



OXFAM MEDIA BRIEFING 15 June 2017

Brexit and the refugee crisis

Background

Millions of people are being forced from their homes by violence and persecution every year. In a refugee crisis on a scale not seen since the Second World War, lives have been lost, families scattered and children forced to fend for themselves.

As the UK government prepares to review its immigration policy in advance of Brexit, it is crucial that it recognizes that this vast crisis facing refugees will continue unless the UK plays its full part in international efforts to address the issue.

This report envisions what the refugee crisis might look like on the day the UK is currently set to leave the EU, 29 March 2019, if present trends and policies persist, and sets out what else the UK can do to help avoid this scenario – particularly for the families that are forced to live apart or take unthinkable risks to be reunited.

Brexit: Leading the way or becoming sidelined?

Leaving the European Union (EU) at the end of March 2019 will reshape the UK's relationship with the rest of the world. It is already clear that negotiating this exit will be a focus for the new UK government over the next two years. The Conservative party has spoken of its vision of a Global Britain and insisted that Brexit does not mean that the UK will retreat to the sidelines and engage less with other countries.

Regardless of what else is uncertain, immigration is set to be a central issue in the Brexit negotiations. While the UK's position on the rights of EU citizens already in the country remains undisclosed so far, the new policy is widely expected to be carried into law through a new Immigration Bill, promised during the last Parliament. As well as addressing the status of EU citizens and the wider immigration system, the Bill is expected to provide an opportunity to rewrite policies relating to refugees arriving in the UK.

While within the EU, the UK is bound by the Dublin III Regulation. This enables people who arrive in Europe and have a family member in the UK to have their asylum claim transferred to the UK. As the UK leaves the EU, it will have to decide whether it continues to provide such a route for families in Europe, and also whether it reviews the rules that allow refugee

families to reunite with their loved ones in the UK wherever they are. More broadly, the UK will have to decide whether it turns its back on some of the most vulnerable people in the world or finds other ways to help them. Sadly, some of the indications of the government's approach from before the election are not encouraging.

The Conservative party's overall position on refugees, as set out in its party manifesto,¹ seeks to entrench a two-tier system that differentiates between refugees who have made the journey to the UK and applied for asylum on arrival, and those who have applied for resettlement from another country through official resettlement schemes. This seems to suggest that refugees who make the journey to the UK to claim asylum are somehow less worthy of protection. It is a worrying development that could undermine the spirit of the 1951 Refugee Convention under which governments should offer refuge to those fleeing persecution, irrespective of how they have reached safety.²

Oxfam urges the incoming government to rethink that part of the Conservative manifesto and to use the Queen's Speech to outline a more compassionate and global approach. It is only by geographical coincidence that the UK has not seen large numbers of refugees crossing its borders or drowning in its waters. Now, more than ever, a global response is needed to resolve the refugee crisis – and the UK should play its part.

The scale of the global refugee crisis

More than 65 million people around the world – half of them children – have been forced to flee their homes because of violence, disasters and persecution.³ While some have found refuge in other countries and been able to continue with their lives to an extent, thousands have died on terrifying journeys and at the hands of smugglers while trying to reach safety. Millions more are trapped in reception centres or camps, often along borders, and are living in makeshift shelters, exposed to the elements and to violence and abuse.

Some 34,000 people a day were forced to flee to another country due to violence or persecution in 2015, the latest year for which figures are available.⁴ If this trend continues, more than 22 million people will be forced to flee to another country in the 648 days between Monday 19 June, when Brexit negotiations are due to start, and the date the UK is currently set to leave the EU, 29 March 2019. Based on the latest available data,⁵ and assuming current trends and policies persist, the following things could happen over that period:

- **14,035** people will die trying to reach safety.⁶
- **9,105** of these will drown trying to cross the Mediterranean in flimsy and overcrowded vessels. Others may die travelling across North Africa, the Middle East and the Sahara desert.⁷
- Just **54,182** will reach the UK in search of protection.⁸
- More than half (**29,245**) of those people reaching the UK will have their asylum requests rejected and will be required to leave the country.⁹
- **15,409** refugees living in the UK will apply to be reunited with a member of their family not already in the country.¹⁰
- **6,512** people – more than two out of every five applicants – will have their request to be reunited with a family member rejected.¹¹

A range of factors, including the policies of nations like the UK, could influence these numbers for better or worse. No single country can solve the refugee crisis, but it is clear that some nations are doing far more than others and the responsibility should be shared.

- The latest figures show that Ethiopia hosts 763,086 refugees.¹² Based on current rates, it will have granted asylum to a further 131,226 people¹³ by the time the UK leaves the EU, despite the fact that its GDP of \$61.54bn is a fraction of the UK's \$2.86tn.¹⁴
- Uganda, with a GDP of just \$27.5bn,¹⁵ is already hosting the largest single refugee settlement in the world and will welcome 510,890 refugees over the same 648 day period, again assuming current rates persist.¹⁶

The UK's efforts are fairly modest compared with its response to large displacements in the past:

- During the First World War, more than 250,000 Belgian refugees fled to the UK between 1914 and 1918. In the four years from 2013 to 2016, the UK granted protection to 30,533 refugees.¹⁷
- During the Vietnam War and subsequent Sino-Vietnamese War, 24,000 refugees were resettled in the UK. They were known as the 'boat people' as many had fled Vietnam in flimsy boats and travelled across the South China Sea.¹⁸
- In the 1970s, the UK welcomed 27,000 Asian citizens from Uganda after the dictator Idi Amin gave them 90 days to leave the country.¹⁹

It is clear from Oxfam's experience of working in the many countries around the world that refugees are fleeing from and to that the UK can't solve this problem alone. Oxfam is therefore calling on all governments to develop a united, coordinated response to both the humanitarian crisis and the factors driving people away from their homes in the first place. However, as the UK negotiates a new relationship with the EU and reviews its immigration system, it has an opportunity to play its part and help avoid the shameful scenario described above.

The UK's response so far

In September 2015, the UK government announced it would expand its scheme for resettling Syrians in the UK to benefit 20,000 refugees by 2020. According to the latest available Home Office statistics, a total of 7,307 Syrian refugees have been resettled since the scheme began in 2014.²⁰ In April 2016, the government also committed to resettling up to 3,000 refugee children and their families from the Middle East and North Africa.²¹ This is in addition to the so-called Dubs amendment to the Immigration Act that paved the way for unaccompanied minors in Europe to be given refuge in the UK. The scheme was abandoned earlier this year and it is likely that just 480 children will be able to take advantage of it.²²

In addition to these initiatives, the UK has taken a leading role in providing aid to countries hosting large numbers of refugees. In April 2017, the UK increased funding pledges to support Syrian refugees living in Lebanon, Turkey and Jordan to £1bn.²³ British aid has also helped large numbers of refugees in Serbia and Greece as well as displaced people in South Sudan and Nigeria, among other places.

However, the UK hosts less than one percent of the world's refugees – a figure dwarfed by the numbers being hosted in countries that are significantly poorer, such as Turkey (16.4 percent), Pakistan (10.1 percent), Lebanon (6.9 percent) and Uganda (3.1 percent).²⁴

Developing countries still host the majority (86 percent) of refugees, while the six richest countries – the UK, Germany, US, France, China and Japan – host less than nine percent.²⁵

The last government said that its Syrian resettlement target of 20,000 by 2020 is based on the capacity of local authorities to accommodate and support refugees, yet recent Freedom of Information requests show that many of these local authorities said they have capacity to take more.²⁶ In some cases, extra capacity has been created as a result of strong public support for refugees.

The wide-ranging debate about immigration that is already happening in the UK must not undermine or obscure the UK's moral duty to help people forced from their homes through violence and persecution. The UK can continue to be a world leader when it leaves the EU by not turning its back on refugees and by taking some effective and relatively small steps to reduce the suffering of displaced families.

Protecting refugee families: How the UK can help

The right to a family life and protection is enshrined in international human rights law. Adults granted refugee leave or humanitarian protection in the UK are entitled to sponsor their close family members to join them. This process of family reunification provides a route for people facing violence or persecution in their home country to travel to the UK safely without making long and dangerous journeys.

Yet refugees separated from their families face a system that is not fit for purpose. The procedure for ensuring that they are reunited with loved ones is complicated, disjointed, often prohibitively expensive for the applicants, reliant on discretion, and does not fit the cultural and modern perception of what a family is today. Under the current rules, refugees can only apply to be reunited with their spouse or children under the age of 18. This means that an unaccompanied child granted asylum in the UK cannot bring an adult relative here to support them. It also means that parents can reunite with some of their children but not with others if they are over the age of 18. This restrictive policy not only keeps refugee families apart, but there is also growing evidence that it hinders the integration of refugees in the UK because they are continually worried for the safety of their absent loved ones.

Box 1: Ahmad from Syria

Ahmad arrived in the UK in 2015 after a horrific journey from Syria that involved risking his life at the hands of people smugglers. After he was granted refugee status, he applied successfully for his wife and two youngest children to join him in the UK, but the rules meant that his three eldest daughters (aged 20, 21 and 23) had to stay behind in Syria. Following a long legal process, Ahmad's daughters were finally given permission to join him in the UK in March 2017.

'I had to take a very dangerous and humiliating journey to get here. Hours of fear, sleeplessness and sickness accompanied by the smell of death and indescribable crying voices that can't be forgotten. I had hoped my family would be spared this, and would be able to join me in the UK in a safe and legal manner, without resorting to the smugglers. A few months later, I was overwhelmed by feelings of joy when we were granted a family reunion visa. But only half my family arrived at the airport. My three daughters had to remain in Syria, in the unsafe and dangerous conditions which their parents and siblings have been protected from. This torment of conscience did not end at the airport. It still haunts us during our sleep and while awake.'

The UK is the only country in the EU that does not allow unaccompanied child refugees to bring even their closest family members to join them. Its highly restrictive definition of what

constitutes a family – two parents and children – is forcing refugee families to live apart and more people to embark on dangerous journeys out of desperation.

Even within the narrow current rules, many applications to reunite with relatives are being rejected. In 2013 and 2014, the Home Office refused around 30 percent of refugee family reunion cases.²⁷ In 2015 and 2016, this increased to closer to 40 percent.²⁸ Last year, that amounted to 3,678 people who were denied the possibility to live with their loved ones in safety.²⁹

The system does allow UK immigration authorities to exercise some discretion, but in practice this is rarely used. In 2011, 77 visas were granted outside the rules, but this had fallen to 12 by 2014.³⁰ Between 2013 and 2015 – the period over which the global refugee crisis worsened dramatically – a total of just 65 applications for refugee family reunion were approved outside of the rules.³¹

As well as providing a safe route for refugees who have a relative in the UK, changing family reunification rules would likely have a positive effect on integration. Fear for relatives living in warzones or facing terrifying journeys across land and sea is a major barrier to refugees rebuilding their lives and beginning to contribute to their new society. The removal of legal aid in 2013 for refugees seeking family reunion in England and Wales has made it more difficult – and sometimes unaffordable – for refugees to apply for family reunion. This point was underlined in a recent report by the All Party Parliamentary Group on Refugees which said that ‘refugees often face barriers to exercising their right to family reunion, including through a lack of legal aid and difficulties providing supporting evidence’.³²

Box 2: Sharif from Afghanistan

Sharif, 15, fled Afghanistan after his entire family were killed. He turned to smugglers and embarked on a six-week journey through Iran and Turkey, where he was shot at and jailed. Sharif finally made it to Europe, where he hoped for a better future. But a year later, he is in limbo due to the slow process of dealing with his application. He currently lives in one of Greece’s notorious island camps, but has an aunt in the UK who has said she would take full responsibility for him if he can just get to the country.

‘Living in the camp is so hard. Sometimes when I think about living here I get so crazy. I try to find somewhere calm, then I cry a lot.’

Under the Dublin III Regulation, which the UK is subject to until it leaves the EU, refugees arriving in Europe who have a relative in the UK should have their asylum claims processed by the UK government. This is a way of speeding up their safe passage and reducing bottlenecks in places like Greece, Italy and France. Oxfam’s experience from working with refugees in Greece and Italy is that there is no adequate procedure for identifying such cases and that refugees often lack the information and legal assistance to have their asylum claims transferred to the UK.

Despite over 5,000 unaccompanied children arriving in Greece in 2016, only five are thought to have been transferred to the UK as of November 2016.³³ Similarly, Italy saw more than 25,000 unaccompanied children arriving in 2016, more than ever previously recorded, and yet only three were transferred to the UK.³⁴ The notable exception is France, which in 2016 transferred more than 550 unaccompanied children living in Calais to join their loved ones in the UK through an expedited process.³⁵ This action has prevented children risking their lives and turning to smugglers.

Recommendations

Oxfam along with Amnesty International, the Refugee Council and the British Red Cross is calling for action to ensure refugee families are no longer forced to live apart or to risk their lives to be reunited.³⁶ The call to expand safe routes to protection in the UK, such as through family reunification schemes, has been echoed by parliamentary committees including the Home Affairs Select Committee and the House of Lords EU Sub-Committee on Home Affairs. Family reunification was also highlighted as an area in need of reform by the recent All Party Parliamentary Group on Refugees report on integration in the UK.³⁷

The recommended changes put forward to the UK government by Oxfam and its partners include:

- Amend the UK Immigration Rules by expanding which ‘family members’ qualify for claiming asylum in the UK through the family reunion policy to include: young adults who were dependant on the family unit prior to flight, parents, siblings, in-laws and any dependent relative.
- Allow an expanded group of extended family members, including adult siblings, aunts and uncles, and grandparents to sponsor child relatives to join them in the UK under refugee family reunion policies, where it is deemed in the child’s best interests.
- Allow children found to be in need of international protection in the UK to bring family members to the country under the refugee family reunion policy.
- Reintroduce legal aid for refugee family reunion.
- Allow British citizens to sponsor family members who have been forcibly displaced or are at risk in their home country, under the same terms as set out in refugee family reunion policy.
- Ensure transfers under the Dublin III Regulation can proceed from Greece, France and Italy in a timely manner by providing UK expertise, including resourcing outreach teams to work with member states to identify children and adults that may be eligible for transfer to the UK. Unaccompanied children, pregnant women and other vulnerable adults should be prioritized.

Notes

All links last accessed June 2017.

- 1 The Conservative and Unionist Party Manifesto 2017. *Forward Together: Our Plan for a Stronger Britain and a Prosperous Future*, p40. Available from: <https://www.conservatives.com/manifesto>
- 2 The 1951 Refugee Convention. Available from: <http://www.unhcr.org/uk/3b66c2aa10>
- 3 UNHCR. (2016). *Global Trends: Forced Displacement in 2015*, p2. Available from: <http://www.unhcr.org/uk/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>
- 4 This is on the basis that 34,000 people per day were displaced in 2015. Source: UNHCR. (2016). Op.cit.
- 5 Figures are based on the latest available annual statistics and assume that the rates neither go up nor down between now and 29 March 2019. The aim is to illustrate the potential scale of the challenges ahead, not project precise figures. Oxfam's detailed calculations are available on request from ecairns@oxfam.org.uk.
- 6 International Organization for Migration. *Recorded migrant deaths by month, 2016*. Available from: <https://missingmigrants.iom.int/latest-global-figures>
- 7 Ibid.
- 8 Home Office. (2017, 23 February). *National Statistics: Asylum*. Immigration statistics Oct – Dec 2016. Available from: <https://www.gov.uk/government/publications/immigration-statistics-october-to-december-2016/asylum>
- 9 Refugee Council. (2017). *Information: Quarterly asylum statistics*. Available from: https://www.refugeecouncil.org.uk/assets/0003/9782/Asylum_Statistics_Feb_2017.pdf
- 10 Home Office. (2017, 23 February). Immigration statistics Oct – Dec 2016, Visa Volume 1 table vi_01. Available from: <https://www.gov.uk/government/statistics/immigration-statistics-october-to-december-2016>
- 11 Ibid.
- 12 The figures from 2015 are in UNHCR. (2016). *2017 Planning Summary, Operation: Ethiopia*. Available from: <http://reporting.unhcr.org/sites/default/files/pdfsummaries/GA2017-Ethiopia-eng.pdf>
- 13 Ibid. This figure includes refugees, asylum seekers, and all individuals recognized as people of concern by the UNHCR.
- 14 Ethiopia has a GDP of \$61.54bn compared to the UK's \$2.86tn. Figures are from 2015 and taken from World Bank country data. Ethiopia: <http://data.worldbank.org/country/ethiopia>
The UK: <http://data.worldbank.org/country/united-kingdom>
- 15 Uganda, 2015 figure, World Bank country data: <http://data.worldbank.org/country/uganda>.
- 16 UNHCR Map Portal. (2017). *Uganda – Refugees and Asylum Seekers – 01 January 2017*. Available from: <http://maps.unhcr.org/en/view?id=3548> and UNHCR. (2016). *2017 Planning Summary, Operation: Uganda*. Available from: <http://reporting.unhcr.org/sites/default/files/pdfsummaries/GA2017-Uganda-eng.pdf>. This figure includes refugees, asylum seekers, and all individuals recognized as people of concern by the UNHCR.
- 17 *The Heritage and Contributions of Refugees to the UK – a Credit to the Nation*. Available from: <http://refugeeweek.org.uk/wp-content/uploads/2015/10/HistoryofContributions.pdf>
- 18 Ibid.
- 19 Ibid.
- 20 Home Office. (2017, 25 May). *National Statistics: How many people do we grant asylum or protection to?* Immigration statistics Jan – March 2017. Available from: <https://www.gov.uk/government/publications/immigration-statistics-january-to-march-2017/how-many-people-do-we-grant-asylum-or-protection-to>
- 21 Home Office, J. Brokenshire, and R. Harrington. (2016, 21 April). *New scheme launched to resettle children at risk*. Available from: <https://www.gov.uk/government/news/new-scheme-launched-to-resettle-children-at-risk>
- 22 A. Travis and A. Gentleman. (2017, 26 April). *UK to take 130 more lone refugee children in Dubs scheme climbdown*. Available from: <https://www.theguardian.com/world/2017/apr/26/britain-take-130-more-lone-refugee-children-dubs-scheme>
- 23 Prime Minister's Office, Department for International Development, and T. May. (2017, 4 April). *PM dedicates £1bn in aid money for Syrian refugees and host countries*. Available from: <https://www.gov.uk/government/news/pm-dedicates-1bn-in-aid-money-for-syrian-refugees-and-host-countries>
- 24 UNHCR. (2016). *Global Trends: Forced Displacement in 2015*, Annex Table 1. Available from: <http://www.unhcr.org/uk/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>. These figures cover the number of refugees only – they do not include people in 'refugee-like situations' or asylum seekers.
- 25 Oxfam. (2016). *A Poor Welcome from the World's Wealthy*. Available from: <http://policy-practice.oxfam.org.uk/publications/a-poor-welcome-from-the-worlds-wealthy-616919>
- 26 K. Lyons. (2017, 9 March). *We want more Syrian refugees: council offers exceed official UK pledge of 20,000*. Available from: <https://www.theguardian.com/world/2017/mar/09/we-want-more-syrian-refugees-offers-exceed-official-uk-pledge-of-20000>
- 27 Home Office. (2017, 23 February). *National Statistics: Family*. Immigration Statistics Oct – Dec 2016, Visas volume 1 table vi_01_q. Available from: <https://www.gov.uk/government/publications/immigration-statistics-october-to-december-2016/family>

- 28 Ibid.
- 29 Ibid.
- 30 A. Musgrave and J. Liebl. (2017). *Together Again: Reuniting refugee families in safety – what the UK can do*, p4. Available from: <http://policy-practice.oxfam.org.uk/publications/together-again-reuniting-refugee-families-in-safety-what-the-uk-can-do-620199>
- 31 Ibid.
- 32 All Party Parliamentary Group on Refugees. (2017). *Refugees Welcome? The Experience of New Refugees in the UK*, p42. Available from: https://www.refugeecouncil.org.uk/assets/0004/0316/APPG_on_Refugees_-_Refugees_Welcome_report.pdf
- 33 Save the Children and UNICEF UK. (2016). *What next for child refugees in Europe?* Available from: https://downloads.unicef.org.uk/wp-content/uploads/2016/12/Unicef-UK-and-Save-the-Children-Briefing-on-the-Refugee-Crisis-in-Europe-15_12_2016.pdf
- 34 UNICEF. (2017, 13 January). *Number of unaccompanied children arriving by sea to Italy doubles in 2016*. Available from: <https://www.unicef.org.uk/press-releases/number-unaccompanied-children-arriving-sea-italy-doubles-2016/>
- 35 House of Commons Written Statement 467 by Robert Goodwill on 8 February 2016. Available from: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-02-08/HCWS467>
- 36 A. Musgrave and J. Liebl. (2017). *Together Again: Reuniting refugee families in safety – what the UK can do*. Available from: <http://policy-practice.oxfam.org.uk/publications/together-again-reuniting-refugee-families-in-safety-what-the-uk-can-do-620199>
- 37 All Party Parliamentary Group on Refugees. (2017). *Refugees Welcome? The Experience of New Refugees in the UK*, p42. Available from: https://www.refugeecouncil.org.uk/assets/0004/0316/APPG_on_Refugees_-_Refugees_Welcome_report.pdf

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