

**Statement by Manuel Jordao, UNHCR Representative
at launch of RIS Position Paper on Family Reunification
in EU Parliament Office, Dublin - 30 July 2009**

Ladies and Gentlemen,

Before I begin, let me thank the Refugee Information Service for inviting UNHCR to speak here today.

I would like to start by expressing my appreciation for the excellent work carried out by the RIS in the fields of information, referral advice and advocacy for refugees, asylum-seekers and other persons of concern. Of course, I am also happy to report as well on a very good working relationship which developed in the last few years between the RIS and UNHCR. UNHCR looks forward to continue to work closely with the RIS Director and her excellent team on matters of common concern.

This Position Paper the RIS is launching today is an important continuation of the research conducted by the RIS in 2007 on family reunification procedural issues as well as on the broader issue of integration.

Among others, the RIS also puts together an interesting comparative analysis of certain aspects of the family reunification process in eleven other EU countries. This should allow us to identify examples of best practice in a broader EU context.

Even though UNHCR does not subscribe to a number of views and proposals for action put forward by the RIS in the context of the research work under consideration, we have taken good note of the main findings and do support a significant number of recommendations and policy considerations outlined in the position paper.

We agree, of course, on the need to ensure that State Parties to the 1951 Convention and other international human rights instruments will take the necessary measures to secure the unity of the family of those persons found to be in need of international protection.

I am sure that there is also a very large consensus that family reunification is a key factor of success in the complex process of one's integration in a new society.

As the position paper reports, even though there has been some progress in the last few months in the processing of family reunification applications, further aspects will warrant review.

As you are aware, with regard to the existing legal framework, UNHCR made specific recommendations to the Department of Justice in its written observations to the 2008 Immigration, Residence and Protection Bill.

Recommendations in relation to the procedure for family reunification included the introduction of a specific application format other than a visa application to apply for family reunification; to give special consideration in relation to issuance of travel documents facilitating the travel to the State for family members who may not be able to obtain a national passport; to introduce exceptions to parts of the visa sections of the Bill including requirements of documentary evidence, if applicable to family reunification; and the possibility of having an appeal or have a review of a decision not to grant family reunification.

In discussions with Department officials in charge of family reunification UNHCR has promoted solutions to ensure timely processing of applications. These recommendations included fast tracking of decisions for family reunification of family members for which the Minister does not have discretionary power under Section 18 of the 1996 Refugee Act (as amended), and the granting of derivative refugee status to family members residing with a recognised refugee in Ireland.

In our opinion, the other key topics for improving family reunification in Ireland may very well be:

- the issue concerning the definition of what is a “valid marriage” and the problems involving *de facto* unions, religious and traditional marriages;
- the problem posed by current requirements concerning the proof of kinship for refugees;
- the tendency to limit the right to family reunification to immediate family members and children under 18 and of rejecting cases of dependent family members;
- the status of a reunited couple after divorce; and

- the provision of material assistance for reunification in cases with limited resources.

We can also state our interest in clarity around the right to family reunification of refugees who were granted Irish citizenship and would hope this point could be taken into consideration by the authorities when they resume work on the Bill.

Ladies and gentlemen,

I have found Ireland to be a country that has a very high commitment to promoting the rights and freedoms seen in the Universal Declaration of Human Rights.

Despite the difficult environment in which we are all working these days, I remain optimistic about the future of the asylum in Ireland, the value given to refugee rights and refugee integration in this country. The same feeling extends to the way the authorities have been willing to discuss with us the ways to best secure the implementation of the principle of refugee family unity.

UNHCR has, of course, noted the still recent reinforcement of the number of staff working on these matters. There is a significant backlog, which can't be overlooked.

We must, therefore, I believe, continue to work with the authorities in this domain.

I thank you for your important contribution.