

***Exiled and separated:
a symposium on refugees challenges to reunify with their families***

25th January, 2018

University of Antwerp

The Council Directive 2003/86/EC of 22 September 2003 on family reunification states that “special attention should be paid to the situation of refugees on account of the reasons which obliged them to flee their country and prevent them from leading a normal family life there. More favourable conditions should therefore be laid down for the exercise of their right to family reunification”.

Although most European states allow refugees to access a facilitated procedure (in terms of economic and housing standards), scholars and practitioners point out that the time frame, the documents required as well as the economic resources needed for the procedure make family visas inaccessible for many refugees.

This seminar brings together legal scholars, sociologists, anthropologists and practitioners to discuss current difficulties and possible ways ahead. We invite all those interested in the topic to join us for a fruitful day of lectures and discussions.

Programme

2.45-3.00 pm: Initial remarks by CeMIS Director, Prof. Christiane Timmermann

1. 3.00-4.00 pm

**Paola Bonizzoni
Department of Social and Political Sciences
University of Milan**

Regulating and accessing family reunification: towards increasingly “earned” rights?

Over the last decade, a growing scholarship have shown how family reunification rights have undergone increasing restriction in most EU states. An increasingly problematized construction of immigrant families – depicted as obstacles, rather than sources for immigrants’ integration – focusing on “deviant” (e.g. fake, arranged, forced, polygamous...) marriages and intergenerational relationship (e.g. “transnationally ruptured” parenting, children’s’ poor educational results...) has accompanied and often justified the introduction of increasingly selective requirements, stratifying the right to family life across migrants’ categories (e.g. national citizens, skilled, refugees...). As income, residence or housing proofs, civic and/or civic integration tests are asked to both sponsors and reunifying relatives, the right to family life is increasingly something to be earned for through repeated “proofs” of deservingness, stratifying it along lines of gender, ethnicity and class/cultural capital. The paper explores the main tools introduced to manage this phenomenon across Europe and reviews the main research findings showing the ambivalent (and often counter-productive) impact of these measures.

2. 4.00-4.30pm

Dirk Vanheule
Department of Law
University of Antwerp

The legal framework of refugee family reunification: European regulations and the Belgian case

The speech will describe the main legal provisions pertaining refugees and family reunification at national and European level. It will look into the tensions between legal possibilities for family reunification and the practical issues in reality, thus providing an overview of the main challenges and the solutions sought in the Belgian context.

3. 4.30-4.45 Q&A

4. 4.45-5.00 Coffee Break

5. 5.00 -5.30

Astrid Declercq
MYRIA- Federal Migration Centre

Family reunification with beneficiaries of international protection in Belgium: obstacles and recommendations.

Persons in need of protection who have been forced to flee their country, often had to leave their family behind. In most cases, a family reunification procedure is then the only way to ensure and resume their family life in all safety. Worry about their family and the negative impact of the separation on their well-being, often keeps beneficiaries of international protection from starting the integration process in their host country Belgium. However, from a practitioner's point of view, a range of practical and legal barriers often seem to hinder the family reunification procedure. Concrete examples from the Belgian context illustrate such barriers, such as challenges to file an application in the country of origin, time limits to file an application, and strict conditions. Additional obstacles include a narrow definition of "family members", complex humanitarian visa procedures, the complexity of proving family links, the financial cost and lack of information. Some recommendations will shed light on how to effectively realize the right to family life, taking into account the specific needs of refugee families.

6. 5.30-6.00

Milena Belloni
CeMIS, University of Antwerp

Ahmad Wali Ahmad Yar
Center for European Policy Studies, Brussels

Exiled and separated: The impact of national regulations and asylum laws on Eritrean and Afghan refugees' family reunification practices in Belgium

Most European states allow recognised refugees to access a facilitated procedure to reunify with their family members. Many studies, however, highlight how timing, documentation and economic requirements often make family reunions extremely difficult, if not impossible. Even though this gap between legal norms and actual practice has been widely documented, little theoretical reflection has emerged on its structural reasons. Drawing from ongoing fieldwork among Eritrean and Afghan refugees in Belgium, this paper shows that most difficulties arise from the incoherence of two systems, which regulate refugee and family matters. The asylum regime assumes that refugees have no contact with the institutions of their country of origin - as these are considered to be the persecuting actors - whereas the visa requirements push them to contact their national embassies to provide the mandatory documentation. As we illustrate through our case studies, these contradictory expectations produce a wide range of implications. On the one hand, refugees are caught between everyday challenges of integrating in the new country while being subjected to family expectations and their own aspirations to family lives. On the other hand, public officers are endowed with varying degrees of administrative discretion. Through the conceptual lens of sociological ambivalence, our study analyses how Afghan and Eritrean refugees navigate divergent expectations from different legal and organisational apparatus (i.e. the asylum regime and national visa systems) and from their own families and communities.

7. 6.00-6.30

Questions and debate

8. Reception and refreshments