

Family Reunification of Refugees

Summary of key points

- Reunited refugee families should be a goal across all immigration and settlement strategy and policy.
- Refugee family reunification is good settlement strategy. United and reunited refugee families are better able to focus on key settlement priorities such as language acquisition, education and employment opportunities than separated and dispersed families.
- Refugee family reunification is also increasingly recognized as an implied right across human rights instruments and obligations, rather than an afterthought for refugees to resolve for themselves.
- New Zealand's current refugee family reunification pathways leave too many former refugees either with no options at all for reunification, or struggling with the financial burden, mental and emotional anguish, and isolation of forced separation due to conflict and persecution. Refugee reunification raises the quality of life for New Zealand based refugees and gives their arriving family members a head-start on becoming included in New Zealand life because their loved one is already here.
- There are opportunities for increasing refugee family reunification within the existing UNHCR refugee quota programme, the two tiers of the Refugee Family Support Category, and an extension of the CORS pilot.
- Churches are deeply involved and committed to supporting refugees across all immigration pathways. We wish to contribute to the development of better refugee family reunification policies and practices.

Refugee family reunification as a government and community priority

We welcome and support the priority given to reviewing family reunification as a priority of the Confidence and Supply Agreement between the Labour and Green Parties to: *(18). Review, and adequately fund and support, the family re-unification scheme for refugees.*

Church communities are deeply involved in supporting refugees across all refugee immigration pathways. We are daily witnesses to the ongoing anguish and trauma of separated families unable to achieve reunification with close loved ones still living in frightening and vulnerable situations,

and we are also witnesses to the joy and security which results from bringing separated refugee family members together again in New Zealand. Reunited families contribute to good resettlement outcomes and strong communities, while delayed reunification or ongoing separation have negative impacts on settlement.

We welcome the political attention focused on increasing UNHCR refugee quota programme numbers and to implementing a community sponsorship pilot. These requests have been made by churches among many voices in the community. However, it is also urgent that refugee family reunification policies and pathways are reviewed and addressed to match these commitments.

Without this, the increase in the UNHCR refugee quota programme and introduction of community sponsorship could potentially exacerbate current policy problems, and result in an even longer tail-end of unmet need. Church leaders, together with our agencies and communities, wish to contribute to the development of better refugee family reunification policies.

Background

Churches welcome government commitments to humanitarian support of refugees including: the announcement of an increase in the UNHCR refugee quota programme to 1500 places by 2020; an indication that numbers within the Refugee Family Support [category could also rise from the current limit of 300 a year](#); the opening up of new resettlement opportunities in regional centres including Dunedin and Invercargill; and support for the Community Organisation Refugee Sponsorship (CORS) pilot.

Church communities are strongly committed to supporting refugee resettlement. Support for the UNHCR refugee quota programme includes preparation of homes for new arrivals, such as: the combined efforts of the Catholic and Anglican Dioceses of Wellington which have collected household goods and set up 242 homes for 749 refugees in the past three years; the involvement of many church members as Red Cross refugee support volunteers assisting with resettlement for the first six months; and the extensive involvement of churches in new settlement centres such as Dunedin.

Support for Refugee Family Reunification has included direct financial support to refugees with the costs of applications and airfares, such as the \$1.7 million dollars raised for this purpose by the Wellington Refugee Family Reunification Trust, and the provision of housing such as by the Sisters of Compassion, Sisters of St Joseph, Anglican Diocese of Wellington and Catholic parish of Wellington South. Churches have been involved in extensive dialogue with government about private community sponsorship, including through this Church Leader forum with the Prime Minister in 2016 and 2017, and all approved organisations under the pilot CORS scheme are from Baptist or Catholic groups. *A formal proposal for continuation of the CORS pilot has been sent to the Minister of Immigration from Anglican, Baptist and Catholic groups.*

Reunited families as good refugee resettlement strategy

The positive impacts of refugee family reunification, and the negative impacts of delayed or unresolved refugee family reunification, have been well documented. For example:

- Changemakers Refugee Forum, Refugee Family Reunification Trust, Wellington Community Law Centre and Wellington Refugees as Survivors reported in their [2008 report on Refugee Family Reunification in Wellington](#) that 31 families supported by the Refugee Family Reunification Trust to reunite in New Zealand with family members left behind overseas, 93 percent were discharged from specialist refugee mental health services once they had been reunited with their family.
- [Choumanivong et al \(2014\)](#) similarly reported from their 2011 New Zealand based study that 85 percent of participants reported family reunification issues as the paramount obstacle to their successful resettlement. Their study also noted:
 - Despite provisions in place to support their individual resettlement, participants reported feeling continuously unsettled without key family members left behind. Only once the family became again a unified entity could the health and wellbeing of its members be properly supported.
 - Supporting family members remaining in vulnerable situations and finding money for the costs of family reunification were more urgent priorities for NZ refugees than their own settlement needs. Once a family is reunified, members are in a better financial position, and able to focus time and energy on critical resettlement priorities such as language acquisition, obtaining employment and community involvement.
 - However, prolonged separation/delayed reunification, especially between children and parents, often leads to greater adjustment difficulties, requiring more intensive support in the long-term once families are finally reunited.

Other countries give a higher priority to refugee family reunification as an overall objective of refugee immigration channels and settlement plans than does New Zealand.

For example, Canada, which has provided the private sponsorship model for New Zealand's CORS pilot, has prioritized "United families" as an overall Strategic Outcome of all Canada's refugee resettlement and assistance programmes. This includes government assisted refugees and privately sponsored refugees.

A 2016 evaluation of Canada's programme showed 62 percent of privately sponsored refugees, and 35 percent of government assisted refugees surveyed had family links. Strategic outcome 2 of the

overall Canadian strategy is: “Family and humanitarian migration that reunites families and offers protection to the displaced and persecuted”.

In contrast, New Zealand’s [refugee resettlement strategy](#) does not mention family reunification at all.

Refugee family reunification as a human rights obligation

Until recently, relatively little attention was paid to the human rights obligations around refugee family reunification, as it is not specifically mentioned within the text of the Refugee Convention. However, two factors which have caused greater attention currently by courts and human rights bodies in Europe and the United States include the United States 2017 travel ban on people from Muslim countries, which separated families and blocked family reunification of many refugees, and European restrictions on family reunification during the 2015-16 asylum crisis.

A [UNHCR discussion paper](#) points out that the adoption of the 1951 Refugee Convention followed the adoption of the 1948 Declaration on Human Rights which recognized the family as “the fundamental group unit of society”, entitled to special attention and assistance, and the 1949 Fourth Geneva Convention which covered a number of rights of families who had been dispersed and separated by war. Additionally, the 1951 UN Conference on the status of refugees and stateless persons which adopted the 1951 Refugee Convention also agreed a specific recommendation:

“Considering the unity of the family...is an essential right of the refugee and that such unity is constantly threatened, it recommends Governments to take the necessary measures for the protection of the refugee’s family, especially with a view to ensuring that the unity of the family is maintained.”

The recognition of the family as the fundamental unit of society is recognized in many other international human rights instruments, including the 1966 Covenant on Civil and Political Rights and 1989 Convention on the Rights of the Child.

While the current legal and human rights cases in the United States and Europe are continuing, and are not necessarily binding in our context, they point to a deeper understanding of our obligations to support refugee family reunification than is currently apparent in New Zealand.

In contrast to these international examples, refugee family reunification appears to be a private obligation in New Zealand, an after-thought to selection and resettlement of refugees, with refugees and their communities left to find scarce resources for complex applications, airfares and local support, to meet this need themselves. Some find this an impossible hurdle to overcome.

Opportunities within the current refugee immigration categories

UNHCR refugee quota programme

Although 300 places are potentially earmarked within this category for family reunion and family-linked cases, we understand that in the 2017-18 year only 62 places were used for this purpose. (Note that the detailed spreadsheet given this breakdown previously available at <https://www.immigration.govt.nz/documents/statistics/statistics-refugee-quota-arrivals> has been replaced with a much simpler fact sheet that no longer gives this breakdown). These places are limited to children and spouses, or parents of dependent children, which is too restrictive to fill all of these dedicated places, while many isolated families are left to wait in the Refugee Family Support Category queue. As the UNHCR refugee quota programme numbers rise, we recommend that this number increases and is fully used resolving the huge tail of unresolved refugee family reunification needs. Attention needs to be given also to UNHCR resettlement selection processes, which appear to send a disproportionate number of adults alone and separated family units to New Zealand.

Refugee Family Support Category

This is also limited to 300 places per year, and by contrast is oversubscribed. As Tier 1 applications (for refugees alone with no other adult relative) get priority, this means Tier 2 applications (for refugees already with at least one adult relative in New Zealand) have a significant queue of up to four years and have only been open for 3 days since 2012. This leads to a huge amount of anguish and uncertainty for refugees. These applications are privately funded, and arrivals do not receive official settlement support. Substantial relief would be given to refugees, without significant additional costs to government, by increasing the numbers admitted through both tier 1 and tier 2 of this category. This is a less costly process than providing additional UNHCR refugee quota programme places and can be expected to lift the quality of life of the sponsoring refugee.

Community Organisation Refugee Sponsorship

Family reunification was not included in the recent CORS pilot, but as noted above is a feature of the Canadian PSR (privately sponsored refugee) category, which has operated since the 1970s. The New Zealand government appears to have taken as a model for the CORS project the much more recent Canadian BVOR (Blended-visa office-referred) category, which does not include family reunification. Canadian academics and commentators have expressed concern about the exclusion of family reunification from this category, saying that a technical exporting of the Canadian model will not work without participation and equitable practices that respect family reunification. (Hyndman et al. (2017). [The state of private sponsorship in Canada](#), Toronto University.)

New Zealand commendably accepts UNHCR recommendations of some of the most vulnerable, traumatised and urgent cases in refugee camps for resettlement in this country, rather than “cherry-picking” the most employable refugees. However, this same vulnerability that resulted in a recommendation for resettlement often becomes a barrier to family reunification in which the most deserving and needy situations are the most disadvantaged. For example, an isolated former refugee mother alone with children in New Zealand, who may have been selected for resettlement because of sexual violence or physical injury, sometimes faces what appears to be an insurmountable barrier to raise funds and obtain application documentation, medical records and interviews to bring a similarly-placed vulnerable sister, mother or aunt to New Zealand. However, when this is achieved, the settlement outcomes are improved for both parties, as the NZ based refugee gains support, and the incoming relative moves into a household or community where support is already available to them. This process could be improved by ensuring that family groups are selected in the first place, or if the UNHCR refugee quota programme is used to its full capacity to ensure family groups are reunited as quickly as possible.

Conclusion

Church Leaders and advisors welcome the intended review of refugee family reunification policies. We wish to continue dialogue and practical contributions to the development of better family reunification policies and pathways for all refugees.