



The Long Road to Reunion: making refugee family reunion safer

Policy, Research
and Advocacy

#EveryRefugeeMatters

The power
of kindness

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Contents

Glossary	2
Executive summary	3
Key recommendations	4
Introduction	5
The current policy context	5
Research aims and methods	7
Findings and analysis	9
Part 1: The journey	12
Journey experience	12
Risks and mitigating actions	13
Impacting factors	15
Part 2: Procedures: current and good practice	25
Procedural context	25
The impact of Tuberculosis Testing (TB)	25
Current practice and good practice	26
Conclusion	30
Recommendations	31
Recommendations for the Home Office	31
Appendices	34

Glossary

- **Biometrics** are a record of your physical characteristics for identification purposes – in this case it is normally the fingerprints and a photograph which are taken (and for under 5-year-olds only the photograph).
- **ECO** is an Entry Clearance Officer, a Home Office civil servant responsible for assessing visa applications.
- **ETM** is the Emergency Transit Mechanism, a mechanism under which UNHCR can move people quickly out of a particular crisis situation. The mechanism was used to evacuate refugees out of Libya to UNHCR camps in Niger.
- **Family member** is the visa applicant, who is the partner or child of the sponsor and travels to the UK to be reunited.
- **FAP** is IOM's Families Assistance Programme, a German Government-funded project which provides full support to family reunion applicants from Syria and Iraq.
- **FRSP** is the Family Reunion Support Project of the British Red Cross.
- **FRTA** is the Family Reunion Transit Assistance Project of the British Red Cross.
- **RFR** is the Refugee Family Reunion Visa enabling refugees to be reunited with their family members without the conditions of non-refugees, such as income requirements.
- **Sponsor** is the person who has been granted refugee status in the UK and applies for their family members to be reunited with them in the UK.
- **Third Country** is a country which is neither the country of origin nor destination and can be synonymous with country of transit in the context of making visa applications.
- **VAC** is the Visa Application Centre, which is run by a commercial partner of the Home Office, to provide their front office services for managing the visa application process. Clients will often call this the embassy, and VACs will often sit inside or close to the British consular presence.
- **IOM** is the International Organisation for Migration.
- **UNHCR** is The United Nations High Commissioner for Refugees.

Executive summary

When a person seeking safety has successfully claimed asylum and been granted refugee status in the UK, they are then legally entitled to be reunited with their immediate family members through a family reunion visa.

The purpose of the refugee family reunion visa is to uphold the principle of family unity and the rights of refugees to be reunited with their closest relatives. These provisions, set out in the UK's immigration rules, are in theory an important safe and legal way for families who have been separated by war, violence and persecution to reunite. They should allow for relatives of refugees to come to the UK safely, preventing the need for dangerous journeys.

This report focuses on a key part of the application process for a family reunion visa, when the family members overseas must access a UK Embassy or Visa Application Centre (VAC)¹ to complete the submission of an application and then later to collect their decision. We conclude that, instead of being a safe route to reunion, for too many families this process puts people in danger.

The family members applying for a visa are frequently vulnerable individuals. As family members of refugees, they are often escaping similar situations themselves, or are in danger simply by being a relative of a refugee. They may be living in conflict zones, in hiding, in unstable areas and/or displaced. Since 2010 nine out of every ten applicants have been adult women and children (33 and 58 per cent respectively)², meaning they face additional threats such as sexual violence and high child mortality.³

Accessible, safe and prompt family reunion procedures reduce exposure to the dangers of migration and also demand for smugglers and the situations where people traffickers thrive. Whilst the British Red Cross continues to advocate for a family reunion process that is straightforward, efficient and swift in order to reunite families safely, in practice the reality is sadly far from that.

As well as being complex, this report highlights how the requirements of the application process for family members abroad can put them at risk. It can often require them to make several dangerous and expensive journeys — sometimes across borders — with no assurance their application will be successful once they reach their destination.

For this research, the British Red Cross surveyed 100 refugees living in the UK about their family members' experiences of applying for a family reunion visa. Following the survey, nine in-depth interviews were conducted with reunited families. Some of the families experienced a relatively straightforward journey to the VAC; mainly those living within the vicinity of a VAC or those who could reach a centre within a few hours.

However, nearly half (49 per cent) faced difficult journeys. Some had to come out of hiding in order to make a journey fraught with danger. For those who had to cross conflict zones or closed borders, the protection concerns escalated. Many travelled through areas with checkpoints controlled by opposition groups, militia or authorities, and each time they had to show their identity they feared the very real risk of being captured or detained.

Applicants also faced significant barriers and dangers due to current procedural requirements. In 2019, almost two thirds of refugee family reunion visas in the UK were granted to relatives from Eritrea, Sudan, Iran and Syria - all countries where travelling to a VAC usually presents serious dangers.

We found that applicants must make multiple trips to VACs during the application process to submit biometrics, their passport and, if successful, collect their visa. The nearest VAC may be hundreds of miles away, and some of the countries such as Syria and Eritrea have no VAC in country at all. Many of the applicants also had to make an additional journey to a Home Office approved clinic for Tuberculosis screening, which may also require long journeys and border crossings.

1 VAC is the Visa Application Centre, which is run by a commercial partner of the Home Office, to provide their front office services for the visa. Clients will often call this the embassy, and VACs will often sit inside or close to the British consular presence.

2 Percentage calculated from Home Office Immigration Statistics on Refugee Family Reunion

3 Anne Musuva (2015) Women and children are the most vulnerable in a weak health systems. Health Systems Global. <http://healthsystemsresearch.org/hsr2016/women-and-children-are-the-most-vulnerable-in-a-weak-health-system/>. [Accessed November 2018]

4 Please see detailed recommendations below.

5 Biometrics are a record of your physical characteristics for identification purposes – in this case it is normally the fingerprints and a photograph which are taken (and for under 5-year-olds only the photograph).

Applicants making unauthorised border crossings to complete current visa requirements had the highest price to pay financially and in terms of threats to their personal safety. In order to cross borders, research participants reported applicants' dependence on smugglers (1 in 5 had to use smugglers on part of their journey). Most of these trips were undertaken at night, increasing vulnerability, and could involve several days of walking along deserted routes through difficult terrain. One woman told us how she travelled for days by camel, having to keep her children awake through the night so they didn't fall off during the journey.

Some applicants were unable to return to their point of origin or home following their first trip to the VAC and instead were in refugee camps, temporary accommodation or staying with friends or family while they waited for the outcome of their application.

While there is no fee to apply for a refugee family reunion visa, a family's financial situation significantly impacted their experience. Those with fewer resources either faced not being able to complete their application at all or had to take greater risks to do so.

Travel costs are only one of many costs incurred during the family reunion process, throughout which the sponsor will usually be supporting both themselves and their family on a very low income. Many were reliant on help from other relatives and friends at some stage of the journey and some also took out loans from illegal lenders, creating additional risks. Even after reaching a VAC, many people faced additional hurdles as they didn't have the ID required to enter to complete their application.

The current Covid-19 epidemic has further highlighted the difficulty in applying for, and obstacles in obtaining, a visa for refugee families with VACs and borders across the world closing and travel becoming increasingly difficult. These hurdles have left families separated for prolonged periods of time — Home Office Statistics from April to June 2020 show that there was a 94 per cent drop in family reunion visas granted compared to the first three months of the year.

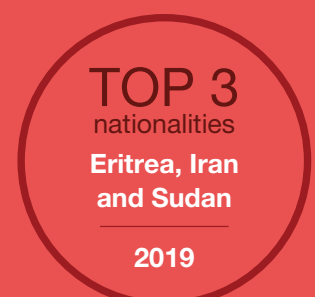
Key recommendations⁴

In her speech to the Conservative Party Conference in October 2020, Priti Patel, the Home Secretary, said the UK would welcome people through safe and legal routes. Refugee family reunion should be one such route, enabling families separated by war, violence and persecution to be together again. However, the operation of the route currently leaves too many family members facing unnecessary and dangerous journeys.

The British Red Cross believe that straightforward changes to the application process, as set out below, will result in refugee families being able to be reunited safely and quickly, allowing families to get on with rebuilding their lives together in the UK.

To achieve this, we recommend that the Home Office should:

- 1. Only require family members overseas to travel to a Visa Application Centre to submit their biometrics after a provisional positive decision has been made. Refusals should be sent by email and not require a journey to the Visa Application Centre.**
- 2. Be flexible in when and how biometrics⁵ are required to be submitted if a family is unable to reach a Visa Application Centre safely.**
- 3. Allow TB tests to be undertaken after family members have arrived in the UK, rather than requiring them in advance of travel.**
- 4. Allow flexibility of ID requirements for entering a Visa Application Centre and obtaining a TB certificate.**



Introduction

The British Red Cross has been supporting families to reunite in the UK for over 20 years. Our family reunion services offer a range of support across the UK, including: integration support, legal advice and travel assistance. In partnership with the International Organisation for Migration (IOM), we finance and arrange the travel for some family members who have been granted Refugee Family Reunion visas to the UK.



The British Red Cross has witnessed the positive impact of family reunification on the well-being of the refugee and their integration into society.

Refugees torn apart from their families as they flee war and persecution can face treacherous journeys in their search for safety. Having reached safety and received recognition as a refugee, they long to reunite with their loved ones and hope their family members won't have to complete the same difficult journey. The Refugee Family Reunion immigration rules provide a legal pathway that enables families to be reunited.

Previous research from the British Red Cross has focussed on the financial and legal complications that many refugees face while seeking to reunite

with their families in the UK.⁶ This research focusses on the risks faced by applicants outside the UK due to procedural requirements during the Refugee Family Reunion visa application process. The Refugee Family Reunion Visa is based on the principle of refugees' right to family life, thereby providing a regular route for the family of recognised refugees to reunite in the UK. In principle, it enables them to travel safely and legally. The reality, however, is stark and the current process forces many applicants to put their lives at risk.

In order to complete an application for a Refugee Family Reunion visa, applicants must follow several steps which require their physical presence at a Visa Application Centre⁷ (VAC), the commercially-run provision of front office visa services for the Home Office overseas. VACs are not found in every country and, for many individuals, this journey can be long, costly and dangerous.

The majority of Refugee Family Reunion applicants are vulnerable individuals. As family members of refugees, they are often escaping similar situations themselves. Living in conflict zones, in hiding, in unstable areas and regularly displaced; the intrinsic safety concerns of their precarious lives escalate when considering around 90% of applicants are women and children.

The current policy context

In the current context of multiple protracted refugee crises and with 30.2 million refugees and people seeking asylum around the world,⁸ it is vital to improve access to safe and legal pathways for refugees.

The UK's Refugee Family Reunion visa is one of the few regular routes to the UK open to refugees' family members. Under the UK's immigration rules, adult refugees are able to sponsor their spouse/

6 Beswick, J (2015) Not so straightforward: the need for qualified legal support in refugee family reunion. London: British Red Cross. <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/refugee-support/not-so-straightforward-refugee-family-reunion-report-2015.pdf>.

7 Visa Application Centres are run by the Home Office's commercial partners TLScontact and VFSglobal. They act as the front office of the Home Office visa processing and carry out some of the steps required in the process, which were previously carried out by UK consular presences. Clients quoted in the research who mention 'the embassy' are referring to the VAC, which in some cases is located inside the British embassy.

8 UNHCR (2020) Global Trends: Forced Displacement in 2019. UNHCR <https://www.unhcr.org/globaltrends2019/> [Accessed August 5, 2020]

partner and any dependent children under the age of 18 to join them. Despite this visa relating to the family members of people who have been granted refugee status, the Refugee Family Reunion visa application process generally does not reflect this, and instead is more similar to other visa routes such as applications to work in the UK. As a result, the application process does not safeguard against, or recognise, the vulnerabilities and exceptional circumstances these families are in.

Refugee Family Reunion rules in the UK

The eligibility criteria for refugee families seeking to reunite in the UK are set out in Part 11 of the Immigration Rules.

A person with refugee status in the UK may be reunited with:

1. Married or civil partners
2. Same-sex partners or unmarried partners
3. Children (aged 17 years and younger at the time of application)

The relationship between the sponsor in the UK and the partner abroad must begin prior to the sponsor's flight from their country of "former habitual residence" and the relationship must still be subsisting. They must also show they have the intention to live together permanently.

Organisations such as the British Red Cross, UNHCR, UNICEF, Amnesty, Refugee Council and others have called for an expansion of these rules to make it easier for families to be reunited.⁹ Political awareness of the restrictions to family reunion for refugees has progressively increased in recent years. During the progress of the Immigration Act 2016 and the current Immigration and Social Security Co-ordination (EU Withdrawal) Bill through parliament, several amendments were tabled and debated seeking to expand eligibility for refugee family reunion.

In addition, in June 2017 a Private Members' Bill was introduced in the House of Commons that made proposals for expanding the eligibility criteria and reintroducing civil legal aid for applications. The bill, which has been supported by a range of charities and NGOs, successfully passed its Second Reading in 2018 but was unable to complete its passage within the Parliamentary session. The same Private Members' Bill has been introduced once again in the current 2020 Parliamentary session in the House of Lords.

Unfortunately, as research has demonstrated, the visa process is far from simple and fails to offer the straightforward route to reunion it is supposed to be.¹⁰ Visa processing procedures were reviewed by the Independent Chief Inspector of Borders and Immigration (ICIBI) in 2016, who, in a report, set out ten recommendations for the Home Office to improve its current practice.¹¹ The report's main recommendation was for the Home Office approach to be more protection-centred when dealing with the families of refugees. None of the recommendations dealt specifically with the

9 British Red Cross (2019) <https://www.redcross.org.uk/about-us/what-we-do/we-speak-up-for-change/improving-the-lives-of-refugees/refugee-family-reunion>

10 Beswick, J (2015) Not so straightforward: the need for qualified legal support in refugee family reunion. London: British Red Cross. <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/refugee-support/not-so-straightforward-refugee-family-reunion-report-2015.pdf>.

11 Independent Chief Inspector of Borders and Immigration (ICIBI) (2016) Inspection report of family reunion applications, September 2016 <https://www.gov.uk/government/publications/inspection-report-of-family-reunion-applications-september-2016>

topic of this report but any changes made by the Home Office in response to the ICIBI report should improve the overall process. In September 2018, the Chief Inspector published a re-inspection as a follow-up to the report¹² finding that, although all of the recommendations had been accepted two years ago, progress was “moving far too slow given the profound impact on the lives of families seeking to be reunited.”¹³ However, more recently, a number of changes to the family reunion process have been introduced, including welcome steps to allow documents to be uploaded through an online system and the transfer of decisions on refugee family reunion applications from the visa section of the Home Office to a dedicated family reunion team within the asylum unit. In his most recent inspection the Chief Inspector echoed the concerns raised in this report and recommended the Home Office to have more oversight of the operation of VACs and respond to practical obstacles such as:

“where they are located and whether alternative solutions (for example, mobile biometric clinics) may be required; the availability of free appointments; recognition of the particular circumstances of family reunion applicants, so that they are not met with unreasonable demands for documentation, return visits and fees.”¹⁴

In our 2015 report ‘Not So Straightforward: the need for qualified legal support in refugee family reunion’,¹⁵ we examined the breadth of the complexities and barriers built into the process of refugee families reuniting. While the report concentrated on those barriers which could be alleviated with the reintroduction of legal aid, the research also looked at the challenges faced by family members in reaching a VAC. It found that those surveyed who had to cross borders to reach a VAC (20 per cent of cases) “faced potential financial and security risks”.¹⁶ In light of these findings, the British Red Cross called for the UK

government to better acknowledge the existence of these difficulties and look into making changes to alleviate them. We recommended that the Home Office and Foreign and Commonwealth Office should:

Make the submission process safer for applicants by acknowledging the diverse protection and humanitarian needs of refugees’ family members who are seeking reunion.

Since ‘Not So Straightforward’ was published there has been no evidence of improvements on this issue, and British Red Cross refugee clients continue to report the challenges their families face in applying for a visa. This report therefore builds on those previous recommendations specific to the application process, to explore the current consequential risks and protection concerns that families face.

Research aims and methods

This research aimed to understand whether previously identified barriers to VAC access are still being experienced by families, and how this impacts on their ability to exercise family reunion rights and the safety of applicant family members. The aim was to build an up-to-date picture of the experiences of families journeying to and from VACs to facilitate a refugee family reunion application. We also wanted to understand the extent to which the policies of other countries in facilitating VAC access have allowed families to apply for family reunion safely.

As well as better understanding the impact of policies on refugee families, we wanted to know how sponsors and applicants are overcoming the many challenges faced in reuniting.

The research sample consisted of 100 families who have been supported through British Red Cross family reunion services, 98 of whom were

12 Independent Chief Inspector of Borders and Immigration (ICIBI) (2018) A re-inspection of the family reunion process, focusing on applications received at the Amman Entry Clearance Decision Making Centre https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/737724/Final_Artwork_Reinspection_Family_Reunion_Amman.pdf

13 Ibid.

14 Independent Chief Inspector of Borders and Immigration (ICIBI) (2020) An Inspection of Family Reunion Applications June – December 2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/924812/An_inspection_of_family_reunion_applications___June___December_2019.pdf



The Impact of Covid-19 on Refugee Family Reunion

In March 2020 the majority of VACs closed, borders were shut, and flight paths restricted because of the worldwide pandemic. This severely disrupted many who were applying for refugee family reunion as they were unable to reach a VAC in time or book a flight. The Home Office statistics released for quarter 2 of 2020 show that only 131 visas were granted in comparison to 2,006 in quarter 1 of 2020.

From June 2020 onwards, countries began to ease their lockdown policies and some VACs began to reopen and resume their services. However, crossing borders and using transport internally or via flight has become even more difficult and presents a further hurdle in the family's journey to the VAC. Many countries have imposed restrictions on travelling within the country, others have prohibited people from certain countries from entering and many flights are still not operational. The VACs that have opened have done so with limited capacity and are offering less appointments than before.

Additionally, countries continue to respond to changes in infection rates within their own countries, as well as rates in other countries. As a result, borders that have been reopened are liable to future closures, and routes that have reopened may be closed once again.

This pandemic has highlighted the need for the process to be changed. Requiring only those who would be granted a visa to attend the VAC to submit biometrics will not only reduce the dangers for the refugee families but also reduce the pressure on the VACs who do not have the capacity to meet the demand for their services.

recently reunited.¹⁷ Most of the surveyed applicants were women and children: commonly accepted to be vulnerable in contexts of instability and displacement, which nearly all applicants were at some stage of the process. The remainder were adult men who often faced different but no less significant risks.

The mixed methods study was compiled of:

- 100 questionnaires conducted with visa sponsors (the refugee family member in the UK), representing 215 applicant family members, to collect both quantitative and qualitative data.
- Nine in-depth interviews with reunited families (both sponsor and partner who has been granted a family reunion visa) to gain more detail about some of the commonly identified challenges.

- Informal interviews with Red Cross colleagues in the UK and other European countries to discuss the barriers they have identified through their work on family reunion
- Consultations and informal interviews with civil servants and staff of other organisations in the UK and internationally to identify feasible alternatives.

¹⁵ Beswick, J (2015) Not so straightforward: the need for qualified legal support in refugee family reunion. London: British Red Cross. <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/refugee-support/not-so-straightforward-refugee-family-reunion-report-2015.pdf>

¹⁶ Ibid.

¹⁷ Two families who participated had not managed to reach the VAC to submit their application

Findings and analysis

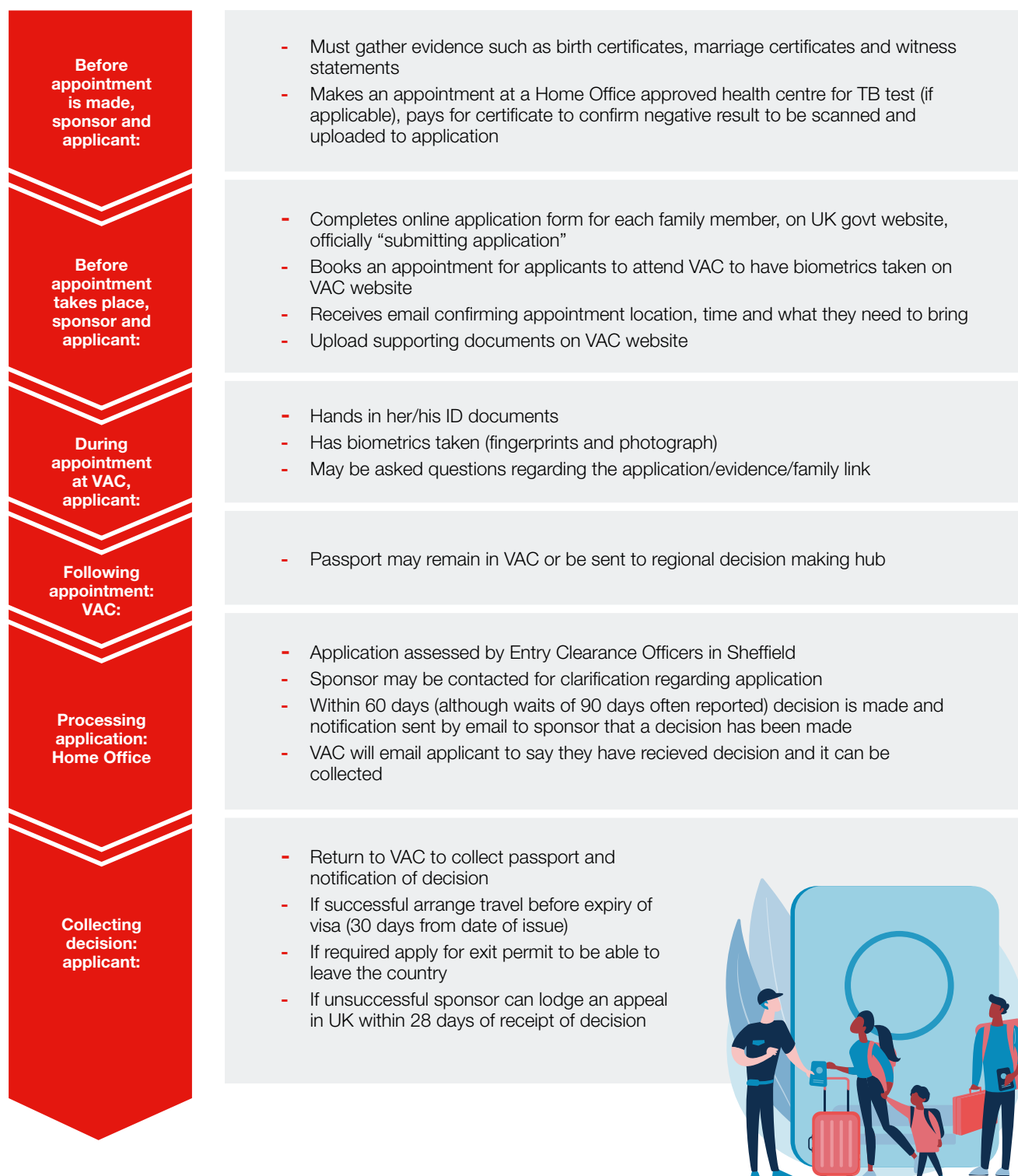
Subsequent to the research being carried out, some aspects of the family reunion application process changed in May 2019. Whilst these changes are welcome and have improved parts of the process they have not addressed the findings of this research. The following changes have been made to the process since this research in 2018 was completed:

- The online application form for families has been simplified and become less repetitive.
- At the time of the original research, sponsors had to send a physical application 'bundle' of documents to the applicant, who was required to deliver these originals to a VAC in order to submit the application. From Spring 2019, documents are submitted online and applicants are only required to take confirmation documents when they attend the VAC to have biometrics taken.

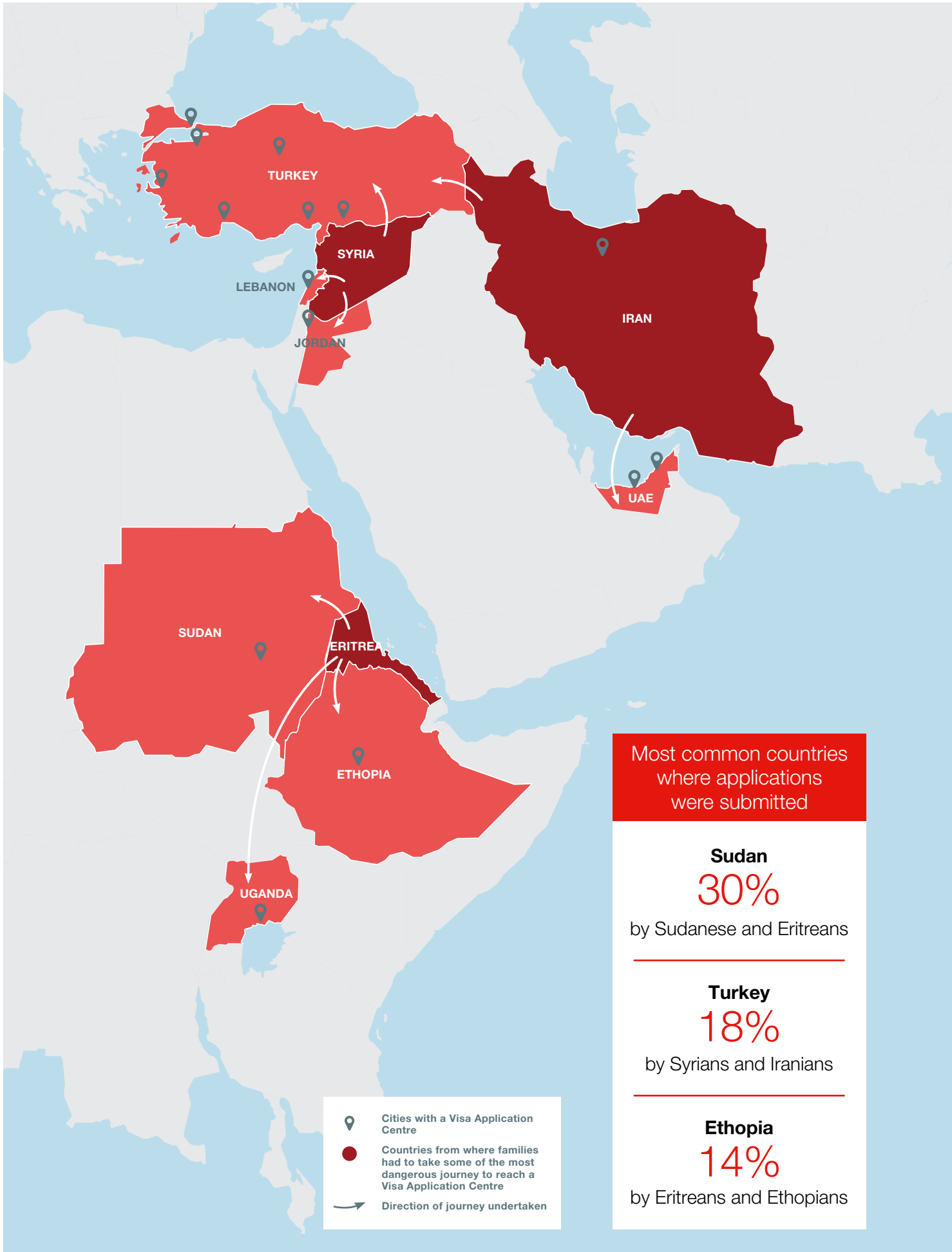
- At the time of research, sponsors had to book an appointment for the applicant and then register the appointment on the VAC website. After changes to the system, the registration is done automatically as part of the application process and appointments are now booked on the VAC website.
- Previously, sponsors were unlikely to be contacted for further information or clarification while the application was being considered. Recently, the Home Office has begun contacting sponsors when clarification is needed, recognising that this may reduce the need for appeals.

The diagram on the right outlines the steps of the family reunion application process after the changes outlined above.





* Gathering evidence is often a very complex, time intensive and costly process, as required documentation is often not available. For a detailed discussion of these challenges see 'Not-So-Straightforward: The Need for Qualified Legal Support in Refugee Family Reunion (British Red Cross, 2015)'

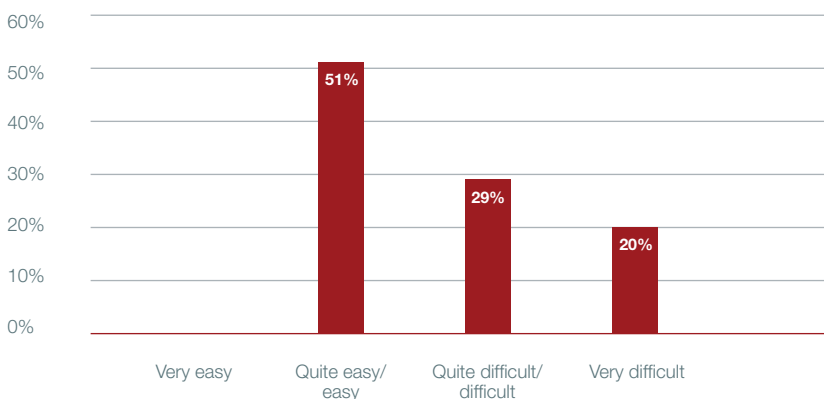


Part 1: The journey

Journey experience

Applicants were asked about the journey undertaken to reach the VAC including any involuntary breaks or delays to the journey, until they reached the VAC. Voluntary stops were excluded from the calculation.

How easy or difficult was the journey from their home to the embassy?

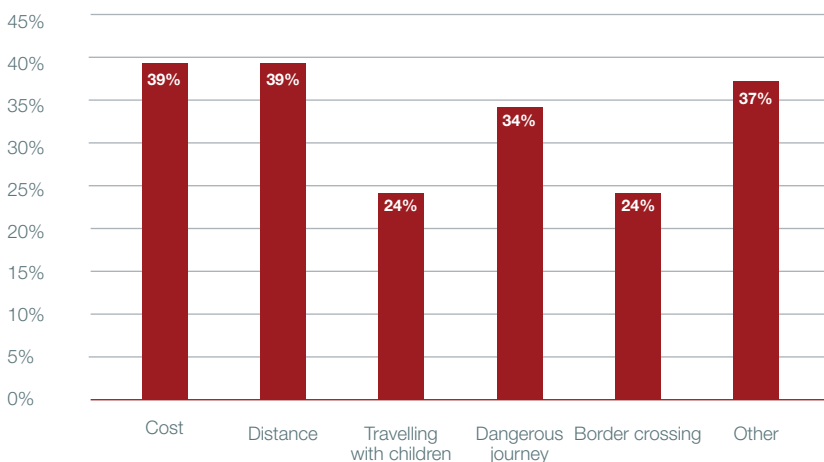


BASE: 97 respondents

Just over half (51 per cent) of families considered the journey to be 'easy' or 'quite easy', while 29 per cent found the journey 'quite difficult' or 'difficult.' The remaining 20 per cent reported it was 'very difficult'. No one reported a 'very easy' journey.

The main challenges posed by the journey to the VAC can be categorised as:

Challenges faced by families



BASE: 59 respondents

Of the 100 families surveyed



more than
8 in 10

were women with children, children travelling alone, or women travelling alone



13%

were men travelling alone, men travelling with children, adult siblings, or parents

The ages of children ranged from 11 months to 19 years

80%

were one of four nationalities: Iranian, Syrian, Sudanese or Eritrean, which are also the four main nationalities granted refugee protection in the UK

The start of most journeys to a VAC

were from **Eritrea, Sudan, Iran** and **Syria**

The associated cost, danger and distance of travel to VACs were some of the main challenges faced by families. Other challenges noted by families were language barriers, being in an unknown city and struggling with directions, and issues with lack of adequate public transport.

Risks and mitigating actions

Mitigating actions

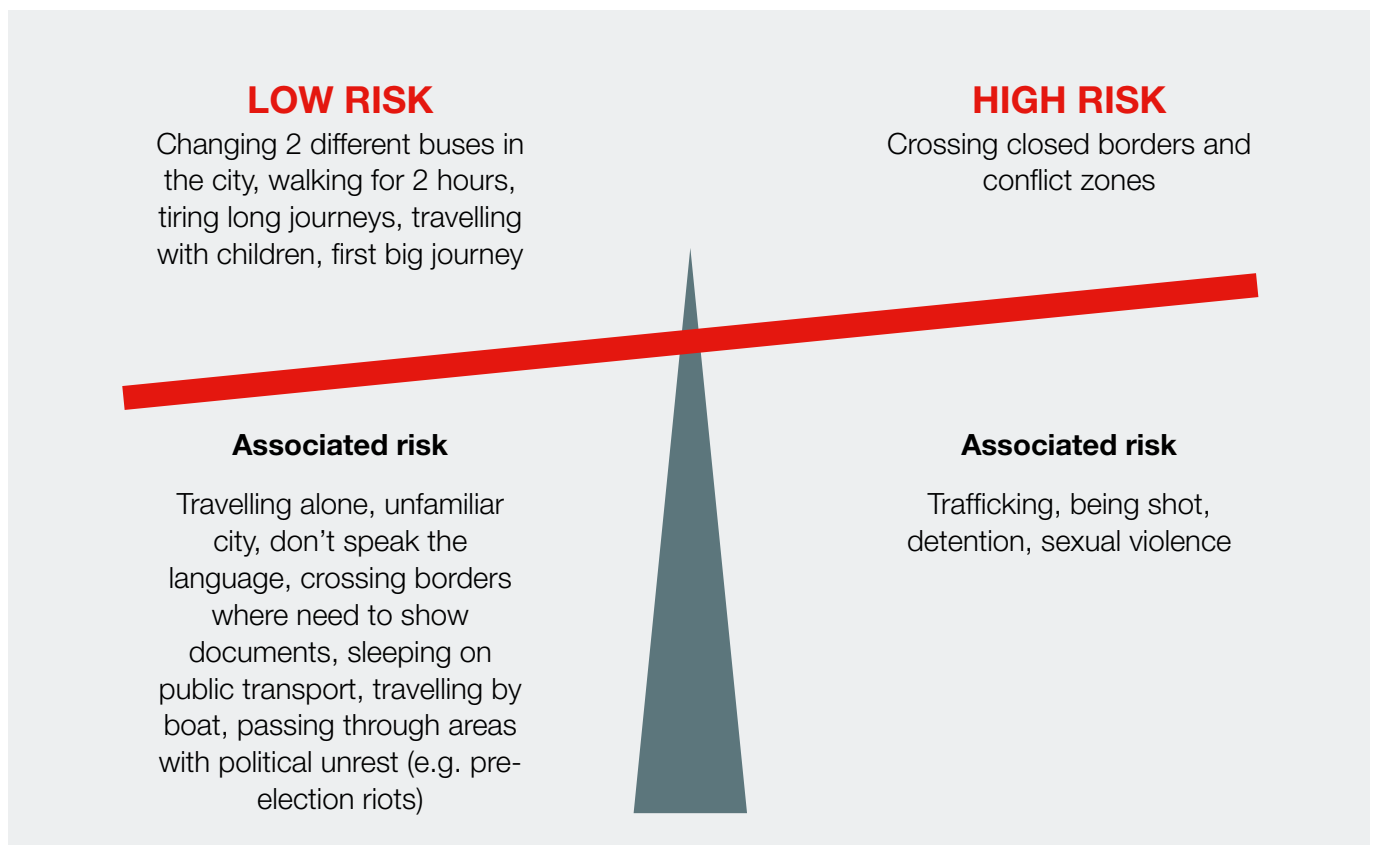
Many families in the research relied on help from friends and/or family along their journey, such as financial assistance with travel costs, or providing accommodation during their travels. In addition to help from loved ones, applicants sometimes had to seek help from other people, such as hired guides or smugglers, which could come at great financial cost, and/or involved additional risks.

17 families (17 per cent of respondents) reported that they had used a smuggler during their journey

to the VAC. One refugee in the UK recounted that it took him over a year to raise the £2,500 fee to pay for his wife's smuggler. The use of smugglers highlights the difficult decisions families seeking to reunite must make. A smuggler may help applicants overcome the challenge of crossing borders, but using smugglers also exposes family members to the risk of being kidnapped or trafficked by the smugglers.

Some respondents also reported paying a guide to accompany their family. One person recounted how it took him weeks to find a guide he felt he could trust to accompany his wife and two young children during their time in the south while they awaited their flight to attend the VAC. His family needed a go-between to find a secure hotel and liaise on their behalf with everyone from the hotel receptionist to corner shop staff in order to prevent them from being recognised as northerners.

Decisions people make related to overcoming risks and what the implications are



For those who had to travel more than once, the costs reoccurred each time they made the journey. The financial implications of some travel solutions are significant, but reflect the great lengths that families go to in order to be reunited. Some respondents reported that in order to save money for their families' journeys, they had had to subsist well below an acceptable standard of living.

"It's not easy money, but it's my family." Male refugee, [Nationality Redacted]

Other risks mentioned by applicants related to the journey to the VAC included:

- being indebted to a moneylender, who may not be a reputable source
- risk of violence, including being shot
- risk of being fined or imprisoned at border
- risk of being conscripted
- risk of exploitation while displaced during journey

Case study 1 – Layla

[Country Redacted]

Layla was living with her parents in a town surrounded by militant occupied territory. When her husband Tarek received refugee protection in the UK, they immediately started the family reunification process. With the help of a family contact, she travelled further north to the border, which at that point was closed. In order to cross, Layla had to find a trustworthy smuggler, which cost 2000 US dollars.

Saving every spare penny he could, and combined with help from family members, Tarek took a year to get the money together, all the while hoping a border crossing would be opened. For 11 months, Layla lived cut off from her family and friends and reliant on the support of an acquaintance of Tarek. The village was occupied and electricity, water and internet had all been disconnected by the government. Bombings in the area were sometimes a daily occurrence and living there was at times a terrifying experience.

The border remained closed, and so when the day came to make the crossing, Layla met with the smuggler who took her to a car with an unknown driver. For several hours they travelled towards the border crossing, stopping every 500 metres at armed checkpoints.

"Of course I felt afraid. At some points they made me get out, and they kept asking me 'where are you going, where are you going?'" - Layla

The short journey to cross the border took several hours, during which the couple were unable to make contact with each other. For Tarek it was a stressful time, not knowing what would happen when the car reached the final checkpoint controlled by the border authorities. Speaking of the moment when Layla sent a message confirming she had made it safely across the border, Tarek explained:

"I felt so relieved. It was so difficult and dangerous for my wife, because there was always this question, it could be a yes or a no. There was a possibility that she could be kidnapped. I see there are a lot of cases or situations like this".

Once across the border, she was driven for two hours to where Tarek's cousin lived. Only then was she able to start the Refugee Family Reunion visa application process, which took another nine months, with numerous administrative and bureaucratic hurdles, and each visit to the VAC centre in a nearby province required a travel permit from the local authorities. Finally, after three years apart, Tarek and Layla were reunited in the UK.

Impacting factors

The level of difficulty people experienced during their journey was directly impacted by personal (demographic) and environmental factors and the interplay between them. The following sections explore key factors that emerged from the research:

- Section one explores vulnerabilities related to age or gender;
- Section two addresses the protection risks faced by families of refugees, often meaning they are eligible for international protection in their own right;
- Section three considers challenges faced due to distance or displacement during the application process, especially those with irregular legal status;
- Section four considers how the costs of the journey present a barrier to many families;
- Sections five and six look at the wider environmental factors impacting on the journey: section five discusses how the instability of the countries travelled through can increase risks and section six reflects on the difficulties caused by certain types of border crossings.

Personal factors

1. Gender and/or age

Almost 90 per cent of applicants were women and children; a demographic generally acknowledged as vulnerable in unstable contexts, more so in contexts of crisis and displacement.¹⁸ As outlined in a UN report,¹⁹ sexual violence perpetrated against women and girls is a problem during and following conflict.

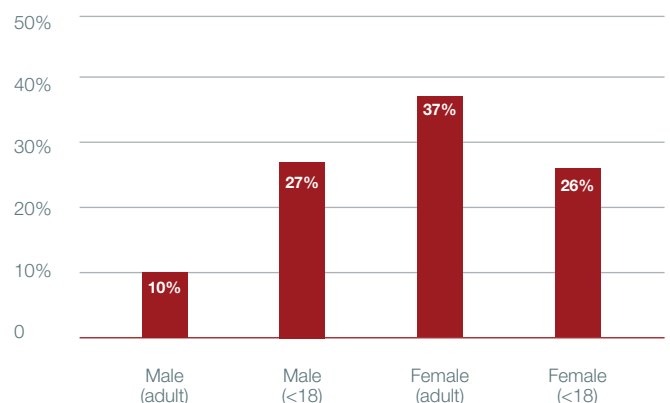
Many applicants had to leave the support structure of their home and family to make the application. Sleeping in locations such as on public transport, in refugee camps and in the homes of strangers increased these safety concerns for women. This was particularly true in contexts of

heightened instability. Depending on the barriers faced during the journey and the length of time it took to process their application, these unstable sleeping arrangements lasted between one night and several months among those surveyed. One sponsor explained about his family member:

“She lived in a refugee camp for a few months and then moved out when she got her temporary refugee ID card. She could not afford to rent a room, so she met a fellow refugee [from the same nation] who offered her a temporary sleeping place.” Male refugee, [Nationality Redacted]

Many applicants we spoke to were either already living in a refugee camp due to prior displacement, or were forced to stay in a camp until they were issued a temporary ID and authorised to leave during their journey to the VAC. Some people who had been in refugee camps described the experience as so bad they were forced to leave, increasing their instability and vulnerability. One client described life in the camp where his wife stayed during the application process:

Gender of family members



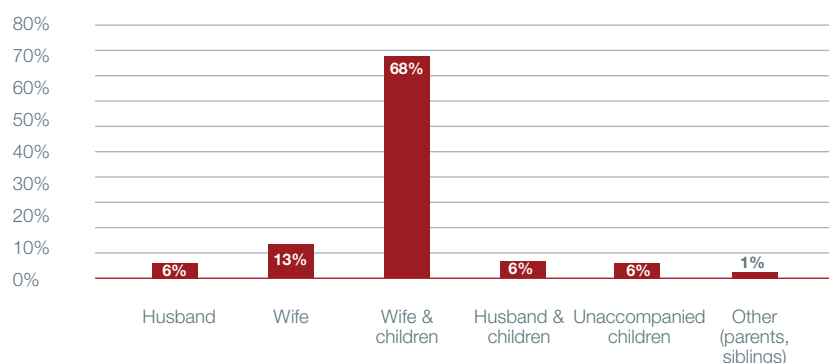
BASE: 100 respondents (representing 215 people)

¹⁸ Anne Musuva (2015) Women and children are the most vulnerable in a weak health system. Health Systems Global. <http://healthsystemsresearch.org/hsr2016/women-and-children-are-the-most-vulnerable-in-a-weak-health-system/>. [Accessed November 2018]

¹⁹ UN Secretary General (2013) Sexual violence in conflict : report of the Secretary-General. United Nations <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=5167bd0f4&skip=0&query=sexual%20violence%20in%20conflict> [Accessed July 2019]



Who are the family members



BASE: 100 respondents (representing 215 people)

“Members of the militia come into the camp; people are frightened to leave in the afternoon [and] evening. Militia groups steal personal belongings, threaten violence. [They] have killed two people recently in the camp.” - Male refugee, [Nationality Redacted]

Men and boys are also at risk of various forms of violence and exploitation when in unstable contexts. For instance, if they are caught during their journey and found to have avoided or escaped compulsory national service, they can be held in a military detention centre where human rights violations are reportedly commonplace. One client explained what happened to his son when his family was caught trying to cross a border, splitting the family apart again:

“My eldest son was sent to a military prison in [nation redacted] and was kept there for one year.” - Male refugee, [Nationality Redacted]

Three in four (74 per cent) of the families travelling included children - these applicants reported having travelled with between one and six children. Journeys that would be very challenging for adults could be even more so with children. One client

explained to us the distressing experience for his wife, travelling into a different nation with two young children:

“It was a horrible journey to talk about and very exhausting and life threatening, she had to travel by camel. I arranged an agent from here to load her on top of a camel. She had to travel for 14 days, very exhausting and demanding and life-threatening journey. She had two children. Having two children loaded on the camel and travelling day and night... and make sure they didn't fall asleep as they would fall asleep and fall down and would have died. It was a very traumatic journey for my wife”. Male refugee, [Nationality Redacted]

One client told us about the journey of his wife and four children, two of whom were under seven years old:

“The journey was very difficult because of the war. My family travelled on a boat [across the border]. They travelled 48 hours in the sea. They first slept in the bus for two nights ... and then slept another two nights on the border.” Male refugee, [Nationality Redacted]

There were also family groups of unaccompanied children, each facing different challenges, often related to their care. One 14-year-old boy had crossed a border unaccompanied but was then not allowed to leave the refugee camp until a guardian had been assigned, which took several months.

2. Protection needs

Many applicants were living in some of the world's main refugee producing countries,²⁰ under the control of militia, warring factions or repressive regimes.

*"My wife has fled to [location redacted] to escape being kidnapped by the government militia".
Male refugee, [Nationality Redacted]*

Many clients spoke of why they had to flee and described the similar problems their family members now faced. One explained that both he and his wife suffered religious persecution in their home nation and that he was concerned for her safety because of her religion. Before he fled, he was *"tortured and persecuted by the authorities*

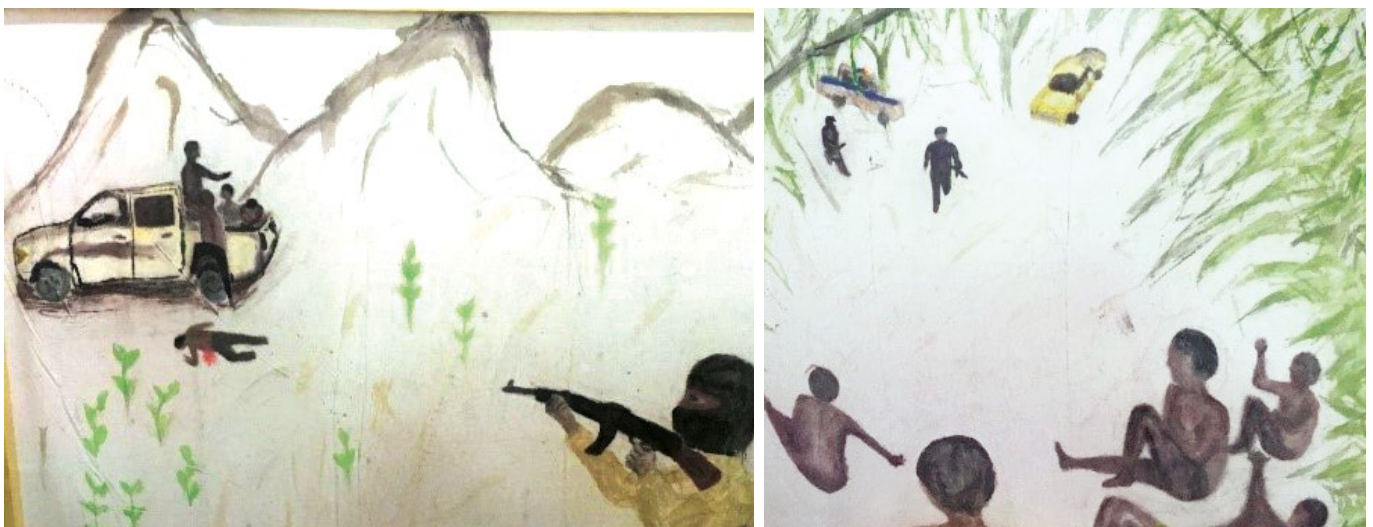
*and [I am] very wary and concerned for her safety ... [I'm] afraid they will find out about her religion."
Male refugee, [Nationality Redacted]*

Once on the move, the risk of being identified, detained or otherwise mistreated is increased as journeys may involve regular interactions with authorities and militia as well as repeated requests to show identification at checkpoints, roadblocks and border controls.

Nearly all individuals who defined their journey as "dangerous" started it in their country of origin, from which their sponsor had successfully sought international protection in the UK. Family members of refugees are very likely to be at risk of persecution as a direct result of their relationship to the person who has fled:

*"My life was in danger which is the reason I came to the UK. For this reason, my wife's life is also in danger if she was to return home. Her accommodation at the moment at her friend's house is currently safe but is only temporary".
Male refugee, [Nationality Redacted]*

Artwork by a young refugee showing the dangers he encountered when crossing a border



²⁰ UNHCR (2019) Global Trends: Forced Displacement in 2018 UNHCR <https://www.unhcr.org/5d08d7ee7.pdf>. [Accessed July 11, 2019]

Families who described the journey as dangerous spoke of the fear of being caught and detained if they had been recognised as the family of their sponsor. In their search for the sponsor, militia and security agencies commonly harass families, threatening them and sometimes confiscating their homes or forcing them into hiding:

“My wife and son have been forced to leave the house we used to share due to constant harassment from the intelligence officers. They currently live with a relative in [an] informal care arrangement.” Male refugee, [Nationality Redacted]

Case study – Peter & Angelina

[Nation Redacted]

In 2017 Angelina was detained for two months in her home country, during which time she was tortured. When she was released, with the help of a smuggler she escaped the country with her husband, Peter. He managed to get a work visa for another country which allowed him to sponsor Angelina and live safely with her. When Peter’s work visa expired, Angelina secured a visa for the UK and Peter had to return home, where he started the family reunion application process as soon as she was granted refugee protection.

The government’s security forces were constantly searching for Angelina, and regularly visited Peter’s family home where they would repeatedly ask him where she was. He maintained he didn’t know her whereabouts and was told that when she got back, he was to inform the government. He was not involved in what led to her being detained and as a result was not detained himself. However, he lived in daily fear that at any moment they may change their mind and imprison him. While undertaking the family reunification process, he decided it was safest to go into hiding and moved to a friend’s house.

“I was staying all the time inside the house, I didn’t try to go outside even to the shop, even to take anything from outside. I was just afraid they would find me and ask me, where is my wife, where is she. And if they change their mind, just they would catch me, until she came back. Just like this, so all this time I’m staying inside”.

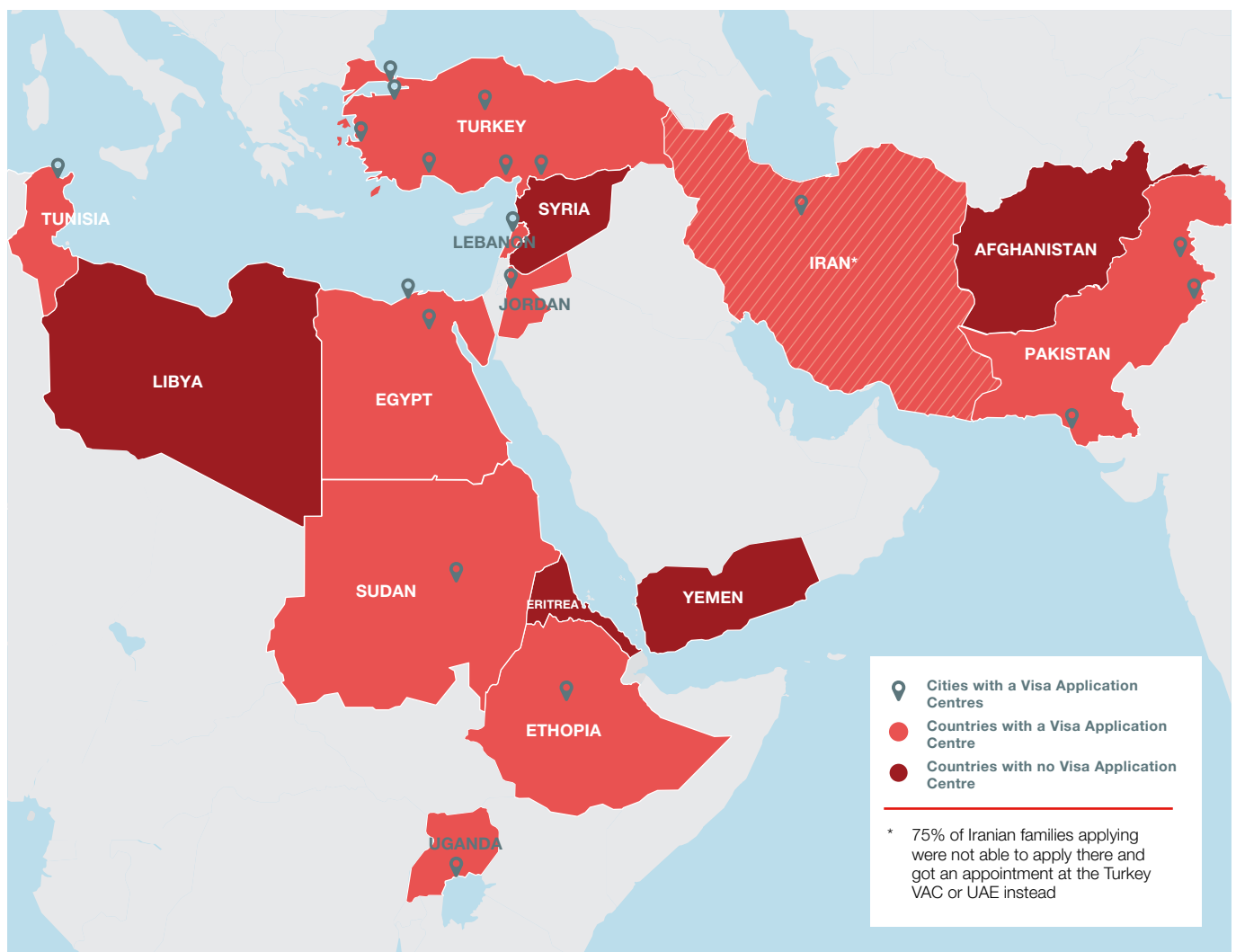
When he had to go to the VAC to submit the application, and later to collect his passport, he was afraid that he would be seen and caught. He travelled there with the help of a friend, before returning to the house where he was hiding. After around four months the process was complete and he was able to travel to the UK to be reunited with Angelina.

3. Distance, displacement and/or legal status of the applicant family

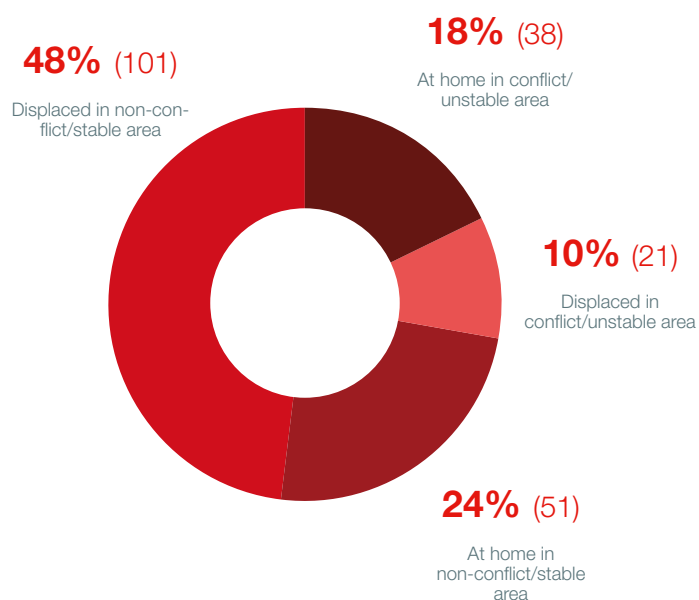
The length of the journey to the VAC for families varied dramatically depending on where they were based, both in terms of how far they would have to travel, and the geopolitical context of the area they would have to cross. More than a third of applicants were staying within or close to the city containing the VAC, and the journey was relatively straightforward. For the remaining families surveyed the journey time to the embassy ranged from several hours to over a year-and-a-half. Almost all these families faced some degree of difficulty. Those whose journeys took longer often had to cross borders and normally had multiple involuntary breaks in their journey.

While 64 per cent of families were able to reach a VAC between 0-23 hours, 21 per cent of families stated it took them between 1-5 days, 8 per cent between 1-3 weeks and 7 percent between 1-12 months. Worryingly, of the 14 who expressed that travelling with children was challenging, only five were able to reach the embassy within a day. Many families travelling with children took anywhere from days to months to reach a VAC. Some of the main reasons for delay were caused by the time it took to safely cross borders, the time finding and saving the necessary finance and the need to take many different modes of public transport that is much slower.

This map highlights the countries related to applicants surveyed in the research where there is no VAC



The extent of people being displaced or at home at the time they submit their application



36 per cent of applicants surveyed were already living in or around the city where the VAC was located prior to beginning the application process. 37 per cent travelled to the city and only stayed temporarily, returning home after their VAC appointment. The remaining 24 per cent travelled to the city and stayed in or near the city for the duration of the application process (3 per cent did not answer this question). Families that stayed during the application process described the difficulties they faced being displaced without their family as support, and regularly faced abuse and fear of violence.

While just under a quarter of families reported displacement due to having to travel to the VAC, a further 36 per cent reported displacement during the application process for other reasons. This means that around 60 per cent of all applicants reported displacement before and/or during the application process. Nearly all of those clients who reported being displaced prior to their journey to the VAC talked about the difficult situation they had been forced to flee, sometimes related to war.

Some family members had the added challenge of not being legally present in the country where they were submitting the application; resulting in additional problems and impacting greatly on their daily life.

"[My] family are afraid to go outside, even to do their basic shopping. They are under constant control because they are [nationality redacted] in [nation redacted]." Female refugee, [Nationality Redacted]

"My family speaks [language redacted] so it was very difficult for them to live in [location redacted] due to racism... So I told my family not to speak any single word [of their native language] as that will put them at risk." Male refugee, [Nationality Redacted]

If applicants are not legally present in the country, this adds additional challenges and vulnerabilities. They can face discrimination and violence, and possible punishment by authorities. Individuals who had entered countries without having been granted authorisation faced additional difficulties which greatly delayed their journey; the main issue being restricted movement. As one client explained of his wife's situation, even short parts of the journey can become complicated:

"To be honest [it was] not easy, because she had to make permission [to] exit from this village. Make permission to exit to embassy ... to [province with VAC]. [It was] like asking for a permit to leave Glasgow." Male refugee, [Nationality Redacted]

Case study – Sara

[Nations Redacted]

Sara and her three children (aged five, eight and ten) had to travel to a different country to submit their family reunification application.

After packing a small bag of clothes so as not to draw attention to the fact they were leaving, Sara and the children boarded the bus for the four-hour journey to a village near the border.

To make the dangerous border crossing she needed help from a smuggler, which cost 8000 USD; a substantial fee she was able to pay with the help of her brothers. They set off in the early evening towards the border for the nine-hour journey across difficult terrain.

“It was very difficult crossing the border at dark time at night, and crossing the mountains, up down hills and carrying children. It’s not easy to be honest. Also, the security at the borders ... They are very difficult because when they catch you, they will turn you back and they will imprison you for one to five years ... And also, it is very difficult because if the children cry, it would warn them and they could catch you”.

To help keep the children calm they would take short breaks but weren’t able to sleep as it was essential they completed the journey before daylight. Finally, they crossed the river which marked the natural border between the countries and were left alone by the smuggler.

Picked up by border guards, they were taken to the police station where they slept overnight before being collected in the morning and taken to a UNHCR refugee camp. Living conditions in the camp were poor and the children were very unhappy there. However, without the necessary registration documentation she was not authorised to leave the camp or travel freely. After 45 days they received their documents and were free to leave. Only then were they able to continue their journey, a relatively straightforward but long bus journey to the capital city.

Two weeks after arriving to the capital they were able to submit their application to the embassy. Sara was fortunate to have relatives in the city who she could stay with while waiting for the application to be processed. She was reunited with her husband in the UK in 2018.

4. The financial situation of the family

In order to be supported by British Red Cross through our visa support or travel assistance, sponsors must demonstrate that they are living on less than the minimum wage and/or that they are currently dependent on state benefits.²¹ This was the case for all of the sponsors who participated in our research. It is important to note that even though they have very limited finances themselves, sponsors may still be the main provider for the family and often still send home whatever they can to support their family.²²

While the Refugee Family Reunion visa is a free visa by law, there are numerous costs involved which make it prohibitively expensive for some. These normally include payment for: obtaining official documentation, translations, couriering documents between sponsors and applicants where required, legal fees and DNA testing. Applicants may also have to pay on average 100-150USD (or 50-75USD for children under 11) for the TB test certificate required as part of their application,²³ as well as the travel costs to get to the clinic, which may be in another country.

The cost of the journey, alongside the fees mentioned above, can make the bill prohibitively expensive, particularly for those who may have to make multiple journeys (if for example they have had further information requested or have to appeal the decision).

21 In order to be eligible for travel assistance from the British Red Cross, sponsors must demonstrate that they are unable to finance the travel themselves and meet a low-income threshold or living on state benefits.

22 Beswick, J (2015) Not so straightforward: the need for qualified legal support in refugee family reunion. London: British Red Cross. <https://www.redcross.org.uk/-/media/documents/about-us/research-publications/refugee-support/not-so-straightforward-refugee-family-reunion-report-2015.pdf>.

23 Currently applicants residing in the following countries have to take a TB test and provide a certificate evidencing a negative result: <https://www.gov.uk/tb-test-visa/countries-where-you-need-a-tb-test-to-enter-the-uk>

There was a huge variance in the cost of the journey to the VAC among those surveyed. Just under half paid £50 or less for travel, while some journeys cost many thousands of pounds.

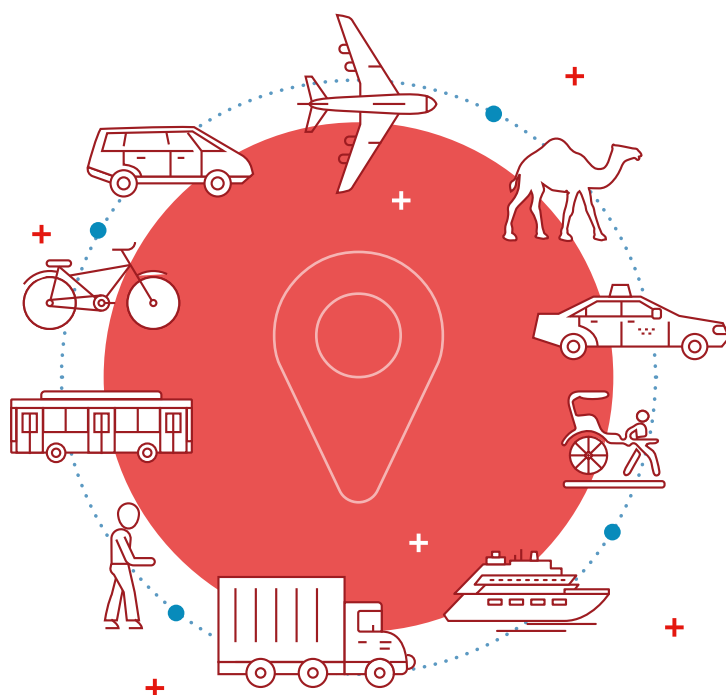
The most significant costs were for those who had the most difficult journeys, resulting in additional expenses, such as those who had to pay a smuggler to cross a border. Smugglers charged between £700 and £3000 per person among our surveyed group and would need to be paid more than once if an individual was caught and attempted to cross the border again.

The second major cost was accommodation; an inevitable expense as part of the journey for anyone who did not live within easy reach of the VAC, or who did not have family or friends who could host them. Those who had several stages in their journey often had to spend a significant amount of money to ensure their family had somewhere to stay along the way. These huge costs may be only a fraction of what those who cannot return home have to pay while they wait for their visa application

to be processed. The delays can mean that families are sometimes stuck for months or even years in a state of limbo and displacement, possibly in a country where they are likely to face a whole new range of challenges, including not being able to work, discrimination based primarily on ethnicity, language barriers, and a lack of support network.

This, sometimes overwhelming, expense can have a significantly negative impact, forcing families to make difficult decisions. Borrowing money can speed up the journey and, in theory reunification. However, doing so does not guarantee reunification, and borrowing large amounts of money and incurring considerable debt may have repercussions. Most people in the survey were able to borrow money from friends and family, but those who couldn't often had to borrow the money from elsewhere. This might include the sponsor in the UK taking out a high interest loan, the repayments of which may be unaffordable, or the family members resorting to using black market money lenders.

Most people used more than one mode of transport for their journey



Other travel costs included: **fuel costs, bus tickets, driver costs, bribes, taxi fares, flight tickets, fees for someone to accompany them and refreshments** during the journey.

Financial concerns also impact families' considerations of whether to attempt to reduce time and risk by paying for private and faster modes of transport. The journey could be very long for those who couldn't afford to fly, as one woman and her one-year-old child experienced:

"It was very difficult because she had to travel by bus from [locations redacted]. During the journey they changed buses three times at different coach terminals. For the journey they had to borrow money from a friend. The journey took eight days return." Male refugee, [Nationality Redacted]

The environmental factors impacting the experience of applicants

5. The stability of the country applicants were travelling through

Families who had crossed conflict zones or areas of instability described the experience and the dangers they faced or feared; travelling through areas where landmines remain, and on roads where public transport had recently been the target of airstrikes. Many individuals were forced to stop their journey when they encountered danger, such as riots taking place along the route.

Many applicants were travelling by public transport. One common journey that many applicants took was around 1250km by lorry and, as one applicant experienced, it wasn't a simple route:

"She had to travel village to village and stayed over in each village before reaching [location redacted]. So, it took about 15 days ... It was difficult because of the army controlling everything in every little distance. It's difficult to travel from [locations redacted] because of the army's security control and long distances to travel with no easy access to transport. Also, if someone is from [location redacted] as my family is, the person would be targeted by the government". Male refugee, [Nationality Redacted]

As important as the general stability of the country being travelled through, the level of risk could be greatly increased depending on the ethnic background of the applicant and who was in control of the areas they had to travel into.

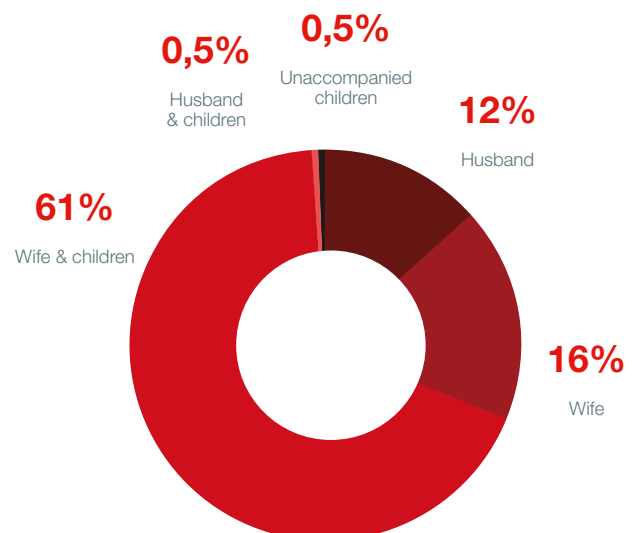
"[My family] had to travel across the country to reach the airport which is in hostile area. My wife had to stay in a hotel overnight in the city there, where it is not safe for northern people. If people ... hear you speaking with a northern dialect you can be shot in the street." Male refugee, [Nationality Redacted]

6. The nature of the border crossing

Border crossings presented dangerous situations for applicants and were considered one of the main difficulties. 44 percent of families reported that they had to cross at least one border. There were ten different border crossings used by applicants surveyed in the research. The most common borders crossed were either those that were closed by the Government or those that were in principle open but in practice were closed to applicants at the time of research.

Crossing borders often resulted in at least one involuntary break in the journey. For many, this would be to arrange a smuggler at closed borders

Group composition of the 44% of families that crossed a border to reach the VAC



and having to arrange permits to travel across the country. The administrative process of crossing borders can cause further delays to a journey and in some cases, refugees are required to wait in refugee camps until they are given the documentation required to continue their journey.

Open border crossings presented the fewest challenges. Most applicants who defined their journey as “easy” were able to fly to the VAC and back within 24 hours and/or had extensive support from family for the journey. Nevertheless, these open borders were not considered an ‘easy’ aspect of the journey for all families involved in the research, and there were still requirements to be fulfilled.

Case study – Nadia

[Nations Redacted]

In 2015, Samir received a scholarship to study for a Master's degree in the UK and assumed that the war would be over by the time he was finished. In 2017, realising it was not safe to return home, he applied for asylum in the UK. After being granted refugee protection in 2018, Samir started the family reunification process to bring his wife Nadia and two young children to join him. Without a VAC in their home nation, his family had to travel to the capital of another country to submit their application. This meant a multi-stage journey, first from the North of their home country to the South, to an operational airport. Samir reflected on the risk inherent in trusting his family's safety to a guide for this journey:

“Most of the people's options is to buy a ticket on a bus ... the lucky people, they rent their own van, but of course the risk is, who is the driver? Is it someone you can trust?”

Samir was able to save up and pay the 400 dollars for a trusted driver who his brother in law found for him. Starting at daybreak, Nadia and the children travelled along back roads to avoid landmines and militia checkpoints. The road through the villages was slow-going and Nadia and the children arrived at the end of the day, too late to catch the daily flight. They had no choice but to stay the night in the area, which was controlled by the opposition, putting them in significant danger.

Early the next morning they travelled to the airport, where they faced open discrimination as residents of the north. Although they had already bought their tickets, they had to pay numerous bribes to make it through the airport and onto the plane.

Only at the point when he knew his wife had safely arrived and was able to access the VAC did Samir feel it was possible to start the application. After a costly year in [location redacted], Nadia and the children were finally able to travel to the UK and be reunited with Samir after three years apart.

Part 2: Procedures: current and good practice

Procedural context

There are a number of different procedural steps for the visa application process which impact on the experience of applicants as set out in this report. This section explores examples of alternative procedures implemented by other governments.²⁴

When discussing the submission of a family reunion application, it is important to consider what this means in real terms. Officially, an application is submitted online by the sponsor. However, the application is not accepted for assessment until a further set of steps are taken by the applicant, which requires them to attend a VAC in person. Some applicants may also be required to take a TB test at an approved clinic, which may require an additional journey, potentially as long and/or dangerous as the journey to the VAC.

The Refugee Family Reunion application process requirements which often require travel are:

1. To attend a Home Office approved Tuberculosis (TB) clinic:
 - To take a TB test in an approved clinic and scan and upload the certificate confirming negative results (if applicable)
2. To attend a VAC
 - To have biometrics taken
 - To submit a passport or identity document
 - To collect the decision on their application

The impact of Tuberculosis Testing (TB)

Under current immigration rules, people from certain 'high risk'²⁵ countries who are applying for

a visa to stay in the UK for more than six months must undertake a TB test (by way of a chest x-ray) to include as part of their visa application.²⁶ This requirement was introduced in 2005 as part of the Home Office's five-year strategy for asylum and immigration²⁷, which set out a series of increased requirements to make entry to the UK a tougher process. However, while the Home Office advises that any resident in a country with a TB frequency of 40 cases per 100,000 residents will require testing, there is a small group of higher income countries, such as Brazil and Singapore²⁸, where this proviso has not been applied.

The TB test must be completed by a Home Office approved medical centre, of which there is generally only one per country located in the capital city, if one exists at all. It is practically impossible to have the test, receive the results and attend an appointment at the VAC in one day therefore, forcing families to either arrange accommodation overnight or take an added journey fraught with all the same hurdles as reported above. Moreover, the estimated average cost of a TB test is 100-150USD per person (50-100USD for children under 11) which for many is unaffordable and pushes families into more debt.

Out of the top three nationalities²⁹ granted visas since 2010, 62 per cent³⁰ were granted to Eritrean and Sudanese families who are required to obtain TB tests from a clinic near the VAC. These families also faced some of the most difficult journeys to reach a VAC as shown above.

Without a TB test, the family's application will be refused even if they meet all the requirements. If the test is positive for TB, the family member is required to undergo treatment for six months and then must get tested and pay again delaying the reunification process. This added delay can cause further distress and dangers for those families who have become displaced because of the journey.

²⁴ This list is by no means exhaustive and are selected on the basis of being considered feasible alternatives that the UK government could use.

²⁵ See here for Home Office list: <https://www.gov.uk/tb-test-visa>.

²⁶ Ibid.

²⁷ Home Office's five year strategy for asylum and immigration, Feb 2005: Controlling our border: making migration work for Britain, 2005 Asylum and Immigration

²⁸ <https://www.gov.uk/government/publications/tuberculosis-tb-by-country-rates-per-100000-people>

²⁹ Syria, Eritrea and Sudan

³⁰ See Home Office statistics "<https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets#family-reunion>"

As per MED10 in the Home Office's guidance for Entry Clearance Officers, clearance to enter the UK without a valid TB certificate can be given on compassionate grounds.³¹ An application may be accepted in the absence of a certificate, and similarly a medical referee "may also recommend that the person undergo a course of medical treatment after arrival in the UK."³²

The family reunion service at the British Red Cross has found that the Home Office list of certified test centres is not complete and may result in some applicants being unaware of an approved medical centre in their country, resulting in unnecessary border crossings.

The British Red Cross Office in Plymouth had supported a client who was using the Home Office list to find a suitable test centre in Côte d'Ivoire. At the time the website listed the closest test centre as Accra, Ghana. This caused immense anxiety and stress to the client and his family as the journey is dangerous and expensive. However, after British Red Cross staff communicated with IOM in London, they learned that there is a suitable test centre in Côte d'Ivoire. Had the sponsor not had support from British Red Cross staff, he likely would not have discovered the existence of the centre in Côte d'Ivoire and may have sent his family on an unnecessary journey. The Home Office list has since been updated to include the International Organisation of Migration centre in Côte d'Ivoire.

Current practice and good practice

Examples of good practice related to reducing the risks involved in the process can be found within many government procedures.³³ This list is by no means exhaustive, and some examples are in the context of other protection related pathways for refugees' family members, or of family reunification.

1. TB testing

Under current UK rules

Under current UK rules, all applicants from certain high risk countries must submit a valid TB test certificate with their application.³⁴

Alternative good practice

Netherlands

The TB test is conducted on arrival in the Netherlands for both family reunion and resettled refugees. It is considered unreasonable and unlawful to delay the reunification of a refugee family on the basis of a medical condition. Should test results be positive, the local health service is notified and the family member is treated in the area they have been settled in or where the sponsor lives.³⁵

Canada

As part of the visa application process a medical assessment is undertaken, using mobile medical centres which are more easily accessible for individuals not living within easy reach of a Canadian embassy. This also acts as an additional opportunity for discrepancies in identity to be identified by medical professionals, in advance of biometric collection by Canadian authorities.³⁶

31 UK Visas and Immigration (2013) Guidance Medical issues (MED). Home Office. <https://www.gov.uk/government/publications/medical-issues-med/medical-issues-med>. [Accessed December 2018]

32 Ibid.

33 These practices were current at the time of research and publication. In the case of EU member states, these are the procedures they have chosen in their national application of the EU Family Reunion Directive.

34 Appendix T, Immigration Rules

35 Interview with a staff member, Dutch Refugee Council, October 2018

36 Interview with Canadian Diplomatic Staff, October 2018

2. Biometrics

Under current UK rules

While all application documentation is now submitted online, applicants are still required to attend a VAC to have biometrics taken (for individuals under five years old, only photos, rather than fingerprints too, are required). Biometrics are taken by security-cleared VAC staff using Home Office approved biometric units.³⁷ Biometrics will then be run through UKVI security records. It takes on average 24 hours to be notified of security clearance, but the process itself can take around an hour. Applications are not assessed until after clearance has been granted.³⁸

Alternative good practice

Mobile Biometric Units

UNHCR

As part of resettlement assessments, governments arrive in third countries to assess UNHCR's proposed candidates, and sometimes take biometrics using mobile biometric units directly in refugee camps or other locations.³⁹

UNHCR uses mobile units to collect the biometrics of refugees for identification purposes,⁴⁰ prior to government officials taking biometrics with government approved units. There have also been instances of UNHCR staff using a state's own biometrics kit to enrol refugees into the state's biometric system directly to process cases for resettlement and other pathways. In these cases, interviews may be conducted remotely by state officials.⁴¹

Italy

Italian Entry Clearance Officers have, for certain cases, used mobile biometric units to reach families who have difficulty reaching the embassy.⁴²

Granting visas prior to biometrics being collected

UNHCR

UNHCR has a standard resettlement case processing procedure, which in the initial stages is standard and unaffected by the government that will eventually resettle the refugees. In this process, the resettlement country makes a decision as to whether to accept an individual pending security checks.⁴³

The UK also adheres to this process. The Home Office will consider and provisionally accept many resettled cases referred by UNHCR to the UK. Once accepted, refugees would then normally enrol their biometrics at the VAC in the host country.

The Netherlands

The Netherlands has two ways of applying for family reunion.

One way is similar to the procedure in the UK; submit their application at a Dutch Embassy and submit their biometrics.

The alternative, recommended way, is for the sponsor to submit the application in-country. If the decision is positive, the family will then have three months to go to their chosen Dutch Embassy to collect their visa. When the families attend the embassy they will give their biometrics and then the visa affixed to their passport. The Dutch Immigration and Naturalisation Service (IND) recommends the latter process i.e. the sponsor to start the application as "this helps save unnecessary travel costs should the IND reject your application"⁴⁴

37 Consultation with Home Office, October 2018

38 Ibid.

39 Interview with member of staff, Forum Réfugiés-Cosi, September 2018

40 UNHCR (2015) Biometric Identity Management System Enhancing Registration and Data Management. UNHCR. <https://www.unhcr.org/550c304c9.pdf>. [Accessed December 2018]

41 Confirmation from member of staff at UNHCR London Office 2020

42 Interview with member of staff, Caritas Italy, October 2018

43 UNHCR (undated) Resettlement Case Identification Flowchart. UNHCR. <https://www.unhcr.org/protection/resettlement/3bd58ce9a/resettlement-procedures-case-identification-determination-process.html> [accessed 9 December 2018]

3. Submission of passports

Under current UK rules

Applicants hand in their passport when they attend the VAC to have their biometrics taken. This can cause many problems for those who have come from a third country or need ID on them at all times due to local laws. In some instances, it is possible to arrange for copies to be taken in advance and for the documents to be returned at the time of application if they are needed by the applicant to return home.

Some VACs also offer a paid service to collect the passport from the applicant using a courier service once the visa has been granted. This allows the passport to be collected and sent to the VAC or regional hub for the visa to be attached. This service is not offered by all VACs or to all destinations. Both services are at the discretion of individual VACs.⁴⁵ These processes are also costly, and some cannot afford these additional costs when factoring in all other costs associated with family reunion.

Alternative good practice

Netherlands

In reference to the process explained above, the application can be submitted without the passport and Netherlands IND sends an visa sticker to the corresponding Dutch Embassy to be affixed to a passport.

4. Other good practice and alternative provision

Consular cooperation

Norway and Denmark

The embassies of Norway and Denmark provide mutual assistance to each other on an ad-hoc basis, particularly for assistance with collecting and issuing documentation.⁴⁶

In Emergencies

In emergency contexts, consular cooperation is often requested by governments. In Niger in the summer of 2018, as part of the resettlement of refugees evacuated from Libya under the Emergency Transit Mechanism (ETM), the Italian government requested the assistance of the French embassy to issue a travel document for an urgent medical case.⁴⁷

Collaboration between governments and organisations/UN Bodies and/or NGOs and humanitarian organisations

- The UK government has contracted IOM to support visa processes by setting up temporary or mobile units to handle visa procedures abroad, with staff who have undergone the necessary security clearance needed to undertake certain visa procedure responsibilities for the UK.
- The Italian embassy in Ethiopia has developed a positive working relationship with Caritas to help better facilitate the visa procedure for refugee beneficiaries of the humanitarian corridors programme.⁴⁸
- Forum Réfugiés-Cosi was the implementing partner for UNHCR's complementary pathways work in Niger. In 2018 they were providing expert advice to UNHCR in other countries on family reunion and established a working group to improve coordination of operations and advocacy on pathways including family reunion.
- Various Red Cross National Societies work in informal and formal partnership with UNHCR and IOM to facilitate the travel of family reunion applicants, principally to Europe once a visa has been issued.

Visa Application Centres

- Some VACs offer added value services, whereby you can pay for a range of support to make the process easier. For many VACs, this includes an on demand mobile visa service at a charge starting from around £350. This payment

44 IND Information on applying for family reunion <https://ind.nl/en/asylum/Pages/Family-member-of-refugee.aspx>

45 VFSGlobal website: www.vfsglobal.com [accessed December 2018]

46 Interview with a member of staff, Danish Refugee Council, October 2018

47 Interview with a member of staff, UNHCR Italy, October 2018

48 Interview with staff member, Caritas Italy, October 2018

enables the applicant to stay at home and for a VAC staff member to travel to them with a mobile biometric unit to collect documents and biometrics. However, each VAC reserves the right to not grant requests for this service to “locations difficult to access or which are considered insecure”, making it inaccessible for the majority of applicants who would benefit from it the most.⁴⁹

NGOs, humanitarian organisations and UN bodies

- In 2018 Forum Réfugiés-Cosi was the implementing partner for UNHCR's complementary pathways work in Niger. They were providing expert advice to UNHCR in other countries on family reunion and established a working group to improve the coordination of operations and advocacy on pathways including family reunion.
- Various Red Cross National Societies work in informal and formal partnership with UNHCR and IOM to facilitate the travel of family reunion applicants, principally to Europe once a visa has been issued.

⁴⁹ Both VAC operators, VFSGlobal and TLScontact, offer similar mobile services. See TLScontact's "On Demand Mobile Service: https://uk.tlscontact.com/ke/nbo/page.php?pid=added_value_services#On%20Demand%20Mobile%20Visa%20Service [accessed 9 December 2018]

Conclusion

This report looks at an issue that has not been explored in depth before, by considering the protection needs and risks posed to applicants by current procedural requirements for submitting an application to the Home Office. Despite Refugee Family Reunion relating to the family members of people who have been granted refugee status, the Refugee Family Reunion visa is not in itself seen as a route to protection. Consequently, the application process does not take due concern of the vulnerabilities and protection needs of family members, who often are themselves fleeing the same persecution, violence or war and are displaced, in hiding or living in fear.

The principal elements of the process that often lead applicants to undertake dangerous journeys are the requirements to have biometrics taken and to hand in passports at a Visa Application Centre (VAC) before applications are considered. These requirements force many families to undertake dangerous and expensive journeys, with no guarantee that their application will be successful. Applicants from certain countries must also travel to an approved medical centre to take a TB test to obtain a certificate to include in their application. This can be as long, expensive and dangerous a journey as those undertaken to a VAC.

Refugees who took part in this research recounted how the risks associated with these journeys could be extreme. Risks ranged from long journeys undertaken over difficult terrain with children, to sexual violence, to having to rely on smugglers to cross closed borders, to borrowing money from black market lenders to fund travel.

The likelihood of a challenging journey can, to an extent, be predicted due to environmental factors.

This includes the stability of the regions applicants will need to travel through, and whether they must cross a border because there is no VAC in their country of residence. In 2019, almost two thirds of refugee family reunion visas in the UK were granted to relatives from Eritrea, Sudan, Iran and Syria - all countries where travelling to a VAC usually presents serious challenges.⁵⁰ The majority of families seeking to reunite with loved ones in the UK can therefore currently be expected to face challenging journeys. These challenges often result in applicants being forced to make journeys involving illegal travel, clearly at odds with the objective of providing a safe and legal route for families to reunite.

There are also a range of additional personal factors which will have a significant impact on the level of risk faced by the applicant during their journey to the VAC. The main personal factors identified in this research are gender and age; the protection needs of the applicant; displacement and the legal status of the applicant and the financial situation of the family.

Although at least one journey will be inevitable as part of this process, others that are required as part of submitting a family reunion application are unnecessary. Practices from other countries and international organisations show that it would be possible to maintain the safety and integrity of the family reunion application process while greatly reducing the risks to applicants. These changes would ensure that the UK Government can uphold its commitment to offering a safe and legal route for refugee families, and minimise the costs incurred during the process to make it accessible for all refugee families, particularly the most vulnerable.

50 Migration Statistics. Home Office 2020 "<https://www.gov.uk/government/statistical-data-sets/asylum-and-resettlement-datasets#family-reunion>"

Recommendations

The following recommendations are proposed to greatly reduce the risks faced by people submitting refugee family reunion applications. However, regardless of procedural changes, some risks will inevitably remain due to political instability, conflict and persecution of certain groups.

Recommendations for the Home Office

The Refugee Family Reunion Visa application process should be made safer and more accessible. The Home Office should reduce the number of journeys currently required as part of the process by introducing alternative procedures for individuals who would otherwise face significant challenges in reaching a VAC.

The following alternative procedures would enable the application to be assessed without individuals having to present at the VAC, reducing the length of time and frequency with which families are displaced or face dangerous situations. Families would only make the journey to the VAC at the end of the procedure, once a visa has been granted.

1. Only require family members overseas to travel to a Visa Application Centre to submit their biometrics after a provisional positive decision has been made. Refusals should be sent by email and not require a journey to the Visa Application Centre.

This can be achieved by:

- Considering the application and accompanying documents which are uploaded online and make a decision pending the outcome of biometrics.
- Seek further information via email and conduct interviews over the phone/Skype.
- Refusals should be provided electronically where possible or by post instead of requiring families to travel to a VAC to collect the refusal notice.
- If the decision is positive, the applicant is requested to attend their chosen VAC to submit their biometrics, passport and collect their visa.

- To ensure that this can be achieved within one appointment (to allow families to return to their home/the country they are staying in) it is recommended that all VACs have visa printing facilities or to implement the use of visa stickers that can be affixed in a passport. This should be prioritised for those VACs mostly used by third country nationals who require their passport to travel between borders (for example, the VAC in Tunisia which is the closest VAC for Libyans).
- Alternatively, the Home Office can finance the return of the passport by the VAC courier service to prevent the family from returning to the VAC at a later date.

2. Be flexible in when and how biometrics are required to be submitted if a family is unable to reach a Visa Application Centre safely.

This can be achieved by:

- Allowing biometrics to be taken by UNHCR, another consular presence or another approved organisation or body present in the vicinity of applicants.
- Funding the mobile biometric service offered by VACs to locations they are able to travel to.

3. Allow TB tests to be undertaken once an applicant has travelled to the UK, rather than being required in advance of arrival.

This can be achieved by:

- Arranging for TB tests to be conducted in the UK upon arrival, and the treatment carried out in the UK, should it be required.

In addition:

- Expanding the approved medical clinics list so it would be possible for the tests to be conducted closer to the home of applicants.

4. Allow flexibility of ID requirements for entering a Visa Application Centre and obtaining a TB certificate.

This can be achieved by:

- Ensure VACs are aware/trained that other forms

of ID are acceptable and passports are not a requirement. Additionally, if a person does not have any ID they can submit an application and the Home Office will make a decision on whether that is reasonable. This will prevent many being turned away from the VAC and having to return at a later date.

- Ensure IOM clinics are aware/trained that many families are unable to provide a form of ID to obtain a TB test and to relax this requirement if they are applying for refugee family reunion.

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Credits

This report was written by Lara Cumming with contributions from Sohini Tanna, Karen Barker and Joe Potter. It is based on survey responses and depth interviews undertaken by Lara Cumming, Emma Kwon and Carolina Luna.

Appendices

Appendix A: Points on methodology

Sample

The questionnaire was used to carry out interviews with family reunion sponsors regarding the journey of their family members who had recently been granted visas.⁵¹ They were all British Red Cross clients and selected on the basis of having recently accessed one or more of our family reunion support services. Sponsors were considered the most suitable member of the family to conduct the questionnaire with. They were acutely aware of the experience of their family members, normally having been responsible for the arrangements and payments throughout the process and having stayed in contact during the journey. Meanwhile, they already had a relationship with the British Red Cross and were arguably in a better position to make a more informed decision about whether they would like to participate in the research. Having lived in the UK and already accessed our services, they understood the relationship between the organisation and our clients, and were more likely to understand the implications of participating. Interviewees were selected on the basis of having experienced some of the difficulties identified through the questionnaire and interviews were conducted with both the sponsor and the applicant, once they had arrived in the UK.

Limitations of sample

Most of the families surveyed were reunited in the UK in the past three months with the help of the British Red Cross Family Reunion Travel Assistance

(FRTA) project. To prevent additional anxiety for families, the research team avoided contacting families whose reunion had not yet taken place. It was not possible to include many people in the research who have not been able to overcome the barriers faced in the application process, whether that be in travelling to the embassy or at a later stage, as most family reunion clients receive help once the visa has been granted. Families known to be experiencing distressing circumstances, such as having to leave a child behind, were also excluded from the research. The sample does not include families who travelled independently to the UK or with the help of another organisation.

Limitations of research

While the first stage of the physical application process was chosen due to the significant protection concerns it poses, there are more problems with the current procedure that require further research. Some of these were touched on by this report such as challenges faced trying to enter the VAC and the experiences after submitting an application.

Some participants may have underreported on certain issues, such as those which were sensitive or upsetting, particularly participants who may have had to leave family behind or had extremely challenging journeys. Without having the opportunity to develop the necessary level of trust with participants, the research team chose not to explore in too much depth issues which participants would possibly be uncomfortable or upset disclosing.

⁵¹ With the exception of two families who have not yet reached the embassy. Many families also had only been partially reunited, with some applications at the appeal stage, particularly in the case of adopted children.

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