

# REFUGEE TRANSITIONS

A PUBLICATION OF THE NSW SERVICE FOR THE TREATMENT AND  
REHABILITATION OF TORTURE AND TRAUMA SURVIVORS



**STARTTS**

The NSW Service for the Treatment and Rehabilitation for Torture and Trauma Survivors (STARTTS) helps refugees deal with their past experiences and build a new life in Australia. Our services include counselling, group therapy, group activities and outings, camps for children and young people, English classes and physiotherapy. We also work with other organisations and individuals to help them work more effectively with refugees. Opened in 1988, STARTTS is one of Australia's leading organisations for the treatment of torture and trauma survivors.

## ISSUE 24

URUGUAY: THE QUEST FOR A JUST SOCIETY | INSIDE THE ENIGMA OF IRAN  
POLICING THE WORLD | THE PHILIPPINES | NEW FRONTIERS IN TRAUMA TREATMENT



Welcome to this issue of Refugee Transitions. STARTTS' first year as an NGO and Affiliated Health Organization has been as productive, rewarding and exciting as we hoped, but also as challenging as we feared, and all in all absolutely hectic. Hence the lateness of this issue of RT, for which I offer our sincere apologies.

STARTTS change in governance and the separation from South Sydney West Area Health Service, which had provided administrative and corporate support to STARTTS since its inception meant that STARTTS had to develop the capacity to perform in-house the full suite of administrative, financial, audit and human resource services necessary for an organization with over 100 staff. Meanwhile, we also had one of our most challenging and eventful years from both service provision and service development perspectives.

We almost doubled the number of clients seen by the Early Intervention Program, through an expanded team, in order to deal with increased demand and a growing waiting list, we continued to refine and expand aspects of our bio-psycho-social integrated approach, attracting the interest and praise of eminent visitors such as Professor Van der Kolk and Dr Norman Doidge, and we expanded our training and staff development programs to include two public seminars and up to six live, streamed evening public lectures attended by colleagues from most torture and trauma services in Australia and New Zealand.

While it would be fair to say that all this activity has delayed this issue of Refugee Transitions, it certainly has not detracted from the quality of the content.

One of the themes that has characterised the stories we have written since launching Transitions 11 years ago has been 'forgotten conflicts'. In this issue we have featured the Philippines, a country that confronts one of the most protracted conflicts in Southeast Asia.

In addition, commencing with this issue, we have decided to begin to identify and feature successes in the area of post-conflict transition, reconstruction and nation building. Certainly a much more difficult, albeit very exciting and rewarding research task for our editor. This time we have included an article on Uruguay. This is a country that experienced a dictatorship and more than a decade of political repression but managed to rebuild its democracy and move on. Its current president was a political prisoner who survived many long years of abysmal conditions and torture in clandestine military jails, but is now leading the country into a promising future. A message of hope and vindication for torture and trauma survivors around the world!

We have also featured an interview with Brita Sydhoff, director of the International Rehabilitation Council, located in Copenhagen, an umbrella organisation for 143 torture and trauma centres in 73 countries around the world.

Our clinical coverage highlights the evolving nature of torture treatments. In this issue, the article New Frontiers in Trauma Treatment provides Dr Bessel van der Kolk's insights into the treatment implications from the evolving understanding of the neurophysiology of trauma.

Moving on to a different subject Dr John Casey from the City University of New York discusses his views on police practices around the world. This is a fascinating subject taking into consideration the way international crime is increasingly growing with globalisation, challenging police to work more cooperatively and effectively within a legal and humane framework.

Refugee Transitions exists to raise issues but also to share knowledge and expertise. We are always looking for new writers that will provide new insights into existing or new themes. We are also interested in maintaining communication and dialogue with international centres that provide similar services to those of STARTTS.

I hope you enjoy this issue.

**Jorge Aroche**  
Chief Executive Officer  
STARTTS



Two hundred years ago a political exile from Ireland, a bloke called Michael Dwyer, became the first settler to the Liverpool area, one of a 'bunch of rebels' no longer welcome in their homeland.

It was with this tale that state member for Liverpool, the Hon Paul Lynch, reminded the audience of the true history of both the Liverpool area and the Australian nation.

Minister Lynch was speaking at the official opening of STARTTS expanded Liverpool office in late April. The larger space will allow STARTTS to significantly increase our client capacity. New facilities in the office include three new counselling rooms, an arts and craft room, a room for physiotherapy and other bodywork, space for 14 extra staff and capabilities for neurofeedback, a specialised form of therapy involving the use of a computer game. Particularly useful is the addition of a group room which is already in high demand.

As noted by the Minister responsible for mental health, the Hon Barbara Perry, who also spoke at the launch, the celebration was the culmination of a great deal of hard work and a period of growth for STARTTS.

Minister Perry went on to acknowledge how difficult it was for refugees to overcome their difficult backgrounds and how resilient refugees are in facing the challenges of a new country.

These words were borne out by the two clients who spoke at the launch. Gheed Al-damook reflected on the trauma her Mandaean family had suffered in Iraq "I went through so many things, with being attacked, mistreated,

which made us suffer a great deal and lose confidence in the world around us. So I had to protect my kids, by not allowing them to play with other kids and to teach them how to defend themselves in order to not get hurt.

"With STARTTS we found all the help that we needed and be able to take our children out of the dark tunnel that they were in. Those people embraced our pains and sorrows and helped us to regain the trust we had missed in our country. The program was so effective, with our kids and with us."

Her words were echoed by another Mandaean client, Akhlas Al Kilani who lost her husband to violence in Iraq. "I found everything in Australia. Now it's my country. It's given me and my son a new future. Gamal [her counsellor] is like a best friend for me. Thank you community of STARTTS."

Being able to help more people like Gheed and Akhlas is well worth the investment.

# CONTENTS

2 Uruguay: The Quest for  
a Just Society

8 Policing the World

12 The Philippines

16 New Frontiers in Trauma  
Treatment

20 Making the Legal System  
more Accessible

24 Rehabilitation Council  
makes a Difference

28 When Disasters Overseas  
Strike Home

32 Exploring the Self in  
Clinical Supervision

36 Journalism and Exile,  
a Painful Journey

38 Standing on the  
Outside Looking in

40 Building Peace  
and Harmony

47 In Memoriam -  
Mary Dimech

48 Subscriptions

49 STARTTS Expands

Refugee Transitions exists to report on a wide range of refugee and human rights issues of relevance to the work of STARTTS; to focus attention on the impact of organised violence and human rights abuses on health; to provide ideas on intervention models to address the health and social needs of refugees; to debate and campaign for changes necessary to assist, empower and strengthen refugee communities in their settlement process and ultimately bring together a vehicle for cultural and personal expression.

Refugee Transitions is published quarterly by the NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS) **Address:** PO Box 203, Fairfield NSW 2165

**Telephone.** 02 9794 1900  
ISSN 1441 6247

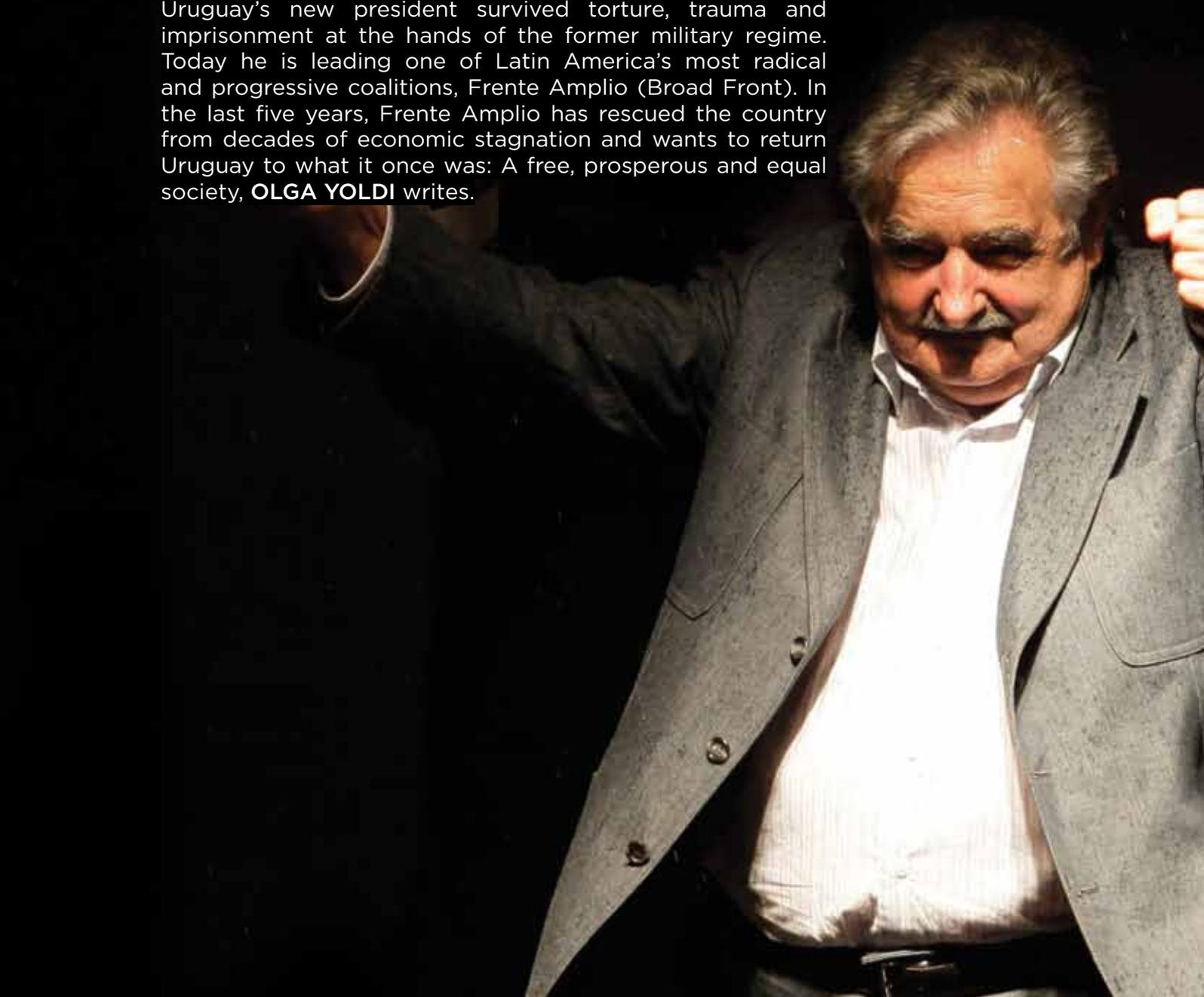
**Editor.** Olga Yoldi (olgayoldi@bigpond.com)

**Sub-editors.** Mark Symonds & Dr Arwen Sutton

**Contributing Authors.** Rebecca Hinchey, Anne Mainsbridge, Deb Gould, Dr John Casey, Elizabeth Schaffer, Margaret Piper, Dr Antonio Castillo, Frances Ellery.

# URUGUAY: THE QUEST FOR A JUST SOCIETY

Uruguay's new president survived torture, trauma and imprisonment at the hands of the former military regime. Today he is leading one of Latin America's most radical and progressive coalitions, Frente Amplio (Broad Front). In the last five years, Frente Amplio has rescued the country from decades of economic stagnation and wants to return Uruguay to what it once was: A free, prosperous and equal society, **OLGA YOLDI** writes.



An atmosphere of optimism filled the streets of Montevideo as Jose Mujica assumed the presidency of Uruguay last March. President Mujica, a former Tupamaro guerrilla, stood in front of the crowds, as he took the oath administered by his wife – also a former guerrilla leader – while wearing a suit but not tie, an accessory he says he will shun while in office, in keeping with his anti-politician image.

The 74-year-old charismatic new president defeated the National Party's Luis Alberto Lacalle with 53.2 per cent of the vote. His victory was the second consecutive mandate for the Frente Amplio catch-all coalition, which extends from radicals and socialists to Christian democrats and independents disenchanted with Uruguay's two main parties.

In his victory speech President Mujica called for reconciliation and promised to improve key areas such as education, environment, security and energy. He pledged to continue the social policies and market-friendly reforms of his predecessor, Tabare Vazquez, a quietly spoken oncologist whose 2005 victory ended 150 years of rule by the two traditional parties.

Austerity and self-denial seem to be President Mujica's trademarks. As soon as he was sworn in, to everyone's surprise, he announced that he would spurn the official fleet for his old car; he would give away 85 per cent of his salary to a fund for the homeless, and would continue living in his humble farm outside the capital.

This was considered generous, bordering on quixotic. But when he proposed asking for donations to pay for the ceremony of his inauguration to save money, Uruguayans thought he had gone too far and drew the line at his plan. He has made it clear he wants to reduce government spending to a minimum and has told officials he does not want extravagance.

In the last five years Frente Amplio has transformed the political and social landscape of Uruguay, from the grassroots to the government. Vazquez's social and economic reforms, combined with a boom in commodity prices, have contributed to five years of strong economic growth.

During his term Uruguay's gross domestic product (GDP) grew by an average of seven per cent per year. Foreign debt decreased from 66 per cent to 26 per cent of GDP. Investments increased to 19 per cent of GDP, the highest rate in the country's history.

The poverty rate fell from 31.9 per cent to 20.3 per cent, while real wages increased by 18 per cent and income increased by 30 per cent. In the last five years, the Uruguayan central bank's reserves have nearly quadrupled to US\$7.9 billion.

Vazquez has been credited with steering the country through the troubled waters of the global financial crisis. The International Monetary Fund (IMF) reported Uruguay has held up considerably well in the face of the global recession. According to a preliminary balance from

the Economic Commission for Latin America and the Caribbean, Uruguay's economy is forecasted to expand this year.

Vazquez enjoyed a 70 per cent approval rate at the end of his term. Political analysts say President Mujica's victory is the result of Vazquez's popularity and the economic growth during his time in office. According to Arturo Porzecanski, an economist at the American University, "Mujica only had to promise a sense of continuity [for the country] and to not rock the boat."

He reassured investors by delegating economic policy to Daniel Astori, a former economics minister under the Vazquez administration, who has built a reputation for pragmatism, reliability and moderation.

President Mujica told conservatives, alarmed at his rebel background, that he had left the past behind him and held no resentment towards the Uruguayan military. "Prison cured me of any illusion that armed revolution can achieve lasting social change," he said.

However his values and principles appear to have remained intact. Social equality still rates high in his political agenda. He has pledged to bridge the gap between rich and poor and reduce the number of those who live under the poverty line, while maintaining Uruguay's steady economic growth.

"We want to achieve an end to poverty and for people to have jobs," he has said repeatedly.

At the inauguration ceremony President Inacio Lula da Silva of Brazil praised the new president and predicted President Mujica will advance the cause of creating a more just society.

The quest for a just and equal society has been a part of the political narrative in Uruguay since its early history. In the 1800s, Jose Gervasio Artigas, the father of Uruguayan nationhood, fought against Spanish, Argentinean and Brazilian armies to secure an independent future for Uruguay. He was hoping to build a progressive federated democracy.

Artigas laid the foundation for an egalitarian society when, inspired by the US constitution, he wrote the principles of independence, republicanism and confederation, which earned him the title of "protector of free people". Unfortunately he never saw his dream come true, forced into exile in Paraguay in 1820, he never returned, although he lived to see the creation of an independent Uruguay in 1828.

Independence brought turmoil and chaos. For the first seven decades the country became a battleground. Among the many groups fighting for power, two of them stood out, the Blancos and Colorados, which came to dominate Uruguayan politics for 175 years. Increasingly, the Colorados came to represent the interests of the capital, and the Blancos the more rural and conservative interests.

A state of peace and stability was finally achieved

when the Colorado party's José Batlle y Ordóñez was elected president in 1903. He established the basis for a progressive and stable social democracy by making widespread political, economic and welfare reforms and establishing institutions and state enterprises.

Activities which are normally run by the private sector, such as insurance, utilities, and mortgage banking, were owned and managed by the government's state enterprises. According to historian Martin Weinstein, author of *Uruguay: Democracy at the Crossroads*, Batlle's state enterprises were designed to redistribute wealth, enhance the welfare system he created and serve the national interest by reducing the country's reliance on foreign expertise and capital. According to Weinstein these enterprises were crucial to Uruguay's expansion during this period.

His political reforms included a system of "co-participation" in which the two main parties, Colorados and Blancos, shared directorship of state enterprises and monopolies on a proportional basis. This ensured political stability.

Batlle separated the state and the church, insisting Uruguay should be a secular society. No public building bore the names of saints, crucifixes were removed from schools and the word 'God' had to be written in lower case.

Batlle's vision was bold for such a small country. For him the task of an interventionist state was to bring about social justice. His eventual legacy (he died in 1929) was a country where education and health care were universal rights, where laws encouraged home ownership, a welfare system protected the most disadvantaged and workers were protected from unfair working conditions. Uruguay ended up having public education before England, women's suffrage before France, the eight-hour workday before the United States and divorce 70 years before Spain.

Most historians have written that prosperity made Batlle's vision possible. Uruguay's economy had developed rapidly during the first three decades of the 20th century because of expanding beef and wool exports. Between 1903 and 1929 the value of exports doubled because of the market for frozen meat.

As long as prosperity continued the system appears to have worked well, producing one of Latin America's most prosperous, egalitarian societies, with one of the most stable, progressive and representative political systems, but in the late 1950s, when the economy stagnated and exports began to slide rapidly, it all came to an abrupt end.

At first the government turned to industrial production. The import-substitution industrialisation strategy involved raising tariff barriers in an effort to discourage imports and protect the new manufacturing enterprises. But the industrial boom was short lived because of the small size of the domestic markets, the inability to compete on world markets, due to high tariff

barriers, and the technological dependence on other countries.

The stagnation of both industrial and livestock production created a negative balance of payments, a decrease in reserves, a rise in unemployment and growing inflation. Uruguay's economy entered what would be a 20-year crisis. The protracted economic crisis became a political crisis in the late 1960s.

In 1958, the Uruguayans voted in the Blancos, who for the next eight years failed to develop the momentum required to pull the economy out of the doldrums. In 1966 a retired general, Oscar Gestido, was elected president but died shortly after. He was replaced by his vice president, Jorge Pacheco Areco, who was described as authoritative and conservative.

Within a week of taking office, he issued a decree outlawing the Socialist Party and several small anarchist groups and shut down the most progressive newspapers. "We elected Eisenhower," went a Montevideo joke, "and we ended up with Nixon".

Tensions came to a head when the national liberation movement Tupamaros rebelled against the political establishment. Its founder, law student Raul Sendic and his followers, mostly middle-class students, had grown increasingly disillusioned with the government. Tupamaros did not believe that fundamental change was going to be made through the ballot box so they chose the armed struggle instead.

Initially they robbed food trucks, banks and businesses to distribute the bounty to the poor. Their behaviour infuriated the authorities – especially President Pacheco, who now urged the army to take a tougher line.

Tupamaros became increasingly violent when they kidnapped and executed Dan Mitrione, an American police instructor who was stationed in Montevideo as part of a program sponsored by the US Agency for International Development (AID), an international program that had been founded by John F Kennedy's Alliance for Progress.

According to journalist Lawrence Weschler, it brought Latin American police officers up to the standard of the AID's International Police Academy in Washington DC and sent American agents down to Latin America to assist armed forces with counter insurgency training.

Mitrione was in charge of the Office of Public Security, which was providing weapons and training police on advanced counter insurgency techniques. Although it is claimed that torture had been in used in Uruguay since the 1960s, according to the New York Times, Dan Mitrione was reported to be the man who made it routine. He is quoted as having said: "the precise pain, in the precise place, in the precise amount, for the desired effect".

Former Uruguayan police officials and CIA operatives claimed that Mitrione had taught torture techniques to Uruguayan police in the cellar of his Montevideo home

including the use of electric shock delivered to his victims' mouths and genitals.

Tupamaros wanted to exchange Mitrione for fellow guerrilla members languishing in Pacheco's jails but the attempt failed and they ended up executing him. Mitrione's death caused a national rejection of the Tupamaros, who also kidnapped others, among these was British ambassador Geoffrey Jackson, who was released eight months later.

Pacheco turned gradually to the military and increased the military budget.

In the 1971 elections, left-wing parties founded the Frente Amplio Coalition to return the country to democracy but lost the elections. The Colorado party supported Pacheco's handpicked successor, the conservative Juan Maria Bordaberry, while the Blancos were led by Wilson Ferreira, a progressive senator.

Ferreira achieved a majority over Bordaberry, but Pacheco's deputies on the electoral court manipulated the results and Bordaberry was declared the winner. He turned out to be the military's willing partner.

With another wave of violence by the Tupamaros and growing social unrest, Bordaberry forced a bill through Congress transferring total authority to the military for the war against the Tupamaros. Two years later the military suspended Congress; set up a Supreme Military Council as the only executive and legislative authority and downgraded Bordaberry's role to that of a figurehead.

During the next 12 years of dictatorship the country had the world's highest per capita rate of political incarceration. All groups with leftist affiliations were outlawed. Unions, journalists, students and intellectuals were targeted, tortured and sentenced to long prison terms.

The figures quoted by Amnesty International were 5,000; one in every 500 citizens was confined to prison; one in 50 had been interrogated and between 300,000 and 400,000 Uruguayans went into exile.

The Broad Front would plead to its constituents not to leave: "Brother, don't leave ... there is hope!" But the crisis moved so much faster than hope. A decade of terror, despair and lost opportunity would follow. The military established one of the most sophisticated and repressive apparatus in Latin America.

The extensive and systematic use of torture was documented in testimonies presented to the US congress and by prisoners themselves. Uruguayan poet and playwright Mauricio Rosencof, a Tupamaro leader, wrote about his time in prison and the systematic abuse he was subjected to in his book *Memories from Jail*.

"I was captured along with Jose Mujica "Pepe" [the current President of Uruguay] and Fernandez Huidobro (Ñato) and they moved us between cells across the whole of Uruguay. We were underground for a long time, in cells that, at best measured two metres by one."

"They often didn't give us water, so we learnt to drink our own urine. They often didn't give us food, so we ate

insects ... They only let us go to the toilet once a day. It was torture, because if you went in your cell, you were punished. So your organs ended up switching places – your bladder becomes your brain, because you can't think of anything else. We never saw another human face, not even each other's, and we never saw the sun."

One day the International Committee of the Red Cross came to visit the prisoners. "That day, we noticed something really strange: the guards took us out of our cells, opened the windows to let the sunlight in, and brought in a table and a chair. I shifted from side to side in the chair – it had been 10 years since I'd sat on one."

The Red Cross interviewed prisoners in specially prepared cells, but soon learned the chilling truth about conditions in the prison and the fact that their conversations had been recorded secretly by the prison authorities. After their departure many prisoners were subjected to reprisal, others disappeared.

Like Rosencof, others wrote about their experiences in prison. "These texts constitute one of the most eloquent literary statements we know concerning the impact of repression," writes journalist John Glad. "The daily attacks on all aspects of human dignity, the brutal harassment by means of which the dictatorship, conscious of the far reaching effects of its terror tactics upon third parties attempted to impose the rule of silence on the entire country."

To this day official figures have not been compiled. According to the main human right commission in Montevideo, Servicio Paz y Justicia, 109 were killed and 163 disappeared.

Events in Uruguay were not happening in a vacuum. In neighbouring countries military forces had taken over the governments following military coups, in Brazil (1964), Argentina (1976) and Chile (1973), as well as other Latin American countries. Influenced by the Doctrine of National Security, military governments saw a new threat posed by the world's communist movement. Extensive collaboration between military forces and paramilitary death squads across international borders meant refugees from Uruguay were not safe in Chile or Argentina where they had fled and vice versa.

According to this doctrine, unions, universities, newspapers, churches and parliaments were infected with communist tendencies and only a coup and military rule could save democracy. Their mission was to restore order, deal firmly with subversives and create the environment for economic development. When all that had been achieved and the nation was re-educated politically and economically, power could then be gradually transferred to responsible politicians.

"There is considerable argument regarding the degree to which the US was directly implicated in the promulgation of such doctrine throughout Latin America," writes journalist Lawrence Weschler.

Several generations of Latin American officers received training at the School of the Americas, operated by the

US Army, in the Panama Canal Zone and in its parallel institute in Fort Benning, Georgia.

According to Weschler, proud graduates of the schools include Augusto Pinochet of Chile; Gustavo Alvarez of Honduras, Jorge Rafael Videla, Roberto Eduardo Viola and Leopoldo Galtieri of Argentina and Manuel Noriega of Panama – all of whom helped the program to earn its nickname, ‘the school of coups’.

While the Uruguayan military was successful at stifling political opposition, by the time the generals relinquished power they had left the economy in shambles. According to Weinstein, the military’s economic program sought to transform Uruguay into an international financial centre. They pursued the extreme monetarist policies of Milton Friedman that included liberalisation of the economy and deregulation of the financial systems, reducing the health and education budgets, lifting restrictions on the exchange rate and reducing tariffs in an effort to open up Uruguay to the world economy. But the timing could not have been worse. A recession was forcing the industrialised countries back to various forms of protectionism.

## “Battle separated the state and the church, insisting Uruguay should be a secular society.”

By the end of the military period economic growth had stopped. Most private banks were owned by foreign conglomerates and the regime had left a debt of \$5 billion, an extraordinary burden on a country with under three million citizens. The future looked bleak.

Power was returned to the traditional parties. The Colorados and Blancos, or Nationals led the country for the following two decades. Julio Maria Sanguinetti from the Colorado party was elected president in November 1984 and in 1996. Sanguinetti appeased the generals through a general amnesty, despite calls for criminal trials. He consolidated democracy, freed political prisoners, legalised political parties and continued the neoliberal economic reforms, adopted by the military, to revitalise the economy, with mixed results.

Luis Alberto Lacalle (1990-96) pursued further liberalisation of trade and made Uruguay a member of the Southern Cone Common Market (MERCOSUR) in 1991. Despite economic growth Lacalle’s adjustment and privatisations attempts caused political opposition and some reforms were overturned by referendum.

When Frente Amplio was elected in 2004 many people watched the news in disbelief. This was the day many Uruguayans had waited years for. The day the left would finally come to power. Frente Amplio was not your everyday leftist party, but a coalition of left-wing parties.

It was founded by Liber Seregni in 1971 to break the stranglehold of the two major parties and carry out a democratic revolution which would change society. Thousands of people danced and cheered as they saw their dream come true. Frente Amplio had beaten the odds, the 33-year-old dream had been realised.

In 2004, Uruguay was just beginning to recover from the 2001-03 crisis, which was mainly caused by the spillover effects of the economic problems of Argentina and Brazil.

In mid-2002 Argentina’s massive withdrawals from Uruguayan banks started a bank run that was overcome only by massive borrowing from international financial institutions. The economy contracted by 11 per cent, unemployment climbed to 21 per cent and over one third of the country’s 3.5 million citizens found themselves living below the poverty line.

This grim outlook was compounded by a crippling debt to the IMF with loans totalling \$2.3 billion. Political commentators say that all these factors set the stage for the Broad Front’s Vazquez presidential bid. It was time for change.

Vazquez opened the door to a new, bold political direction. He worked at stabilising the economy, signed a three year \$1.1 billion stand-by arrangement with the IMF that committed Uruguay to a substantial primary fiscal surplus, low inflation, a reduction in foreign debt, and to several structural reforms designed to improve competitiveness and attract foreign investment.

This agreement, combined with a mix of pro-investment policies and social programs, contributed to revitalise the economy in a short period of time.

His \$240 million National Plan to Address Social Emergency contributed to reduce poverty. He established wage councils made up of representatives from unions, business and government to negotiate wages for 100,000 firms and 600,000 workers. Hundreds of jobs were created under the Work for Uruguay Program, pushing unemployment down from 12.3 per cent to 7.3 per cent, its lowest level in decades. His education reforms provided all students in primary schools with a personal laptop equipped with an internet connection.

He reduced value added tax on basic food items, and created a personal income tax that exempts the poorest 60 per cent. He also made efforts to decentralise government and encourage greater popular participation in politics.

Vazquez went out of his way to sustain good ties with the US. When President Bush visited Uruguay thousands of Frente Amplio supporters marched in outrage against his visit. Some complained that the party had moved to the centre and that the coalition was losing its revolutionary principles.

Perhaps the Frente Amplio is no longer the political and social movement that it once was. Even President Mujica, despite his revolutionary past, has made it clear that there is no contradiction between embracing revolutionary ideals and pursuing moderate economic reforms.

Unlike Vazquez, President Mujica's suffering at the hands of the military afforded him great credibility among voters. After all, this is a man who paid a high price for his ideas. Yet he remains loyal to his political ideals and he is opposed to corruption. He has not taken to the trappings of power. He has no bank accounts, no assets and no other possessions. President Mujica himself may be one of the world's poorest sitting leaders.

It is no wonder he has generated expectations among the poor. He has pledged to build new housing projects, improve the infrastructure, expand access and quality of education and participate actively in the regional integration with other South American countries.

Whether he manages to fulfil his pledges remains to be seen. According to researcher Elizabeth Benjamin, President Mujica will face some challenges on the economic front. "One such obstacle to tackle will be inflation. Another will be the dependency on the somewhat unpredictable economy of its largest trading partner, neighbouring Argentina."

The main challenge will be to reintegrate more than 400,000 poor into the mainstream economy and stop the constant emigration of skilled and educated young adults, which represents a massive loss in human capital.

President Mujica has been attempting to settle a dispute with Argentina over the construction of a paper mill to be built on the Uruguay River, which delineates the border between Uruguay and Argentina. The project would be the largest industrial investment in Uruguay ever, according to a 2006 report by the BBC news. Although negotiations have commenced with the Argentinian government they are still a long way from

reaching an agreement.

Another challenge will be initiating a process of reconciliation with the past, which is well overdue, and many people are demanding justice to be done and reparations to be made.

Some Uruguayan political analysts say that "Mujica challenges, provokes, pushes you to think but he doesn't necessarily resolve issues". "He is a big picture man, but his proposals lack detail and clear guidelines," says journalist Miguel Arregui. "Mujica has spoken about State reform but hasn't quite articulated it ... His cabinet is given broad strategic directions and much autonomy."

Yet he was riding well on public opinion approval in his 100 days in office. Currently he has an approval rating of 74 per cent. He enjoys a 90 per cent positive approval from Frente Amplio but he also has support among the two main opposition parties.

According to political analyst Adolfo Garce this is due to his negotiations with the opposition parties that enabled non-ruling coalition members to be invited to the board of directors of some of the state enterprises.

Garce said that the clearly political negotiation attitude of President Mujica, so far, and not only with the opposition but also with the military and the Argentine Government "is something which receives full support from the average Uruguayan voter".

The Mujica government will do well as long as the economy goes well. But he knows the economic bonanza that was initiated in 2003 will not last forever, and that the strength and wisdom of his government will be better measured during crisis situations.



# INSIDE THE ENIGMA OF IRAN

One again Iran is in the news. On this occasion it is about concerns in the West that the country is pressing forward with plans to produce weapons-grade uranium. Last year it was about the disputed June elections which returned the ultra-conservative and outspoken president, Mahmoud Ahmadinejad, to power and the unrest and crackdowns on dissenters that followed. Ever since President Bush declared the country part of the "Axis of Evil" in 2002, the West has viewed Iran with suspicion and fear ... but is this the full picture? **MARGARET PIPER** reports.



I first heard these words from a glamorous, expensively-attired woman as we stood in the aisle donning our hijab as our plane approached Tehran on my first visit to Iran. Soon both of us were covered from head to foot; ready to step forth into a country full of contradictions.

The first thing you learn about Iran is that nothing is what it seems from the outside and things are rarely black and white. Yes, women are (often violently) oppressed but there are more women at universities than men. Women also hold key positions in the bureaucracy and academia and there are even senior women clerics. Alcohol is strictly forbidden but many people make their own wine and hard drug use is prevalent. And no, not every Iranian hates Westerners. In fact the level of generosity and hospitality I encountered was humbling. As a woman, I felt safe travelling alone and was treated with respect. But at every turn there are reminders that Iran is a fundamentalist Islamic state where freedoms, as we know them, are still beyond the grasp of the population as a whole.

It has not always been like that. Persia (as Iran was known until 1935) was one of the greatest empires of

## “The human rights situation in Iran is of grave concern to international observers.”

the ancient world. This history is not lost on the Iranians today who take great pride in it and the fact that they have maintained a distinct cultural identity within the Islamic world. The interpretation of what this means, however, is at the heart of many of the problems in Iran today. There are some who argue that the Iranian heritage is about art, culture and ideas; whereas others believe that everything must be viewed through the lens of a conservative interpretation of Islam.

These tensions have been playing out for more than 30 years. First came the 1979 Revolution that saw the overthrow of the Shah by religious clerics; then the bitter conflict that raged between Iran and its western neighbour, Iraq, for much of the 1980s; this was followed by a tentative period of liberalization under President Khatami, which lasted until Ahmadinejad was first elected in 2005. The election signaled another fundamental shift in Iranian politics, restoring the influence of the hard-line clerics led by the Supreme Leader Ayatollah Ali Khamenei, in whose hands effective power now resides.

The influence of the clerics has not, however, gone unchallenged. Having tasted the possibility of reform in the Khatami era, the various dissident groups, in particular women, students and journalists, are deeply frustrated by the return to hard-line Islamic rule. Their calls for change have come in the context of a failing economy, growing unemployment, increased oppression

by the state and state-sanctioned militia, all of which have been compounded by 30 years of sanctions which have had a profound impact on all aspects of Iranian life. These boiled over after the 2009 elections and are still simmering just below the surface.

The human rights situation in Iran is of grave concern to international observers. In a letter sent to UN Member States in November 2009, Human Rights Watch drew attention to the thousands of Iranian citizens who have suffered grave violations of their internationally protected human rights in the aftermath of the elections, with many having been beaten and shot during peaceful protests. It also noted that there are credible, verified reports of torture, rape, and ill-treatment in detention and that hundreds of reform-oriented citizens and political figures have been tried in ‘show trials’ without due process.

Due to this human rights situation, the conditions are ripe for a renewed exodus of people whose activities have come to the attention of the government as well as those who have long suffered institutionalized oppression (particularly women, ethnic minorities and religious minorities such as the Bahá’í, etc) who have been caught up in recent developments. This is the Iran that most people think about when the issue of refugees is raised but, as on so many other fronts, it is not the full picture.

When talking about refugees in the context of Iran, one must not lose sight of the fact that Iran hosts one of the largest and longest-staying refugee populations in the world. As of June 2009, Iran’s Bureau for Aliens, Foreigners and Immigrant Affairs had registered some 976,500 refugees, of whom 933,500 were Afghans and 43,000 were Iraqis. The majority of these refugees live in urban areas, often in the poorest neighbourhoods, and few refugees in Iran live in camps.

While these numbers might seem large, they do not reflect the whole story. Iran has hosted large numbers of refugees for more than 30 years and there have been times when the numbers have been in the order of five million. The majority has always been Afghans but in 1991 at the height of the Iraqi exodus, there were also some 1.4 million Iraqi refugees living in Iran.

Iran’s hospitality towards its Afghan neighbours has its roots in the historical connection between Iran and Afghanistan (they were once united) and Iran’s desire to help fellow Muslims when the Soviet Union invaded Afghanistan in 1979. Similarly Iran has historical links to many of the refugees from Iraq, and those who are not of Persian stock were welcomed because they shared Iran’s opposition to the former Iraqi government.

Iran took great pride in being able to assist the refugees in its territory and initially spurned outside offers of assistance. As the years ground on, however, and as the economy of the country spiraled downwards, the Government of Iran came to see that it could not manage without help. Repeated pleas for international assistance fell on deaf ears, in large part due to US

opposition, and from the late 1990s, the entitlements (especially to employment, education and health care) of refugees in Iran were progressively eroded.

The worsening economic conditions also diminished the sympathy that the Iranian community had once had for refugees. The Government came under increasing pressure to “deal with the refugee problem” and put Iranians first. The refugees were portrayed and perceived as an excessive social, economic and security burden for the nation.

By the late 1990s, many refugees who had been in Iran for some time grew increasingly worried about their situation. With no apparent prospects for return to their homelands, they became a willing target for smugglers offering passage to the West. Thus began the first major wave of secondary movement from Iran, with the majority heading to Europe and North America and smaller numbers coming to Australia.

Two things curbed the flow. The first one was the changes in Afghanistan and Iraq which led many refugees to consider that return might at last be possible. The second was the intervention of Western states intent on preventing secondary movement. This manifested itself in many ways including the financial support for which Iran had long advocated and increased opportunities for resettlement. Little by little the conditions for refugees in Iran improved and the urgency of seeking sanctuary elsewhere diminished – for a while at least.

**“The first thing you learn  
about Iran is that nothing  
is what it seems from the  
outside and things are rarely  
black and white.”**

And so this was the case for a while during the 2000s. Many refugees returned to Afghanistan and Iraq, some were resettled and others stayed on, living and working within the Iranian community. As time wore on, however, it became increasingly apparent that the instability in many areas of Afghanistan was likely to continue and that there were some groups of refugees for whom there was no place in the new Iraq. Add to this the high inflation, rising prices and unemployment that had an even greater impact on refugees than the Iranian population at large, not to mention the increasing tensions within the country as a whole, and once again we have conditions ripe for people smugglers.

When boats arrive in our northern waters it is important that we do not fall into the trap of thinking only in terms of “border protection”. We need to look behind the headlines to see what is causing these people to risk their lives, and that of their children, to come to our country. We need to ask what more could we have done to make

the journey unnecessary, and what more should we be doing to create viable futures for refugees.

Close to one million refugees in Iran are still waiting for this help. Many have been waiting for upwards of 30 years. How many more years will they have to wait?

# POLICING THE WORLD

**DR JOHN CASEY** is an associate professor in the School of Public Affairs at the City University of New York. He was a senior lecturer in management leadership and governance at the Australian Graduate School of Policing at Charles Sturt University. Previous to his academic career, he worked in the public and non-public sectors in the United States, Spain and Australia. He spoke to **OLGA YOLDI** about policing and international crime.



**In the last decade there have been cases of unchecked police brutality. Do you think police standards have been lowered as a result of the growing threat of terrorism?**

I don't agree these cases are unchecked. I believe police brutality is increasingly under scrutiny around the world. The reason we hear more about brutality is precisely because the public, the media and governments themselves are denouncing it. Here in Australia, the old practices of 'verballing' false confessions have been eliminated, and around the world police are increasingly being held accountable for their actions. Yes, there is a long way to go because police brutality is still quite common in many countries, but I am optimistic about the general direction we are going.

I believe that the heightened sense of a terrorist threat has not only resulted in many intrusions in our lives but also in increased state control. But I still don't believe it has lowered police standards. However, I would agree with the fact that this threat has compromised important police reforms such as the movement towards community policing, simply because working closely with communities, while at the same time being suspicious of some of them arguably produces dissonance on the part of frontline police. I must say that the best police agencies have found ways to successfully manage that potential dissonance, but there is a long way to go to resolve this contradiction.

**Transnational crime: Terrorism, fraud, forgery, money laundering, identify theft, arms smuggling, human trafficking and commerce in illegal materials, have now taken on transnational dimensions. What factors affect international collaboration in police investigation? Do we need an international police agency?**

I believe international police investigations are mostly hampered by the complex and fragmented framework of the existing international cooperative arrangements, which are still very much based on national structures rather than on an international model. At the same time, the routines of international engagement take place at agency-to-agency level. To some extent police work has always extended across borders. I mean there has been a long history of professional exchange between police across different countries, even when their governments have been at odds with each other.

Having said that, I would also say that there are considerable challenges to achieve effective international police collaboration and this is due to the distrust felt towards foreign police, particularly because of suspected corruption.

At the same time, many developing countries lack the personnel and the resources to cooperate with other countries. Language barriers and lack of knowledge of

other countries' protocols and cultures are also major factors inhibiting the effectiveness of international agreements.

Police management, in many countries, lament that their own officers do not have language skills or a better understanding of other cultures. There have also been complaints about the lack of sensitivity and understanding by visiting officers.

But as criminal enterprises become more globalized the pressure is mounting. The question is how and when will policing operations move beyond nation-bound agencies and develop the international operational capacity needed to fight transnational crime. That can only be achieved with the existence of effective global governance mechanisms that could hold the international police to account, and that is not likely to happen soon.

One international model of a global police structure that sheds some light on how international policing might develop in the future is Europol, that was established as part of the 1992 European Union Maastricht Treaty. It is based in The Hague. It started limited operations in 1994 with the Europol Drugs Unit, but soon its mandate extended to deal with all forms of "serious international crime" like terrorist activities, drug trafficking, money laundering, forgery of Euros, trafficking in nuclear and radioactive substances, environmental crimes, immigrant smuggling, trade in human beings, and motor vehicle crime. Europol assists European Union (EU) member countries' national policing agencies to prevent and combat serious international crime, in cases where there are reasonable grounds to believe that an organized criminal structure is involved in two or more EU member countries.

Unlike Interpol and UN Office of Drugs and Crime, which are voluntary intergovernmental organizations. Europol is a deliberate legal construction of the EU. In fact this is an entity that has the legislative, executive and judicial authority normally associated only with States. It also works in conjunction with other EU justice entities such as Eurojust (composed of national prosecutors, magistrates and police officers with equivalent judicial responsibilities).

In 2007 the EU established a Standing Committee on Internal Security. This is seen as a critical step towards creating a more permanent European Interior Ministry, which will handle a wide range of policing and internal security matters.

The EU may currently be a unique instance of the restructuring of political authority, but I think it is symptomatic of a wider trend in which policing is no longer only a national responsibility, and the EU may evolve as the model that could actually be adopted by other regional and international agreements.

**What are the best strategies to respond to international and transnational crime?**

There are considerable differences in how the North and South are experiencing globalization and crime. Rich countries appear to be mostly concerned with terrorism, drugs, and illegal immigration; while poorer countries are struggling with urban violence, corruption in their political and commercial institutions and seeing their territory being used as a base by international criminal organizations.

These geopolitical realities form the backdrop of any discussion about policing responses to international and transnational crime. How individual police agencies go about fighting this type of crime will depend on factors such as the size of the agency, the geographic location, access to resources, etc. However, there is potential for all of them to fight crime if they build their domestic capacity and strengthen their networks of international cooperation. Of course, it would help if the international community established new cooperative and supranational structures.

**Human trafficking appears to be on the increase. Governments seem to have no strategies to address it. What do you think are the barriers to effective human trafficking enforcement?**

They do have some strategies but they have been hampered by problems like the definition of “trafficking” and also a lack of recognition among law enforcement personnel in both, source and destination countries, that trafficking is in fact a crime that should be fought.

Human trafficking is defined by the UN as “the recruitment, transportation, or receipt of persons through deception or coercion for the purposes of forced labor or sexual exploitation”. Trafficking involves exploitation of victims and is generally distinguished from human smuggling, in which the persons crossing the border are willing participants. However, when smugglers force people to travel under conditions of considerable danger or use coercion to extract additional payment, the distinction between smuggling and trafficking is blurred.

Also, there is a lack of understanding of the economics of supply and demand of the trade. In some communities, economic needs are so great that social values may condone human servitude as a means of securing income for a desperate family, thus making it difficult to establish the criminality of the trade.

Another problem is the mistreatment of the victims, once they have been rescued by police or by the immigration authorities of some destination countries that tend to treat them first as illegal immigrants and then to make matters worse try to deport them. And finally, we need to aggregate and validate the various sources of information on human trafficking, as it has been difficult to fully document the extent of the problem.

**You mention in your book that bilateral and multilateral treaties are the foundation of police cooperation between countries. How effective are these? Is the implementation of international law an issue?**

These treaties and other formal instruments of international integration are essential for building trust between countries, for negotiating permissions in order to share each other’s resources, and are also important for working toward the harmonization of relevant legislation. However, there is also a constant tension between the desire to build international policing structures and the concern for maintaining the sovereignty by preventing potential intrusion of foreign police in the domestic affairs of a country, particularly in the context of bilateral treaties.

At the international level we have the Interpol, the justice work of the UN, and the international cooperative arrangements that exist between police working in different countries. These arrangements are done through economic political and security agreements.

For example, in Sub-Saharan Africa, four overlapping Interpol-sponsored Police Chiefs Cooperation Organisations have been established since the mid-1990s. Although the political and economic relationships between neighboring countries in that region may be tense, cooperation at a professional-level, particularly on less controversial crime matters, is still happening.

Of course international law is an issue in all these agreements, but then so is international politics and economics.

“Trafficking involves exploitation of victims and is generally distinguished from human smuggling, in which the persons crossing the border are willing participants.”

**Police in developing countries face considerable challenges due to lack of resources, skills etc. Self-policing, you write, is a fact of life in societies that rely on or are fearful of, public police. How prevalent is this practice?**

Very prevalent. There are only perhaps 30-40 countries in the world (out of 190) where the public can call an emergency number 24 hours a day and have a reasonable expectation that police will respond quickly and when they arrive they will serve the interests of the public. In the rest of the world people have to rely on

more informal methods of policing for their security and to ensure public order.

Sometimes these private initiatives are approved by the government, for example the Uganda Taxi Operators and Drivers Association has a system of traffic wardens who enforce taxi regulations, direct traffic and arrest criminals operating in taxi parking areas.

At the most extreme, there is also vigilantism and mob justice. So yes, when it comes to developing countries, with their lack of police resources to investigate crimes and the difficulties of pursuing suspects in crowded cities or remote rural areas, suspects are often caught and dealt with summarily by the local people.

A patchwork of public and private policing is typical in many developing countries. Given the lack of resources and the fact that often State institutions are not trustworthy, many citizens simply survive without the police. When they do seek security and justice they are faced with an intricate array of informal and formal options, many of which present their own dangers and complications.

**Democratic policing practices have been exported to authoritarian and developing countries. What do you think are the difficulties of exporting policing styles and models from one country to another?**

Common sense tells us that it is not a good idea to borrow policing policies and practices from other countries or cultures. There are concerns that ill-conceived policy borrowings only exacerbate existing problems or produce new unintended ones. But despite these warnings, some policing strategies do in fact travel well.

For example, crime prevention, through environmental design and restorative justice, are approaches that have been successfully transferred to a wide range of settings. Other potential policies such as Neighborhood Policing and private prisons are only selectively transferred, as they are rejected by some countries because they consider them incompatible with their social norms and practices. I think the cultural, socio-political, and institutional contexts at the receiving end will be decisive for its success.

Despite concerns about transferring models of policing and ensuring these respond to local needs, there are evident commonalities in policing reform processes. For example, the South African Centre for the Study of Violence and Reconciliation has identified 39 indicators of democratic policing, which are intended primarily as benchmarks for countries that are transitioning from authoritarian to democratic regimes, but they also can be used to evaluate processes in almost any country that is reforming policing practices.

**You write in your book about increasing police involvement in peacekeeping operations that seek to restore order after a war or a period of violent civil unrest. Also in peace-building efforts carried out in post-conflict societies. Could you give us some examples where these initiatives have worked and others where they have not? And why?**

Many people seem to think that the previous two decades of police participation in peacekeeping and capacity building activities in post-conflict countries has not had much impact. Some even say that the main result of intervention seems to be “reverse capacity building” with the peacekeepers getting new skills they can use back home.

I think the causes of failure can be traced both to clumsy and insensitive attempts at reform and to the intractability of the conflicts. If capacity building programs are not backed up by political will and more widespread structural economic and social reforms, it will have little chance for success. But while there is a lot of cause for despair there is also hope.

For example, Ghana has come to be considered one of the most successful examples of demilitarization and democratization. In the 1970s and 1980s, Ghana was at the brink of collapse. It appeared to be locked up in a process of militarization and authoritarian regimes. Despite many obstacles it managed to turn around and democracy was restored.

The Ghana Police Service was neglected with poor conditions of service and equipment; there were constant reports of the excessive use of force and the arbitrary detention of people. So as a result, police-community relations were based on mistrust and hostility.

Since 2002, police-improvement teams have succeeded in improving service delivery, public accountability and credibility, and also improving the overall governance and operations of the police. The reform was supported by the Government of Ghana the United Nations Development Programme - with technical cooperation from the African Security Dialogue and Research, a non-governmental security research organization.

The Ghana Police Service is being successfully transformed and has been distancing itself from the negative legacy of having been regarded as a corrupt, non-performing service. This is a good example that shows with some effort things can actually change for the better. So yes, I would say that if Ghana was able to turn the situation around so could other countries in similar situations.

# THE PHILIPPINES

It is one of the most beautiful archipelagos in South-East Asia and home to some of the most easy-going people in the world, or so the tourist brochures tell us. Yet in the southern Philippines lurks one of the most protracted and difficult conflicts in South-East Asia today. **Rebecca Hinchey** reports.



The massacre of eight Hong Kong nationals during an incident in a bus and the massacre of 60 people including 32 journalists in a single event in late 2009, briefly brought the problems in the Mindanao region under the international spotlight, providing a rare glimpse of the situation in one of Australia's nearest neighbours.

The Mindanao conflict has been plagued by an on-and-off armed battle since the 1970s, but has a much longer history of tension dating back to the 16th century.

Centred on the islands of Mindanao, Sulu and Tawi-Tawi, the sticking point has been the failed implementation of a succession of peace agreements.

In 2009 alone 610,000 people were displaced in the southern archipelago. Mass displacement joins aerial bombardments, armed violence, kidnappings and the killing of civilians in the human rights abuses besetting the region.

Dr Ronald May, Emeritus Fellow at the Australian National University's Society and Governance in Melanesia Program says: "You can subscribe to one of those emails where every day you hear about another atrocity, this person's been kidnapped and burnt."

The abuses are a manifestation of the long-running tensions between the predominantly Christian Philippines

and the sizable Islamic Moro groups of the south.

For the Moros issues of autonomy, self-determination and poverty are at the heart of the conflict, while for the newly elected Philippines Administration the central platform is how to successfully integrate a minority population into their island territories.

The situation is complicated by factors including the growth of non-Islamic communities in the region, the splintering of Moro representation, international Islamic terrorism and inter-clan rivalries.

As the Lowy Institute's East Asian experts Dr Malcolm Cook and Dr Kit Collier point out, solving such profound problems will be slow and require 'extensive economic and political change and foreign support'.

The conflict in the southern Mindanao and Sulu regions of the Philippines traces its roots all the way back to the Spanish colonisation of the Philippines in 1565. Despite their domination, the reach of Spanish power never made it to the Islamist practising people of the south, who had evolved as sophisticated Sultanates after the arrival of Islam in the 13th century.

The Moros - named by the Spanish after their detested enemy and prior rulers of Spain, the Moors - fought against their would-be conquistadors in a series of wars

spanning four centuries.

This period planted the seeds of mutual suspicion that continues among the three main inhabitants of present-day southern Philippines: the Moros also called the Bangsamoro, comprising approximately 20 percent of the population; Filipino-Christian settlers, comprising 75 percent; and non-Christian and non-Muslim indigenous people known as the Lumads, comprising five percent.

In a paper addressing ethnic and religious conflict in the Southern Philippines, Dr Jamail Kamlian, vice chancellor of the Office of Research and Extension at Mindanao State University, writes that Moros believe the conflict was caused by the Christian settlers. Christian Filipinos believe the Moros are traitors, kidnappers, land grabbers, troublesome and warlike, and the Lumads blame both groups for the fighting.

When the United States took over the Philippines in 1882 they succeeded in dominating the rulers of the south, although spasmodic armed resistance against the new colonial power continued. In 1942 the Philippines became independent and the then predominantly Islamic southern regions were incorporated into the nation.

This was despite protestations and a petition from a large group of Muslim leaders who stated in the Danslan Declaration: "...we do not want to be included in the Philippines for once an independent Philippines is launched, there would be trouble between us and the Filipinos because from time immemorial these two peoples have not lived harmoniously together".

The Australian National University's Dr May says the Muslims were right to be fearful of Christian dominance and forced conversions. "Heavy migration into Mindanao from the more populous areas of Luzon and the Visayas brought conflicts over land and threatened the authority of traditional Muslim political leaders ... Muslim and tribal populations often lost their rights to traditional land through land grabs, dubious legal transactions and even dealings by unscrupulous Muslim leaders".

Migration was encouraged by the United States Administration and the independent Philippines Government, both as a means of establishing new agricultural industries in the resource-rich south and of quelling any resistance from its Muslim inhabitants --by changing the cultural mix of the area. In 1903 the Muslim population of Mindanao was estimated at 76 per cent but by 1980 that figure had fallen to just 23 per cent.

The 1960s and 70s saw an increase in hostilities between Muslim and Christian settlers culminating in the formation of the Moro National Liberation Front (MNLF) a still-powerful organisation which took up arms in support of an independent state.

According to Dr Macapado Muslim, President of Mindanao State University, two key abuses gave rise to the contemporary armed struggle: the Jabidah massacre of 1968, where 28 young Muslims in the Philippine Army were murdered by their superior officers, and the killing of Muslims and razing of their buildings by Christian

vigilante groups during the period 1970 to 1972.

The MNLF came out into open warfare when in 1972 then President of the Philippines Ferdinand Marcos declared martial law. This period was undoubtedly the bloodiest of the conflict.

Dr Inamullah Khan, secretary-general of the World Muslim Congress, estimated that between the years 1969 to 1976 about 60,000 people died, 54,000 were wounded and 350,000 people displaced in the Moro conflict.

Such substantial losses forced the international community to take note with the Organisation of the Islamic Conference stepping up as a major international player whose influence continues today.

The organisation, particularly member Libya, helped negotiate the 1976 Tripoli Agreement which brought an end to the most brutal period of the conflict. Under its terms 13 provinces would be given autonomy, subject to a plebiscite among the people living in those areas.

From the start implementation of the agreement faced insurmountable hurdles. In 1977, and without agreement, the Marcos Administration created two autonomous governments in 10 provinces with a vote to be held in April. With the exception of some generals, who took up ruling position in the autonomous regions, the MNLF rejected their actions and resumed a less intense armed resistance.

Concurrently cracks began to appear in the MNLF leadership culminating in the creation of the Moro Islamic Liberation Front (MILF) with Hashim Salamat at its helm.

As Soliman Santos describes in his *Human Development Report Evolution of the Armed Conflict on the Moro Front*, the split resulted from a number of differences, the Nur Misuari-led MNLF believed it was best to pursue peace negotiations, work for autonomy, be secular-nationalist and centralise decision-making and the MILF believed it was best to pursue armed struggle for independence, be more Islamic and pursue a more consultative structure.

It also centred on ethnic allegiances between Tausug, dominant in the Sulu Archipelago, and Maguindanao, more dominant on Mindanao island.

Ethnicity has had a strong influence on the conflict, but Associate Professor Bronwyn Winter, an expert in social movements in the Philippines at the University of Sydney; cautions against oversimplification. "When we talk about any of these so-called ethnic conflicts, they're always political, they're always about power, they're always about money, territory, land, those sorts of things."

In 1986 when Marcos was ousted, Corazón Aquino came to power and resumed peace talks with both groups, resulting in the 1987 Jeddah Accord between the Republic of the Philippines and the MNLF. The Jeddah Accord was an attempt to revive the Tripoli Agreement which led to the formation of the Autonomous Region of Muslim Mindanao (ARMM).

As per both the Tripoli and Jeddah agreements a plebiscite was held in 13 provinces and a number of cities, with only the provinces of Lanao del Sur, Maguindanao, Sulu and Tawi-Tawi opting in to the ARMM. Both the MNLF and the MILF rejected the referendum.

In 1992 General Fidel Ramos took the reins of power in Manila and reopened peace negotiations with the MNLF, much to the annoyance of many who believed it was giving fuel to a spent force now that the MILF was more dominant.

Nevertheless in 1996 the Jakarta Agreement was signed between the MNLF and the Philippines government. This too was designed to implement the Tripoli Agreement, with Misuari assuming governorship of the region amid wide spread hopes of an end to the conflict.

Opposition by the MILF and the election of Joseph Estrada as the President of the Philippines in 1998 put those hopes to an end. Estrada had ties to Christian business interests in the area, removing Misuari from his post and moving militarily against the MILF in 2000.

The ensuing years saw more violent bombings, involvement of foreign jihads and large-scale offensives by the Armed Forces of the Philippine (AFP). Successful in battle, the armed campaign arguably strengthened resolve in Mindanao, particularly among the MILF whose distrust of successive regimes in Manila only hardened. Defeated in combat, their troupes, variously estimated at between 10,000 and 15,000, simply retreated and regrouped.

By this stage a smaller more ruthless organisation had emerged, the notorious Abu Sayyaf, described by many experts in the area as an outfit more involved in criminal activity such as kidnapping for ransom than a cohesive organisation with a broader agenda.

Abu Sayyaf was formed by Abdurajak Abubakar Janjalani who learnt his methods in the jihad against the Soviets in Afghanistan. A present day spoiler, Abu Sayyaf is a more radical group, disaffected by the actions of the MILF and the MNLF.

It has been responsible for some of the most high-profile incidents of the decade, including a raid on the town of Ipil which saw 50 people dead and almost all the buildings in the town-centre burnt down, as well as kidnappings at international tourist spots including kidnapping three US citizens.

The MILF and the MNLF reject ties with Abu Sayyaf, although more militant members of both groups no doubt support the terrorist organisation. Dr Kamlian quotes MILF and MNLF leaders condemning the activities of Abu Sayyaf as 'un-Islamic' and doing a 'disservice' to Islam.

An additional player in the region writes Eva Lotta Hedman for the United Nations High Commissioner for Refugees, saw the turn of the 20th century marked "not only by small pockets of armed resistance from the MILF and MNLF forces but also the resurgence of kidnappings,

bank robberies and various terrorist attacks and atrocities by the shadowy Abu Sayyaf."

The emergence of international terrorism emanating from the Mindanao region, the attack on the twin towers in 2001 and the subsequent 'war on terror' established a convenient pretext for the scaling up of US involvement, whose long-standing interests in the Philippines had never ended.

According to academics like University of Sydney's Dr Winter, US involvement has more to do with securing strategic interests in the region than securing a victory against Abu Sayyaf. "A US Defence Department Quadrennial review from 1997 is explicit in stating where US military presence in the Philippines is keeping open the free lanes of trade," Dr Winter says.

The US is also investing in education, ecological projects and cultural institutions. This 'soft power' is counter balanced by the Saudis, who fund mosques and religious institutions in Mindanao.

**“Ethnic conflicts, are always political, they are always about power, money and territory.”**

The Philippines Administration of 2002 was welcoming of US involvement. Gloria Arroyo had come to power in 2001 after Estrada was forced from office on corruption charges. She was, says Dr May, 'keen to demonstrate her loyalty and usefulness to the Bush Administration'.

Joint military activity by the two countries escalated, primarily aimed at Abu Sayyaf and foreign terrorists but with some notable clashes between the AFP and the MILF. A UN report says that the increasing casualties, damages and forced displacement in the region attracted little attention in the post-September 2001 world.

'The terrorist bombing campaign in cities across the country was deemed an ample post-facto justification for the prosecution of the Global War on Terror in the southern Philippines,' the report said.

Concurrently Arroyo held peace negotiations with the MILF resulting in formal agreements on various issues including a 2008 Memorandum of Understanding on Ancestral Domain designed to bring an end to the long-running conflict. The memorandum was quickly killed off when it was deemed unconstitutional by the Philippines Supreme Court in October 2008 -a failure to involve many of the non-Moro interests in the negotiations was a major factor in its downfall.

Following the constitutional knock-out, a new round of negotiations began between the Arroyo government and the MILF, negotiations which remain unresolved today. The MILF has resumed armed insurrections while the AFP goes after renegade MILF commanders.

Casualty numbers are low since violent conflict resumed

in 2008 but the massive numbers forcibly displaced is a present day worry only compounding resentment of Manila. Although many internally displaced people have returned to their villages an NGO worker quoted in an International Crisis Group briefing says 'they keep their bags packed, ready to flee when the next mortar hits'.

The group and many South-East Asian experts have voiced concerns about violence and lack of progress alienating MILF and MNLF members, resulting in closer links with aggressive spoilers such as Abu Sayyaf. Such entanglements would only further complicate an already challenging peace process.

The protracted dialogue and failed implementation of successive peace agreements demonstrate the complexity of the task in this southern archipelago. Unresolved differences on the territories to be included in the autonomous region are a major stumbling block.

Other items on the long list of obstacles include non-Muslim groups in the south who do not wish to be ruled by the Moros, an unwillingness to secede to central control by the MILF, clan politics and private armies in Mindanao, and conservatives in Manila who assert a strong republic.

Underlying these factors is the entrenched poverty, disadvantage and disaffection plaguing Mindanao. In 2003 four of the five provinces included in the autonomous region had staggering poverty levels ranging from 38 to 88 percent, making them among the poorest of the 79 provinces of the Philippines.

Findings from the *2008 Annual Poverty Indicators Survey* of the National Statistical Coordination Board in the Philippines found close to half of the families in Mindanao do not have access to safe water and 20 percent are without sanitary toilets.

War and displacement make investment and education nigh on impossible, leading to unemployment and a sense of hopelessness. Paradoxically Mindanao is known as the fruit basket of the Philippines and is rich in natural resources.

The swearing in of newly elected President, Benigno "Noy" Aquino III, son of Filipino heroes Cory and Benigno Aquino, heralds some fresh hopes for future positive dialogue. The MILF is positively inclined towards him, largely based on its high opinion of his parents.

Nevertheless MILF states on its website that "A president has to make hard decisions; and to do that requires foresight, resoluteness, and political will [free of] vested interest groups".

For his part President Aquino said at his swearing in ceremony on 30 June that he would pursue a more inclusive peace process that prevents violence in the South. Mindanao was not a high priority in the hotly contested Presidential campaign and it remains to be seen if Aquino is true to his word.

International actors will have a significant role to play in future negotiations. Malaysia, a recipient of both refugees and overseas workers emanating from its

Mindanao neighbor, will be a key player in peace talks. The Organization of Islamic Conference will continue to have a major influence, as will the US and Saudi Arabia.

An International Monitoring Team (IMT) made up of Malaysia, Brunei, Libya, Japan and Norway have had some success in reducing armed clashes but have so far failed to help produce a new peace agreement between the MILF and Manila.

In addition to security the IMT's brief includes socio-economic, humanitarian and civilian protection, essential elements to be addressed if a lasting peace is to be found.

Australia is taking an increasing interest in trade, aid and cooperation with the Philippines. As academics like Dr Winter points out, the interest is long overdue given the Filipino Diaspora in Australia and the proximity of the republic.

The Australian Government would point to a \$118 million dollar investment in aid in 2010, but Dr May believes there is still a long way to go. "We should be much better, there's lots of expertise in Australia on the Philippines," he said.

Growing interfaith, intercultural and peace groups are also playing their part in healing divisions. The Bishops' Alma Mater conference, the Mindanao People's Peace Movement and Mindanao Peace Weavers demonstrate that pictures of mistrust and divisions along cultural and religious lines in Mindanao are certainly not uniform.

Dr Winter paints a hopeful picture of a new Philippines where feminist, gay, religious and cultural activists sit side-by-side as they work to end the long running tension.

The infamous Ampatuan Clan who held power in central Mindanao and were responsible for the Maguindanao massacre in Mindanao in 2009 appears to have diminished in influence with the election of Governor Esmel 'Toto' Manguadatu. Yet the likelihood of corruption and clan interests dominating government remains high right across the Philippines.

Newer players engaged in the Philippines are China and South Korea which both have major economic interests in the region.

Negotiating across the factionalism of different Moro representatives, bringing the other disparate parties together and healing a centuries old legacy of mistrust will take significant political will.

Dr May quotes Mindanao peace activist Fr Eliseo Mercado "We keep thinking we see light at the end of the tunnel. But as we approach the end of the tunnel all we see is another tunnel".

# NEW FRONTIERS IN TRAUMA TREATMENT

**DR BESSEL VAN DER KOLK** is the Director of the Trauma Centre in Brookline Massachusetts and the Complex Trauma Treatment Network. He is also Professor of Psychiatry at Boston University School of Medicine's Trauma Centre. On a recent lecture tour to Australia he discussed the treatment implications of the evolving understanding of the neurophysiology of trauma. **DEB GOULD** reports.

In any field of science, art or popular discourse, there are cycles of understanding and practice that appear, at the time, to be absolute. This is never truer than for the field of trauma and its treatment. There are several researchers, authors, and clinicians who are currently involved in conceptualising trauma. Dr van der Kolk is one of them. His passion for the topic was infectious but he challenged the established practice, saying that all trauma treatment must go beyond the thought processes and into the body.

In another challenge to mainstream conceptualisations of the nature of Post Traumatic Stress Disorder (PTSD), Dr van der Kolk described the impact of traumas experienced by those who had survived child sexual abuse, torture, kidnapping and gang rape. These groups are united by several factors – their trauma is complex and multiple, they have been immobilised, have no power to influence their fate and they are exposed to violence or threat by other human beings. This is deeply connected to attachment neurobiology. Preceding popular writing in this field by a good decade, Dr van der Kolk is gratified by the amount of work now confirming his earlier work. In 1988 he said: “ongoing neurobiological development is strongly influenced by the social matrix, particularly by the quality of attachments to caregivers”.

It is now widely acknowledged that an attachment relationship that is attuned to the child’s needs facilitates the development of a resilient nervous system that can tolerate states of arousal, particularly fear. On the other hand, the impact of neglect and trauma on young children is profound and includes alterations in the form and function of the nervous system.

Through advances in neuroimaging, we can now see how trauma also impacts directly on the adult brain. This is particularly so in the limbic system, the “emotional brain”. Dr van der Kolk describes these changes: “Firstly, increased activation of the amygdale, a small gland in the limbic system, leaves the person vulnerable to strong emotions; secondly, left hemisphere functions are suppressed, particularly in the areas producing language. This creates difficulties in verbal expression; and thirdly there are changes in the frontal cortex, the part of the brain responsible for thinking, reasoning, and making decisions. In traumatic circumstances it is overridden leaving the person unable to analyse the experience in order to take action, including seeking constructive soothing.”

Dr van der Kolk summarises this no-win situation: “the traumatised person feels intense fear, is unable to communicate this and is unable to be soothed”.

These neurological changes underlie the symptoms of PTSD. These symptoms include intrusions of past trauma into the present, hyperarousal of the neurophysiological system and numbing of responsiveness.

Highly charged with fear, the amygdale stores traumatic experiences as disjointed memories of sights, smells, sounds and body states. These can be

brought up now and become triggers for reliving the experience in the present. An example is the refugee man whose heartbeat is increased while running for the bus. This could be a bodily trigger for the memory of a rocket attack where his pulse was increased due to fear. Similarly, the sensation of hunger is an everyday experience that guides us to eat. Refugees might literally be unable to obtain food and normal hunger can become a trigger for fear or desperation.

At the same time that these memories are created, the areas of the brain dealing with memories for place and time are suppressed. These memories later intrude into the present. Rather than say “It happened”, the traumatised person says “It is happening”. And if it is happening, neurophysiological emergency reactions need to be put in place and a cascade of neurological and hormonal responses is set in motion to ensure survival. This is referred to as flight, fright or freeze, which might be appropriate during the traumatic experience. However, they might continue when the person perceives many events as being traumatising; including positive or neutral events. The behavioural options are to freeze and withdraw, or overreact and become anxious or angry and act aggressively. These behaviours are the symptoms of chronic PTSD.

**“when a strong feeling is felt,  
it develops a life of its own  
and the person struggles to  
contain it.”**

Where trauma is complex, such as that experienced by refugees, there are complex responses. These responses include symptoms of PTSD but extend into other areas of functioning – personality and behaviour patterns seem to develop around the trauma. People experience long-term life and relationship difficulties, they are susceptible to mental illness and lack resilience to stress. Of particular concern are difficulties with the regulation of feelings – when a strong feeling is felt, it develops a life of its own and the person struggles to contain it. Dr van der Kolk refers to this as being “hijacked by emotions”. The acting out of such feelings is the impetus for many levels of intervention as it might include violence or self-harm in the person’s attempt to regulate their feelings.

The first to admit that he doesn’t have a magic pill for treating trauma, Dr van der Kolk entertains many possibilities advocating the use of different methods at different times in a phased process. The treatment approach of STARTTS is very much in line with this. It is one that begins with safety.

In refugee work, the sense of safety is initially facilitated through developing a sense of certainty about

basic needs for housing, education, health care and food.

Thus, at STARTTS this phase would include a practical focus for sessions. For Dr van der Kolk, it is body focussed: "Traumatized people often are terrified of the sensations in their own bodies". Developing safety in the body might be achieved in several ways, all aiming for some level of regulation or soothing in times of acute distress and with a longer term aim of making the nervous system less reactive. He talked about the need to "reset" the nervous system.

Many of these techniques follow the principles of biofeedback that teach physiological balance. Clients become aware of the relationship between their internal body states (e.g. regular pulse rate) and their emotions (e.g. a sense of calm) with the aim of learning to control their emotions. Of note here is that the techniques are not verbally based and are used successfully with refugee clients who are not yet fluent in English. People can 'see' their experience of their feelings and sensations and see how they change.

The application of Neurofeedback Training for trauma survivors is increasingly used at STARTTS and by Dr van der Kolk, with positive outcomes reported so far. This approach is one that attempts to balance the nervous system by giving feedback to the person about the electrical activity in their brain. For example, those who are hyperaroused are reinforced when they produce Electroencephalogram (EEG) changes that reflect calm. For those who are underaroused (eg are in numb mode) the protocol would be a stimulating one. Heart Rate Variability (HRV) is a parallel method. It is based on the premise that heart rate is directly influenced by the more primitive areas of the brain that continue to respond to trauma. Clients doing HRV training experience this, subconsciously, as an increase in their ability to calm themselves through breathing.

Another treatment used to facilitate neuromodulation and decrease hyperarousal is medication, particularly antidepressants. The aim here is for the person to tolerate stress and trauma reminders in the present thus decrease their distress and dysfunctional coping. This would also make it easier for clients to begin the process of working through their trauma in counselling. As would be expected, refugee clients also have a high rate of depression, which would also hopefully respond to the same medication.

Although criticised for endorsing unproven methods, Dr van der Kolk has continued to encourage research into methods whose efficacy had been questioned by mainstream trauma treatment. These included Eye Movement Desensitisation and Retraining (EMDR), which has since then been the subject of much research and now has a substantial evidence base, and Emotion Focussed Therapy (EFT). Both of these methods aim for trauma resolution without the need for verbal processing. Dr van der Kolk reported results of research into methods that helped survivors and emergency workers during the

attack on the World Trade Centre. It showed acupuncture to be a powerful technique and his work has been found to be well accepted by clients.

Dr van der Kolk also respects body work practices based on the deep link between posture and emotion. By implication, we can use postural change to change affect. Try this at home: Hunch your shoulders – do you feel a bit despondent? Sit up straight with head up – how do you feel?

As a yoga practitioner himself, Dr van der Kolk is well aware of the balancing effect on the nervous system of regular practice. He also advocates still techniques focussed on identifying internal states of awareness and of quiet – Mindfulness and meditation being two such methods. However, these techniques themselves can become unsafe for the person who has not yet dealt with some of their trauma. Dr van der Kolk points out that, in the silence of meditation, "demons" of the trauma might emerge. This is a note of caution to all clinicians – the client must feel safe and the therapist must be safe. He puts it this way: "we help our scared clients by being safe".

We try to achieve this by moderating our own arousal through attunement to our own sensations and emotions and own self-care practices. In addition, our skills enable us to actively and directly intervene where clients become distressed and retraumatised.

While all of the methods already mentioned help the client to feel in control, it is the therapeutic relationship that enables the client to use them. This trust and stability

**“The traumatised person  
feels intense fear, is unable  
to communicate this and is  
unable to be soothed.”**

of the relationship opens the door for psychotherapy or counselling and it is the basis for healing.

Dr van der Kolk is famously sceptical about generic "talk therapy" where clients are encouraged to go over the story or narrative of their trauma in order to resolve it. He suggests that we avoid "repeated telling of the tragic past", noting that changing the trauma narrative does not necessarily involve telling the details of the trauma: "We can't talk our way out of feeling something powerful that is associated with a primarily neurophysiological response to danger," he says.

However, he is clear that some things must be put into words at some stage. Talking for many is a form of soothing – having an inner voice that puts things into place and helps us understand what is happening. But, again, it is not enough and with refugee clients it poses a few problems. In particular, the translation of body states into language that is then translated into another

language can cause the subtleties of the awareness to be lost.

STARTTS follows a multidisciplinary approach to the treatment of traumatised refugees. This involves interventions across many layers of the individual's life and is congruent with Dr van der Kolk's position.

He advocates moving beyond individual interventions. Linking his approach to attachment and trauma responses, he advocates facilitating attuned parenting. For many refugee families this work would involve helping parents get well so that they are able to contain the child's state rather than their own. This is hard work as many refugee children have been with mothers who are depressed, unconscious or missing. Some children might not be here with their parents and many parents are consumed by trauma or the need to settle.

Recovery is also facilitated by community. Where a larger community is fractured by war, smaller communities can be created, for example in theatre or "self-help" groups. In these contexts, there is a human connection that does not evoke shame or fear. Seeing immobilisation as being at the core of the trauma reaction, he says that we also aim for "releasing incomplete actions in a context of safety".

Theatre techniques are especially useful here and Dr van der Kolk has been actively involved in a youth theatre programme where young people become mobilised to work through their stories. Capoeira groups is one of the methods used at STARTTS to facilitate this mobilisation and community connection between young people.

Refugees have survived extreme stress and trauma at the individual, family and community levels. STARTTS approach has been to address each of these levels using methods that have a sound basis in theory and are endorsed by experts in the field of trauma work.

A respected researcher-clinician, Dr van der Kolk has provided us with both affirmation and a challenge to continue integrating various techniques in the process of therapeutic contact with refugee-survivors of torture and trauma. He states that Neurofeedback, massage, acupuncture, EMDR, dance, psychotherapy and community focussed interventions are at the frontier of trauma treatment.

In his presentation to an audience of 250, Dr van der Kolk challenged and entertained. Some clinicians wondered what they should be doing with their clients the next day but all felt affirmed and inspired.




---

**Dr Bessel Van Der Kolk**

# MAKING THE LEGAL SYSTEM MORE ACCESSIBLE

I am a solicitor with the Public Interest Advocacy Centre (PIAC). Since June 2009, I have been working at STARTTS as part of PIAC's Mental Health Legal Services Project (MHLSP). My job is to provide a legal support service to clients of STARTTS. By **ANNE MAINSBRIDGE**.

Working in a clinical practice is different to the traditional model of legal service delivery. My position at STARTTS is one of four pilot projects that have been developed by the MHLSP, in an attempt to improve access to justice for people in NSW who are mentally unwell. Each of the pilot projects is based around the idea that people with mental illness are more likely to have their legal needs met if there is a close connection between their legal and non-legal service providers.

Thus, at STARTTS, I work closely with its counsellors. In the other pilot project set up by the MHLSP, a PIAC social worker works with lawyers at the Shopfront Youth Legal Centre, a PIAC lawyer works with non-legal advocates at the Multicultural Disability Advocacy Association of NSW and an Aboriginal mental health worker is based at the Gamarada Indigenous Men's Healing Program.

For refugee survivors of torture and trauma the legal system in Australia can be completely bewildering. Language and communication barriers can make it very difficult for them to get information about the law or find legal help when needed. Many refugees have limited formal education due to the collapse of institutional infrastructure in their countries of origin, or the years spent in refugee camps, so the necessary steps to commence or defend legal action (such as filling out forms, drafting statements or interpreting legal information) can be a daunting task.

Many refugees are struggling with conditions such as depression and posttraumatic stress that can affect memory, concentration and motivation, which can make them less inclined to seek legal advice in the first

place, and less able to retain and act appropriately on legal advice.

Often refugees may not even be aware that they have a legal problem, or that their rights have been breached. For example, a young man from Iraq, who had suffered a serious permanent injury at work, was not aware that he might have a right to claim workers compensation.

One of the biggest barriers is trust. Many refugees come from countries where the legal system was used to promote corruption and organized violence. Courts and police may be viewed with intense fear. For example one refugee mother-of-six, recently had to attend the local court for a routine matter. While she was inside some of her children stood outside the courthouse crying because in the family's country of origin, if a person went to court that could be the last time that anyone ever saw them.

Legal advice and representation can be very expensive, with private lawyers sometimes charging around \$500 for initial advice and thousands of dollars for representing a client in court. This is obviously beyond the reach of refugees, many of whom will be on social security benefits. While there are pro-bono and reduced-fee legal services available, clients may not be aware of these and may have difficulty accessing them due to communication difficulties. All these factors limit their capacity to protect their legal rights, making them more vulnerable to being victims of crime or more likely to commit crime.



---

Anne Mainsbridge

## PROVIDING A BRIDGE TO THE LEGAL WORLD

My job involves breaking down these barriers for STARTTS clients. I do this by working with STARTTS counsellors to identify clients with pressing legal needs to link them with appropriate legal support.

Typically, a client will present a legal issue to their counsellor. The counsellor, with the client's consent, will notify me and I will then set up a meeting with both, the client and the counsellor to get more information. Before the meeting, the counsellor will brief me on the client's mental health needs, their torture and trauma background and any relevant family, cultural and religious issues.

After meeting, I will then try to determine the best way to help with his or her legal problem. The type of assistance will depend on the type of legal issue involved. Sometimes a client will simply seek information about a legal matter, for example, how to apply for Australian citizenship. In these cases, I will refer them to relevant websites or fact sheets, preferably in their language. More often, however, they will need actual legal advice about an issue (for example, whether they have a good case for claiming compensation for an accident) or they may need someone to represent them in court. In these cases, I will usually try to refer them to a lawyer or legal service that specializes in the relevant area of law and who is able to provide their services for free or at a reduced cost.

Sometimes a legal issue can be resolved with a simple phone call or a letter from the MHLSP. For example, in the case of a young man from Iraq who had incurred a \$300 fine for videos that had allegedly not been returned, I phoned the video company's lawyer and outlined the client's refugee background, his lack of understanding of English and his inability to pay the fine. The video company agreed to reduce the debt to \$30.

Other legal issues, such as personal injury cases, can be much more complex, requiring in-depth negotiations and the filing of applications in courts and tribunals. In every case, the goal is to help the client navigate the legal system so that they ultimately find an effective solution for their legal problem.

As counsellor John O'Connor says: "Having a lawyer present at STARTTS creates a bridge to the legal world for my clients. Most clients, as new arrivals, are unaware of what services are available to them and having a solicitor with knowledge of this area can be a great help for them."

The issues presented by clients have to do with migration issues, usually to do with family reunion; advice on housing or tenancy, family law problems such as seeking a divorce, compensation for car or work accidents, domestic violence, or crime related problems. It is not uncommon for a client to have a number of legal issues at the same time.

So far, clients have been referred to Legal Aid, community

legal centres, specialist legal centres (such as the Refugee Advice and Casework Service and the Immigration Advice and Rights Centre) and private lawyers who are prepared to act pro-bono.

### "WARM" REFERRALS

From very early on, it became clear to me that referrals to legal service needed to be hands on, this is known as "warm" referrals. Simply giving a client the phone number of a legal service and sending them on their way is usually not going to work. The client may phone the number but may not be able to arrange an appointment because of language difficulties. Or they might arrange one with a lawyer in the city, but not actually get there in time because they are not familiar with public transport. Even if they do manage to get to the appointment, symptoms of PTSD such as memory loss and concentration difficulties may interfere with their ability to understand and retain the information and advice they are given.

Quite often, with the client's consent, I will contact the legal service before the appointment and brief them on the client's legal problem, their refugee background and any mental health issues that they experience. For example, one client whose children had been kidnapped in Iraq, suffered from frequent anxiety attacks and became very distressed when talking about particular events in her past. The first lawyer she was referred to was not aware of this and upset the client, by using an intrusive and insensitive interviewing style and giving negative advice in an abrupt manner. The MHLSP made a fresh appointment for the client with another lawyer and this time fully briefed the lawyer on the client's mental health background. This interview proceeded much more smoothly, with the lawyer adopting a more empathic interviewing style and allowing the client to take breaks when she became distressed.

I also try to ensure the legal service I have referred the client to will help the client with his or her legal problem. There is nothing more frustrating than to be sent to a legal service only to be told that they should have gone elsewhere because there is a conflict of interest or they don't meet certain criteria. Clients can get stuck on the "referral roundabout" for weeks, sometimes months, and this can harm their case and erode their confidence. Effective referrals enable the client to resolve their legal issues faster. They also increase the client's self-confidence and trust in the Australian legal system. This then sets them up for a more effective resettlement experience.

Where appropriate, I will accompany the client to the first meeting with the lawyer and follow up afterwards. This can make a difference in cases where PTSD symptoms may interfere with the client's ability to retain information or understand the advice given. As counselor Larissa Zilenkov says: "One of my clients who

has memory issues and sometimes dissociates during our sessions was worried that she would not be able to focus on the appointment and the information given. She was accompanied to the appointment with the MHLSP lawyer who assisted with the gathering and recording of the information. The client later reported: “Anne helped me a lot. I did not feel well during the appointment and it was good that she was there to help me.”

Sometimes, a referral may appear to be successful, but then it becomes clear that the client does not really understand what is going on, or the communication between the client and the lawyer may break down for some reason. In these situations, it is important to stay involved and act as a conduit between the lawyer and the client to ensure that the client gets a good outcome.

### THE BENEFITS

**A holistic service:** Working directly with STARTTS counsellors, I get a better understanding of the client’s whole situation, including their mental health symptoms, their family, cultural, religious and socio-political background. Having this bigger picture helps me to tailor the legal intervention to their needs, resulting in a more positive interaction for the client with the legal system. It’s also consistent with the holistic approach that STARTTS uses in dealing with its clients.

**Working with skilled counsellors:** Sometimes clients can become distressed during a legal interview, or may have trouble communicating. If I had to see the client on my own, I would struggle to deal with this effectively. However, STARTTS’ counsellors are very skilled at dealing with these situations. Having the support of a counsellor during the legal interview makes a huge difference to the relationship that I develop with the client. It also enables me to get the information that I need to deal with their case.

**An accessible legal service:** STARTTS counsellors have commented positively on the benefits of having a lawyer physically located at STARTTS. As counsellor Nooria Meharby says: “Refugee clients are often highly traumatized and find it difficult to disclose personal information unless they trust someone. This can disadvantage them in getting effective legal service. Having a lawyer at STARTTS is a blessing. Clients are able to discuss their matter in an environment where they feel safe, and are more likely to develop trust.”

John O’Connor says that legal issues can cause an immense amount of stress for our clients and this can prevent them from concentrating on other settlement stressors or any past torture and trauma history they may have. For example, a client was so anxious about having her Centrelink payments stopped that she was unable to work on her feelings related to her daughter’s disappearance. This lasted for several months until the PIAC solicitor contacted Centrelink to clarify the issue. This allowed the client to deal with her feelings about her daughter.

### THE CHALLENGES

There are still many gaps in legal services for refugee survivors of torture and trauma. Some cases can be very difficult to refer because legal aid is not available or because the type of case does not fall within the legal service provider’s criteria or its terms of funding. If a client lives in a remote or regional area, it can also be very difficult to link the client to specialist legal assistance.

There is a need to make legal service providers more aware of the needs of refugee survivors of torture and trauma. Recently, I contacted a court to confirm that a Farsi interpreter would be available for a client who had a court hearing the following day. I was advised that an Arabic interpreter had been ordered “and that should be okay”. Culturally inappropriate assumptions like this can seriously impede access to justice.

Perhaps the biggest challenge is to help clients learn to trust the legal system and see it as something that can help them. The MHLSP is conducting culturally appropriate legal education programs for STARTTS clients and communities to try and demystify the legal system and show it can be used as a vehicle for protecting and enforcing rights, rather than an instrument of oppression.

*STARTTS thanks firms Blake Dawson, Norton Rose and George Lombard Consultancy for supporting this project through their pro-bono work.*

Building on the research findings contained in the Law and Justice Foundation of NSW report, *On the Edge of Justice* [1] (2006), the Mental Health Legal Services project aims to develop and implement sustainable legal solutions for people with mental illness. To that end, four pilot projects and two training modules have been devised. The emphasis in these pilot projects and training modules is on prevention, early intervention, working holistically and collaboratively within a social inclusion framework. PIAC has received funding from Legal Aid NSW, the NSW Public Purpose Fund (PPF) and the Federal Attorney-General.

People with mental illness so often occupy an invisible or diminished role in our community. As such, three important outcomes of the pilot projects will be:

- providing tangible access to justice for people with mental illness who are in need of legal and other support services;
- identifying the systemic barriers that people with mental illness face when trying to access justice; and
- devising strategies to overcome those systemic barriers and thereby achieve positive systemic change.

STARTTS is one of the pilot projects.

# REHABILITATION COUNCIL MAKES A DIFFERENCE

Twenty-five years ago the International Rehabilitation Council for Torture Victims (IRCT) was established in Denmark. Today the IRCT is an umbrella organisation for 143 torture and trauma centres in 73 countries. In the last two decades it has served on the front lines of humanitarian crises. In 1999 it helped establish a rehabilitation centre in Pristina, Kosovo, to assist survivors of the Balkans conflict. In 2005 it set up the first centre in Iraq, after the elections, and in Georgia, following Russia's occupation of South Ossetia. Its director **BRITA SYDHOFF** was a keynote speaker at the national conference of the Forum of Australian Services for Survivors of Torture and Trauma Services. She visited STARTTS and spoke to **OLGA YOLDI**.

**IRCT's mission is to help build a world that values and accepts shared responsibility for the eradication of torture. How can you describe the current situation? Are we moving forward or backwards in the fight against torture?**

It is going two different ways, I think. On the one hand, there is much talk about torture in the context of the so-called 'war on terror' and many people believe that torture used to gain information about terrorists is wrong. On the other hand, the debate doesn't focus on the fact that torture is now also being perpetrated against the poor and the marginalised, people from ethnic minorities, those with a different sexual orientation or religion, against women and even against defenceless children.

Torture is not just practised for political reasons, but also for reasons that have nothing to do with politics. This surprised me when I started working for the IRCT. Torture is the most humiliating and common way of repressing people. It is not only perpetrated by totalitarian regimes, but also by countries that describe themselves as democratic. It continues to be prevalent at all levels. It is quite horrific to see that it is still practised

so systematically and in so many countries.

All torture and trauma services in Australia are members of IRCT, Jorge Aroche, STARTTS Director, is the current vice president.

**How do you help member centres around the world? What strategies do you use?**

We help them in many different ways. In fact our organisation is growing about 10 per cent each year. On the one hand, you could say this is great because it means we are getting better organised in the fight against torture. On the other hand, you could say it is rather sad that we are needed so much. But our presence is still not felt in every country, and we would very much like to expand into those countries where torture is prevalent.

The IRCT is in the process of developing a strategic plan. We are working out our priorities in an effort to create more suitable policies for our members. If we are to change the practice of torture we need to work with politicians to make them understand what torture does to people.

We engage with centres around the world at different




---

Brita Sydhoff

levels. Our role is to provide support so that they can rehabilitate torture survivors and their families. We help these centres to build organisational capacity, by assisting them to develop their clinics, by providing medical resources, funding, education, fundraising strategies, and techniques on how to document incidents of torture. Our aim is to help centres function, develop and survive.

Sometimes we donate a computer, or a generator. The year-before-last, we bought many cameras so that colleagues would be able to visually document torture, since they often visit detention centres and prisons. Many centres, particularly in developing countries, are having difficulties due to lack of resources but also because of political repression since the authorities don't regard human rights defenders kindly.

Education is a very important part of our work, so we publish the *Torture Journal* where many clinicians publish their articles. This facilitates the sharing of information, knowledge, research findings on different treatments, and other developments.

The IRCT Exchange Program allows people from member centres to visit each other, learn techniques from each other and develop their own formal and informal networks of support.

When members apply to participate in it, they will normally say: "I want to work with this type of sequelae". Or: "I would like to learn more about working with children". We know who is most suited to teach them and which centres we should contact, so we match them with colleagues who speak the same language and pay for their trips. This has been a huge success, not only for the applicant but also for the mentor, as they both learn from each other.

We deliver training to different groups, particularly in countries where colleagues don't have the resources to do so, or don't want to be detected by the authorities. We train the police, judges, prosecutors, doctors, etc. We have trained 500 judges and 1500 prosecutors on the Istanbul Protocol. We have worked in 12 countries. We are still working in Egypt and you may know that Egypt is notorious when it comes to torture.

We believe that you have to educate people if you are going to stop torture, you need to first of all inform the police, the military and the authorities that torture is forbidden, so that they understand they are committing a crime. Secondly we need to let them know that we are in fact watching them and thirdly that colleagues are documenting what they are doing. So these strategies

will hopefully contribute to catching more perpetrators and to eradicate torture.

**Do you also help colleagues at risk of being arrested due to their involvement in assisting torture survivors?**

In many countries it is dangerous to work in this field. Many of our colleagues have to work underground, risking their own lives. Many centres are constantly harassed by the authorities. Often colleagues are threatened because they have written something. For instance someone working in the Congo had a radio interview, just like I had one today, on the international day of victims of torture, as soon as he finished the police were waiting for him outside the radio station. He was arrested and tortured. We helped him and his family.

In some countries it is so risky that centres prefer not to use the word torture in the signs placed on their doors because it is too dangerous. They call themselves trauma centres, or treatment centres or they change the name when the repression hits harder. In some cases thieves have come in the middle of the night and stolen only the hard disc. Most centres possess a wealth of information about people, which the government is interested in. The IRCT has a compensation scheme to help those colleagues who are having a hard time.

Some centres can hardly afford medicines, other centres have a tiny office. Some colleagues work after hours. A doctor said to me: "I do face-lifts during the day, and with the money I earn I support torture survivors in the evening". She had been in jail for three years. If you ask many colleagues they have had similar experiences. I often ask: "Why are you doing this? Why aren't you working as a cardiologist earning a lot of money?" And then I hear personal stories such as a son who took part in a demonstration and when the mother went to pick him up he was wounded so the mother decided to devote her free time to this cause. There is also a lot of compassion out there.

**Apart from providing rehabilitation services, do centres provide other services?**

You have everything, from fairly large centres with research capacity, extensive clinical treatment and extensive legal work, and a large advocacy programs, with teams investigating cases of torture. The centre in Kenya is a good example. They are strong in the investigation of torture and in bringing cases to court. Then there are centres that are small. They may have one or two staff members. In order to become members of IRCT they need to see a minimum of 50 clients per year. Many centres apply for membership but because they don't treat torture survivors can't join in, however they can still become our partners. It is positive that third-world countries are getting organised.

**You mentioned that you trained lawyers and judges on the Istanbul Protocol. Why is that?**

This Protocol provides internationally recognised standards on how to identify, document and report symptoms of physical and psychological torture. Doctors and clinicians must know how to do this effectively. Our colleagues are increasingly using the Protocol across the world and there have been many successful cases where evidence has been used in courts against the perpetrators. For instance the case in Peru where evidence documented using this method led to the extradition of Fujimore back to Peru to face trial. Of course the aim is to gather evidence to pursue legal action against alleged torturers, thus enabling victims to see justice being done and even reparation.

Many torture and trauma survivors are bitter about their cases not being heard in courts. If there is no justice, you cannot forget and you cannot heal.

It is similar with the situation in Australia. When your Prime Minister decided to apologise, it was the best thing to do as the apology meant a lot to the Indigenous Australians. Something wrong was done to them and recognising it gives them some space to grieve, get justice and move on. The mothers of Plaza de Mayo in Argentina are now looking for their grandchildren. They haven't given up on their quest for justice. The perpetrators are not living a happy life either. Many of them must have terrible feelings about what they did.

**"It is quite disturbing to realise that torture has become a weapon against young people. What surprises me is that it is rarely spoken about."**

**What are the IRCT's priorities?**

One of our priorities is to address the needs of the most vulnerable groups: the poor and marginalised, minority groups, women and particularly children. When you have a poor majority and a system that allows the police to take children into detention, then children become easy targets. I am talking about the street children in Brazil, orphans in India, unaccompanied minors living in refugee camps and children of minority groups, like the gypsies in Europe and kids that are trafficked. These children are tortured when they are caught by the police. This type of abuse is shocking.

We have a colleague that has conducted a study on it. The findings were published in the *Torture Journal* last year. According to this study, children are not secondary but primary victims of torture. Children are thrown into

detention together with grown-ups where they are abused by prisoners and other interns. Using children as witnesses of torture is a technique designed to harm children.

In places like Congo children see their mothers being raped, brothers have to watch their sisters and even worse. Systematic rape against women has become a weapon of war. Imagine the effect this must have on children.

If you go to the current conflicts in the world you will see how children are abused as soldiers, as slaves, as sex slaves. It is quite disturbing to realise that torture has become a weapon against young people. What surprises me is that it is rarely spoken about.

I raised concerns to UNICEF about this, but they have only published one press release on the subject in five years, and that was after we spoke to them. IRCT is trying to find out more information about treatment methods for children. So we are working with centres, particularly in Asia, that apply different methods. We document these and take their knowledge to other centres that want to work with children and adolescents. We have also started a major global campaign against countries that torture children.

**Denmark has a long history of assisting refugee survivors of torture and trauma. Do you also conduct research?**

We do little research, but we play a coordinating role for research centres around the world. We have a fantastic global network of universities, of researchers working on different projects. Now we have for example a forensic project with the University of Copenhagen that will help document torture in a more scientific and forensic way. We also work with different centres in Germany which also work with different German institutions. If you take the sum of what we are doing across the world, it is quite impressive, in both investigating how torture happens and also in the ways you can remedy torture and how you can hold perpetrators accountable. The interest is definitely there.

**What is the IRCT's main goal for the future?**

To do more of the same and to do it better. I think we shall probably try to start centres in countries with a high prevalence of torture. If possible, we will raise our capacity level even more. We need more funding to expand to other countries in Asia and Africa. We need more money to support our colleagues because at the end of the day nobody else really cares about them. They are alone.

One important thing we do is to promote our work. But we must invest more time doing this better because many of our donors don't understand what we are doing, or they have a total misconception of the time

needed to achieve outcomes. They believe it takes a long time for wounds to heal. This may be true in some cases, but there are people that have succeeded and thrived even following years of detention. A prime example is Nelson Mandela and other people, who in spite of having been severely tortured have become heads of state, writers, actors, etc. These are people who have been subjected to this horrid crime but have managed to get over it, and have had fairly normal lives and I think that is a very important message we need to convey to the perpetrators: "you can't win this".

**Is the US still using torture?**

I hope they have stopped torture completely. I hope Guantanamo can be closed down and those responsible can be prosecuted, but you never know. Man is still so medieval and brutal. He uses emotion instead of reason. The use of torture in the US is detrimental to the rest of the world because the damage already done by the war on terror will take a long time to repair. When democratic countries torture it is free for all and everybody can torture.

In the current climate we need to hold on to all the human rights advances we have. We have the Torture Convention, the Refugee Convention, the Convention of the Rights of the Child, the Optional Protocol, the Special Rapporteur and international law that continues to evolve. We already have the legal instruments we need to eradicate torture, the problem is their implementation. What many countries don't do is to criminalise torture in their national laws and this is the problem. Some countries may do that but then they don't have an independent judicial system that can live up to the standards. Or you have the case in many countries, including democratic countries, where the police have allegedly been torturing people and then it is the police themselves who investigate their own actions. Of course such investigations lead nowhere.

It is very important to expose the perpetrators because we all know that torture happens when nobody sees it. That is why the Optional Protocol was created to monitor torture and then report on it. The more people know about it, the more difficult it will be for perpetrators to get away with it. This is my hope.

# WHEN DISASTERS OVERSEAS STRIKE HOME

International disasters only hit the Australian headlines for a day or two, then disappear – pushed off by the next local event or celebrity divorce. But for refugee communities, hearing news that the country from which they were forced to leave has been hit by an earthquake, cyclone or tsunami can bring back anxiety and trauma. **FRANCES ELLERY** talked to some of those affected by recent disasters.



Lucy Marin was at home watching the Viña del Mar International Song Festival on Chilean cable TV when an enormous earthquake hit the coast of Chile at 3am local time on 27 February. Immediately she and her husband tried to phone their families back home but for 48 hours they couldn't get through – by phone or by email.

Gradually more news came through – 35 dead, 75, 150, 300, 700. It was hard to find out which cities and coastal towns were worst affected and it was days before the true level of devastation filtered through. "After two days I found out that my family in Santiago were safe, but I didn't hear from one cousin in Concepción for five days," Lucy says, "because they had no electricity. I became obsessive. I wanted to watch the TV day and night. I felt frustrated that I wasn't there to help."

Like thousands of Chileans – in Australia and scattered around the world, Lucy and her husband left Chile to escape the Pinochet dictatorship. "We got married just after the military coup in September 1973," she says, "and came here in 1977 with our baby. Some of my relatives on my mother's side had been killed or 'disappeared'. It was too dangerous to stay in Chile."

Having lived here for 33 years and brought up her two sons in Australia, Lucy – who works as a counsellor with STARTTS – considers this country 'home'. But hearing news of the earthquake, she felt the tug of her original homeland. "It left me feeling in limbo," she says, "... as though my heart was out there somewhere floating between the two countries. I didn't think anyone except other Chileans would understand."

### **No news = bad news?**

It was two weeks before Celia Clavero heard that her husband's family had survived the earthquake and subsequent tsunami in Tomé, just north of Talcahuano. "I couldn't sleep," she says, "and I'm still nervous as every day there are more tremors. My sister in Valparaiso lost her house and couldn't work because for days there was no electricity or water."

Celia came to Australia in 1987 after her husband had been tortured and imprisoned for over a year. For Lucy, Celia and other Chileans who lived through the Pinochet years, the sight of troops on the streets after the earthquake brought back terrifying memories of the brutality and repression of that regime. Were the soldiers really there to protect? Could they be trusted? Many people were particularly nervous because the recent elections had brought to power Chile's first right-wing president (with links to the Pinochet regime) since the country returned to democracy in December 1989.

Information was even harder to come by when Cyclone Nargis killed thousands and left millions homeless in Burma's Yangon city and the Ayeyarwady delta, in May 2008. At the time, Daniel Zu had been in Australia for just over a year, having being forced to flee his country, along with thousands of other Karen people, and then spending ten years in a refugee camp in Thailand.

"As soon as I heard about the cyclone, I tried to phone my mum, brothers and sisters, but all the phone lines were down," Daniel says. "When I finally got through, my mum said, 'Don't worry, no one's been hurt. The roof's just been ripped off the house.' Actually, this was a big thing, but she didn't want to worry me."

Getting information in or out of Burma isn't easy at the best of times. Daniel says he's careful to only talk about personal things when he speaks to his family. Many Karen and Burmese refugees simply can't afford to phone home (a 30-minute phone card costs \$10). The Australian government set up free phone lines so that people could call home immediately after the cyclone, but the Burmese government blocked information, as well as foreign aid.

### **A lucky escape**

Sam Pari's parents brought her to Australia from Sri Lanka when she was just a baby. When the Indian Ocean tsunami devastated the country's eastern and southern coastline on 26 December 2004, Sam was volunteering at an orphanage in the north-eastern town of Mullaitivu. "If I hadn't overslept that morning, I'd have been down on the beach," she says. "I was able to phone my parents to let them know I was safe and decided to stay on in Sri Lanka to do what I could. I wanted to get further down the eastern coast – which was badly hit – but I couldn't get past Trincomalee. Because I'm Tamil, I was stopped at gunpoint and turned back by government soldiers."

The lives of many of those who lost loved ones, homes, schools and hospitals in the tsunami – particularly Tamils living in the north and east of the country – had already been torn apart by 20 years of war. "It was the poorest families and those living closest to the beach who were worst affected," Sam says. "Many had been forced to leave their homes by war and were already living in temporary shelters."

### **Community spirit**

Despite the individual trauma and isolation those worrying about loved ones can feel, they all talk about the amazing solidarity they experienced both within their own communities and from other Australians.

Lucy Marin tells of how the Chilean earthquake brought together not just Chileans but other Latin Americans – who came together to raise funds for families who'd lost their homes and livelihoods. "We forgot our old differences," she says [referring to historic hostilities between, for example, Chile, Bolivia and Peru], "and organised a massive fundraiser in Fairfield. We've already raised \$100,000, and we've set up a committee to carry on fundraising for Haiti and Chile." Celia Clavero says she wants to thank everyone – not just Latin Americans, but Australians too, for all the support they've given.

Because the Karen people have been brutally persecuted by the Burmese government for more than 60 years, Sydney's Karen community immediately

started lobbying for aid to help poor Karen farmers in the Ayeyarwady delta while Burmese and Karen refugees in Sydney came together to fundraise and work through the Joint Action Committee for Democracy in Burma.

Sam Pari says, "The Tamil community here collected donations and the wider Australian community opened their hearts and gave millions of dollars for tsunami survivors in Sri Lanka. But it was virtually impossible to get any aid to Tamils living in government-controlled areas. It was much easier to send aid to areas controlled by the so-called terrorists, the LTTE.

"This led to some Australian Tamils being accused of supporting a terrorist organisation, but the LTTE was the de facto government in the areas it controlled. We were able to travel freely to inspect projects in those areas – such as the rebuilding of houses, schools and hospitals – and to see accounts showing how our money had been spent."

### Poorest hit hardest

In any disaster, it's the poorest who are hardest hit. They're more likely to live in the most disaster-prone areas and in the least structurally robust homes. It also takes them longer to recover their livelihoods and get access to clean water, healthcare and education. Governments with a history of repression and discrimination are selective about where money goes – often it's those who need it most who get the least, and are last.

Sam Pari says, "Much of the foreign aid raised to support tsunami survivors has been blocked by extreme elements in the government who took the Post Tsunami Operational Management Scheme (set up in an agreement between the government and the Liberation Tigers of Tamil Eelam) to court. Not only has foreign aid not reached Tamils, the extremists' action has prevented it being distributed to Sinhalese survivors."

Like Sam, Daniel Zu is concerned that most foreign aid doesn't reach those who need it most. Ostracised by the rest of the world for years, and subject to international sanctions, the Burmese (Myanmar) government is now receiving foreign aid, 80 per cent of which, Daniel says, is going straight into the pockets of the generals.

In Chile, the government has been criticised for concentrating on the cities and financial centres of Santiago and Concepción rather than poorer areas, including those that are home to the country's indigenous population. Lucy Marin says, "The government will only spend money where they'll get an economic return. They're not going to get anything back from the poorest people, so it's going to be the same as in any other trauma in Latin America. The poor people will have to depend on international support. Not one government official has visited the areas where the indigenous communities live."

### Beyond the headlines

Disasters – which, with global warming and the impact

of environmental degradation are becoming more frequent and affecting more people – usually make the news for just a few days until they're pushed out by the next event (or celebrity divorce). But long after they've disappeared from the headlines, disasters and the trauma that they bring stay in the hearts and minds of those who have families and friends in those countries. Even with ample resources, it takes communities years to recover and rebuild their lives. But when natural disaster comes on top of war and persecution, it is even harder and takes even longer.

In Burma, Karen farmers in the Ayeyarwady delta, who lost the animals that they used for ploughing and whose farmland has been ruined by salination, have had their lands appropriated by government-owned companies and are now having to work as paid labourers. The army still uproots entire villages, forcing villagers to hide in the surrounding countryside, which is heavily mined.

In Sri Lanka, last year 300,000 Tamils were forced into military-run internment camps during the government's bombardment of the north. Although in January this year the government said they were free to go, many have no homes to go back to. Sam Pari says, "The current influx of Tamils seeking asylum in Australia is a direct reflection of the continuing and real fear of persecution in Sri Lanka."

And Chileans here and in Chile are watching closely for fear that the February earthquake and recent elections auger a return to a past that many have spent years trying to recover from. Celia Clavero says, "After three days, there was no more news [in Australia] about what was happening in Chile. People are still living in tents. It's raining and children are suffering with chest infections. I don't want people over here to forget them."

**By 2015, the number of people affected by climate-related disasters each year is predicted to grow by more than 50 per cent to an average of over 375 million people. According to Oxfam (2009) *The Right to Survive and Forecasting*, the numbers of people affected annually by natural disasters is up to 2015, internal Oxfam study (April 2009) available at [www.oxfam.org](http://www.oxfam.org)**



# EXPLORING THE SELF IN CLINICAL SUPERVISION

There have been increasing concerns about the impact on therapists working with survivors of torture and trauma. Professionals who listen to reports of trauma, horror, human cruelty and extreme loss can feel overwhelmed and may experience similar feelings to those of their clients. Dealing with these feelings, or self issues, in supervision is crucial to keep therapists healthy, say narrative therapist and lecturer Daphne Hewson, and clinical psychologist Rise Becker at the STARTTS clinical evening. **ELIZABETH SCHAFFER** reports.

“Give me six hours to cut down a tree,” Daphne Hewson began, quoting Abraham Lincoln, “and I will spend the first four sharpening the axe”.

The audience was invited to consider how counsellors sharpen their clinical tools and whether the ‘self’ is as much a tool for the counsellor as any other clinical ‘technique’. As Daphne sees it, acknowledgment of self issues in clinical supervision is essential to provide a high quality counselling service that cares for its clients as well as its staff. Unaddressed self issues, she said, could result in rigid clinical boundaries and unhelpful or unprofessional coping strategies that produced ineffective clinicians and might be damaging for both client and counsellor.

She explored some of the possible impacts this could have on individual counsellors such as burnout and pointed out the risk that when issues were not addressed they could overflow into clinical work and have a negative impact on clients.

It is the duty of an organisation, Daphne maintained, to care for staff who worked with traumatised clients and ensure they were able to successfully make the separation between their working life and their life outside the workplace. “The British miners in the 1920s fought for

what was termed ‘pit-head’ time – the right to wash off the grime of the work in the boss’s time, rather than take it home with them. Supervision is the equivalent for those who work at the coalface of personal distress, disease and fragmentation.”

“The aim of trauma counselling, she said, was to help clients “to put into words and conscious thoughts unprocessed images and feelings”.

Daphne explained the dual role of supervision: “to develop and maintain the clinician’s competent professional functioning and well-being while safeguarding client care”. She stressed that although clinical supervision was not therapy, there were many things that the clinician needed from supervision. These included “a safe space to debrief and reflect,

opportunities to tease apart professional responses from personal responses, validation of the process of experiencing and dealing with personal responses, also, emotional containment, an opportunity to experience joy and inspiration and referral for therapy when trauma responses cannot be addressed within supervision”.

Daphne invited those present to stop and reflect on their own needs and their experiences of supervision and consider the extent to which they want to address their own issues. She proposed that there must be mutual understanding and agreement between supervisor and supervisee about the importance of disclosing self-issues in the clinical process as well as an agreement about how they would be addressed in supervision.

Talking about the likely personal impacts of working with people who have experienced trauma, she said trauma also helped the counsellor to understand the counselling process itself better. And of course, supervision helped the counsellor to maintain their own sense of wellbeing which was essential to provide appropriate care to clients.

Drawing on her extensive experience providing clinical supervision, Rise Becker presented an insight into the experience and role of the clinical supervisor in working with torture and trauma survivors. Her presentation began with a quote from a counsellor during supervision: “I started to feel very bad, heavy, as if I had lost a sense of myself. I felt abused and frightened, as if I’d been bashed and so badly abused that it seemed to be all my fault. I felt full of something terrible and very depressed. I felt very angry and used. I felt very frightened and terrorized. I lost patience with the kids and yelled at them when I don’t normally. I felt as though I was starting to abuse them. I felt detached and sick.”

Rise stressed that the nature of counsellors’ work with refugee clients at STARTTS was multifaceted and multifarious. She focused on the impact of hearing “unbearable, unhearable, untellable thoughts” and the critical role that clinical supervision played.

“How do we, as supervisors and therapists receive and carry traumatised clients’ experiences?” she asked. Presenting a case study of a counsellor working with a client with extreme psychic trauma, she focused on the role of supervision in maintaining the counsellor’s capacity to continue to deliver the counselling despite the ‘unbearable’ nature of the client’s experiences.

In acknowledging the potential effects of working with trauma on therapists, Rise said, “the supervisor needs to consider at least two people (i.e. the client or clients and the therapist). The responsibility toward the therapist may be more collaborative, but their health and stability is also important”.

The aim of trauma counselling, she said, was to help clients “to put into words and conscious thoughts unprocessed images and feelings”. Quoting from the experience of the counsellor in her case study, Rise demonstrated that much of the ‘untellable’ trauma

story is told without words. “The experience may not be described in words but the overwhelmed state may be relived in the room and permeate the space as an unnamed dread or terrifying void ... Both therapist and client are seemingly present, but the horror as it was experienced remains alive as an ongoing and indeterminate presence that cannot be heard and understood. Both minds become fragmented and dissociated”. Just as the client may experience repeated intrusive thoughts and memories of the trauma, the therapist may experience repeated intrusive thoughts of the session.

The task of the supervisor then, in the counselling, is to help the therapist to understand what has happened to them. Supervisor and supervisee “jointly discuss the internal and external processes, what is conscious and unconscious and differentiate subject and object again. By giving an understanding of the fragments, integration can occur again”.

Rise argued that in order for this support to be sustained, a consistent and regular supervision framework was essential. The therapist would then not “have to carry the projections that have occurred in the counselling for too long”.

The sense of containment that the therapist gains from supervision allows them to return to the counselling session feeling restored and able in turn, to contain the client’s projections. “The supervisor puts the therapist back in touch with their own resilience,” and when this happens, Rise said, the therapist would be able to contain the emotions and anxiety that might arise in sessions with traumatised clients and, importantly, “feel they are not alone”.

# JOURNALISM AND EXILE, A PAINFUL JOURNEY

Hundreds of journalists worldwide have been forced into exile, as the only option to avoid attacks, repeated threats, and death. Several of them have chosen Australia, writes Antonio Castillo

Somali exiled journalist Baabul Nor looks forward to the time when his family photomontage that he has made becomes a reality. Today it is just a photomontage, of him, his wife and his 11-month-old baby, against a backdrop of the iconic Sydney Harbour Bridge. Nor's wife and child have never been to Australia.

They are in a refugee camp in Uganda's Kampala. Nor, 29, arrived in Adelaide in August 2009 as an exiled journalist. He hasn't seen his family since. "My wife was pregnant when I left," he said.

Not far from Nor's one-bedroom flat in Adelaide lives his colleague Hassan Sheikh, 25. Also an exiled journalist from Somalia, Sheikh's wife and his three children are back in Mogadishu, the lawless capital of Somalia. He hasn't seen them since the end of 2007.

Nor and Sheikh are just two faces among the many exiled journalists in Australia. They are two faces among almost 400 journalists worldwide who have been forced into exile, according to data compiled since 2001 by the Committee to Protect Journalists (CPJ). For them the painful road to exile is the only option to avoid attacks, repeated threats and death.

The story of exile for these two Somali journalists began in 2007. Both worked for the Mogadishu-based

Shabelle Radio, an independent and leading media organization in Somalia. With almost daily death threats and intimidation coming from both the government and an Islamist insurgent group linked to Al-Qaeda, Al-Shabaab, they had no other option than exile.

"I took the decision to seek refuge when seven of my colleagues, including my boss, were murdered," Nor said.

The latest report by the CPJ states that Somalia – along with Iraq and Sri Lanka – are the main places from which journalists seek a safe haven in other parts of the world, especially in the US, Canada, Europe and some African countries.

Some exiled journalists – like Nor and Sheikh - have chosen Australia. "Several journalists have landed in Australia, forced from their homeland by governments and militia that will stop at nothing to silence the voice of dissent in the media," says the Media and Entertainment and Arts Alliance's report *2001-2005 Turning the Heat: The Decline of Press Freedom in Australia*.

The number of exiled journalists in Australia is not easy to determine. None of the humanitarian or journalist organizations are able to provide reliable data about the exact number.

“We have a small number of individuals seeking refugee status based on their work as journalists,” said Dr. Graham Thom, Amnesty International Refugee Coordinator.

They generally come from China, Sri Lanka, Bangladesh and Pakistan. He is also aware of the case of a Mongolian female journalist who failed to obtain refugee status. “She was deported,” he said.

Recently Dr. Thom has been dealing with a few cases of people “who do blogs”, and he is aware of some Iranian cases.

In some instances, exiled journalists prefer to keep their cases away from the spotlight because of fear. The writers association Sydney PEN has assisted several writers and journalists seeking refugee. However when the journalists have been approached to speak of their odysseys they refuse.

“[They] don’t want to draw attention to themselves, some are still afraid,” said Kathryn McKenzie, the Executive Officer of Sydney PEN. In a recent case, one exiled writer who was granted a visa requested that any reference to him as a refugee be deleted.

“He thought this would be detrimental when trying to obtain employment and would change the way people treated him,” she said.

Exiled journalists face almost insurmountable obstacles in host countries. Language and cultural differences are the most common barriers. A report by the CPJ said that more than two thirds of exiled journalists have been forced to abandon their careers.

But there are a few cases of exiled journalists who have been able to continue working as journalists in Australia.

One example is Fijian journalist Vijendra Kumar who was for 15 years the editor of the Fiji Times. “After the military coup of 1987, life became hard for ethnic Fijians and it was expected that an Indian editor would be viewed with considerable suspicion,” Kumar said.

He was harassed and threatened by the coup leaders in numerous ways including being dragged to the military barracks where he was interrogated and intimidated.

“We continually kept testing the waters to see how far we could go without jeopardising our existence.” After four years working under such oppressive conditions, Kumar took the road to exile.

He arrived in Australia in 1991. Coming from an English-speaking country and thanks to his work at the Fiji Times – a News Corporation newspaper – Kumar was able to get a job at *The Courier Mail* in Brisbane.

By nature journalists are resourceful people. In some cases they have branched into areas that allow them to maintain their interest in social and humanitarian affairs. This is exactly what Sierra Leonean exiled journalist Edison Yongai did nine years ago when he realised that breaking into Sydney’s journalism scene wouldn’t be possible.

Forced to leave his home country due to his exposé of

government corruption, at the helm of his newspaper *The Point*, Yongai now works as a refugee worker for Mission Australia.

He has also become a prolific writer while hosting – as a volunteer – a show at Radio Skid Row. “There are 12 exiled journalists from Sierra Leone living now in Brisbane, Adelaide, Cairns and Sydney,” he said. They have formed the Sierra Leonean Journalists in Exile Association.

“The association – which meets each Sunday – is a place where we boost morale and recognise ourselves for what we are – journalists,” he said. This is especially important when host and support mechanisms for exiled journalists are almost non-existent in Australia.

This is in marked contrast with Canada and some European countries for example where initiatives to assist exiled journalists have been created with the help of local journalism associations and unions.

In 2000, the Canadian Journalists for Freedom of Expression established a program – Journalists in Exile – that helps exiled journalists get in touch with each other and with mainstream Canadian media organizations. This program also aims to ensure that the skills of exiled journalists can be used in their adopted homeland.

La Maison des Journalistes (The House of Journalists) created in France in 2002 and funded by the municipality of Paris, media organizations, and European support-funds for refugees – provides shelter for exiled journalists for six months.

Journalists also receive food vouchers, phone and travel concession cards and French-language classes. Similar organizations have been established in Spain and Germany.

Back in Adelaide, Somali exiled journalists, Nor and Sheikh reflect on their experiences:

“Exile for a journalist is a terrible fate,” Sheikh said. “It is an experience where nobody knows you, nobody cares about you.”

And in spite of this high price they have paid, they are still stubbornly committed to journalism. “I would love to continue being a journalist, but I don’t know how to do it here,” Nor said.

**Antonio Castillo is a journalist, academic and author. His latest book - *Journalism in the Chilean Transition to Democracy* - was published in 2009.**

# STANDING ON THE OUTSIDE LOOKING IN

When Gode Mfashingabo was rescued by his father he just had his life to take with him, but he came close to losing it many times in the dangerous journey that followed. It was only his hope of finding a new home that kept him going. He spoke to **REBECCA HINCHEY**.



Crouching on a tiny window ledge, seven-year-old Gode Mfashingabo trembles as the beams of the soldiers' torches inch across the blackened classroom and their heavy boots bang against its floor. "Don't move," he says to himself. "Don't sneeze, don't breathe too loud. Squeeze your eyes shut and pray hard. Maybe you will live. Hopefully you will live. Please God let me live."

"There's no one here, move on," barks the leader and the soldiers leave.

It's four in the morning and everything is still. Gode's uncle gathers his young charges and takes them home, safe now, at least until dawn.

"The next morning we went to school. Some of the students were missing," Gode explains. "My uncle was the head teacher. He told us to pack our things and leave. We'd be dead now if they had found us."

Although Gode is now an Australian citizen he has lived much of his 29 years as a member of a minority group. Whether as Banyamulenge-Tutsi, Congolese, Tutsi, African or Australian he's long felt as if he were an outsider looking in, and has come close to death more than once as a result.

The Banyamulenge-Tutsi are an ethnic minority who have called the Democratic Republic of Congo (the Congo) their home since escaping from Rwanda in the latter half of the 1800s. Tensions between this group and others in the Congo and neighbouring Burundi have steadily increased since the 1970s, leading to frequent bouts of bloody conflict.

When he was eight years old Gode lived for a time in the highlands of Congo with his grandparents, learning from them about his cultural roots. They were part of a small group of Banyamulenge-Tutsi in the area, forbidden from speaking their language or practising the traditions of their ancestors. "In the mountains of Congo none of us children could be out on our own. If we were going to collect water or anything like that, at least three of us would go, just for safety. It was the same for the Banyamulenge-Tutsi women, they always took a few men out with them for protection," Gode recalls.

"Everyday we were taunted by the other kids, 'we're going to kill you, we're going to kill you'. We would be ambushed; we'd get flogged on the way to school. Of course we gave back what we got," he says.

When Gode was 10 years old his father, who was at the time a laboratory technician in the Seventh Day Adventist Church hospital in Kenya, came to take him back with him. Once again Gode packed up his meagre belongings and went to start life in a new place. With its English influences, Kenya seemed foreign to central Africans like Gode who had grown up with the legacy of French colonialism.

"I was the odd one out. I was the only one without a Kenyan surname, I had an African name," Gode laments. "I was teased a lot. I could only communicate in Swahili at school, while the rest could communicate in English. All of a sudden I was the kid from Congo. In Congo I

hadn't fit in, in Burundi I hadn't fit in and in Kenya it turned out I didn't fit in either!" Gode laughs at the irony.

Like many young refugees, Gode learned fast. Two years after arriving in Kenya he was fluent in English, had almost caught up at school and nurtured dreams of becoming a soccer star. "Sometimes I would train secretly with a group who worked with street kids. The segregation of communities limited how you could participate. I played mostly with the Kenyans and only with other kids if it was just for fun." The pleasures of playing sport erased some of the hardship and suffering felt by the young man but there were other problems: "I had talent growing up, but a lack of facilities and support cost me opportunities." Despite the difficulties, for a short while Gode's future looked bright.

In 1998 the Congo slid back into war and Gode's hopes of a brighter future sank. In his homeland, the Congolese Rally for Democracy, or RCD, often aligned with the Banyamulenge, broke away from the Congolese government. Thousands of kilometres away from his birth country Gode was now stripped of his Congolese citizenship and together with his father became stateless in his adopted Kenyan home.

Gode was no longer permitted to study, his father lost his job and, but for the help of a compassionate landlord, they would have lost their home. Most serious was the threat by the Kenyan government to deport the family to Congo. News that came of the treatment of their fellow tribesmen in the central African nation filled the pair with terror.

In Congo, the government was shooting openly at Banyamulenge-Tutsi people. Men, women, children, the sick and the old were all being rounded up and placed in detention. In one terrible incident hundreds of people were held naked for days until the International Committee for the Red Cross intervened.

"On national radio and TV cabinet ministers would say we were vermin," Gode recounts.

Fearing for their lives, Gode and his father approached the United Nations High Commission for Refugees (UNHCR) for protection and obtained papers in 1999. This gave them breathing space and allowed them to remain in the marginally safer Kenya. The papers also placed the family in a predicament. Gode was 19 and no longer a dependant of his father. The papers allowed his father to remain in the capital, but Gode was required to leave for Kenya's notoriously dangerous refugee camp, Kakuma. Gode and his father appealed the decision again and again. Seven times Gode pleaded with the authorities to allow him to stay in Nairobi with his father and seven times his pleas hit a brick wall. It was Kakuma or nothing, take it or leave it. He was faced with a terrible choice – violence and the threat of death in Kakuma or almost certain death in the Congo.

So in 1999 Gode arrived, to begin life, in the camp. Kakuma was a microcosm of the inter-ethnic conflicts in the Congo. Memories of the terrible experiences of his

uncles in the Congolese section of Kakuma, when inter-ethnic hatreds were played out by all sides, filled him with dread. He gained some comfort from the assurance by the UN authorities that he would be placed in the Special Protection Area but it proved to be a hollow promise. To his horror, on the very first night at Kakuma he was sent to live in the Congolese section. Here Gode found some residents who were friendly but for the most part sensed hatred directed towards him.

"Your people killed our people," they yelled at him. Gode protested that he hadn't been in the Congo for four years and that people on all sides were being killed, but to no avail. The mood was poisonous, the air thick with the pain and hatred that war and violence creates.

Thanks to the kindness of a small number of Congolese families who took him into their home and stood up to those who threatened to harm him, Gode found some safety and relief. He kept quiet to survive and never went anywhere without the presence of his new protectors. As time passed the community's anger subsided a little. Small joys became big events. "Having a [soccer] match to look forward to helped a lot. We'd all be hunched up to the BBC radio commentary, or crowded around the television."

This more peaceful period ended in April 2000 when anger and inter-ethnic tension resurfaced in the camp. The catalyst was news that a small group of Banyamulenge orphans were coming to Kakuma before being resettled in a third country. The situation became very dangerous for Gode in the camp. "See what we told you" they said. "First one comes then they all move in." Gode was accused of being a spy for the RCD.

"It was alleged that I was collecting information and passing it back to Rwanda and Congo. There was an extraordinarily long meeting held. With every contribution things got more heated. People would get up and face me, pointing their fingers and I could see the veins in their faces. They were accusing me of all the trouble. They said 'We'll be overrun, they will kill us.'"

One of Gode's flatmates told him to leave. "He escorted me to a friendly Congolese family's house where they showed me mercy. Later, after the meeting I went back to my house. There were rumblings, people discussing what to do with me. Some neighbours came and said 'Things are bad, don't leave your housemates, bad things might happen.'"

"I had a sleepless night. All I could think about was my life, about survival. I thought they might storm the house to kill me or beat me up." For three weeks Gode remained with his flatmates, all the while making plans for a safer future.

"At that time I was volunteering with a charity group which taught English in the camp, I was doing general administrative sort of stuff. I had access to the UNHCR office so I spoke with the community services officer. I asked her to help me but urged her not to reveal my request to anyone in the camp. The community leader

of my section of the camp, Laurent\*, had been there a long time. He passed information about my request to the community services officer. He said 'We spared you, now you go to the UN against us!' Every letter I gave to my community leader requesting an audience with UN officers he had kept. He collected all the information and letters and used them against me. Things reached a crescendo when another adult Banyamulenge-Tutsi, was sent to the camp."

"Accusations were made; 'He's a soldier, he's in the military special forces'. They were lies but it didn't matter. The crowd got very rowdy. People picked up weapons and marched towards the man's house, demanding blood. The community leaders said they shouldn't do it, that harming him would get everyone in trouble. But others said they were happy to be gaoled if it meant killing a Banyamulenge. They had machetes and were shouting loudly. We could hear them. They were going to kill him.

"They chased him from the house and took his belongings. He raced from the camp with the community right behind him and made it to the UNHCR compound. The mob turned back to my house to look for me. They said 'Bring him out or we'll burn the house down.' The community leader came saying 'Where is that killer, that murderer, that spy?' My flatmates didn't want to let me go.

"I was petrified. I didn't want my flatmates to be hurt so I gathered my belongings. 'If I can be assured a safe passage I'll leave,' I said to the community leader." In this way Gode managed to arrive at the UNHCR compound to join his kinsman.

For days the authorities argued about what to do with their two new charges. The Protection Officer insisted they return to the Congolese section while Laurent insisted they didn't. Security was called to take them back but the young men stood their ground. They had cheated death before; it was unlikely to happen again.

More and more authorities became involved, culminating in a senior official from the Kenyan Government ordering the Protection Officer to send the Banyamulenge to the protection area where they would live for some years.

"We were reasonably safe but we had to watch our back," Gode shares. "It's a nightmare. You're alive but you're dead also. You're numb to everything. You lose trust. You're suspicious of everyone and everything. No matter what good intentions they have you never interact freely with others. People could still attack you on the street, if you have to buy food or cooking oil. No one can protect you."

"I'd made good friends with people in my community but I couldn't maintain the relationships. At school I was isolated. I hung out with the Sudanese students. Classes would finish at two and I had to catch the bus that transported the teachers home. I had nothing else to do. The other kids were at soccer but I had no playmates. We

were very lonely, very stressed and very traumatised.”

“It sucks being an outsider. Everywhere I went I had to work overtime to fit in.”

As the months and years passed in Kakuma, Gode’s life improved somewhat. He made friends with Somali kids and joined in their soccer games, he could sprint from the Somali section to the protection area if ever things looked dangerous.

Gode began to volunteer with a small charitable organisation, taking care of administration and youth work at the same time as translating for the United Nations for Swahili and Kirundi speakers. The pay consisted of meagre tips but he was able to learn new skills. And all the while he kept dreaming of resettlement, never letting the small flame of hope die.

But as the years dragged on his hopes of being resettled wilted. An interview with the UNHCR in 2000 was fruitless. Gode and his Banyamulenge mate were among the few occupants of the protection area who weren’t resettled, almost certainly because of corruption.

### **A new chance for resettlement**

In 2002 a second chance at a new life presented itself. Widespread allegations of corruption in the resettlement process had led to a two-year freeze on placements, followed by a review of all of those who may have been affected.

When the reviewing officers arrived in the camp, Gode was translating for some of the team. As he was wrapping up he politely approached the resettlement officer with the specific request for his friend and himself. The officer knew of his case from the backlog of files they

were investigating.

Late that evening the two nervously hopeful men wrote their stories for the second time. Again they heard nothing.

Two months later an Australian official came to the camp and Gode acted as his translator. “I was taking pictures, filling in forms. At the end I had a chat again. They interviewed me but they had heard it before. I asked if they’d interview my friend and rushed to bring him to the office,” Gode recounts. Following their interviews they received the familiar reply, ‘We’ll look into your cases’.

Soon afterwards the International Organisation for Migration arrived at Kakuma with a long resettlement list publicly posted in the heat and the dust of the camp. The name of every Kirundi or Swahili speaker whose stories Gode had translated was there on the list, everyone except Gode’s and his kinsman.

They were devastated but this turned to elation when they learnt their names did not appear because of concerns for their safety should other Congolese find out they were to be resettled.

They underwent the daunting health checks that the Australian government insisted on and then settled down to wait. In September 2002 Gode was called to the UN office and presented with the magic letter ‘You’ve been approved for resettlement in Australia’.

“I went numb. It was like everything had been frozen. I couldn’t breathe I was so happy. My friend was approved as well. I was overjoyed.

“I wanted to leave now. As soon as we were discovered we could be in serious strife. If the community heard



about our resettlement, the one thing they wanted themselves, I knew there could be trouble.

"The usually long and tiresome walk back to the camp was done in record time. I didn't have much time to prepare, just a few hours. The UN lady was very good to me. She organised transport for me to the camp to make it back in time.

"The whole section came to see me, to see what was happening. Time was against us. The message of our departure had reached the community. My friends from the Congolese and Burundian communities came to visit me at the UN compound," he smiles as he remembers.

Soon Gode and Mikah were travelling to Nairobi under armed escort. "The day came for our flight. Five am. Still then I didn't believe I was coming," Gode shakes his head as he tells the story. "We arrived in Australia late October 2002. It was a huge relief. We were taken to a proper house. No longer would we live in a tent. No longer would we have only one meal per day."

### **The journey continues in Australia**

With a new lease on life more hard work lay ahead. "We were getting acquainted with the system and needed to take responsibility for making something of our lives. Having families left behind pressured us to make sure we transitioned quickly. We did odd jobs and no job was out of the question. I did factory work, laundry, cleaning, everything I could do to survive," Gode recalls.

"In February I went to TAFE doing different courses. I wanted to go to uni but I wasn't ready, I didn't know computers at all. Everything I did I did twice to do it well," he explains. Voluntary work and a graduate diploma in community services lead to paid employment at the local Migrant Resource Centre and eventually to his present youth work position at STARTTS.

As his involvement in study and meaningful work grew so did his involvement in sport.

"Access to activities helped to relive my childhood passion and dreams. I signed up with the Liverpool Robins but didn't last because of a recurring knee injury," Gode says.

"The coaches were supportive; let me keep training for fitness.

Combining community work with his love of sport has helped heal the pain of his youth, the pain of separation from his family and the pain of exclusion.

"It was great to find Australia was a sports-loving nation," he reveals.

"Sports have always been a key part of my life but I never had much access growing up. When I see kids with a similar history it motivates me to work hard. Lots of kids have an ambition to play and participate but there are lots of barriers. Many clubs are resistant to new kids, kids that started with them at a younger age are treated more favourably.

"Some refugee families are very large; they can't

focus their attention on one child so they fall through the cracks. Sport is therapeutic. African kids have lived through a great deal of disadvantage.

"Thus I do what I can to alleviate some of that disadvantage but with conditions. It's a huge motivation for the boys. They're not permitted to participate in sport unless they pay attention to the academic side of life. They see Africans in the A-league and they see that there's hope."

Apart from his work in sport and STARTTS Gode is currently the Head of the small but vibrant Banyamulenge-Tutsi community in Australia. Contact us if you would like to learn more about the community.

### **The Banyamulenge**

Predominantly residing in the South Kivu province of Eastern Congo, the Banyamulenge have been forced to take refuge in neighbouring Rwanda and Burundi. But even in those Tutsi-lead nations they're not safe. According to Peter\*, a Banyamulenge elder living in Australia, the Banyamulenge-Tutsi once lived in harmony with the predominantly Bantu fellow inhabitants of the Congo. Peter says problems began when the Belgians left Rwanda and the country was divided leaving many former Tutsi Rwandans on the Congolese side of the border.

The Banyamulenge's ancestors arrived generations ago, in the latter half of the 17th century. Yet many Congolese view both waves of "Tutsi migrants" as rightfully belonging to Rwanda or Burundi. The existing ethnic tensions have been exacerbated by successive Congolese leaders, who have manipulated the resentment for their own power-lusting ends and recent Congolese wars have made things worse.

"Our main problem is our association with the Rwandan government and militia deemed allied to them, lead by (a re-energised) Tutsi. We are Tutsi so they automatically presume we are the same as them," Gode explains.

"Our custom and our language are quite different to theirs, so are our beliefs. We consider ourselves Congolese. When Rwanda comes in the Congo, they [other Congolese] see them as if it were us coming."

Since 1995 a confusing variety of militia and international forces have waged war on these Tutsis. Congolese government soldiers, instead of protecting the Banyamulenge have sometimes joined in their slaughter. More damaging for the ethnic minority group has been the 1996 order expelling 300,000 Banyamulenge from the province of South Kivu and events over the following 12 years have amplified the hatred of the Congolese Tutsi's with consequent increases in vicious attacks.

*\*Names have been changed to protect the identity of the individuals.*





Fourteen years ago 28-year-old Achom Dimo was running for his life in war-torn Sudan. Today he's helping others run, but this time for their team, their country and themselves.

A university student and youth leader, Achom is the driving force behind the South Sudanese soccer tournament which is sponsored by the NSW Community Relations Commission.

"We're keeping them busy, keeping them away from problems," Mr Dimo explains.

"Sport is a good thing you can do in Australia. There are so many opportunities here, but when we come to this country we don't know where to go.

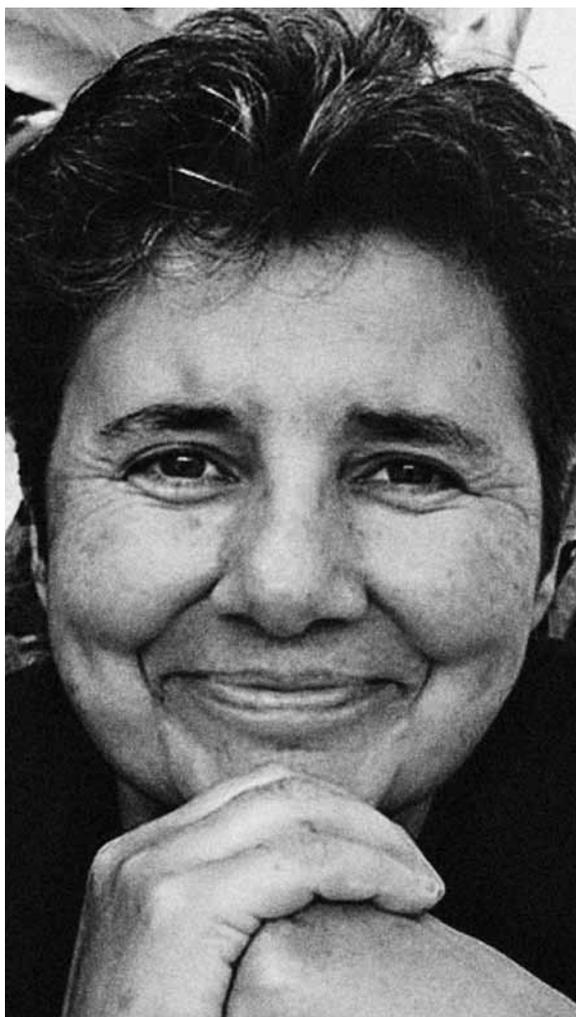
"Soccer's encouraged them to get involved in other things, to get an idea of what goes on in this country.

"It's social networking, a place to learn from each other and to start to build relationships with other Australians.

"Now we have people of all backgrounds getting involved, other Africans, guys from the Middle East – it's

building peace and harmony among themselves," he says.

The competition is sponsored by St Anthony's and is also supported by the NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS). They are looking for more commercial supporters for their competition.



## IN MEMORIAM – MARY DIMECH

STARTTS pays tribute to Mary Dimech, former Early Intervention Program Co-ordinator and a much loved colleague. **Melanie Timbrell** talked with some of those who knew her best.

Mary has long been a well-recognised champion of civil rights in the Australian social justice arena.

Born in Malta in 1951, Mary immigrated as a child to Australia, where she would later establish herself as a lifelong advocate for the marginalised and disempowered in our communities.

Dedicated to justice and inclusion; the theme of both her working and personal life was Mary's stalwart commitment to the basic respect and rights owed to all, and a fundamental humanity and goodness unhampered by political agenda or her recent personal illness.

Before managing the early intervention program for refugees at STARTTS, Mary worked as director for the Racial Discrimination Policy Unit at the Human Rights and Equal Opportunity Commission, and as National Program manager for Multicultural Arts with the Australia Council.

It was in this role that Mary effected change for a number of artists through grants, while also pioneering the way to the first multicultural arts policy, which includes a requirement for ethnic representation on the Australia Council

These were just some of many significant career achievements for multicultural affairs to which Minister for Community Services, Linda Burney, recently paid tribute.

"Through her persistence and strength of personality Mary gradually changed the culture of community services and how it worked with culturally diverse families ... Mary achieved so much because of her intelligence, strength ... and generosity of spirit," Minister Burney commented of Mary's time with DoCS.

Mary's tenure at STARTTS saw her counsel refugees with compassion and manage with equanimity a team coming to terms with an array of new challenges, including the disconnect and anxiety experienced by holders of temporary protection visas ineligible for DIMA-funded services.

Her personality and unique managerial style left a legacy in the dedication of the staff privileged to work beside her at STARTTS.

"She was a great inspiration to me," says Social Worker Robin Bowles, "She was one of those rare gentle people who gave other people confidence and believed in you when you didn't really believe in yourself."

STARTTS clinical team leader Gordana Hol-Radicic said: "She was a loving, passionate and understanding person with a warm heart who dedicated her life to human rights."

Clinical psychologist Deb Gould expressed her thoughts this way "Mary's compassion and generosity of spirit went beyond her commitment to human rights and social justice. She lived it in her connections with people. I remember at the funeral of one of her close personal friends it was she who was comforting others, reminding us of our relationships to one another and how important these are. Even though it must have been so hard for her the words she shared with my partner and I spoke of her deep attunement to others that was not diluted by her own pain."

Mary was diagnosed with lymphoma in 2002 and passed away at the end of last year.

All who were touched by her selfless kindness and courageous pursuit of equality will sorely miss her.

*Thanks to both the Sydney Morning Herald (16/12/09) and the Hon Linda Burney, Minister for Community Services, for allowing us to reprint parts of their material.*

# SUBSCRIPTIONS

A publication of the NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS).

Refugee Transitions exists to report on a wide range of refugee and human rights issues of relevance to the work of STARTTS. It aims to:

- Focus attention on the impact of organised violence and human rights abuses on health.
- Provide ideas on intervention models to address the health and social needs of refugees.
- Debate and campaign for changes necessary to assist, empower and strengthen refugee communities in their settlement process.
- Provide a vehicle for cultural and personal expression.

To receive a one year subscription (Two issues of Refugee Transitions per year) please complete the following form and send it to:

Refugee Transitions PO Box 203  
Fairfield NSW 2165

NAME			
ADDRESS			
STATE	POSTCODE		HOME TELEPHONE
WORK TELEPHONE	MOBILE		
EMAIL			

## METHOD OF PAYMENT

I have enclosed a cheque/money order (made payable to Friends of STARTTS) for \$25 (GST inclusive)

PLEASE CHARGE \$25 TO MY CREDIT CARD.

MASTERCARD  VISA

CARDHOLDER'S NAME									
CARD NUMBER								EXPIRY	
CARDHOLDER'S SIGNATURE								TODAYS DATE	