

FAMILY REUNIFICATION

Ensuring stateless people can be reunited with family members

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What's the Issue?

Barriers to stateless persons reuniting with family members can **violate the right to family life** and sometimes leaves family members in **dangerous situations**, at risk of other **human rights abuses**. For example:

- Stateless people who have **no documentary proof of family relationships** because they were denied access to marriage or birth registration are more likely to be required to undergo DNA testing, which they may not be able to afford and/or which may require them to attempt long and/or dangerous journeys to testing facilities.
- **Stateless family members are at heightened risk of being unable to legally cross borders** to attend an embassy interview, due to lack of documents. In some cases, this may force them to undertake dangerous journeys and cross borders without permission.
- **Stateless people are at heightened risk of long delays** in family reunification, because of lack of documents and other complications, which in some cases results in family members becoming desperate and seeking to reunite through irregular and dangerous routes.

What can I do as a frontline refugee practitioner?

The 4 Rs: Recognise, Record, Refer, and Read up!

1. Recognise statelessness and related challenges in family reunification

Do not assume that everyone has a nationality or that everyone who is stateless knows they are stateless, or that the statelessness of an applicant or their family member will have been identified in refugee [screening](#) or [status determination](#) processes. Consider barriers that stateless persons may face in family reunification, such as lack of proof of family relationships due to statelessness, and look for ways to overcome them.

2. Record statelessness or indications of statelessness

If you identify a person's statelessness or possible statelessness, record this important information on any paperwork relating to this person. If a form does not have fields allowing you to accurately record statelessness or indications of statelessness, make a note somewhere on the form about it, so that there is a record. Make sure you inform the person of this and that it may be important for them in future. Also keep copies of any relevant documents in your file.

It would also be helpful to ask your organisation to include ways to accurately record (risk of) statelessness on all relevant forms.

3. **Refer people to get expert advice, support, and information**

Identify organisations that specialise in statelessness and nationality in your country of work and see if they can help. Some of [our members](#) may be able to assist. Download and use our [guide/poster](#) for refugee response actors and our [short guide](#) for refugees and asylum seekers.

4. **Read up** about statelessness and family unity and reunification. There's some more information below, and more on our websites (links below). Learn more about statelessness and family reunion here:

- [From Syria to Europe](#) (Section 4)
- [Double jeopardy – Syria's Stateless Palestinians](#)
- [UNHCR's Self-Study Module on Statelessness](#) (p 95)

What needs to change at policy level?

- States should guarantee equal access to the right to family life by ensuring that **laws and policies provide for equal access** to family reunification for stateless persons and their family members.
- States should ensure that **family reunion procedures make allowances for the specific circumstances of stateless refugees and family members**, offering flexibility and assistance where needed.
- States and other organisations involved in family reunification should raise awareness through **training regarding documentation and evidential difficulties** for stateless people in various contexts.
- **States should not require family members to undertake unaffordable or risky journeys** to facilitate family reunification and should offer reasonable alternatives.

More background information on the issue and additional resources

Some states lack legal provisions for the reunification of stateless persons with family members. In some States, there is a gap in legal provisions for reunification of stateless persons who have not been granted refugee status but were rather granted protection / a residence permit through a statelessness determination or other procedure. Some states have provisions for stateless persons' family reunification in law but have neglected to create an application form/procedure for this. Even if unintentional, this may create a barrier for stateless persons to be reunited with family members. Some states have provision in law for reunification of only certain family members (usually dependent children and spouses/partners). As with refugees more broadly, States should consider reunification of additional family members and the concerned persons' right to respect for family and private life under **Article 8 of the European Convention on Human Rights** (and other relevant law).

Inflexible procedures and time frames for family reunification procedures can mean that [deadlines are missed and procedures must be reinitiated](#). This is inefficient for all involved and stressful and/or dangerous for stateless persons. Stateless family members who lack identity or travel documents may be forced to travel irregularly to cross borders to attend embassy appointments to facilitate family reunification. Insecurity, lack of infrastructure, and other complications can mean they are delayed or unable to attend.

Get more information

[European Network on Statelessness](#)

[Stateless Journeys](#)

[Statelessness Index](#)

[UNHCR's Ending Statelessness site](#)

[UNHCR's Self-Study Module on Statelessness](#)

[Institute on Statelessness and Inclusion](#)

[Statefree](#)

Attend a course at the [Institute on Statelessness and Inclusion](#) or the [University of Melbourne](#).

Organisations in Europe can [contact ENS](#) about training opportunities. You can also [sign up to our mailing list/newsletter](#), follow us on social media (Twitter: @ENStateless) and support the [Stateless Journeys campaign](#).

'After all these months of waiting, we are very afraid that our relatives will still not be permitted to leave Syria and they will miss yet another appointment at the [Dutch] Embassy.... We want nothing more than to bring our mother and siblings here, but there are so many complications because we are stateless ...'

[~Stateless Syrian woman interviewed in the Netherlands](#)

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