

# WITHOUT MY FAMILY

The impact of family separation on child refugees in the UK

**'It seems to us perverse that children who have been granted refugee status in the UK are not then allowed to bring their close family to join them in the same way as an adult would be able to do. The right to live safely with family should apply to child refugees just as it does to adults.'**

Home Affairs Select Committee, 2016-17 session

## BRIEFING

Every child should be able to live safely with their loved ones, but conflict and persecution can leave some with no option but to flee their homes and leave their families behind. For the few who find a place of safety in the UK, callous rules condemn them to a life without their parents or siblings. These children are recognised as refugees. Yet unlike adults, they are denied the right to be joined by their closest family members.

*Without My Family*, a 36-page report by Amnesty International UK, the Refugee Council and Save the Children, details how the UK's family reunion policy harms child refugees and directly contradicts human rights law. Children – no matter where they come from – are children first and foremost and their welfare

should be the most important consideration. Children need their families. A simple change to the UK Government's policy would transform the lives of these children and help to ensure they grow up safe and secure with the people they need and love the most.

Based on in-depth interviews with children and young people affected by the policy, and the professionals who work with them, the report shows how the UK Government's hard-line policy deliberately keeps child refugees separated from their families. The UK has persistently ignored challenges on this issue from NGOs, parliamentarians, the UN and immigration judgements. It has also failed to take into account evidence from other EU countries where family reunion for child refugees is allowed.

This is a summary of the 36-page report *Without My Family*, which was produced by Amnesty International UK, the Refugee Council and Save the Children. The full report can be downloaded at [amnesty.org.uk/familiestogether](https://www.amnesty.org.uk/familiestogether)

## The damaging impact of the UK's policy

The UK Government's policy on refugee family reunion currently:

- Prevents child refugees who have sought safety in the UK from being joined by their parents or siblings.
- Leaves the UK as the only EU country that refuses to grant child refugees the right to be reunited with even their closest family members.
- Is directly at odds with national and international law, contravening the principle of the best interests of the child.

The report details the impact of family separation on children: constant anxiety, fear for the safety of their families, and in some cases serious damage to their mental health. This policy leaves some of the most vulnerable children separated from their parents at a time when they need their families most.

## Children fleeing danger

The UK receives only a tiny fraction of the world's refugees. In 2018, **1,072 unaccompanied children** were recognised as refugees in their own right in the UK and

a further **73 were granted humanitarian protection**. Most come from a handful of countries: Afghanistan, Eritrea, Iran, Iraq and Sudan. The vast majority of unaccompanied children find refuge in neighbouring countries. Families get separated for many different reasons and some children travel on their own in search of safety. The children interviewed for this report shared memories of their departure and separation, their escapes from traumatic experiences in their home countries, and their reasons for leaving their homes behind. The interviews show how:

- These children's journeys were made in urgent haste to escape danger.
- Their choices were limited, and their prime motivation was to search for safety.
- None of those interviewed had been aware of the family reunification policies of different countries when they were making their journeys.

## This policy is in breach of the UK's legal obligations

The legal analysis carried out for this report shows that the UK's position is at odds with national law and a flagrant breach of international law.



# FLEEING DANGER

## Three children's stories

### Habib's story

Habib, now 17, is from Darfur, a region in western Sudan. He was just 15 when he was arrested by the police, after going to the market with friends. He said he was imprisoned for a week, tortured, and questioned about his father's political associations and activities, of which he knew nothing.

Habib said that when he was released, his mother told him he needed to leave Sudan quickly. He left the same day with an uncle, leaving behind his younger siblings (aged nine and 11) and a disabled older brother to whom he was very close. Two of his older brothers were later imprisoned and Habib explained how difficult it was to hear about this when he was so far away from his family, especially his mother.

Habib reached Libya where, he said, he experienced serious human rights abuses at the hands of people smugglers. He described how he has constant flashbacks of the moment he saw smugglers killing a baby as its mother was giving birth. After hearing of his brothers' imprisonment, Habib and his uncle decided to leave Libya for Europe but became separated. On the journey alone to Europe, Habib said, his boat capsized; he was rescued by Italian coastguards but said he saw many people drown.

Habib spent eight months in the camp in Calais known as the 'jungle' before coming to the UK. He has started tracing his family in the hope that he could be reunited with them as a way of moving on from the horror of the last few years. He discovered that his mother and siblings are living in a refugee camp in Chad.

### Dawit's story

Dawit, now 18, was 15 when he arrived in the UK from Eritrea. His mother is widowed, and he has no memories of his father, who died when Dawit was very young. Dawit's older brother was forcibly conscripted into military service and Dawit has not seen him since. Their mother did not want him to suffer the same fate as his older brother, so sent him to live with his uncle in Sudan. Dawit did not want to leave his family, but was happy living with his uncle, whom he loved and who made sure Dawit spoke to his mother regularly. His uncle cared deeply for him and Dawit felt safe and loved.

Unfortunately, Eritreans in Sudan are increasingly at risk of deportation to Eritrea, where they face being charged with desertion. The Eritrean National Service Proclamation lays out a punishment for attempted evasion or desertion of two years' imprisonment or a fine, or both, and five years' imprisonment for those attempting to evade service by fleeing abroad. However, in practice, the usual punishment for those caught attempting to evade, desert or flee the country is arbitrary detention, often incommunicado, without access to a lawyer or family members.

Dawit's uncle, concerned about the growing risk of deportation, arranged for him to leave Sudan for Europe via Libya. Dawit left with a friend of his uncle, who was to be his companion and guardian. Dawit made it to Europe after a long and hazardous journey, but his uncle's friend did not; Dawit tried to save him, but he died in his arms.

### Rifat's story

In 2016, Rifat was 15 and living in the war-ravaged city of Aleppo in Syria with his parents, three sisters (aged nine, 15 and 16) and a younger brother (13). He was targeted for recruitment into an armed group and his parents feared for his life. Many other boys of Rifat's age in the neighbourhood had already been taken from their homes and forced to fight for armed groups.

Rifat said that his family insisted that he would not leave the country and that they would stay together. He spent some time in hiding before his parents decided that he had to leave Syria. Rifat said this was the 'last choice' his family could make to save his life. Rifat's uncle took responsibility for getting him safely out of Aleppo and across the Turkish border.

Rifat, aged 17 when he was interviewed, lives in the UK with a foster family. He has not seen his parents or siblings for about 16 months and has been unable to contact them by phone or text for some time. He does not know whether they are alive or dead; he is waiting to hear from the Red Cross. Every day Rifat moves between grief and hope as he lives with this terrible uncertainty.

### Recommendations

#### To the UK Government

In line with its human rights obligations, the UK Government should ensure that the best interests of the child are a primary consideration in all decisions and actions concerning child refugees.

#### The Home Office should:

1. Permit the right to family reunion for unaccompanied children who need international protection, when this is in their best interests. This should be formalised within the Immigration Rules for humanitarian protection status as well as for those recognised as refugees.
2. Ensure that family reunion rights are made accessible to former unaccompanied child refugees who are now over 18 years of age.
3. Commit to a broad enough definition of family for unaccompanied child refugees to enjoy their right to family life and to include child siblings and any legal or customary care givers in their country of origin.

#### To local authority service providers

We urge local authorities to undertake further research and consultation with social work professionals on best practice in respect of therapeutic and practical ways to support the family-related needs of unaccompanied child refugees. This evidence should be integrated into local and national social work training and training standards to ensure that best practice in this area is systematically and consistently applied.

### Children's voices

**The children and young people we interviewed were asked what messages they would like the UK Government to hear about the impact of this policy on their lives. Without exception, they all invited the UK Government to imagine themselves or their families in a similar situation to their own.**

'I want them to imagine if they left their children far away from them and they want to get them. What they would do?' Pamir, 17, from Afghanistan

'Just imagine yourself that someone takes you from somewhere and puts you somewhere else, for example, a desert in the Sahara. And you have got no language, no nothing. And they say, "Live your life without your family, without anything." It is really hard to start, you know.' Habib, 17, from Sudan

'If the people who work in the Government... if they pretend that their child is here, and they are out of the country, so then they will realise what is the importance of family. How hard is that? If they feel this, they are going to know themselves why family is important.' Amran, 16, from Afghanistan

'Family reunion. It is really important. You can't imagine how important it is. Because you are in another country and you don't know anything about [your family] ... You don't even know if they are going to be alive or dead. It is important to have your family here because you feel good – communicating, laughing, joking... if the Government accepts this reunion then many young people, they will be happy, they won't get depressed, and I know many people who have injured themselves... they want to feel as you feel with your children and your parents.' Rifat, 17, from Syria

'Put it this way: I am a person who wants to see peace – to see my country safe and secure and to see it with a peaceful future. After that I want to go through my higher education and be a medical doctor – a surgeon. But without my family it is difficult. I always think about my mum and dad and when I am at school, college, and the thoughts come to me and I cannot study. I cannot concentrate on my lessons... If they are able to come here and live peacefully then my life will definitely change. My mind will be OK that I have my family beside me who are safe and always supporting me.' Orhan, 18, from Syria