



School of Humanities
“Language Education for Refugees and Migrants”-“LRM”

Postgraduate Dissertation

“The right to family reunification under Dublin III Regulation
and its implications for refugee children’s wellbeing.”

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Patras, Greece, January 2024

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Abstract

Since 2015 greater than ever fluxes of refugees and migrants from Middle East and Africa countries have arrived in Greece escaping the perilous situation in their home countries and seeking for asylum in Europe. Among these population thousands of children follow the same dangerous journey totally alone, or accompanied by wider family members or with just one of their parents with the hope to get reunited with their family. Family reunification under Dublin III Regulation is a procedure that prioritizes family unity and recognizes the right to family life and unity. This thesis aims to present an overview of the Dublin III Regulation with a focus on the procedures concerning minors' reunification, and is based on literature review and opinions of practitioners working in the Greek Asylum field. The research is qualitative and the data findings are thematically analyzed.

Initially, the thesis presents an introduction of the topic of interest, the thesis purpose, methodology and structure. It explores the evolution of Common European Asylum System, the history of Dublin Regulation and its provisions for children's family reunification. Moreover, it examines child's best interest and well-being in relation to separation from their parents and to reunification with them. Then, practitioners' experience is presented and enlightens the Dublin Regulation procedures in practice and offers to the thesis a link between the framework and the reality. Their experiences and the literature findings are together discussed and offer answers to the initial research question "Is family reunification an indicator for refugee child's wellbeing? Is it ensured through Dublin III regulation? What are its benefits and drawbacks?".

The analysis of the data leads to the conclusion part, where the strength and the weaknesses of the Dublin Regulation for minors are discussed. The results of the research display a gap among the well-established framework and the actual practice, which, although its plans and provision for third country nationals, it is too bureaucratic, complex and slow with harsh consequences for minors trapped in a limbo state away from their parents. The thesis finally suggests improvements in order to deal with the refugee situation with more solidarity and to prioritize child's best interest and well-being.

Keywords: Minors, Asylum Seekers, Dublin Regulation, Family Reunification, Best Interest of the Child, Well-being

Περίληψη

Από το 2015 ένα τεράστιο κύμα προσφύγων και μεταναστών από χώρες της Μέσης Ανατολής και της Αφρικής έφτασε στην Ελλάδα διαφεύγοντας από επικίνδυνες καταστάσεις στις χώρες καταγωγής τους και αναζητώντας άσυλο στην Ευρώπη. Μεταξύ αυτών χιλιάδες παιδιά ακολουθούν το ίδιο επικίνδυνο ταξίδι εντελώς μόνα τους, ή συνοδευόμενα από μέλη της ευρύτερης οικογένειας ή με έναν μόνο από τους γονείς τους με την ελπίδα να επανενωθούν με την οικογένειά τους. Η οικογενειακή επανένωση βάσει του κανονισμού Δουβλίνο III είναι μια διαδικασία που δίνει προτεραιότητα στην οικογενειακή ενότητα και αναγνωρίζει το δικαίωμα στην οικογενειακή ζωή και ενότητα. Η μελέτη αυτή στοχεύει να παρουσιάσει μια επισκόπηση του Κανονισμού Δουβλίνο III με έμφαση στις διαδικασίες που αφορούν την επανένωση των ανηλίκων και βασίζεται σε βιβλιογραφική ανασκόπηση και απόψεις επαγγελματιών που εργάζονται στον πεδίο του ασύλου στην Ελλάδα. Η έρευνα είναι ποιοτική και τα ευρήματα των δεδομένων αναλύονται θεματικά.

Αρχικά, η μελέτη παρουσιάζει μια εισαγωγή στο θέμα ενδιαφέροντος, τους σκοπούς της, τη μεθοδολογία και τη δομή της. Ερευνά την εξέλιξη του Κοινού Ευρωπαϊκού Συστήματος Ασύλου, την ιστορία του Κανονισμού του Δουβλίνου και τις διατάξεις του για την οικογενειακή επανένωση των παιδιών. Επιπλέον, εξετάζει το βέλτιστο συμφέρον και την ευημερία του παιδιού σε σχέση με τον αποχωρισμό από τους γονείς του και την επανένωση μαζί τους. Στη συνέχεια, η εμπειρία των επαγγελματιών παρουσιάζεται και δια φωτίζει τις διαδικασίες του Κανονισμού του Δουβλίνου στην πράξη και προσφέρει στη διατριβή μια σύνδεση μεταξύ του θεωρητικού πλαισίου και της πραγματικότητας. Οι εμπειρίες τους και τα ευρήματα της βιβλιογραφίας αναλύονται από κοινού και προσφέρουν απαντήσεις στο αρχικό ερευνητικό ερώτημα «Είναι η επανένωση της οικογένειας δείκτης για την ευημερία του παιδιού πρόσφυγα; Διασφαλίζεται μέσω του κανονισμού Δουβλίνο III; Ποια είναι τα οφέλη και τα μειονεκτήματά του;».

Η ανάλυση των δεδομένων οδηγεί στο τελικό συμπέρασμα, όπου συζητούνται τα δυνατά και τα αδύνατα σημεία του Κανονισμού του Δουβλίνου για τους ανηλίκους. Τα αποτελέσματα της έρευνας καταδεικνύουν ένα κενό μεταξύ του πλαισίου και της πραγματικής εφαρμογής του, το οποίο, αν και παρέχει σχέδια και πρόβλεψη για υπηκόους τρίτων χωρών, είναι υπερβολικά γραφειοκρατικό, περίπλοκο και αργό με σκληρές συνέπειες για τους ανήλικους που μένουν εγκλωβισμένοι σε κατάσταση 'λήθης' μακριά από τους γονείς τους. Τέλος, η διατριβή προτείνει

βελτιώσεις προκειμένου να αντιμετωπιστεί με περισσότερη αλληλεγγύη η κατάσταση των προσφύγων και να δοθεί προτεραιότητα στο βέλτιστο συμφέρον και την ευημερία του παιδιού.

Λέξεις-κλειδιά: Ανήλικοι, Αιτούντες Άσυλο, Κανονισμός Δουβλίνου, Οικογενειακή Επανένωση, Βέλτιστο Συμφέρον του Παιδιού, Ευημερία



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List of Abbreviations & Acronyms

AIDA – Asylum Information

CEAS- Common European Asylum System

CJEU -Court of Justice of the European Union

DR-Dublin Regulation

DS-Dublin State

EASO - European Asylum Support Office

ECHR - European Convention on Human Rights

ECtHR -European Court of Human Rights

ECRE - European Council on Refugees and Exiles

ECJ - European Court of Justice

EU - European Union

GAS – Greek Asylum Service

HRC - Human Rights Committee

MMA – Ministry of Migration and Asylum

MS – Member State

UDHR – Universal Declaration of Human Rights

UN - United Nations

UNHCR - United Nations High Commissioner for Refugees

1. Introduction

Topic of interest

Since 2015 European countries and especially border countries like Greece and Italy have received great fluxes of migratory populations escaping their home countries in Middle East due to political instability or conflicts (UNHCR, 2015). Migratory population includes both refugees and asylum seekers who are searching for a safe shelter in a new country. This life changing endeavor has consequences not only for the persons themselves, but for their whole families, since while fleeing their countries families are separated and many family member are left behind. After life safety and dignity, the most important concern for refugees and asylum seekers is the anticipation for family reunification in the shelter country (Nicholson, 2018). Their desire for family reunification is not a surprise, since family life is a considerable priority in conditions of migratory flows, influencing greatly today's world (UNCHR, 1981). After all, family life is respected according to European Convention on Human rights (Article 8) and the Charter of Fundamental Rights of the European Union (Article 7).

Migration concerns Europe not only during the last years, but since the end of the Second World War, when there was an intensive and pressuring redistribution of populations. With Geneva Convention 1951 and the 1967 Protocol being the starting points for the creation of a common basis on matters of international protection, many legislative texts, Regulations and Directives have been written and reformed in order to improve the shortcomings of previous ones of this review. Nowadays, with respect to Human Rights and International Protection, European Union concluded to a legal framework, the Common European Asylum System- CEAS ensuring that all Member States-MS act, offer and handle asylum seekers in the same way. Cornerstone of CEAS is the Dublin Regulation III which determines which MS is responsible for examining an asylum application, ensures the non refoulement protecting people from being expelled and returned in any place where their life and freedom are threatened, as well as permits family unity and secures best interest of children (European Union, 2013). However, provisions of Dublin Regulation in many cases remain a theory and in practice the real situations stand by far away from them. First country of entrance remains the criterion for the examination of asylum application, causing huge burden on boarder countries at the same moment it does not permit arrangement and equal distribution of migrants among MS. Moreover, the opinion of asylum seekers regarding the MS preference is not taken into consideration trapping them in boarder countries even though they do not wish to or there are not the appropriate reception conditions for them. These situations do not ease family reunification, while its narrow definition of family related criteria in Article 9,10 and 16 (European Union, 2013) in regulation leads to breaking of family ties (Actionaid, 2017).

Dublin Regulation III secures that any action, service, decision or order around reception conditions and asylum procedures is deliberated towards the best interest of children, who represent the one third of displaced people (Baauw, et al, 2019). Many children from third countries arrive either totally alone and unaccompanied or accompanied by wider family members or as members of single parent families with just one parent. The reasons behind this condition rely in the perilous situations back in their home countries and their journey, since both or one of their parents are missing or are deceased, have been left behind or have already moved to another European country. The consequence of such a situation is children susceptible to dangers relevant to illegal migration and human trafficking (Nicholson, 2018). A tool for anticipating these consequences is firstly the family reunification, which falls under the right to private and family life, home and correspondence and enables the mutual enjoyment by parent and child of each other's company within the meaning of Article 8 of the ECHR, and secondly Child's Best Interest (UNHCR, 2008). Family unity and children's best interest are two inextricably connected aspects, which take precedence over other criteria, such as first MS entry or residence (Article 8-11 & 16, DR). This prioritization renders children's best interest a top pursuit for all MS, which should ensure their healthy development including academic achievement, psychological well-being and health, factors arbitrary influenced by war, persecution, violence, resettlement and family separation, with the last one being the key to moderate and counterbalance them (Lu et al, 2020). Family reunification permits family in need of international protection to begin again their lives, reorganize them and become parts of the hosting society, while for children it could put an end to their suffering and constitutes a strong indicator for their wellbeing and development depending on their family structure, duration of separation and presence of broader family and social net (Edyburn & Meek, 2021). However, Regulation implementation differentiates from one to another MS with delays in procedures and inadequate representation of minors leading to expiry of deadlines and incomplete and unsuccessful applications for family reunification (UNHCR, 2017). This partial implementation for minors is obvious since MS focus on different criteria, such as financial proofs, accompaniment of another relative, or proceed differently with the interviews having pending applications for over three years, request different relation proofs such as DNA test, situations that culminated and turned more prominent during the covid-19 pandemic (AIDA,2022).

Thesis Purpose

The principles of child's best interest and family unity are safeguarded and prioritized by Dublin Regulation III. This study tries to present an overview of the Regulation focusing on the ways that children's best interest and wellbeing is ensured and promoted through Dublin regulation, as well as on the importance of family unification for children's with regards to time interval, bureaucracy and flexibility. By studying these two, the efficiency of Regulation will be

questioned and its strong and weak points will be presented and explained based on existing research papers along with employees' opinion working in the field. Studying and analyzing family reunification procedure for unaccompanied minors, for separated children and children members of single parent family will offer a critical overview of the strengths and weaknesses of the ongoing situation regarding family unity for one of the most vulnerable group among migration population, the children. "Is family reunification an indicator for refugee child's wellbeing? Is it ensured through Dublin III regulation? What are its benefits and drawbacks?", are the questions that guide this research. These findings could be useful for academic knowledge, which with further and more specialized research can propose improvements in regulation implementation.

Thesis Methodology

The approach of the research will be qualitative since it tries to explore and understand the connection between certain parameters of Dublin III regulation and family unity regarding children's wellbeing. The area of interest needs further explanation and description, so this approach seems more adequate (Creswell, 2014). The research will be based firstly on literature review books, journals, reports and legal articles about the legal framework and regulations, and secondly on employee's opinions working in the Greek migration field about the Dublin procedures. The analysis of the collected data will try to identify the gaps and omissions between theory and practice, as well as to discuss matters and offer insights regarding refugee family reunification and children's wellbeing (Snyder, 2019).

Thesis Structure

The first chapter of the thesis includes the introduction to the thesis topic of interest, as well as the thesis purpose, methodology and structure.

The second chapter presents the legislative framework of CEAS and Dublin Regulation III with respect to family life and unity of migratory populations.

The third chapter focuses on minors and the Dublin Regulation III provisions for their family reunification.

The fourth chapter focuses on child's best interest and well being in relation to family unity based on literature review.

The fifth chapter presents the opinions of employees in the Greek Asylum field and illustrates them in graphs.

The sixth chapter includes a discussion of bibliographic reviews and employees opinions.

The seventh and last chapter is a thesis synopsis presenting the conclusions.

2. CEAS and Dublin Regulation III

Article 14 of Universal Declaration of Human rights 1948 states that “everyone has the right to seek and enjoy in other countries asylum from persecution”. This statement renders international protection and grant of asylum as one of the fundamental human rights. After the end of the Second World War in 1951 the Geneva Convention Relating to the Status of Refugees provided the termination of refugee in order to set a framework for the intensive and pressuring redistribution of populations in need of protection away from their country. The Convention includes principles for refugees, such as non-discrimination, non-refoulement, non-crime of illegal entry and residence, as well as the issue of non deportation prohibiting contracting countries of transferring a person to a country where his or her life is under threat. Both in the Geneva Convention 1951 and in Protocol Relating to the Status of Refugees 1967 referred to the right of asylum seeking and asylum granting, while they define the requirements under which an individual is qualified for international protection. More specifically, as refugee is defined any person who has a well-founded fear due to his/her race, religion, nationality, membership of a particular social group or political opinion, has fled his nationality country, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country (UN, 1951, Article 1 A). Well-founded fear could be related to persecution or to violation of individual fundamental human rights such as the right to life, to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to freedom from slavery of servitude, to recognition as a person before the law, to freedom of thought, conscience and religion (UNHCR, 1977). Moreover, the Refugee Convention expands to the rights that a refugee can enjoy from the shelter country, such as the right to freedom, to education, to work, to practice of religion, to access to health services etc. These principles and standards do not indicate the specific ways that it's contracting country should follow for providing international protection to people in need. The specific ways and procedures of asylum guaranteeing and treatment are figured by each country's law which is expected to treat asylum seekers with fair and effective procedures according to the international principles, since each state has the exclusive control over its territory and hands over persons present in its territory. In others word, every state retains the right to examine and proceed with asylum applications and decide for asylum grant according to

its national law, but the Universal Human Rights or the Rights of the Child is under the discretionary authority of the respective state.

The constantly rising number of people from third countries in need of international protection coming to Europe for shelter urged European Member States to create a common asylum system. For European countries signed the Schengen Agreement and abolished checks at their common borders, the Geneva Convention and the International Refugee law provided principles for asylum seekers and refugees, but did not delineate and allocate the responsibility of asylum application examination among the member states permitting multiple asylum application submission from the same applicant in different MS. The reason behind this strategy of many application submissions is that asylum seekers opt for MS with better and higher social and welfare system regarding reception conditions or social security assistance (Crawley, 2010) or with more favorable protection systems (Mouzorukakis, 2014). In order to cope with this issue causing confusion about the responsible MS (Odorige, 2018) and to create a harmonized regulation providing that common asylum policies are adopted and legislative law is applied by every MS, Common European Asylum System was created. The CEAS is a legal framework based on the Geneva Convention 1951 and the principle of non-refoulement and developed with the objective to establish common practices and procedures following and implementing legislation for protecting third country nationals in need of international protection within European territory. CEAS sets the minimum standards and procedures from applicants' arrival into a MS until the determination of international protection, while its legislative tool Dublin Regulation along with Eurodac Regulation allocate the responsibility among MS under solidarity and mutual trust principles (Recital 22, DR).

The current Dublin Regulation III is the aftereffect of a series of reformations of former regulations. In June 1990 Dublin Convention was signed and set the legislative criteria for the determination of responsible MS for asylum application examination. This European agreement aimed in preventing applicants of submitting multiple applications in different MS as well as in ensuring that every MS is a safe country for asylum application examination according to objective criteria. Nine years later in 1999 Dublin convention was replaced by Dublin Regulation II due to the need of clarifications about the criteria for determination of the responsible MS. Dublin regulation II was established by the European legislation for third country nationals or stateless persons, while the main tool for determining and indicating in a bind way the responsible country was figured out by the Eurodac Regulation. Eurodac Regulation establishing a fingerprint database of asylum applicants above 14 years old who are obligated to have their fingerprints taken during registration, enables the comparison of fingerprints among MS for preventing multiple asylum applications, helps in the designating the responsible MS and in releasing the other MS. Dublin Regulation II along with Eurodac Regulation form the commonly

known Dublin system, however the European Court of Human Rights indicated a need of review. In June 2013 both of them were adjusted and brought up the recast under the title Dublin Regulation III and Eurodac Regulation II respectively with the aim to enhance the effectiveness of Dublin system while securing applicants' protection in higher standards (Recital 9 of Dublin III Regulation) with the help of the Court of Justice of the European Union clarifying the fundamental legal issues.

Dublin Regulation III affirms its full confidence in the Dublin regime while it is considered as the milestone in the construction of CEAS. The new reformation was an effort by the European Union in order to establish a more equitable and merit-based asylum system that will have a burden-sharing mechanism and will offer an even and fair treatment over asylum seekers that the previous ones failed in. The Dublin III Regulation aligns with the CEAS system with the primary aim to prevent multiple applications in different MS, as well as secondary movements from one to another MS and establishes the criteria in order to determine the responsible MS for asylum application examine, but it is more inclusive and applies not only to refugee protection seekers, but also to people asking for subsidiary protection seekers, who do not meet the refugee criteria, but who faces serious risk of harm in case of return to the home country (Recital 10 of Dublin III Regulation). According to Article 9, 10 and 13 of the Regulation there are objective criteria for the MS responsible to examine the asylum application ordered in a hierarchical manner and related to the existence of family ties, the issue of a residence permit or a visa, and the place of first, regular or irregular, entry in the European territory. The countries participating in DR are all the 27 MS of European Union, as well as Iceland, Liechtenstein, Norway and Switzerland, which have signed formal agreements with the EU. These countries are considered safe countries and between them there is a mutual trust, the so called 'sovereignty or discretionary clause', information exchange and cooperation in order for fundamental rights of international protection seekers to be protected and respected regarding risk of exposure to inhuman and degrading treatment, as the ECHR framework reserves in Article 3 and 13.

Dublin III Regulation brought changes in the definition of family member. Upon arrival in one of these Dublin MS along with the asylum application third country or stateless asylum seekers have the opportunity to declare the existence of family members living legally as refugees or asylum seekers in another MS providing information about them. The view of this provision is that people belonging in the same family must be dealt by the same MS and their separation should be avoided respecting the principle of family life, family unity and the best interest of the child (Recital 14, 15, 13, 16 of the Dublin III Regulation). These criteria are considered fundamental according to Charter of Fundamental Rights and the European Convention on Human Rights and take precedence in the hierarchy over the criterion of entry or residence,

separating the criteria for Dublin MS responsibility in two categories, one of those related to family unity and one of those related to MS with the highest role in European territory entrance or residence (EASO, 2019).

According to Article 8 of the ECHR family life should be protected by MS meaning that family members should live together and construct healthy relationships. Although in previous versions family member was considered only nuclear family based on marriage institution and not partnership, including married parents, married spouses and their underage children, thus only those under 18 years old, the reformed Regulation broadens the definition in case the applicant is a minor from parents to any adult relative even of a further degree of kinship, such as aunt, uncle, cousins, adult siblings or grandparents responsible to take care of him or her and present in one of the MS (Article 2h of Dublin Regulation). Moreover, broader family definition under Dublin III Regulation applies under dependency clause, thus in cases of health issues or weakness caused by recent maternity, pregnancy, serious illness, disability or seniority (Article 16 of Dublin Regulation), rendering family members in need able to be united since they are depended on the assistance of the other member. In these cases, the entry MS asks the other Dublin MS to undergo the responsibility of the applicant by sending a take charge request within three months from the asylum application according to Article 21 of Dublin Regulation. If the request fulfills the criteria or if there is no answer back within two months implying acceptance, the entry MS is charged to arrange the applicant's transfer to the other responsible Dublin MS (Article 29 of Dublin Regulation), as well as it has the responsibility to provide the applicant with extensive and sufficient information about his or her legal representative, the date of the transfer and any other important deadline (Article 27). In this way, family members arrived in different European MS countries have the opportunity to get reunited in the same country and have their asylum request co-examined and evaluated together under the merits of one MS. The innovation of Dublin III Regulation is that it has extended the definition of family by including siblings, while it includes not only families formed back in the home country of asylum seekers and refugees, but also it includes families formed in transit within the period of journey from the home country to the new resettlement place (Article 2 (g) and 19).

The Dublin III Regulation for family reunification is applied for asylum seekers and international protection beneficiaries granted refugee or subsidiary status within the European Dublin states. At this point, it is important to note that polygamy is not recognized and only one spouse can benefit from the right to family reunification, while the other one as well as the having children are excluded, unless their best interests warrant it (EU Directive, 2003/86). For international protection beneficiaries having family outside the European Union either in their country of origin or in another country, the procedure is different and even more complex, since it requires embassy of the country that offered protection in the country where the family lives in order to

issue a visa. Moreover, travel documents, marriage and birth certificates are required and are not always easily retrieved, while the cost of process and the subsequent travel prohibit families from being together and force family members left behind to undertake the risk of the irregular journey to European territory in order to join their fled family. EU Family Reunification could be a lifeline for people seeking to get their family members to safety within the EU and it could lead to fewer people risking their lives via perilous migratory routes by adopting a more protection-oriented approach; however, several obstacles restricting or delaying family reunification process and strict interpretation of family and dependency deprive refugees in EU states from their supportive relatives, while increasing their vulnerability (ICRC, 2023).

3. Dublin III Regulation and Minors

Among migratory and displaced populations the one third is minors. The terms minor and child are both referred to any person below the age of 18 years old in the European legislation and the European asylum acquis uses the two terms as equivalent. For children that their age is doubted or questioned the age assessment process is followed in order to establish whether the person is a child or an adult. Dublin III Regulation in article 2(g) determines the definition of the term unaccompanied minor, who is considered any third country national or a stateless person under the age of 18 years old and who is not accompanied by an adult able to take care of the him or her when entering the European territory or has been left alone after the entrance. In the same category falls also the separated children term, which refers to a person under 18 years old and accompanied by an adult family member or relative, who is not by law the responsible adult for him or her, since he or she is separated from parents or other responsible caregivers. These children are usually called 'anchor children' and are seen as anchors that will pull later the rest family in Europe. Although sometimes this situation is real, the term is a stereotype that portrays all the families as suspicious of exploiting their children for economic reasons and at the same time it disregards the motives of unaccompanied children themselves. This happens because of the Western ideal family perspective that omits their child reality living in death, war, poverty, violence and insecurity or their family form based on different ideas and values, that forced children to flee or their parents to send them away with the hope of being safe and protected (Lalander, & Herz, 2018).

It is worth mentioned that married boys and girls under the age of 18 years old are also included in the definition of unaccompanied child, unless the European state where the asylum request is applied recognizes the marriage. All married children under 15 years old accompanied by spouse are considered vulnerable and unaccompanied under the Asylum Procedures Directive, while for children 15 to 18 years old depending on the laws and practices of the MS, the adult spouse

could be considered as being the responsible adult for the married child, so the child is registered as a separated minor. In all marriage cases of minors below or above the age of 15 years old, when their parents are also present, they are considered members of the parental nuclear family. In general, the presence or absence of adult attendant differentiates the children categories according to Article 9 (j) of DR.

Unaccompanied or a separated minor are exempted from boarder, accelerated and fast-track procedures when the context does not secure the adequate supporting terms required for their well-being and in such cases children should be transferred to a safer environment as soon as possible (Article 24 (3) APD). When such a minor enters a Dublin MS a guardian is appointed for him or her. The guardian is an independent person who safeguards child's best interest and wellbeing acting as a statutory representative and representing the child in all proceedings. In Greece unaccompanied minors' guardian is usually the Juvenile Prosecutor, who due to workload executes the responsibilities through others, such as NGO. NGOs, such as Arsis, Metadrasis, GCR usually undertake activities for UAM concerning their guardianship and fostering, sheltering, legal and psychosocial support, access to education and health system, but without having a solid support by the state, these actions are sporadic, with no supervisory, do not follow standard operational plan, so they lack accountability, create a feeling of frustration and show low quality, while on the top of all administrative delays and gaps burden more UAM psychological situation (Fili, & Xythali, 2017).

Upon an unaccompanied minor declares the existence of family members, such as parents, siblings, cousins, aunts or uncles, the first and most vital step is completion of the Best Interest Assessment of the child (BIA), which ensures the best interest principle according to Article 3 of UN Convention on the Rights of the Child. The Greek Dublin Unit with the contribution of UNHCR, UNICEF and EASO have created this tool, while they took into account already existing tools and reports used by various NGOs with the view to gather all the necessary information requested by other Member States when assessing the applications of unaccompanied minors for family reunification (MMA, 2021). BIA is applied through individual interview with the child and his or her guardian and is a tool supposed to gather all the necessary information, such as basic personal data and case information, information concerning child's family and composition, the history of child's separation, information about the family member or relative residing in another MS, required for the assessment of family reunification procedures, and for this reason the minor should be informed about the procedure and its purpose giving his or her consent. Moreover, child is asked to express his or her willing and opinion to get reunited with family members living in another MS and the procedure of BIA evaluates, balances all the necessary elements and concludes with the guardian's opinion and recommendations about the determination of child's best interest and whether it is served through family reunification. The process should follow strict procedural safeguards and designs,

while the form filling is demanding, since incomplete forms are rejected, while the approach of a vulnerable child and the conclusion coming are crucial, so the practitioners involved are required to be appropriately and fully trained with the requisite skills and knowledge throughout the displacement cycle. The responsible MS for an unaccompanied minor's asylum request is the state where a family member resides legally with the view of family links' restoration and family reunification when this is in the best interest of the child (Article 8.1).

All these protective and beneficial actions for unaccompanied minors are seen in practice as a trap for them due to long term waiting under insufficient and dire conditions. The proof is that it is not an uncommon practice for minors to declare themselves older than they really are in order to avoid reception conditions for UAM in closed structures, while they opt for and try adult registration that ensures earlier release with deportation order (Lønning, 2023). The truth is that unaccompanied minors do not belong to the country where they temporarily reside, they are not deportable, they are not allowed to move to another country (Nimführ, 2016). This endless waiting and uncertainty creates feeling of disappointment, psychological exhaustion and suicidal ideation, as well as loss of interest and motivation for their future and feelings of resignation and despair, and pushes minors to find irregular passages for continuing their trip to other EU countries. Making people wait, delaying without destroying hope, adjourning without totally disappointing, implies a power exercise on the poor and the powerless (Auyero, 2011). The concept of 'politics of exhaustion' and the legal limbo are tools of governance and control, as well as how it is endured and resisted as a lived experience by people forced to move or not to move (Walander & de Vries, 2021).

Unfortunately, Greece has faced significant challenges in providing adequate facilities for unaccompanied minors, although this group is considered the most vulnerable one. The reception system seems to focus merely on their basic survival, since they are hosted in overcrowded shelters and inadequate facilities with limited resource and insufficient personnel, if not in temporary camps, abandoned buildings, or even on the streets. More specifically, they live alone without any protection among hundreds of adults or in safe zones with a constantly supervised, but still locked inside the so they're easily approached by anyone. Moreover, the lack of coordination and cooperation between actors in the national child protection system, as well as cooperation between the social service provider workforce and the social protection, education, health and justice actors, and without the supportive and holistic network of care provision responding to their needs and rights, protection, safety, well-being and prospects for a better future for minors is jeopardized. The relocation and family reunification scheme is the only legal path for minors, but due to delays and inefficiencies migrant children remain indefinitely stranded in a foreign transit country in the state of uncertainty and legal limbo. So desperate are these children to leave that believe and trust anybody who promises them a way out. Of course, illegal paths entail many risks and dangers for them such as being exploited, harmed or sexually

abused in their endeavor to find money or escape the bureaucratic and outdated asylum procedures that seem constantly to prioritize the consideration of migration over childhood status (Digidiki & Bhabha, 2018).

Unaccompanied and separated children are considered and readily identified as being vulnerable children at a high risk, since they do not have their parents or the responsible adults with them. Although it is highlighted in literature, children members of single parent families are also considered vulnerable, since they are usually left with their mothers behind, while fathers have travelled ahead of the rest of the family to apply and seek for asylum in a European MS waiting for them (Hvidtfeldt, et al, 2021). Separated families with children in different countries waiting for their reunification feel stranded in the reception country, helpless, hopeless and deprived from information concerning the following procedures, since nobody provides them with clear guidelines or dates. The human impact of this situation is negative with severe consequences for refugee adults' and children's well-being and everyday life, since they are left alone in a legal limbo without their supportive network, although international human rights law and standards make clear that family should be protected and reunited and the interest of child should always be the priority (Action Aid, 2017). As a consequence, these families tend to think of skipping Dublin procedures and following once again an irregular, dangerous and illegal way in order to reach their people. Children on move even accompanied by one or both of their parents could also be at risk, although they are easily downplayed or overloaded (EASO, 2019). In any child case it should be ensured that no child is put in a situation that could cause them harm, as well as that they receive assistance and care by the relevant child protection authorities.

Child's best interest should be a primary consideration for the MS from the moment of asylum application until his or her transfer to another MS according to Recital 13 of Dublin III Regulation and its determination includes many different aspects and factors. More specifically, "context of the child's gender, sexual orientation or gender identity, national, ethnic or social origin, religion, disability, migration or residence status, citizenship status, age, economic status, political or other opinion, cultural and linguistic background or other status" have to be balanced with child's current circumstances and safeguards always reserving their rights (EASO, 2019). Child's rights are ensured under General Comment no14, Convention on the Right of the Child, Reception Condition Directive and Dublin III Regulation, namely family reunification possibilities (Article 10 CRC, Article 23(2) RCD(recast)); the child's life, survival and development (Article 6 CRC); well-being; the child's identity (Article 8 CRC) and background; situation of vulnerability; potential victim of trafficking (Articles 32 and 39 CRC, Article 23(2) RCD (recast), Article 6(3)(c) Dublin III Regulation); other special needs (Articles 20 and 22 CRC, Article 22 RCD (recast)); the child's right to education (Article 28 CRC); the child's right to health (Article 24 CRC); family unity (Article 9 CRC, Article 8(2) Dublin III Regulation and Article 25 qualification directive), preservation of the family environment and maintaining

relations; hearing the child's views (Article 12 CRC); protection and safety of the child (Article 19 CRC); principle of non-discrimination (Article 2 CRC); care and guidance in line with the child's evolving capacities (Article 5 CRC).

Dublin III Regulation emphasizes that child's best interest should be a priority for MS. Towards this direction it is pointed that the main objective should be the localization of minor's family members present in another MS, while all MS involved should cooperate smoothly in such cases where family reunification concerning minors is pending by providing legal representative for supporting his or her asylum procedures and adding important documents to the case. Moreover, Article 8 of DR states that MS should take all the essential actions for providing quick access to the asylum procedure and they should not be delayed impacting negatively the minors' transfer to another MS (Article 6 of DR) and this is an imperative in cases of those children who are close to reaching the eighteenth year, due to the risk of not receiving proper protection in time (AGIA, 2020). However, asylum procedures should adapt to children's needs and procedures should be accelerated with the view to mitigate the risk for the child or postponed in cases where it is considered necessary for the individual case.

4. Child's best interest and well-being in relation to family separation and unity

The situation for refugee population arriving in Greece during the last two years does not significantly differ according to statistics of Reception and Identification Service of Ministry of Migration and Asylum (2023). In 2021 the total population of third country asylum seekers was almost 7,000 people while in 2022 was 9,500 people, but in both cases the country of origin was the same. More specifically, the majority of asylum seekers are originated from Syria, Afghanistan, Somalia and Palestine and in all cases male population exceeds three times the number of female ones. In these statistics the one third is every year children below 18 years old, where the number of girls is less than the half of boys' number. Regarding unaccompanied minors arriving with no parents or no other adult responsible for them their number represents in both years the one seventh of the general population. The majority (90%) of unaccompanied minors is boys above 14 years old, while only 4% are children below 14 years old, and it is worth mentioned that in these numbers separated minors, accompanied by adult distant relatives who are not responsible of them, are also included in according to EKKA. Unaccompanied minors are usually originated from Afghanistan, Syria, Pakistan, DRC and Somalia. Unfortunately in the statistics of MMA (2023) the number of children members of single parent

families is not clear, since they are appeared as a unit along with their parent and siblings irrespectively of their quantity and it is not clarified how many of them compose the family each time.

Traumatic experiences and events related to conflicts, fleeing of home country, insecure journey have severe effects on refugee children's psychosocial development. Traumatic are considered all those situations causing feelings of fright, danger or violence, while they threaten children's safety and well-being with persisting duration (Sullivan et al, 2019). Refugee children populations are originated by countries suffering war and conflicts, circumstances that damage their home country economically, socially and psychologically. War situation in their countries render them susceptible to illnesses, hospitalization, deprivation of school for long periods, as well as shortage of food and access to clear water causing malnutrition or death from preventable causes (WHO, 2014). Moreover, situations like bombing, landmines and gunfire result in the disrapture of families and of course lead to emotional trauma with violence and atrocities prevailing children's whole lives. Erikson identifies different psychosocial development effects of traumatic situations on children depending on their age depriving them from making choices that influence the growth of their personalities (Erikson, 1971). Children are the primary victims suffering problems of emotional, social, physical and intellectual development, since their environment and the dynamic interactions within it impacts their development (Brofenbrenner, 1979). These interactions include the individual with the societal and cultural belief system, the community and neighborhood, the family and self one. During war times it has been noted that the interaction with family is the most significant one and separation from it has comparatively the greater impact for refugee children (Freud & Burlingham, 1943).

According to Erikson (1971) there are five stages of children spectrum, the infancy, the early childhood, the play age, the school age and the adolescence. Each one of these stages is influenced and saved by biological and social changes that the child undergoes, while they are experienced as conflicts through which children experience life, shape their personality identity and become healthy individuals. The first stage of infancy is run by trust and mistrust, and the infant attains hope and drive through its mother feeding, sleeping and comforting. The second stage, the early childhood is characterized by autonomy and shame and doubt through which child gains will, power and self control with the help of its parents and body functions. The next stage, the play age is balanced among initiative and guilt with a view that the child will accomplice having purpose and direction with the help of its family, exploration, discovery, adventure and play. The next stage of school is run by industry and inferiority, where children interacting with their school mates, friends, teachers and achieving accomplishments, mastering competence and method. Finally, during adolescence children experience the conflict between identity and role confusion with peers' interactions, influences and direction, and growing up

they achieve fidelity and devotion. For children experiencing conflict and war situation, the developmental stages do not fulfill their outcomes according to Eriksons' childhood development theory (1971). More specifically, for infants suffering parents lost, mother's neglecting or having a caregiver in trauma due to fear and overcoming worry, results in withdrawal and developmental problems in the future connected to sensory distortion, while for the early childhood this situation can cause impulsivity and compulsion. For older children suffering similar living conditions and are away from school environment, ruthlessness, inhibition, narrow virtuosity and inertia are possible developmental outcomes. Finally, adolescents exposed to war may become angry, having feelings of despair, fear and hatred, while it is not improbable for them to become part of the crime and rebel groups, or to undertake great responsibilities not age appropriate towards their community and family. All these consequences deprive children from a normal development and the state of well-being.

For young children of school age war, conflict and displacement are the only things that they know and prevail their life. This is obvious since they have grown up in their home countries experiencing attacks and bombings, violence and death of family members. For refugee children this is the norm, a situation putting them in great risk for adverse and long-term psychosocial problems (Bhutta et al, 2016). Trauma has a significant impact on their physical, cognitive and emotional development, due to all social changes having happened during their life, hindering their brain development. As a consequence, children may suffer emotional and behavioral problems as well as difficulties in attention, learning, memory, reasoning and problem solving, affecting their academic performance (Dye, 2018). Refugee children's development is not only influenced and formed during the period of time staying in their home country, but traumas continues to impact them during their flight away from it, during their arrival in the first safe country and afterwards (Jensen et al, 2019). When children flee their home country, they have to spend indefinite period of time in transit places. During the period of this placement more stressors are accumulated on children's psychology and development. The unsafe journey brings up new challenges to children, such as lack of food and water, dangerous travel through multiple countries, violence, trafficking and rape risk, refugee camps, fear and agony for the unknown future (Murray, 2018). For those children travelling alone without any guardian and adult supervision stressors are for sure even more intense, but for accompanied children unexpected events such as family members' disappearance can take place. When refugee children survive all the previous situations and manage to arrive in a reception country like Greece, they are hosted in the setting of CCAC, where they continue to be exposed to different stressors. First of all, they face a constant insecurity, due not only to living condition in crowded places with unknown people, violence, restrictions and constrains imposing emotion-inhibiting, emotion-focused and wishful thinking strategies, limited provision, but also due to complicated and incomprehensible asylum procedures, future uncertainty and fear of deportation. Moreover, engaged in the formal

education, they have to learn the new host culture and a new language, although they do not know if they will be able to stay there. Even in cases where families and UAM are resettled in a new country, they meet social isolation and discrimination from the local communities that prohibit them from being incorporated in and feeling welcome and released.

The well known pyramid representation of Maslow's Hierarchy of Needs introduced the five categories of needs for wellbeing (1943) and is a useful, culturally competent framework for understanding refugee children's status. The categories designed in a pyramid shape are referred to the physiological needs including basic needs of life, such as body survive, water, oxygen, food sleep, the security needs, such as the need for a safe family environment and neighborhood, a stability of financial situation, the social needs expressed through the community interactions, where the individual can fulfill the need of belonging, love, intimacy, affection, can construct relationship with friends, the esteem needs including the need for status, respect, recognition and reputation as well as positive self evaluation confidence, accomplishment and skill mastery, and finally the self-actualization need, which satisfies the individuals potentials, personal growth, creativity, morality, meaning making. Of course, these needs should not be seen as strictly independent, but mainly as interrelated. Moreover, fundamental needs can be extended and include the need for autonomy, which enables individuals to be the cause of their actions and have the feeling that they determine their life in the wrong way without external conditions and other peoples decisions, the need for beauty which makes individuals feel that the world is a place of elegance, coherence and harmony rather than feeling that it is disharmonious and appealing or ugly, the need for comfort with enables individuals to have an easy, simply, relaxing life, the need of impact which makes individuals see that their actions or ideas contribute and have an impact in the world, as well as the need of morality with this feeling running the individual's world, the need of recognition and relatedness which permit individual to feel appreciated and to have warm, mutual, trusting relationships with other people. For refugee children having a traumatic background, their well-being in the host country is seem again to be under question. The reason is because they feel the pressure to assimilate in the new culture, they face xenophobia, prejudice and discrimination, troubles in understanding the ongoing legal practices, as well as they suffer a decline in their ethnic identity, constant changes in family dynamics, and financial stress, post-migration anxiety, feelings of helplessness, intergenerational conflict, physical illness, and low self-esteem (Bemak & Chung, 2017). On the top of all, in order to adapt in the new reality they are forced to change beliefs, personal relational styles, behavior, thoughts, values, and language through acculturation experience (Nadal et al., 2012).

The psychological and social problems that refugee children suffer from are usually common for all of them, but differentiate according to their age. Younger children usually have traumatic

grief, depression, anxiety, acting out and post traumatic stress disorder, known as PTSD. More specifically traumatic grief is expressed when it occurs for an extended period of time or prohibits child's social functioning (Reavell, & Fazil, 2017). Depression and anxiety can be seen in child's weight fluctuation, loss of interest in play and activities, difficulty in sleeping, feeling of worthlessness and thoughts of suicide, which are common aftereffects of loneliness and absence of meaningful and pleasant activities for a long time. Acting out behaviors is caused by the overwhelming stress and emotions of powerlessness and is expressed as threats of injury to self or to other people or animals as well as vandalism, truancy or theft, common expression of juvenile delinquency of UAM (Campani, et al, 2002). Finally PTSD is an effect of long trauma and violence experience, which makes children anxious, intrusive and reluctant, or hyperactive. Finally, refugee children can suffer from "toxic stress" because of their exposure to adverse childhood events (ACE) (Murray, 2019). All these symptoms can be heightened for children displaced without their parents or separated from their parents and insist even after reunification. According to 'attachment hierarchy' parents are the most important attachment figures for the child, although they may have multiple other attachment figures in their environment (Lu et al, 2020). As a consequence of child-parent separation, children are likely to experience weakened affection bonds and emotion regulation problems, along with insecurity, anxiety, anger and sadness, as well as health state and educational performance. Moreover, separation from parents reduces the quality and quantity of the parental input and supervision, which are critical for young children and can not be substituted by alternative caregivers (Waddoups, et al., 2019). Even in single-parent families, where one parent left with the child or children and the other one has already been settled in another shelter country, the burden of responsibilities associated with practical, emotional and social context is very challenging. The remaining parent may show lower levels of warmth and support to children or may be more punitive, practices that bring emotional instability and influence negatively child's development and well-being (Yeung et al, 2002). At the same time, younger children may have limited memories of the gone parent and may experience it as a complete loss.

On the other hand, reunification is expected to be seen with happiness and appreciation by children, but duration of separation plays a pivotal role. Reunification after long-term separation makes the absent parents to have a weak attachment to children and high distress that makes the family's structure and restabilization a hard and challenging process (Falicov, 2007). The reunification process is influenced by both sides' stress, while the accumulated hard experiences require the creation of new dynamics between them, the rebuilding of a new life together again, which often passes through conflicts, tensions, disorientation or withdrawal. The duration of separation is the outcome not only of home country situation, but also of the financial and the legal obstacles formed during the waiting period in the reception country, and it affects severely children's emotional and behavior development when it is prolonged. The negative effects of prolonged separation from parents can have detrimental effects on children's emotional and

behavioral development, while they different impact depending on child's gender and more specifically while young girls tend to internalize problem more and suffer psychological problems, boys develop externalize behavioral problems.

Rebuilding a new life together after a long separation may involve conflicts, tensions, disorientation, and withdrawal. Quick family reunification minimizes the negative impact of prolonged separation, is in favor of child's best interest and allows a timely establishment of a stable and supportive family environment. It is obvious that time matters and quick family reunification procedures are imperative for children's well-being for several reasons. First of all, children have a fundamental need for a secure and nurturing attachment to their parents or primary caregivers. Separation from parents can weaken affection bonds and lead to emotional instability, anxiety, anger, and sadness. Reuniting children with their parents helps restore these crucial attachment bonds and provides a sense of security and stability in their lives. Furthermore, the quality and quantity of parental input and are critical for young children's development and well-being. Alternative caregivers, even in single-parent families, cannot fully substitute the role of missing parenting in providing the necessary support and guidance for children's growth and development. Quick family reunification ensures that children have access to the care, love, and guidance that only their parents can provide. Moreover, family reunification is crucial for children's overall well-being and mental health, since it helps to mitigate the adverse effects of trauma and stress that children may have experienced during their journey or in their home country. Reuniting with their parents can provide a sense of safety, comfort, and emotional healing for children who have endured challenging circumstances (Eriksson, & Hedberg Rundgren, 2019).

Family separation is probably the most significant impediment for a successful resettlement in the new host country. Unsuccessful family reunification applications contribute in increased feeling of despair, depression, hopelessness, and guilt, experiences of negative physical psychological and social effects. On the contrary, family reunification is a critical factor for refugee resettlement process, since reunited families can more easily improve their life quality and become able to focus on constructing a new life in the host country. Moreover, reunification alleviates some of the mental health conditions such as depression and anxiety, which also helps in a successful resettlement (Poole, 2010). This happens because united families offer relief and support by sharing understanding of their separation, trauma, loss and reunion, while this sharing restores their faith in the world as a meaningful place where all bad encountered experiences are overcome and create a strong bond among its members. In this way family members can leave behind the bad days and be more focused on the resettlement processes, such as acquiring the new language, obtaining employment and being involved in the new community. Having in mind the best interest of children, family reunification should be prioritized and recognized as the

pivotal factor for children's protection and long-term development (UNHCR, 2008). After the arrival of a minor in resettlement country the priority should be to ensure his or her best interest with the immediate reunification with close or extended family members.

5. Analysis of the Data Findings

This chapter presents textually the findings from the qualitative data that was collected through questionnaires answered by refugee field employees, who offered their insight, experience and opinion on the Dublin III Regulation and family reunification procedures for minors, and tries to organize them in a coherent narration. The questionnaire contains a mixture of closed-ended and opened-ended questions that were developed and administered to participants who work in the Asylum field in Greece and are familiar with the Dublin procedures. It is an online questionnaire created with a digital tool of Google Forms and distributed to participants through social network of coworkers. It has been answered in Greek by 14 Participants anonymously.

The questioner is consisted of three sessions, namely the strengths and weaknesses of Dublin III regulation, the needed time, Member States response time, parameters that could affect the process, and contains 17 questions (Appendix). The design of the questionnaire aims to capture the participants' accurate and informative responses, contains questions of multiple choice and opened question that encourages them to express their own opinion by making additional comments. Closed questions offer to participants several options to choose and are easily completed, but in combination with the open-ended questions they provide participants with the opportunity to express freely themselves, explain in details and elaborate on their answers; in this way the questioner is easily analyzed, but also reflects participants personal views. The questions were thoroughly contextualized in order to be clear for the participants who will not be able to ask for clarifications and explanations on them. Moreover, the provided choices were selected carefully and retrieved from previous researches focusing on family reunification procedures and entailed complexes. The questionnaire as a research collection tool is considered necessary for this research in order to capture asylum field employees' views regarding the implementation of Dublin regulation in Greece. This specific tool serves better the research aims, since workers from different organizations and services, as well as from different Greek cities were approached and offered a wider spectrum of opinions coming from different sites and positions.

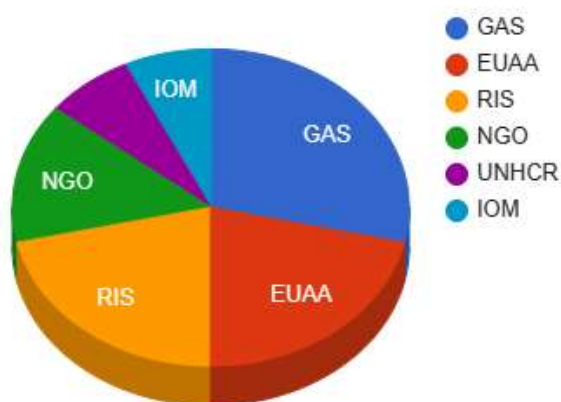
The data of the questionnaire is thematically analyzed in three axes in order to provide the qualitative research with reasonable and meaningful conclusion (Suter, 2011). From each axe

multiple codes emerge for the different minor groups and the different factors entailed in family reunification, such as the positive and negative elements of the Regulation, the time that family reunification needs for unaccompanied minors, separated minors and single parent family minors, the role of Greece as a reception country and the role of other member states as receivers, the importance of vulnerabilities, country of origin, minors' sex, and finally the changes they would propose, if they had the chance to, that the research focuses on and offer an insight to the initial research questions trying to be answered (Guest, Macqueen, & Namey, 2012). Additionally, there are graphs that visually illustrate participants' answers in order to organize the data findings in a more comprehensive and easy-to-follow way.

Participants' profile

The first section tries to collect data regarding Participants' working profiles. The period of working experience in the refugee field, as well as the institution where they are working in are two indicators that can provide necessary information in order to ensure that Participants are experienced and professionally related to the Dublin III procedures and family reunification for minors as it is reflected from the Greek asylum scope. The Participants took place in the research work from 6 to 8 years in the refugee field either in the Greek Asylum Service, EUAA, International Organizations or NGOs, have different viewpoints, and acknowledge the gap between the framework and the actual practice.

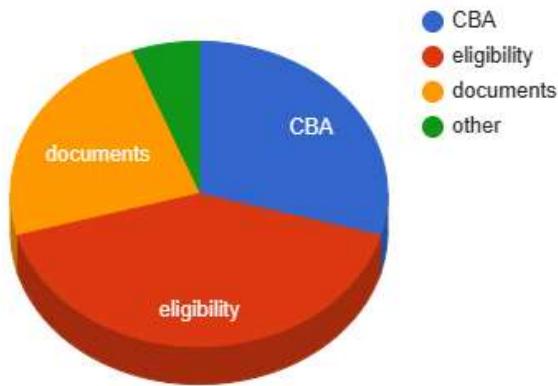
Participants' working places



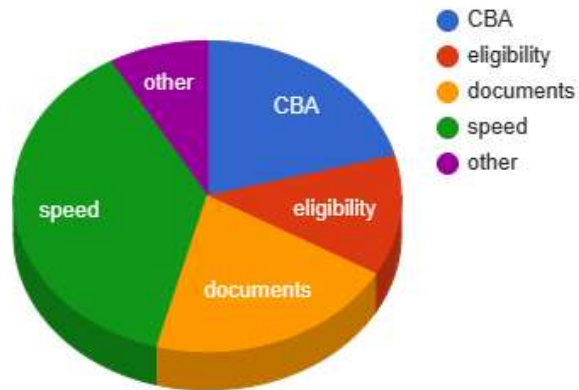
Practitioners' experience with Dublin III Regulation- Pros and Cons

The second section of the questionnaire tries to capture professionals' opinion and insight on Dublin III regulation and family reunification procedures for minors. First of all, Participants chose the pros and cons of Dublin III Regulation between eligibility, speed of processes, communication between actors, documents collection or to write their own one. Participant 1 believes that the Regulation is beneficial in terms of communication between actors, but also recognizes potential drawbacks associated with documents collection. Participant 2 shares the same point of view, but highlights as a positive point the eligibility and as negative point also the speed of process. Participant 3 and 4 agree that eligibility is an advantage of the regulation, but again speed of procedures is seen as a disadvantage. Participant 5 recognizes eligibility in the pros of Dublin III regulation and the speeds of processes along with communication between actors and documents collection in the cons. Participant 6 finds no advantages, but chooses communication between actors as a drawback. For Participant 7 documents collection belongs to the advantages of the regulation, but eligibility, communication between actors and speed of procedures are considered disadvantages. Participant 8 agrees with the precedent one regarding documents collection, but adds in the advantages the communication between actors; for this Participant speed of procedures and eligibility belong to the negative points. Next Participant, 9 underlines the communication between actors as a positive point of the Regulation, while expresses a personal view regarding the disadvantage and more specifically refers to the absence of clear criteria of non-eligibility by MS. Participant 10 also brings personal opinions; more specifically the authorized guardian by prosecutor, while the speed of processes, the eligibility, and the documents collection with the absence of important relationship certifications are considered an advantages of the Regulation. Participant 11 opts for documents collection as an advantage, but the speed of processes along with communication between actors as a disadvantage, while Participant 12 believes eligibility is between the assets of the Regulation, but communication between actors along with documents collection belongs to the drawbacks. Finally, Participant 13 and 14 consider the communication between actors effective with the former adding documents collection and eligibility, but both find negative the processes speed.

Positives of Dublin Regulation



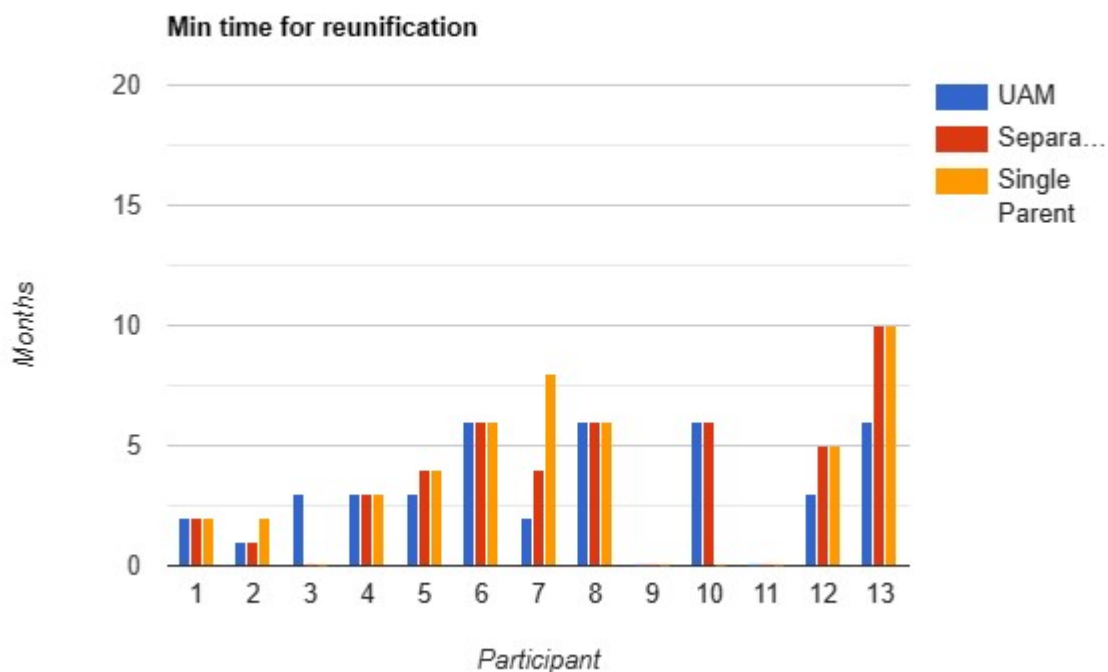
Negatives of Dublin Regulation

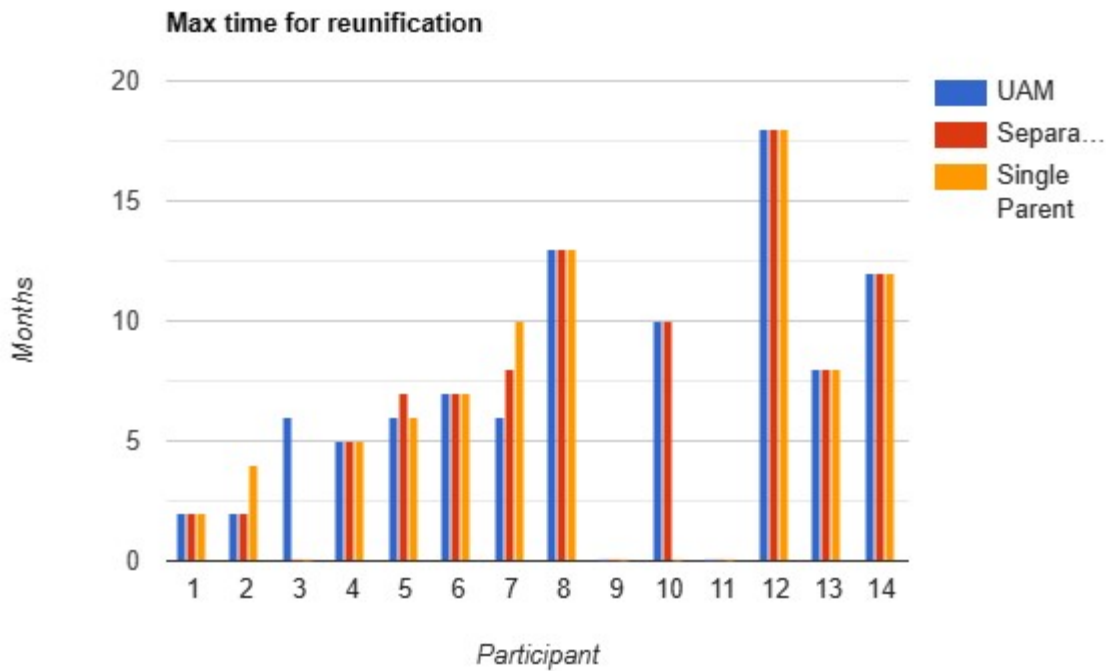


Time for Reunification

Furthermore, the questionnaire requested Participants to share their experience regarding the needed time for family reunification when concerns firstly unaccompanied minors, secondly separated minors and thirdly minors members of single parent family. Participant 1 answers that family reunification lasts for two months horizontally for all minors, while Participant 2 believes that for reunification procedures last from 1 to 2 months for both unaccompanied minors and separated minors, while for children belonging to single parent families it takes more time, from 2 to 4 months. Participant 3,4 and 5 have experienced that these procedures for unaccompanied minors last from 3 months and up to 6. Unfortunately, Participant 3 has provided no answer for the other two minor categories, but Participant 4 considers that this period of time is the same for all minors, while Participant 5 expresses the opinion that separated and single parent family minors need more than 4 months. Participant 6 notes that for any kind of minor family reunification procedures take from 6 to 7 months, but Participant ascertains that different period of time is needed in its case of minor and more specifically about 4 months for an accompanied minors, about 6 months for separated minors and 8 to 10 months for children of single parent families. Moreover, Participant 8 believes that 6 months are needed for any minor case, but Participant 9 thinks that there is no standard time for any minor, but it is related to each case, member states, procedures of transfer. Participant 10 has experienced family procedures for unaccompanied and separated minors that take from 6 to 10 months, but has no view for children of single parent families, and similarly Participant 11 cannot define the period of time that is needed for any minor category. Participant 12 presents the biggest range of time needed for reunification, and more specifically from 3 months to one and half year for an accompanied minors, from 5 months to one year and a half for separated minors and single parent family children as well. Finally, the last two Participants share the same opinion for all minors, for unaccompanied manners the procedures can take from 6 months up to 8 or 12 months respectively.

The periods of time for the reunification of minors that the participants of the research refer are various, from some months to over a year. Taking into account that they work in diverse positions, services or organizations, as well as sites across Greece in the mainland or on islands, they have experienced different cases. So unique is each case in its handling for reunification that neither those who work in the same service, nor those who work since the same year provide the same answers. For example, four participants working in Greek Asylum Service for 4 to 7 years refer greatly different periods for reunification, from 1 month to 1,5 year. The same happens with the employees of Reception and Identification Service working from 6 to 7 years, who determine the time for reunification from 3 to more than 6 months, while the European Asylum Agency employees working for 6 to 7 years refer 3 months up to 1 year. The same fluctuation in numbers is also observed for practitioners that work in Non Governmental Organization.



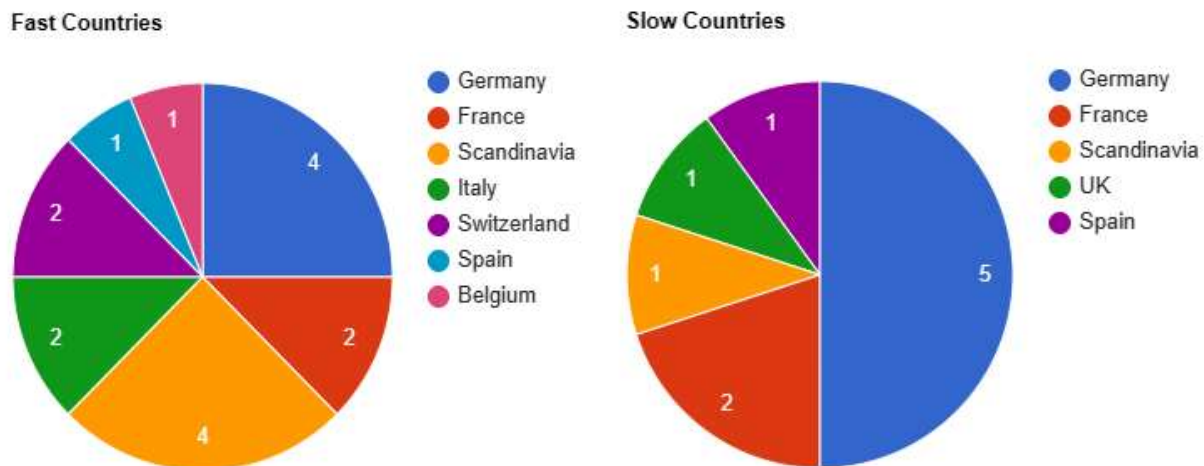


Time in relation to Member States

The next request of the questioner is about the speed of family reunification and its relation to the reception country, and in this case Greece. Participant 2, 4, 7, 12, 13 and 14 believe that Greece as reception country affects the speed of family reunification procedures for minors. On the other hand, Participant 1, 3, 5, 6, 8, 10 and 11 think that Greece as reception country has no relation with the speed of family reunification. Finally Participant 9 expresses the opinion that family reunification is related to the number of personnel in the responsible service and notes that in Greece there is excellent staff. The next question of the questioner tries to find out if the country of destination is related to the speed of family reunification procedures. Here all the Participants share the same point of view and experience that indeed the speed is dependent on the destination country. Only Participant 12 does not provide a clear answer saying that it is relative.

Furthermore, the questioner tries to delve into the countries that are faster to family reunification procedures for minors. Taking for granted that all EU countries follow the same directives, the

different time for proceeding minors' reunification could be attributed to causes indirectly related to applicants or Asylum, such as having adequately staffed services, being enough financially founded and having well-trained personnel (ICMPD, 2020). Participant 1 refers to Germany and France as fast receivers, while Participant 2 believes that Germany and Belgium respond quickly. Participant 4 refers to Finland and Germany, and Participant 5 refers to Scandinavian countries in general. Sweden and Italy are considered fast by Participants 7, while Switzerland, France, Spain, Italy and Scandinavian countries are faster for Participant 10. Finally, Participant 12 believes that Switzerland is the fastest, Participant 13 considers again Switzerland and Italy as quick responders and Participant 14 thinks of Germany as the fastest destination country. Participant 3, 7 and 12 do not provide any answer for this question. The next question accordingly tries to find out the slowest destination countries, which for example ask for more documents beyond the required ones obstructing the procedures for family reunification procedures concerning minors. Participant 2 demonstrates United Kingdom, Participant 5, 6 and 10 Germany, Participant 12 France, Participant 13 Spain, Germany and France, and finally Participant 14 Norway. Participants 1, 2, 6 and 11 do not provide any answer regarding the slowest destination countries. It is really interesting that Germany and France are referred both as the fastest and as slowest countries in family reunification for minors.

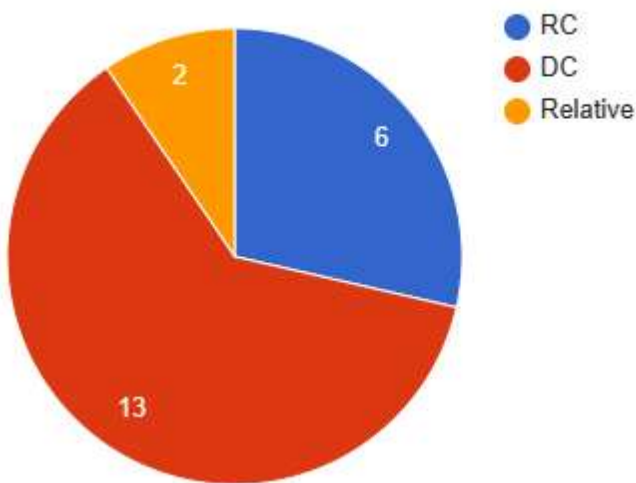


Parameters affecting reunification

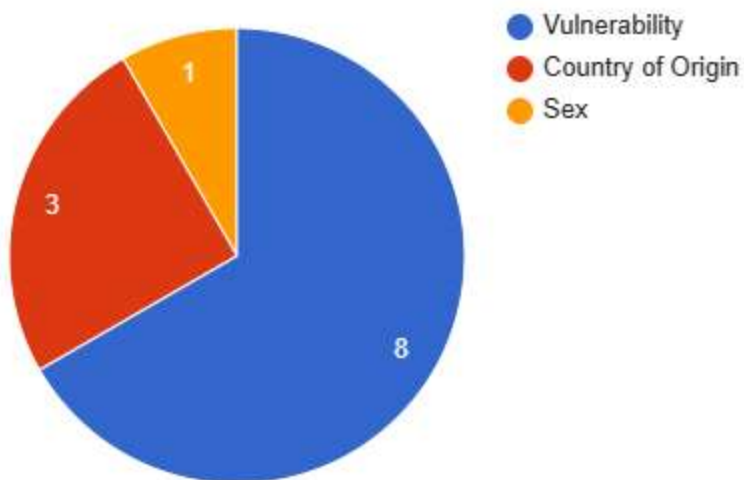
Furthermore the questionnaire targets to collect Participants opinion about the speed of Dublin procedures under different parameters. First of all, it is examined the case that more vulnerabilities are encountered. The majority of Participants believe that if more than the profound vulnerabilities of being unaccompanied minors, separated minors and single parent family members are present, then the speed of family reunification is faster. At the same time though Participants 4, 6, 7 and 14 do not think that this parameter can speed the procedures, while for Participant 11 this is relative. The questionnaire then collects Participants' opinion

about minor's country of origin and its relation to the speed of Dublin procedures. Most of Participants agree that the country of origin does not interfere with the speed of procedures, but Participant 2, 6 and 13 believe that the country of origin is related to the speed of processes, since from some certain countries is easier to retrieve the necessary documents. The next question is about the sex of the minors and the Dublin procedure speed. In this question all the Participants agree that sex is irrelevant with the speed of processes, apart from one who thinks that boys usually depart faster.

Reception and Destination Country affecting Reunification



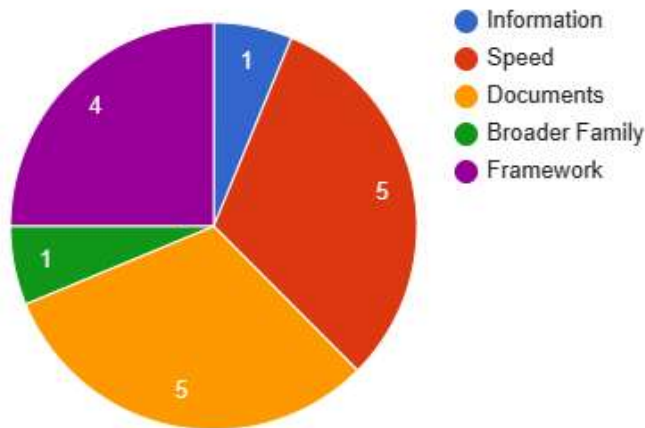
Parameters



Practitioners' Recommendations

In the last part of the questioner it is tried to collect Participants' personal recommendations and suggestions about Dublin regulation improvement. Although the questionnaire has three different sections for each minor case, unaccompanied, separated and single parent family minors, almost all the Participants suggest the same improvements for all the cases. More specifically, Participant 1 suggests info provision about the conditions and the procedures in the reception country for all the minor cases. Participant 2 recommends less required documents and increase of speed for the procedures. Participant 7 suggests speed of procedures, quantity of documents especially for children and families originated from war zones and may have not the possibility to provide them. Participant 9 once again considers the speed and the simplification of the procedures as a desirable change. Participant 10 suggest the better collaboration framework with legal guardians and family solicitors that there are in the destination country where the beneficiaries have applied for reunification, as well as the simultaneous interview conduction from both countries and legal support for speed and reliability reasons. Participant 11 suggests better communication between services, while Participant 12 would put more emphasis on the indirect proofs and on the minimization of the required evidences. For Participant 13 a better organized network of guardianship in Greece and a faster collection of documents as well as conduction of BIA is a recommendation, while Participant 14 also suggests acceleration of processes. It is observed that employees of GAS suggest the minimization of required documents, while the EUAA employees recommend the acceleration of procedures. Only Participants 5 and 8, who work both in RIS differentiate the answers according to the minor category. More specifically, Participant 5 suggests for unaccompanied minors the existence of a common framework regarding procedures and the request of same documents from any destination country. For the case of separated minors is suggested the procedures to be a priority, while for minors belonging to single parent families the family reunification procedures to be held with the fewest document request. Participants 8 suggests that unaccompanied minors should be able to be reunified with any relative in another European member state, separated minors should be able to be accompanied by the temporary guardian in the destination member state and for the last category of single parent family children no recommendation is provided, since it is believed that the children should follow their parent's application. Unfortunately Participant 3, 4 and 6 did not offer any suggestion regarding changes on Dublin Regulation. In general, acceleration of procedures, less required evident documents and changes in the framework are mainly proposed as desired changes by the participants.

Recommendations



6. Discussion

In the following chapter there is going to be presented a discussion related to family reunification in the context of Dublin Regulation for minors focusing on the case of Greece based on the bibliographic resources and the findings from the data emerged by questionnaires answered by Asylum field practitioners. The following discussion views to offer answers the initial research questions, “Is family reunification an indicator for refugee child’s wellbeing? Is it ensured through Dublin III regulation? What are its benefits and drawbacks?”.

Psychological consequences of family separation and reunification

Since 2015, when great fluxes of migration population had started arriving in Greece asking for asylum, it is not uncommon to find between them children without any parent or caregiver to accompany them. Unaccompanied minors may experience trauma, depression, anxiety, acting out behaviors, and post-traumatic stress disorder (PTSD) (Reavell, & Fazil, 2017). These effects can differ based on the child's gender, with young girls tending to internalize problems more and suffer from psychological issues, while boys may develop externalized behavioral problems. Separation from parents also reduces the quality and quantity of parental input and supervision, which are crucial for a child's development and well-being. It can result in feelings of loneliness, absence of meaningful activities, and a sense of worthlessness. The effects of separation on children's schooling can be detrimental and prolonged separation from parents can lead to emotional instability, anxiety, anger, and sadness in children. These emotional challenges can impact their ability to focus and perform well in school. Separation from parents also reduces the quality and quantity of parental input and supervision, which are critical for children's development and educational performance.

Similarly, many children arriving in Greece with alternative caregivers, they cannot fully substitute the role of missing parenting in providing the necessary support and guidance for children's growth and development, as a result children experience emotional and developmental issues like the UAMs. Even in single-parent families, the present parent cannot fully substitute the role of the missing parenting in providing the necessary support and guidance for children's growth and academic success. Additionally, the burden of responsibilities on the remaining parent in single-parent families can be challenging, potentially affecting their ability to provide adequate support to their children. Overall, separation from parents can have negative effects on children's schooling, including emotional and behavioral difficulties, decreased academic performance, and limited access to parental guidance and support.

According to literature review family reunification for minors has several benefits. First of all, family reunification ensures for unaccompanied and separated minors their well-being and mental health, while it helps them mitigate the adverse effects of trauma and stress that these children may have experienced during their journey or in their home country (Murray, 2019). The presence of both parents also in the case of single-parent families provides children the necessary support, guidance, and supervision that is critical for a child's growth and emotional stability (Waddoups et al, 2019). Alternative caregivers, such as extended family members or merely the one of the natural parents are not able to substitute the presence of both parents in a child's life. Reuniting with their parents provides a sense of safety, comfort, and emotional healing for all children who have endured challenging circumstances (Eriksson, & Hedberg Rundgren, 2019). Moreover, it restores a sense of security and stability, since separation from parents can weaken affection bonds and lead to emotional instability, anxiety, anger, and sadness. Reuniting children with their parents helps to reinstate their attachment bonds and relieve their negative emotions. Parental care and guidance are important for any child, while the quality and quantity of parental input and supervision are critical for young children's development and well-being. Family reunification ensures that children have access to the care, love, and guidance that only their parents can provide. Family reunification is also a critical factor for a successful resettlement process, since reunited families can more easily improve their life quality and become able to focus on constructing a new life in the host country (Poole, 2010).

On the contrary, unsuccessful family reunification applications contribute to increased feelings of despair, depression, hopelessness, and guilt, accumulating negative emotions on children's already fragile situation. Reunited families offer relief and support by sharing understanding of their separation, trauma, loss, and reunion. This sharing restores their faith in the world as a meaningful place where all bad encountered experiences are overcome and creates a strong bond among its members. In this way, family members can leave behind the bad days and be more focused on the resettlement processes and integration into the new community (UNHCR, 2008). As a consequence, quick family reunification minimizes the negative impact of prolonged separation and allows for the

timely establishment of a stable and supportive family environment. It is in the best interest of minors and contributes to their overall well-being, academic achievement, psychological well-being, and health. Overall, family reunification for minors is crucial for their emotional well-being, sense of security, and healthy development, while it provides them with the necessary support, guidance, and stability to rebuild their lives after experiencing war, unsafe journeys, uprooting, separation and life challenges.

Family reunification in practice

The Common European Asylum System (CEAS) takes several measures to address the issue of family reunification. One of the key measures is the establishment of a legal framework based on the Geneva Convention 1951 and the principle of non-refoulement. This framework ensures that common practices and procedures are followed and implemented for protecting third country nationals in need of international protection within European territory. Within the CEAS, the Dublin III Regulation plays a crucial role in determining which Member State is responsible for examining an asylum application. The regulation includes provisions that aim to facilitate family reunification. The Dublin III Regulation framework prioritizes the well-being of refugee children and emphasizes in many points the best interest of the child and the importance of family unity. The Regulation ensures that actions, services, decisions, and orders related to reception conditions and asylum procedures are deliberated towards the best interest of children, while it recognizes that children are vulnerable to dangers related to illegal migration and human trafficking, and aims to anticipate and mitigate these risks. The Regulation also emphasizes the localization of minor's family members present in another Member State and promotes cooperation among Member States for family reunification. For these reasons it requires Member States to provide quick access to the asylum procedure for minors and take necessary actions to prevent delays that could negatively impact the transfer of minors to another Member State. Overall, the Dublin III Regulation acknowledges the rights and well-being of refugee children and seeks to ensure their protection and support. However, despite these measures, the reception system focuses merely on children's survive with temporary and insecure status ensue, but their needs and rights are beyond this (Digidiki, & Bhabha, 2018), while there are still obstacles and challenges in the family reunification process. Strict interpretation of family and dependency criteria, delays in procedures, and inadequate representation of minors are some of the issues that affect the successful implementation of family reunification under the CEAS (ICRC, 2023).

The employees who were actively involved in this research project possess extensive experience and knowledge regarding the complex area of Asylum in Greece from various backgrounds and when examining their perspectives on the Dublin III Regulation, it becomes evident that there is

a range of viewpoints among them even for workers of the same service or organization, acknowledging the gap between the framework and the actual practice. Analyzing their answers it is found that many participants view the Regulation as beneficial for facilitating communication between different actors in the asylum process, while others for eligibility. In other words, participants believe that the collaboration among services in reception country operates efficiently in favor of applications for reunification, as well as that there is a wide range of eligible asylum seekers who can meet the criteria and are able to apply for reunification. However, others outline certain drawbacks, such as concerns over the speed of processes and potential difficulties with documents collection. The aforementioned disadvantages of the Regulation as participants express them are opposed to Article 8 of DR, which states that MS should take all the essential actions for providing quick access to the asylum procedure and they should not be delayed impacting negatively the minors' transfer to another MS. The participants have diverse and nuanced experiences regarding the range of timelines for family reunification for minors. While some individuals have reported process duration from minimum 2 up to 4 months for all minor categories (UAMs, separated minors and single parent family minors), others have encountered significantly longer waiting time spanning, from minimum 3 months up to one and a half year. These varying accounts indicate a lack of harmonized system to meet all displaced children's need who are under reunification procedures, but at the same time there is a consensus among participants concerning the timeframes associated with different categories of minors. More specifically, the majority of them agree that the reunification process takes similar time for any minor category, which indicates a homogenous attitude by the Regulation towards any child and an acknowledgement of their equal need to be reunified with their parents no matter if they are totally alone, accompanied by a temporary guardian or one of their parents.

Reunification time depends on many factors. First of all, regarding the involvement of the reception country to the speed of family reunification procedures for minors, half of the participants state that Greece as reception country affects the speed while the others disagree; these radically contradicted results do not allow drawing conclusions about Greece's role in reunification procedures, but indicate that there is a division of opinions related to personal experiences. However, all participants agree that the destination country does have a great impact on the speed of family reunification procedures. More specifically, different participants mention various countries as being fast or slow in processing these procedures, with Germany, Switzerland, Italy and Scandinavian countries in general being mentioned as fast destinations by some participants, while Germany, the United Kingdom, France, and Norway being mentioned as slow destinations by others. Especially for Germany it is mentioned that is very strict with the requested documents, while others refer that reunification is related to the number of applications, to the number of service staff, to the requested documents, to the process of their examination, systemic processes and deficiencies that directly consume time. These attitudes and disagreements between participants reveal the absence of standard procedures and system, as

well as they question the following and the implementation of common practices from all MS for protecting third country nationals in need of international protection within European territory, as the CEAS implies in Recital 22 of the DR. Overall, this diversity of opinions further highlights the complexity and multifaceted nature of the Dublin III Regulation when it comes in practice contrasted to the theoretical framework, while it reveals the differentiated application of the Regulation on a case-by- case basis, taking into consideration that the participants work in different positions, organizations, and Greek sites.

Furthermore, apart from member States, family reunification procedures can be influenced by other factors. Based on the responses gathered from the questionnaire, it can be inferred that a significant number of participants hold the belief that having additional vulnerabilities, beyond the profound ones, such as being unaccompanied minors, separated minors, or children members of single parent family, can greatly expedite the speed of family reunification in Dublin procedures. This of course makes sense, since children of these categories are already being considered vulnerable and another vulnerability, such as an illness burdens even more their situation, but the fact that family reunification can be accelerated in such cases raises questions for the admitted delays faced by minors. Furthermore, it is found that the vast majority of participants are in agreement that the country of origin of children does not play any role in how quickly these procedures are carried out, with one of them making a connection between certain countries and the ability to retrieve necessary documents for the process in a more efficient manner, but this is connected indirectly to reunification. Finally, all participants unanimously agreed that the sex of minor children has no impact on the speed at which Dublin procedures progress. The last two points should be counted in the positives of the Regulation for not permitting discrimination neither in theory nor in practice and confronting all children no matter where they are coming from, boys or girls equally.

These findings highlight important considerations for improving and streamlining Dublin procedures in order to ensure timely reunification for families seeking asylum, since it is important for family reunification to occur quickly. Quick family reunification procedures are imperative for children's well-being for several reasons concerning emotional and developmental factors as they were mentioned above, but also because when children are separated from their families, they face a range of potential dangers and risks in the reception country. Children with such a burdened background being away from their parents are susceptible and exposed to violence, trafficking, and the risk of rape, since they are placed in refugee camps, which can be overcrowded and unsafe. Moreover, their fear and uncertainty about their future, including the possibility of deportation is magnified, leading them to think about following once again illegal ways to leave and continue their journey at any cost. Prolonged separation from family also creates difficulty in adapting to the new host culture and language, while children are more likely to feel socially isolated and to face discrimination from local communities in the resettlement country. It is

important to note once again that family reunification plays a crucial role in mitigating these risks and promoting the well-being of children.

Strengths and Weaknesses of Dublin Regulation

The Dublin III Regulation presents several advantages and novelties in its framework. It promotes the safeguarding of children's best interest, since it prioritizes the best interest and well-being of children, who make up a significant portion of displaced people, by offering structured way and tools to practitioners. The most significant tool is BIA filled by the children's guardians, and gathers all the necessary information, such as biographic information, medical issues or traumatic experiences, with interviews including children will. The procedure of BIA evaluates, balances all the necessary elements and concludes with the practitioner's opinion and conclusion about the determination of child's best interest. Moreover, DR recognizes the importance of family unity and offers children the right to get reunified with their families, which is crucial for the well-being of refugee children. The Regulation establishes also objective criteria for determining the responsible Member State for asylum application examination, preventing multiple applications and ensuring a fair and equitable system. Finally, it extends its scope to include people seeking subsidiary protection, ensuring that those who face serious risk of harm are also covered.

Although the well-establish framework of the Dublin III Regulation, there are weaknesses that are mainly associated with bureaucracy and delays in practice. First of all, the family reunification process can be hindered by bureaucratic procedures, leading to delays in reuniting families and consequently increasing the vulnerability of refugees and especially children. Moreover, the regulation's strict interpretation of family and dependency criteria may restrict or delay family reunification, depriving refugees of the support of their relatives. "Family" restrictive interpretation according to Dublin III Regulation includes nuclear family members excluding adult children, siblings and unmarried partners making hard to prove the dependency between them. Apart for family reasons, entry reasons stand as barriers in front of refugees who are trapped in the first European country where they arrive at and remain in a limbo state there for several months. Furthermore the various reception systems followed by Member States create an unfair and unequal context for asylum seekers within Europe, while this differentiation in reception and asylum procedures renders some MS stricter than they are supposed to be and request additional documents that are not included in the Dublin III Regulation, obstructing reunification procedures. Bureaucracy concerning documents is directly linked to long delays in procedures and admittedly moves away the initial Regulation endeavor for equal weight distribution and speed of application examination. Although the theoretical framework of the

Regulation aims to establish a burden-sharing mechanism, there are concerns about the unequal distribution of responsibility among Member States, leading to disparities in the treatment of asylum seekers. Greece as a reception country due to the overload of refugee populations can not afford the burden and faces difficulties in providing them with proper facilities and an organized system. This situation violates asylum seeking populations fundamental rights and especially for UAM this situation is obvious in the guardianship system, where the Juvenile Prosecutor is the legal guardian, but who due to workload executes concerning children's sheltering, legal and psychosocial support, education and health through others, such as NGOs resulting in a loose system.

Need for improvements in favor of minors

The European Court of Human Rights has indicated a need for review of the Dublin system, suggesting that there may be areas for improvement. Overall, while the CEAS acknowledges the importance of family reunification, there is a need for further improvement and harmonization of policies to ensure that the process is more efficient and effective. Accordingly, the participants of the research suggest similar improvements for all minor cases in the Dublin regulation, such as providing information about conditions and procedures in the reception country, reducing excessive and hard-to-find documents and increasing speed of procedures, and improving communication and collaboration between services. According to DR the responsible MS bears the responsibility to provide the applicant with extensive and sufficient information about his or her legal representative, the date of the transfer and any other important deadline (Article 27), but many families with children in different countries waiting for their reunification are deprived from information concerning the following procedures, since nobody provides them with clear guidelines or dates. The fact that participants would propose the same improvements for all minor categories indicates that the participants conceive them as equally vulnerable and recognize that they share the same needs and that family reunification is crucial for any child who lives away from their parents, even if they are totally alone, or there is an alternative caregiver or one of the parents with them.

7. Conclusions

In the following chapter there is a synopsis of my thesis along with the arisen conclusions and some recommendations that could be helpful for future use.

Thesis Synopsis

My dissertation aimed to highlight important parts of the Dublin III Regulation concerning minors and more specifically the family reunification along with the best interest of the child. The main goal of the thesis was to underline the deficiencies of the Regulation and to offer suggestions with a view of a more humanitarian and child friendly approach. For this reasons, this particular thesis research was conducted on bibliography, academic articles, NGO reports, European asylum information, combined with practitioners' experience and opinions on the Dublin III Regulation implementation, who work in various organization and services, as well as positions in the asylum sector in different sites in Greece.

First of all, the thesis presented a historical evolvement of the European legislation and the common European asylum system. In the next chapter, there was a description of Dublin II and its evolution to Dublin III Regulation aiming in the improvement of the former Convention. The thesis focused on Dublin III provision for family unity and then delved into family reunification for minors either unaccompanied, separated or members of single parent families. Special attention was given also to child's best interest and well-being with regards to the time of separation and reunification. Finally, after the presentation of the analysis of the data findings drawn from practitioners' experiences and opinions on DR implementation, there was a discussion connecting the data and the literature findings.

Conclusions

Family reunification is one of the basic human rights. Although the Dublin regulation framework prioritizes family unity for asylum seekers coming from third countries looking for a safe place to set a new life, and the European Union has set common legislation for all member states in order to provide asylum seekers with fair treatment, to equally support them and to ensure that their human rights are respected, balances are delicate and sometimes hard to be achieved, taking into account that MS are differently affected by migration fluxes due to their proximity or distance to EU borders. Dublin system lacks flexibility especially for member states at the external borders of the European Union, such as Greece in our case, which receives many asylum seekers having families already settled in other European member states. External border countries bear an unequal responsibility for the reception of refugees and their status determination under the strict criterion of entry that leads to human rights violations. Moreover, this workload results in administrative deficiencies and diverge practices in the context of implementation. In order for children and their families to leave from the boarder country, where the reception conditions are inadequate, they have to apply for family reunification in another EU country, but Dublin procedures are complicated and lengthy due to administrative issues and

lack of common interpretation of the rules under Dublin. Delays, lack of information and insufficient guidance hinder family reunification complicating the process and resulting in becoming an obstacle to quick and efficient access to the asylum procedures with long waiting for transfer and children staying away from their parents with all the dangers and negative consequences that this situation can have in their emotions development. This limited consideration of children's best interest is opposed to the theoretical framework of Dublin regulation.

Dublin regulation needs a reformation in order to meet its humanitarian and lawful goals for refugee crisis, fair distribution of responsibilities between Member States, and family life and unity. First of all, transparent and flexible application is an imperative in order for member states to follow clear guidelines on how to apply the Regulation, what kind of documents to ask for, how to assess the best interest of the child, how to safeguard children's well-being during their separation from their parents. This reformation of course implies better staffing and adequately trained employees in all MS Asylum services. Moreover, it should offer clear information to asylum seekers, applicable in every member state, in order for them to navigate the complex rules, understand and exercise the rights under the Dublin system. Dublin regulation should also be based on enhanced and flexible cooperation between the member states to ensure that families are reunited in transparent and fair procedures with effective deadlines. Another consideration that should be taken into account for DR broadening is the possibility of families to get reunited even in cases where children or their parents are outside of the European territory. Separated families and especially children are in need of their parents and Dublin regulation should facilitate their coupling even when one of the parts is still outside Europe, in order to avoid a perilous journey from unsafe countries or through rough seas. Finally, applicants' voices and especially children's at the edge of adulthood should be heard and their willing should be counted, giving them the right to choose the MS where they wish to reside. For now, first country criterion rules the Asylum procedures obligating third countries nationals to apply for Asylum protection in the first EU country where they arrive, since otherwise they face the risk of being deported. Dublin Regulation should include the possibility of MS choice and selection, especially in cases where there is a community network and facilitating factors, such as the language, for children to have a better sociocultural integration, as well as discharging boarder countries and avoiding complicating and strict reunification procedures.

For all the aforementioned reasons the New Pact on migration and asylum which was proposed in September 2020 and agreed between the European Parliament and the Council in December 2023 was designed. More specifically the New Pact is a set of regulation and policies in order to create a fairer, more efficient and sustainable migration and asylum process for the European Union. The five key points of the Pact (2023) refer firstly to the Screening Regulation, where uniform rules are created in order to identify non-European nationals upon their arrival

increasing security within the Schengen area, secondly to the Eurodac Regulation, developing a common database gathering more accurate and complete data to detect unauthorized movements, thirdly include the Asylum Procedures Regulation that make asylum return and border procedures quick care and more effective, fourthly the Asylum Migration Management regulation, which establishes a new solidarity mechanism among MS aiming to balance the current system where a few countries are responsible for the vast majority of asylum applications and to set clear rules on responsibility for asylum applications, and fifthly the Crisis and Force Majeure Regulation that ensures that the EU is preparing the future to face situations of crisis including instrumentalization of migrants. The New Pact pursues to address structural deficiencies that lead to divergent standards of protection, inefficient procedures, and unauthorized movements across Europe, as well as proposes measures to address the situation of minors, establishing child protection and guardianship system to provide appropriate care and support for them, while it highlights the need for swift identification registration and age assessment. Furthermore, the New Pact emphasizes the importance of family unity and reunification and aims to facilitate the timely and safe reunification of children with their family members in EU States, promoting the corporation between countries as well as the corporation with third countries in order to ensure the protection and well-being of minors in their countries of origin, to combat human smuggling and to deter irregular immigration by providing capacity building, operational support, technical and operational expertise and assistance (Stepka, 2023). This new legal framework of solidarity and responsibility is yet expected to prove its effectiveness in practice.

Recommendations for Further Research

This thesis concluded that although Dublin III Regulation was conducted with the view to offer asylum seekers who left their home countries, arrived to Europe and are separated from their families a chance to restart their life, in practice its implementation is characterized by strictness, complexity and delay affecting negatively minors' lives. The conclusion was based on the research made about the family reunification and its implications for children under Dublin III Regulation in Greece. It would be helpful and interesting to have further research conducted on other external boarder countries, where the EU-Turkey agreement is not applicable, in order to find out how family reunification is proceeded under Dublin Regulation, what are its implications there, how the different policies affect children that are separated from their parents and what are the timetables for their reunification.

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APPENDIX

Ερωτηματολόγιο για διαδικασίες Δουβλίνου

* This form will record your name, please fill your name.

1. Πόσα χρόνια εργάζομαι στο πεδίου του προσφυγικού;

2. Εργάζομαι σε

ΥΠΥΤ

Υπ. Ασύλου

ΜΚΟ

Other

3. Τα θετικά των διαδικασιών Δουβλίνου πιστεύω πως είναι

- η επιλεξιμότητα
- η ταχύτητα
- η επικοινωνία των εμπλεκόμενων φορέων
- η συλλογή εγγράφων
- Other

4. Τα αρνητικά των διαδικασιών Δουβλίνου πιστεύω πως είναι

- η επιλεξιμότητα
- η ταχύτητα
- η επικοινωνία των εμπλεκόμενων φορέων
- η συλλογή εγγράφων
- Other

5. Από την εμπειρία μου, οι διαδικασίες οικογενειακής επανένωσης για ασυνόδευτα παιδιά διαρκούν (... - ... μήνες)

6. Από την εμπειρία μου, οι διαδικασίες οικογενειακής επανένωσης για υπό συνοδεία παιδιά διαρκούν (... - ... μήνες)

7. Από την εμπειρία μου, οι διαδικασίες οικογενειακής επανένωσης για παιδιά συνοδευόμενα από έναν γονιό διαρκούν (... - ... μήνες)

8. Η ταχύτητα οικογενειακής απανένωσης πιστεύω πως σχετίζεται με τη χώρα υποδοχής, εν προκειμένω την Ελλάδα;

- ΝΑΙ
- ΟΧΙ
- Other

9. Η ταχύτητα της οικογενειακής επανένωσης πιστεύω πως σχετίζεται με τη χώρα προορισμού;

- ΝΑΙ
- ΟΧΙ
- Other

10. Ποια/ ποιες χώρα/χώρες λειτουργούν ταχύτερα ως χώρες προορισμού, με βάση την εμπειρία μου;

11. Ποια/ποιες χώρα/χώρες λειτουργούν με αργοπορία ως χώρες προορισμού, με βάση την εμπειρία μου;

12. Σε περίπτωση συνύπαρξης περισσότερων ευαλωτοτήτων έχω παρατηρήσει πως οι διαδικασίες Δουβλίνου επιταχύνονται για τα παιδιά; Αν ναι, εξηγώ

ΝΑΙ

ΟΧΙ

Other

13. Η χώρα καταγωγής των παιδιών αιτούντων σχετίζεται με την ταχύτητα των διαδικασιών Δουβλίνου; Αν ναι, εξηγώ

ΝΑΙ

ΟΧΙ

Other

14. Το φύλο των παιδιών αιτούντων σχετίζεται με την ταχύτητα των διαδικασιών Δουβλίνου; Αν ναι, εξηγώ

ΝΑΙ

ΟΧΙ

Other

15. Αν είχα τη δυνατότητα, τι θα πρότεινα να αλλάξει στις διαδικασίες Δουβλίνου όταν αφορούν ανόδευτα παιδιά;

16. Αν είχα τη δυνατότητα, τι θα πρότεινα να αλλάξει στις διαδικασίες Δουβλίνου όταν αφορούν παιδιά υπό συνοδεία;

17. Αν είχα τη δυνατότητα, τι θα πρότεινα να αλλάξει στις διαδικασίες Δουβλίνου όταν αφορούν παιδιά μέλη μονογονεϊκής οικογένειας;

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