residence permits were issued in France for family migration - of these 11,000 permits¹ related to family reunification as a whole (including refugees).** In 2016, for example, less than 4,000 visas were granted to family members of refugees out of total applications of 6,700. The top three nationalities of family members of beneficiaries of international protection to whom visas are granted are **Syria (16%), Sri Lanka (15%) and the Democratic Republic of Congo (12%).**

The number of issued visas has not followed the trend of the increasing number of granted international protections since 2015. This is due to the fact that France has developed the use of processes such as resettlement and relocation in order to allow whole families to come to France. The profile of refugees arriving in France following the 2015 migratory crisis has also changed, with a large proportion of single persons without children who are excluded from the family reunification entitlements. Furthermore, the new legal framework implemented by the law of 29 July 2015 has excluded marriages concluded after the asylum application from the simplified family reunification process. There has also been an increasing number of frauds in some countries of origin. The family reunification framework applies the same

way to refugees, beneficiary of subsidiary protection or stateless sponsors. A simplified regime applies, as opposed to regular family reunification – these sponsors are not subject to a prior duration of legal stay, resources or accommodation requirements.

Eligible family members of the sponsor are: spouse or civil partner (over 18) whose marriage or civil union took place prior to the asylum application; non-married partner (over 18) if a sufficiently stable and continuous cohabiting relationship existed prior to the asylum application; unmarried children from this relationship (under 19); unmarried children from a previous relationship of the sponsor or spouse (under 18) and parents if the sponsor is an unmarried minor. There is no scope for dependent family members as there is no definition of “dependent person” in the French legislation.

The application for family reunification is submitted as part of a long-stay visa application by the family members to the French diplomatic or consular post closest to their home in their country of origin. The assessment is carried out jointly by the consulate and Ministry of the Interior (Office for Refugee Families) and the decision is taken by the consulate. The legal time period for assessing applications is two months. This period may be extended to four months, renewable once if checks on civil status documents are needed. The reason for refusals is if the family relationship cannot be established. The French authorities may also reject an application on ground of public security or if the sponsor does not comply with the essential principles that govern family life in France (monogamy, equality between men and women, compulsory school attendance etc.).

A main challenge for France is proof of identity and evidence of a family link. Family members often come from countries where administration and civil registries are poor or destroyed. In such a situation, the identity and the family relationship may also be established by other documents. It was clarified that France does not generally use DNA testing – only in cases where ordered by a judge. However, such identification is strictly regulated by French legislation.

¹Out of a total of 227,550 first-time residence permits issued in 2016.

Session 3: Family Reunification in Ireland



John Roycroft, Susan McMonagle, Brian Merriman, Fiona Hurley

This session was chaired by John Roycroft, Irish Refugee Protection Programme. Representatives from the Irish Naturalisation and Immigration Service; Nasc: the Irish Immigrant Support Centre and UNHCR Ireland presented on responses to family reunification in Ireland from the State, NGO and IGO perspectives.

Presentations



International Protection and family reunification in Ireland

Brian Merriman, Irish Naturalisation and Immigration Service



Family reunification – A view from the coalface

Fiona Hurley, Nasc: The Irish Immigrant Support Centre



The Travel Assistance Programme – Effective access to family reunification

Susan McMonagle, UNHCR Ireland



Session 3: Family Reunification in Ireland

International Protection and family reunification in Ireland

Brian Merriman, Irish Naturalisation and Immigration Service



This presentation outlined the new provisions for family reunification under the International Protection Act 2015 and drew comparisons with more restrictive rules in place in other EU Member States. It

outlined progress under the Irish Refugee Protection Programme, in particular in relation to resettlement. The presentation set out the proposals for the new **Family Reunification Humanitarian Admission Programme (FRHAP)**, which was announced on 14 November 2017. The presentation also explained why the Government had opposed the Seanad Private Members' Bill on Family Reunification which had been introduced during 2017.

The presentation outlined provisions of the International Protection Act 2015 in relation to family reunification, including the 12 month time limit, the definition of family member and the removal of the Minister's discretion for extended family members. It was stated that the more efficient processing of asylum applications under the single procedure would in turn lead to more timely reunification. The presentation drew parallels between the Irish scheme and the EU family reunification directive and rules and derogations in place in other EU Member States. For example, it argued that the time limit under the International Protection Act 2015, brings to an end a previously open-ended process, but the 12 month time limit is still more generous than the 3 months under the EU Directive. The presentation also highlighted that Ireland's family reunification scheme covers both refugees and beneficiaries of subsidiary protection in contrast with other EU Member States (i.e. Germany, Austria and Sweden) who have introduced temporary derogations from the right to family reunification for beneficiaries of subsidiary protection. While there has been criticism about the removal of the Minister's discretion for extended

family members under the new international protection legislation, the presentation pointed out that applications for family reunification for these persons can be made under the INIS Policy Document for non-EEA family reunification and the Minister has the discretion here to waive economic conditions for humanitarian reasons.

The presentation also updated on progress on admissions under the Irish Refugee Protection Programme in relation to resettlement. To date **758 refugees have been admitted from Lebanon (54% children). Commitments of 600 per year on resettlement have been made for 2018 and 2019.** The Private Members' Bill on Family Reunification introduced in 2017 sought to amend the International Protection Act 2015 and reinstate the right to family reunification for extended family members. The presentation explained that the Government had opposed the Bill due to its open ended nature, whereby there would be significant and unquantifiable impacts on housing and other State supports.

The presentation outlined that the Family Reunification Humanitarian Assistance Programme, announced in November 2017, would address the issue of family reunification for some family members who would fall outside the scope of the International Protection Act 2015, and who come from ten conflict zones on the UNHCR list. The scheme will provide for up to 530 family members to benefit from reunification over the next two years. In order for as many families to benefit as possible, sponsors will be asked to prioritise a small number of family members for admission. Due to pressure on housing, priority may be given to sponsors who can meet the accommodation needs of their family members. Further announcements are expected in the coming weeks.

The presentation concluded that the reforms to family reunification made under the International Protection Act 2015 allow the State to respond to ongoing and future crises by way of resettlement and other forms of humanitarian admission.

Session 3: Family Reunification in Ireland



Family reunification – A view from the coalface

Fiona Hurley, Nasc: The Irish Immigrant Support Centre



This presentation looked at family reunification in Ireland from the viewpoint of an NGO working with migrants at ground level. Nasc – the Irish language word for link – has worked with 20,000 people

over the last seventeen years, and supports 900+ people annually. Nasc’s work with service users provides the evidence base for its advocacy and campaigning work.

Family unity is a core part of Nasc’s work with service users. Nasc work with both beneficiaries of international protection under the statutory scheme and with other non-EEA migrants applying under the INIS Policy Document on non-EEA family reunification. Snapshots from Nasc’s client statistics show that there was a **big surge in international protection clients in 2016 (102 compared with 70 in 2015 and dropping to 39 in 2017) and a surge in family reunification visa applications in 2017 (91 to November). Syria was the top nationality for new enquiries from 2016 to November 2017 at 37%**. When applications are granted, 2 – 3 people per refugee sponsor are granted on average.

Nasc noted that the removal of extended family members from the scope of family reunification under the International Protection Act 2015 has been devastating for families. A particular issue is the situation of adult teenage children who are not eligible under the Act. Such children can make applications under the administrative scheme but Nasc has noted that the application process is not very sympathetic.

The presentation cited a number of excerpts from visa correspondence with applicants including, for example, (to a displaced person in Syria):

“You have not provided evidence to show that you are unemployed/have no private means/cannot access state supports/do not qualify for a pension etc.”

Nasc conclude that the requirements of the visa application process are a blunt instrument for dealing with vulnerable persons affected by the Syrian conflict. Overall challenges in the family reunification schemes include inconsistent and slow-decision making, lack of legal aid for family reunification type applications and lack of an independent appeals process.

Through its Safe Passage Campaign, Nasc advocate for safe and legal pathways to Ireland including community sponsorship schemes. Nasc was very supportive of the Syrian Humanitarian Assistance Programme (SHAP) and saw its benefits and the negative effects on those left behind after it closed. The recently announced FRHAP scheme was welcomed as a future development.

Nasc has piloted a community sponsorship model. The presentation gave the example of the Nasc partnered community project - Wicklow Syria appeal – which has run from 2016 to date. This scheme assesses and selects a suitable family, secures residence permissions to get them to Ireland, and support the family, the sponsoring group and the wider community, once the family arrives in Ireland. To date this has been found to be a positive experience.

The presentation also referred to the Concordia Summit in 2017 – Concordia is an international non-profit organisation focussed on building ideas for social partnerships to address global issues, and foster a holistic approach to addressing the Sustainable Development Goals.



Session 3: Family Reunification in Ireland

The Travel Assistance Programme – Effective access to family reunification

Susan McMonagle, UNHCR Ireland



This presentation described the **Travel Assistance Programme** which has been in operation since 2006 and since 2015 is run in **partnership between UNHCR and IOM Ireland in cooperation with the Irish Red Cross (IRC)**. The programme aims to

provide effective access to family reunification for refugees and beneficiaries of subsidiary protection in Ireland. The programme funds the travel of persons granted family reunification to Ireland and includes costs for medical checks, medical escorts and unaccompanied minors where necessary. Many persons granted family reunification still face significant barriers in being reunited with family e.g. in relation to costs, obtaining visas and travel documents, travel routes and the need for specialised supports for medical cases.

The IRC collect information from the applicant (i.e. the protection beneficiary in Ireland) on eligibility criteria in relation to income, travel documentation and vulnerabilities. The application is checked against these eligibility criteria by UNHCR Ireland. If both offices agree that the case is potentially eligible, a travel quote is sought from IOM. This quote includes travel-related costs, medical screening and escort costs for medical cases and unaccompanied children. If the case is eligible and travel ready and funds are available, the IRC and UNHCR agree to fund. Funding is confirmed to the family and IOM arrange the travel.

However, the process is rarely simple. Travel readiness is key. Family members are considered travel ready when they have a passport or other travel document; Irish entry visas have been obtained; exit permissions are secured and paid for if necessary; visas may also be required for escorts. This process can take months. UNHCR and the IRC cannot allocate funding until the family is travel ready, but families often don't want to invest in applying for visas and travel documents until they are relatively sure of funding.

UNHCR, IOM and the IRC work very closely together on travel documents, exit permissions and travel routes in cooperation with colleagues in the field. Travel documents are a huge issue as most families benefiting from the

programme are also displaced outside of their country of origin. International Committee of the Red Cross travel documents are the most commonly used but not always available. A welcomed development in the International Protection Act 2015, is that Irish travel documents can be issued to qualified persons and family members. These can be issued to families abroad with the assistance of Irish embassies for €80.

Funding is essential and without it, many families would take out unmanageable loans to cover travel costs. Many protection beneficiaries will have spent years in the asylum process without access to the labour market and may remain in receipt of social protection payments on obtaining protection; therefore, savings are limited to non-existent. Funding is unpredictable and it is not simply a case of first come, first served. Vulnerable or urgent cases can get priority. IRC must manage family expectations when funding is short.

Over 430 individuals have received assistance to travel to Ireland since 2008 (120+ cases). In 2017, 13 Syrian families were assisted (39 individuals). These persons were travelling from Syria, Lebanon and the UAE. The length of time from the grant of the family reunification application to arrival in Ireland was 2 to 8 months and the length of family separation varies from 17 months to 3 years and 1 month. For other nationalities, 20 families from a wide range of countries, including DRC, Somalia and Afghanistan, received assistance. In this category, the period from grant of the application to arrival varied from 1.3 to 16.5 months and the length of family separation varied from 2 years and 1 month to 14 years.

The demand for the programme is expected to continue in 2018. Feedback from beneficiaries is they would not know what to do without the funding provided under the programme. There is renewed anxiety among applicants due to the 12 month time limit for family reunification applications and time limits for the arrival of families under the International Protection Act 2015. The Programme also supports family tracing cases (11+ cases). It can be difficult for protection beneficiaries to apply within the 12 month time limit if family members cannot be traced. UNHCR welcomes the new FRHAP as a positive development. Estimated expenditure in 2017 is €129,000, up from €79,000 in 2016. Average expenditure per applicant is €720, which includes costs for cases that require medical escorts etc. The key need is for stable funding to ensure assistance can continue and to provide certainty to families.



Publications



Family reunification of non-EU nationals in Ireland

Authors: Samantha Arnold and Emma Quinn

Available to download: www.emn.ie



Family Reunification of Third-Country Nationals in the EU plus Norway: EMN Synthesis Report

Available to download: www.emn.ie

More information

Conference presentations

All conference presentations are available to download: www.emn.ie/emn/nationalnetwork.

Conference programme

Conference programme including speaker biographies is available to download: www.emn.ie/emn/nationalnetwork.



EMN Ireland
Economic and Social Research Institute
Whitaker Square
Sir John Rogerson's Quay
Dublin 2, Ireland

Tel: +353 1 8632000

email: emn.ireland@esri.ie

Web: www.emn.ie

Twitter: @ESRIDublin #EMN Ireland #ESRIevents



EMN Ireland is co-funded by
the European Union and
the Department of Justice and Equality.

