

ANNUAL TRIPARTITE CONSULTATIONS ON RESETTLEMENT
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**Background Note for the Agenda Item:
FAMILY REUNIFICATION IN THE CONTEXT OF
RESETTLEMENT AND INTEGRATION**

**Protecting the Family: Challenges in Implementing Policy
in the Resettlement Context**

**I. GUIDING PRINCIPLES: PROTECTION CONCERNS AND
HUMANITARIAN CONSIDERATIONS**

1. There are five guiding principles that sustain UNHCR efforts to protect family unity, and to promote and facilitate family reunification in the resettlement process. These are:

- a) *The family is the natural and fundamental group unit of society, and is entitled to protection by States.* UNHCR promotes family reunification to protect and preserve the unity of this fundamental unit of society, to restore basic dignity to a refugee's life, and especially to provide protection for children under the tutelage of parents or other related adults. The policy on family reunification also follows basic humanitarian considerations as well as practical concerns to increase the potential of refugees in their integration or re-integration process.
- b) *The refugee family is essential to ensure the protection and well being of its individual members, and as such its protection is within the mandate of the Office.* Based on the mandate to provide international protection to refugees and help them find durable solutions, UNHCR promotes the unity of the refugee's family. Assuring the unity of the family is a principal means by which the refugee family is protected. When refugees leave their homeland, family members are frequently separated as some are left behind and others are forced to flee at different times through separate means. Resettlement, as a tool of international protection, involves preserving and restoring the basic dignity of a refugee's life, including promoting the reunification of the refugee's family. This requires that States take measures, including national legislative efforts, to preserve the unity of the family. It also requires corollary measures to reunite families that have been separated, through programmes of admission, reunification and integration.
- c) *The principle of dependency entails flexible and expansive family reunification criteria that are culturally sensitive and situation specific.* Given the disruptive and traumatic factors of the refugee experience, the impact of persecution and the stress factors associated with flight to safety, refugee families are often reconstructed out of the remnants of various households, who depend on each other for mutual support and survival. These families may not

fit neatly into preconceived notions of a *nuclear* family (husband, wife and minor children). In some cases the difference in the composition and definition of the family is determined by cultural factors, in others it is a result of the refugee experience. A broad definition of a family unit –what may be termed an extended family—is necessary to accommodate the peculiarities in any given refugee situation, and helps minimize further disruption and potential separation of individual members during the resettlement process.

The principle of dependency requires that economic and emotional relationships between refugee family members be given equal weight and importance in the criteria for reunification as relationships based on blood lineage or legally sanctioned unions.¹

- d) ***Humanitarian considerations support family reunification efforts.*** Separated families can only enjoy life through the reunion of family members in a country where they can live a normal life together. Therefore, refugees and other persons in need of international protection who have no other country than the country of asylum or resettlement to lead a normal family life together should be entitled to family reunion in the country of asylum or resettlement.

The separation of refugee families is often traumatic and can have long lasting consequences in a refugee's well being. Many refugees experience stress and anxiety due to the fact that they may have lost contact with their close relatives and are left without the support systems inherent in family life. Restoring family unity is vital to the humanitarian mission of UNHCR, as well as central to its protection mandate.

In order to minimise further distress resulting from a period of prolonged separation, it is important that family reunification occurs with the least possible delay. Expedited procedures are particularly necessary to reunify separated children with their parents or surviving adult relatives to avoid emotional harm caused by separation.

- e) ***The refugee family is essential to the successful integration of resettled refugees.*** Family reunification plays a significant role in meeting the long-term needs of resettled refugees and assists them to adjust and integrate to the country of resettlement. The family is often the strongest and most effective emotional, social and economic support network for a refugee making the difficult adjustment to a new culture and social framework. Resettlement countries also benefit when national policies, procedures and programmes enhance the unity of the family after the initial resettlement phase, strengthening the capacity of individuals to function in their new countries, facilitating their integration process and promoting social and economic self-sufficiency. A flexible and expansive approach to family reunification therefore not only benefits refugees and their communities, but also resettlement countries by enhancing integration prospects and lowering social costs in the long term.

¹ This concept is discussed in more detail below. See UNHCR *Resettlement Handbook*, Geneva, April 1998, Chapter 4.6.5.

II. UNHCR AND FAMILY REUNIFICATION

Family reunification and international law

2. UNHCR's policies and practice on family unity derive from the principle, set in international law, that the "family is the natural and fundamental group unit of society and is entitled to protection by society and the State."² A number of other universal and regional binding instruments similarly uphold this same principle of protecting family unity.³

3. While the 1951 Convention does not confer a right to family reunification on refugees, the issue has nevertheless been considered important in view of these relevant international instruments. The Final Conference of Plenipotentiaries on the 1951 Convention reflected on this principle of family unity, and called it an "essential right of the refugee."⁴ The Conference recognized, *inter alia*, that the family is threatened in refugee situations, and urged Governments to extend protection to members of the refugee's family once the head of the family as been granted admission to a particular country. It also emphasized the special protection needs of children, particularly unaccompanied minors who have been separated from their parents.

4. The Executive Committee of the High Commissioner's Programme (EXCOM) has adopted several conclusions on the subject of family reunification, the need to protect the refugee family, and related matters.⁵ These Conclusions reaffirm the principles of family unity in international and humanitarian law, and call upon States to facilitate the reunification of refugee families separated as a result of persecution, flight or other reasons.⁶

Policy derives from protection mandate

5. While UNHCR policy on family reunification is developed within the general principles enumerated above, protection concerns of the refugee are at the core of all family reunification efforts, whether he or she is in a country of asylum, or already resettled in a third country. The application of the principle of derivative status allows family members of a refugee to enjoy the same status of the recognised person. In accordance to this principle UNHCR works to reunify family members of refugees as they all fall within the mandate of the Office.

² See Article 16 of the Universal Declaration of Human Rights of 10 December 1948.

³ See Article 23 of the International Covenant on Civil and Political Rights of 16 December 1966; Article 10 of the International Covenant on Social, Economic and Cultural Rights of 16 December 1966; the Preamble of the Convention on the Rights of the Child of November 1989; Article 16 of the European Social Charter of 18 October 1961; Article 18 of the African Charter on Human and Peoples' Rights of 26 June 1981; and Article 17 of the American Convention on Human Rights of 22 November 1969. A useful summary of all relevant international instruments is found in Annex 2 of the UNHCR *Resettlement Handbook*.

⁴ Final Act of the 1951 United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, Recommendation B.

⁵ See EXCOM Conclusions No. 9 (XXVIII), No. 24 (XXXII), No. 84 (XLVIII), No. 85 (XLIX), and No. 88 (L).

⁶ UNHCR policies and procedures for family reunification in the resettlement context are found in the *Resettlement Handbook*, chapters 4.6 and 5.7, respectively. For a previous outline of these policies and procedures, see UNHCR IOM/FOM 52/83 – 49/83, issued in 1983 by the Director of International Protection.

6. Based on the protection mandate, UNHCR policy is that once the head of the family unit is granted status (or, in the case of resettlement, is admitted to a third country), the dependent members of the refugee's family group are also recognized and admitted. It should be noted, however, that in some cases the "head of the family" might not be the "main refugee claimant". A careful distinction and assessment must be made, and each family member is entitled to a separate consideration for refugee status, and when appropriate, for resettlement. The principle of family unity then follows regardless of the status determination for the "head of the family", if different from the "main refugee claimant."⁷

7. It is important to differentiate UNHCR's family reunification policy and the legal immigration procedures of many resettlement countries. These programmes focus primarily on the petitioner, usually the head of the family, who by virtue of his or her residency or citizenship, can request reunification with close relatives. Many of these programmes have restrictive criteria based on types of blood lineage or legal relationships, legal status of the petitioner in the country of admission, numerical limitations of immigration categories, and in some cases, the integration potential of the incoming immigrant.

8. While refugees may, on occasion, benefit from legal immigration procedures of States that promote certain types of family reunification for their citizens and legal residents, the nexus of protection, the need for a durable solution, and the humanitarian imperative to rebuild refugees' lives sets apart family reunion programmes promoted under UNHCR resettlement policy.⁸

9. UNHCR does not generally provide assistance to cases where the persons involved are not refugees within its mandate or persons "of concern", or when the relationship is not within UNHCR family reunification criteria, or when persons may want to visit the family in the country of asylum or resettlement. In all cases that fall outside the competence of the UNHCR, the Office refers persons to the appropriate embassy, legation, immigration office or non-governmental organization.

Defining the family

10. There is no standard internationally agreed-upon definition of family. The concept of what constitutes a family varies from State to State, and in some circumstances, within regions of a State.⁹

11. However, a broad definition the family unit is possible under humanitarian law. While neither the Geneva Conventions of 1949 nor the Additional Protocols of 1977 contain exact and authoritative definitions of family, there is recognition that a family is, in its broadest sense, considered to be *objectively* a group of people living together, and *subjectively*, a group of people wanting to live together.

12. A more precise definition of the family, however non-binding, is found in the *Commentary to the Additional Protocols* of the Geneva Conventions of 1949: "In the

⁷ See UNHCR Resettlement Handbook, Chapter 4.6.3, and *Note on Family Protection Issues*, UNHCR Executive Committee conference room paper EC/49/SC/CRP.14, 4 June 1999, at paragraphs 9-11.

⁸ For the most recent summary (1997) of immigration based family reunification policies in each of the 14 IGC participating States, see *Report on Family Reunification: Overview of Policies and Practices in IGC Participating Countries*, Secretariat of the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia. Geneva, Switzerland, March 1997, at 31-334.

⁹ See Human Rights Committee, (39th Session, 1990), general comment on Article 23, paragraph 2.

narrow sense, the family covers persons related by blood and living together as one household.” The *Commentary* continues, stating that “it would be wrong to opt for an excessively rigid or precise definition: common sense must prevail. Thus the word ‘family’ here of course covers relatives in a direct line – whether their relationship is legal or natural – spouses, brothers and sisters, uncles, aunts, nephews and nieces, but also less closely related relatives, or even unrelated persons, belonging to it because of a shared life or emotional ties.” The *Commentary* then concludes: “*In short, all those who consider themselves and are considered by each other, to be part of a family, and who wish to live together, are deemed to belong to that family.*”¹⁰

The principle of dependency

13. While there is no internationally recognized definition of dependency, UNHCR uses an operational definition to assist field staff in the work with individual cases:

- “*Dependent* persons should be understood as persons who depend for their existence substantially and directly on any other person, in particular because of economic reasons, but also taking emotional dependency into consideration.”¹¹
- Dependency should be assumed when a person is under the age of 18, and when that person relies on others for financial support. Dependency should also be recognized if a person is disabled not capable of supporting him/herself.
- The *dependency* principle considers that, in most circumstances, the family unit is composed of more than the customary notion of a *nuclear* family (husband, wife and minor children). This principle recognizes that familial relationships are sometimes broader than blood lineage, and that in many societies extended family members such as parents, brothers and sisters, adult children, grandparents, uncles, aunts, nieces and nephews, etc., are financially and emotionally tied to the principal breadwinner or head of the family unit.

14. UNHCR recognizes the different cultural roots and societal norms that result in the variety of definitions of the family unit. It therefore promotes a path of cultural sensitivity combined with a pragmatic approach as the best course of action in the process of determining the parameters of a given refugee family.¹² This cultural sensitive understanding of the family is important for refugees and other persons who have been forced to flee due to persecution and civil conflict. The refugee family is often the last line of defence for the individual, and many times these extended relations rely exclusively on the family unit for survival, spiritual support, and emotional care.

15. A proper application of the *dependency* principle allows States to interpret the concept of the family as broadly as the specific circumstances may dictate. While the *nuclear* family is clearly the core, the principle of dependency allows for operational flexibility to address specific needs for other family members, considering financial,

¹⁰ As quoted in *Report on Family Reunification: Overview of Policies and Practices in IGC Participating Countries*, op. cit., at 357. (Emphasis added).

¹¹ *Resettlement Handbook*, chapter 4.5.6. See also Chapter VI of the *Handbook on Procedures and Criteria for Determining Refugee Status*, UNHCR, Geneva, Switzerland, January 1992.

¹² This approach is also evident in the Convention of the Rights of the Child when it uses differing concepts of family for different rights. See also *Note on Family Protection Issues*, UNHCR Executive Committee document EC/49/SC/CRP.14, 4 June 1999, at paragraph 4.

physical, emotional as well as spiritual elements balanced with the narrower objective factors of direct blood lineage and the protection needs of other relatives that need to be kept as part of the same family unit.

16. At the same time, it is important that the principle of dependency be used in an inclusive and not in an exclusive manner. Once blood lineage relations are proven for nuclear family members, it would be inappropriate to require further evidence of dependency between a child and his/her parent, or spouses or other nuclear family relations. Many refugees are separated from their children for many years, and have been forced to entrust their care to other adult relatives, either in the country of origin or the country of refuge. Once a refugee has reached safety and a more lasting solution, a reunification with the children and other nuclear family members should proceed without delay. The dependency principle is to be applied proactively for purposes of inclusion, and not retroactively for purposes of excluding nuclear family members based on the lack of financial or emotional ties.

The *nuclear* family

17. At a minimum, there is general agreement that the *nuclear* family consists of husband, wife and their minor children. In addition, in a number of societies and cultures, the concept of family is broader than just the *nuclear* unit, and includes dependent, unmarried children, minor siblings, and dependent elderly parents of the adult family member.

18. UNHCR generally recognizes and prioritises the nuclear family in efforts to achieve family reunification. The *nuclear* family is defined, in the resettlement context, as the *husband and wife, their minor or dependent children, unmarried children and minor siblings*. Given the various customary policies and national legislation of each resettlement country, this definition is easy to enunciate but quite difficult to make operational. For spouses, UNHCR considers not only legal unions (i.e., sanctioned by civil authorities), but also couples who are engaged to be married, those who have entered a customary marriage (known in some countries as “common-law” marriages), or couples who have lived together for a substantial period establishing a family unit. In this vein, UNHCR also recognizes same sex partnerships as unions for purposes of family reunification, as do some resettlement countries.

19. UNHCR also recognizes polygamous marriages in its criteria of eligible unions. However, since most countries of resettlement have specific national legislation forbidding polygamy, this creates a significant problem. In these cases, UNHCR would not split the family by requiring that one spouse be chosen over another, and prefers to refer such cases to resettlement countries without such prohibitions and that would allow the resettlement of the whole family. Given these limitations, such refugee families face significant challenges and a reunification is very difficult to accomplish.

20. On the other hand, situations where spouses are estranged and it can be demonstrated that they do not intend to live together generally do not qualify under UNHCR criteria for family reunification. These individuals may qualify for a reunification with their children, depending on the resettlement countries’ national legislation and programmes.

Unmarried children

21. While many resettlement countries make a distinction between minor children and those who have reached majority age (in some cases, 18 years, in others, 21 years of age), UNHCR as a matter of policy promotes the reunification of dependent unmarried children, regardless of age, with their parents. This is particularly the case when these children were living with the parents in the country of origin and were separated as a result of the flight to safety and asylum.

Unaccompanied minors

22. UNHCR prioritises the task of reuniting children with parents, relatives or suitable guardians. Children and adolescents are in particular need of a stable family environment to ensure the development of their personal and social skills. Family reunification, however, may not always be the best solution for a child or adolescent. Recognizing that there may be tensions and dysfunctional situations with the potential for abuse and neglect, it is important to ensure that the “best interest” of the minor is promoted.¹³ An assessment of the qualitative elements in the relationship between the child and parents or caretakers is necessary to determine whether such adult caretakers will be able to offer the necessary guidance, support and emotional care.

Dependent parents and other relatives

23. The *dependency* principle compels UNHCR to promote the reunification of dependent parents who lived with the refugee or refugee family in the country of origin, or who would be left alone or destitute in the country of refuge if the refugee were to be resettled without having his or her parents along. These efforts are based on humanitarian considerations as well as economic concerns.

24. Similarly, UNHCR also considers other extended family members, such as single brothers, sisters, aunts, cousins, etc., as potentially eligible for family reunification, when it can be demonstrated that such persons were part of the family unit in the country of origin, and depended on it for their sustenance. When due to the impact of persecution, civil conflict, or refugee flight, such relatives have become dependent on the core family unit, they should also be considered for family reunification.

¹³ For a fuller discussion of the concept of “best interest” decisions for unaccompanied refugee minors, see *Resettlement Handbook*, chapters 5.8 and 7.1, and UNHCR’s *Refugee Children: Guidelines on Protection and Care*, chapter 8, Geneva, Switzerland; see also Article 3 of the Convention on the Rights of the Child of 20 November, 1989.

Other reunifications

25. The concept of dependency encompasses also individuals who may not be related by blood lineage, but nevertheless have been taken into care by the refugee family either in the country of origin or the country of refuge, including close family friends, foster children and other social relations.

26. As a matter of general practice, UNHCR does not promote the reunification of members of the extended family, such as grandparents, grandchildren, married brothers and sisters and their immediate families, etc., unless they can be determined to be eligible under the principle of dependency as explained above. In other words, for the *extended family*, unless there is a condition of dependency, UNHCR will generally not promote family reunification.

27. Nevertheless, UNHCR strongly encourages States to adopt broad and flexible criteria for family reunification purposes. The preservation of family groups is important, and the implementation of parallel admission programmes for such extended families could be important. Every effort should be made to promote the admission of refugees who need to be resettled into countries where they have personal ties or relatives.

III. THE ROLE OF UNHCR IN FAMILY REUNIFICATION PROGRAMMES

Promotional activities

28. The principal role of UNHCR in family reunification is to ensure cooperation and collaboration by the competent authorities of States concerned in order to facilitate the expedited reunification of families separated by the refugee experience. A consistent approach to review the political, legal, social and administrative frameworks operative in each State concerned is important in order to facilitate family reunification. Many States have reunification programmes that at first glance seem similar, but with great variance in details at the policy and operational levels.

29. Based on its refugee protection mandate and humanitarian considerations, the Office seeks to promote liberal admission policies and procedures to accomplish the reunification of refugee families. In this regard, UNHCR consistently seeks to differentiate the needs of refugees from other immigration centred approaches, and encourages a flexible approach to the reunification process for refugee families that may necessitate an expansive response by States within the context of their general migration policies.

30. States should prioritise the unity of the family and adopt broad and flexible criteria with respect to the selection process in their resettlement programmes. All efforts should be made to protect the integrity of the refugee family from the beginning of the resettlement process, promoting the admission of refugees who need to be resettled in countries where they have relatives and close personal ties. Similarly, by prioritising the unity of the family from the onset of the selection process, separation of refugees from their family members can be avoided.

Procedural issues

31. The family reunification process can be resource intensive and time consuming, and UNHCR encourages States, through close consultation, to set up parallel systems for family reunification when the situation so dictates. In this manner, UNHCR can direct its limited resources to overall oversight of the protection mandate and minimize its role on individual casework.

32. Non-governmental organizations, refugee led organizations and other implementing partners can play a useful role in assisting refugees to be unified with their families. Working in concert with UNHCR, such partnerships can enhance the application and processing systems in both countries of temporary refuge and resettlement, working with the refugee community, applicants and beneficiaries, to assure adequate documentation and verification of relationships.

33. Documentary proof of relationships required for processing should be appropriate to the situation of the refugee and the conditions of the country of refuge as well as the country of origin. The absence of primary documentary evidence should not in itself affect the credibility of the application for reunification, as in many countries of origin and temporary asylum, such proof is no longer available due to the ravages of war and destruction of records. Secondary means of evidence gathering should be instituted and not be burdensome, and balanced with a fair interview to examine the claims by trained and competent personnel.¹⁴

34. In cases requiring technological or other scientific means of testing to determined blood lineage, the costs should be borne by the country making such requirements. DNA testing should be done with the consent of the refugee applicant and the family, with a full explanation of the reasons for such testing. Care should be taken that the results of the tests are used only for the explicit purposes of verification of relationship, when required or requested, and that all relevant confidentiality provisions are observed.¹⁵

IV. THE BENEFITS OF FAMILY REUNIFICATION

35. While it is obvious that there are significant advantages for the refugee when he or she is reunified with family members, it is important to note that there are specific benefits related to the protection mandate of the Office. The family plays an important role in extending protection to its individual members, through the support and cohesion that results from this basic unit of society.

36. Stated in a different way, when the family breaks down, or as is the case with refugees, is broken down by pressure from external factors related to the refugee experience (incarceration of members by persecutors, trauma through torture and rape, separation during flight, death of family members, etc.) the individual family members become more vulnerable. Refugees who are alone, particularly women and children, elderly refugees and others with medical conditions, will have more difficulties in accessing services and assistance. For refugees living urban areas in countries of

¹⁴ See particularly EXCOM Conclusion No. 24 (XXXII), at paragraph 6.

¹⁵ See *Position of Family Reunification*, a paper by the European Council on Refugees and Exiles, London, July 2000, at paragraphs 22 - 27 for a more detailed discussion on the benefits and limitations of DNA and age testing.

asylum, where assistance programmes are often extremely limited, their vulnerability without family support systems rises exponentially.

37. Single women who are responsible for households, children separated from their families, unaccompanied minors and others, are at greater risk of exploitation and abuse. In the context of crossing international borders in search of safety, these refugees who are without the benefit of familial support are also more likely to fall prey to human traffickers and thus be victimized a second time. For children, it is clear that being separated from the family puts them at risk of other threats to their physical safety and legal security, including instances of abuse and neglect and even military recruitment.¹⁶

38. Similarly, in the resettlement country, the refugee family is a major contributor to the emotional and spiritual well being of its individual members. Evidence has shown, for example, that therapeutic interventions for highly traumatized persons works best when the family system is also restored to a functional level. One of the goals of torture is not only to destroy the psyche of the individual person, but also to annihilate the social support systems that support and nourish the individual. Working comprehensively within the family structure is often the most likely way to restore the psychosocial well being of the individual.

39. Experience has also shown that the family unit is essential to enhance the integration prospects refugees. Family members often are the first line of assistance to help newly arrived refugees learn how to manoeuvre in the new social environment, through informal cultural orientation, helping individuals learn transportation systems, obtaining basic necessities of life, and other adjustment related issues.

40. In many cases the family is also the primary source for interpretation services, either through members that have resided in the country of resettlement previously, or with younger members who learn the new language quicker than the adult members of the family. While not the preferred method of providing interpretation, in many situations this is the only way the adult refugees can communicate with social service agencies, employers and others in the host society during the early phases of resettlement.

41. The family unit plays a major role in the economic self-sufficiency of newly arrived refugees. Often refugees, like other immigrants, work in the informal economy, and the networking that occurs among extended families often is the quickest avenue for individuals to obtain employment. In many countries, businesses started by refugees and other immigrants are also the source for employment for many newly arriving refugees.

42. Families also help their members in developing capital for micro-enterprise initiatives, business start-ups, and buying real estate and homes. In some resettlement countries, experience has shown that refugee families often pool their resources together and are thus able to have investment capital for all sorts of entrepreneurial activities and small business development. Other forms of resource pooling include, where necessary, costs for post-secondary education and other forms of professional development and re-certification to maximize the human potential of refugees,

43. Family reunification thus is a benefit of incomparable value to the individual members and the family as a unit. At the same time, protecting the family unit through reunification also is a benefit to States, as the integration prospects and the well-being of

¹⁶ See Graça Machel, *Impact of Armed Conflict on Children*, Report of the Expert of the Secretary General submitted pursuant to UNGA resolution 48/157 (A/51/306), August 1996, paragraph 69.

individual refugees is enhanced, thus enhancing the adjustment of refugees to their new homeland and lowering social costs in the long term.

V. CONCLUDING RECOMMENDATIONS¹⁷

44. Family reunification, in the context of resettlement programmes, needs to be protection focused. This means adopting a proactive approach to assist and reunite members who are dependent on the family for their economic, emotional and spiritual support. States should adopt guidelines and procedures that focus on the need of the refugee to be reunited with his or her family, regardless of whether or not the claimant is the head of the household is a refugee, whether or not the refugee is the petitioner or the beneficiary of the family reunification request, and whether the refugee is in the country of resettlement or in temporary refuge.

45. Family reunification procedures should be expeditious, taking into account the special needs of women, children and adolescents, refugees with medical needs, and elderly members of the family.

46. A flexible definition of the family, which emphasises the primacy of the element of dependency among its members, should be used. Blood lineage ties, legally sanctioned unions, and cultural, economic and other dependency factors should be equally weighed in the decision making process of States. Such an approach will strengthen the unity of the family and allow for situation specific strategies and culturally sensitive responses.

47. States, in consultation with UNHCR, should harmonize policies and procedures in reference to family reunification for refugees, in parallel and complementary form to regular legal immigration procedures affecting families. Particular attention should be paid to refugees who have links in countries of resettlement, and their admission should be considered as part of the responsibility sharing arrangement between States. Conversely, a link to one country should not *de facto* make a refugee inadmissible to another resettlement country solely on the basis of the family link.

48. Efforts to maintain family unity and promote reunification need to be prioritised at an early stage of all refugee operations, whether resettlement is being considered at that time or not. Detailed case information, notation of family trees, documentation of dependency among members, and secondary evidence of familial relationships in the form of affidavits when legal documentation has been lost or destroyed, are necessary and important elements of refugee registration.

49. Appropriate record keeping in the early stages and case documentation thereafter greatly facilitates the work of documenting relationships at the point when resettlement may be considered for a particular refugee.

50. Appropriate use of technology and scientific means to test validity of relationships should be encouraged, within the limitations and context of specific field operations. Scientific testing should only be done with the consent of the refugee and family, and used within the context of an interview with trained staff where the refugee can further explain and expand relevant information. Results of testing should be specifically used for the purposes of verification only, and all relevant confidentiality issues addressed

¹⁷ See also recommendations in *Note on Family Protection Issues*, op.cit., at paragraph 27 (a) through (i), and in ECRE's *Position of Family Reunification*, op. cit., at 10–16.

and observed. All testing costs should be at the expense of the governments and not the refugee or the family.

51. Family reunion policies that are flexible and expansive benefit refugees and their communities. Resettlement countries also benefit from strengthening refugee families through reunification, by enhancing integration prospects and lowering social costs in the long term. States should be encouraged to devote resources to maintaining and support the family in the post-resettlement process of integration, through programmes of assistance, counselling and economic self-sufficiency.

52. UNHCR's role in family reunification should focus on policy development and consultations among concerned States, NGOs and other organisations. Individual casework and resettlement processing should be primarily within the purview of States, and resettlement governments are encouraged to collaborate with NGOs in the processing and administration of applications for family reunification.