

Statement on the occasion of the World Refugee Day – 20 June 2013

Caritas Europa calls on the EU to ensure effective right to family life for all refugees

On the occasion of the World Refugee Day, Caritas Europa calls on the EU and its Member States to fully ensure access to family reunification for all refugees.

To Caritas Europa, the right to family life is one of the pillars of human rights. Access to family reunification is an essential element in ensuring the protection and integration of refugees. To improve access to family reunification for refugees, Caritas Europa calls for better implementation of EU rules. The purpose of these rules is to assist families to enjoy family life in one country, but some EU Member States have repeatedly failed to apply accordingly.

“It is important to acknowledge that in times of war or a difficult humanitarian situation, it may be impossible to obtain travel and civil status documents. Some groups of refugees, such as Somali and Afghans, are currently highly discriminated in the process of reunification,” says Jorge Nuño-Mayer, Secretary-General of Caritas Europa.

“Various practical reasons may prevent refugees from submitting their application within three months after being granted their status, such as lack of documents or family tracing. In our view such a provision is highly problematic as it may make it impossible for refugees to enjoy their right to family reunification for reasons that are beyond their control. Member States must handle the three months limitation with great care,” he says.

Family reunification should be granted to ALL refugees, also humanitarian refugees.

As the European Commission is currently drafting interpretative guidelines to enhance interpretation of the Directive, Caritas Europa wishes to reiterate its concerns with regards to access to family reunification for **ALL** refugees.

“Whilst humanitarian refugees are not explicitly included within the scope of the EU Directive, this instrument offers the flexibility to guarantee the right to family reunification to humanitarian refugees under the same favourable rules as for other refugees. Based on best practices, Caritas Europa calls on all EU Member States to grant similar rights to humanitarian refugees as any other beneficiary of international protection,” says Daphné Bouteillet-Paquet, policy officer on migration and asylum issues at Caritas Europa.

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To the Editor: Background information:

Caritas Europa is a network of 49 Caritas organisations in 46 European countries. As one of the leading Civil Society Organisations on the issue of family reunification, Caritas Europa has repeatedly called on the European Commission and the EU Member States to guarantee the effective right to family life and family reunification for all migrants and refugees. We believe that it is in the interest of Member States to harmonise practices and legislation in the field of family reunification as part of the integration agenda. The primary objectives of the [Directive 2003/86/EC](#) on the Right to Family Reunification are to facilitate and enable family life and, as clarified by the European Court of Justice, to promote family reunification. Above all the ‘derogation clauses’ included in this instrument cannot violate the right to family life in line with Article 8 of the European Convention on Human Rights and Article 7 of the EU Charter on Fundamental Rights. In practice, third-country nationals should enjoy procedures for family reunification that are **accessible, affordable, proportionate, timely, and attentive to their family’s specific needs and circumstances.**

[Caritas Europa](#) is a network of 49 Caritas organisations working on the ground in 46 European countries. They address the challenges being faced by those who are vulnerable on a daily basis. Caritas organisations are present and active in every country in Europe, with well-developed national and local structures directed at assisting the poor. Caritas Europa has a heartfelt commitment to analyse and fight poverty and social exclusion; and to promote true integral human development, social justice and sustainable social systems in Europe and throughout the world.