



Violence around Abyei, and rumors of an imminent attack on Abyei town have caused instability and the need for citizens to evacuate to villages farther south. PHOTO: COURTESY OF ENOUGH PROJECT/TIM FRECCIA

Refugees:

Innocent Victims, Illegal Immigrants, or Political Pawns?

DR EILEEN PITTAWAY, director of the Centre for Refugee Research, has travelled the world to listen to what refugees have to say. A fearless advocate of refugee issues and a senior lecturer at the University of NSW, in the School of Social Sciences, Dr Pittaway has conducted research on vulnerable refugee populations. Her work has been recognised through the Human Rights Medal, awarded by the Australian Human Rights and Equal Opportunity Commission, for her work on refugee women and children, and by the Premier's Award for services to refugee education in Australia. This is an edited version of a lecture she gave at the University of NSW.

When I was asked to provide a title for this lecture: Innocent Victims, Illegal Immigrants, or Political Pawns? I thought this title was relevant but I had absolutely no idea how relevant it would be tonight. I would like to begin by looking at the three questions of the title of my talk.

Are refugees innocent victims? I think all of us can relate to refugees as innocent victims. It is a comfortable way to relate. I think most people would think of refugees as the pathetic child, probably starving, as someone to respond to, but refugees are people who are far away -- they are not here in Australia.

Are refugees innocent victims? Are they innocent? Yes, they are. But if you say, victims of the circumstances in which they find themselves. In that case you would say the answer to the first question is absolutely no. I have the privilege of working on campus and on other sites around the world about three months a year. I also talk to refugees here in Australia and I can tell you, victim is a word I would never ever apply to any refugee I have met.

Victims are people who have lost hope. Victims are

people who do not know where to go. Refugee survivors are strong. They have the capacity to help themselves. They have just been placed in circumstances that are so bad that most of us couldn't even imagine how bad they are.

Are they illegal immigrants? The answer is categorically no. You cannot be a refugee and an illegal immigrant at the same time. Being a refugee means you are outside your own country because you have suffered from persecution on the grounds of race, religion, nationality or membership of a particular social group. You are outside your country because the government of your country is refusing to protect you or is persecuting you. Your rights as the citizen of that country have been suspended. And you are in so much danger that you have had to flee over the border to another country to claim asylum.

If this is the reason you have left your country, you are a refugee, full stop. As the Assistant for the High Commissioner for Refugees says categorically, "If you have grounds for persecution and have applied for refugee status, you are a refugee." Getting a United Nations High Commissioner for Refugees (UNHCR) stamp in a document, merely confirms the fact that you are a refugee.

The term asylum seeker means that if you have had to flee your country because of lack of protection, you have a right to be received in another country that has signed the Refugee Convention, which was written in 1951, with an amendment (the 1967 Protocol) that extended the provisions of the convention, from European refugees to other refugees around the world. Australia was one of the countries that signed the convention, as did many others. In fact Australia contributed to the writing of the convention and we have to be proud of that, proud of the fact that we have supported refugees.

Refugees are not illegal immigrants; but are refugees political pawns? The answer is categorically yes, without any doubt. Because to be a refugee you must have suffered from persecution and persecution in itself is inherently political.

There are many reasons why refugees are persecuted: because their ethnic tribal group is living on the top of resources that powerful nations want, because of political intolerance, or for political reasons. Often, they are persecuted because of unresolved conflicts from the colonial era. If you look at the way retreating colonists carved up the world we see borders quickly drawn. We see people left stranded on one side or the other of the border. The colonial past is at the roots of so much of the refugee experience we see today.

So yes, refugees are victims of international politics.

Many countries decided it was a good idea to ratify the Refugee Convention. In an abstract sense it works fine. But increasingly, developed countries are finding it much more uncomfortable when the abstract becomes the reality and they have to abide by the convention. When refugees come to our shores and say "I have come to claim asylum", they have that right because of the international law, and yet, so often the developing world, including Australia, denies them that right. And we see refugees are being treated like pariahs. They are called 'queue jumpers' when there is no queue, as I will explain later.

Let's have a look at who the refugees are. I think very often the way the Australian media covers these issues is as if asylum seekers materialised out of the air, on our shores, on boats. We never talk much about what happens overseas. We never make the critical link between the refugee experience and the reasons refugees need to come to Australia, and either resettle here as part of our orderly program of entry, or as asylum seekers.

We use words like persecution lightly. But what does it mean? What does it mean to be drawn out of your country? One of the things we do in the Centre for Refugee Research is to help refugees by documenting human rights abuses and compiling reports, which we then take through to the UNHCR's Human Rights Council. We sit and listen to some of the most horrendous stories I have ever heard in my entire life. We document them and take these reports to the rest of the world.

So what is persecution? One of the saddest things about persecution, I often say, is that when I am listening to refugees speak from different parts of the world, whether they come from Afghanistan, Burma or Africa, so often the stories are the same. These stories are about people being persecuted and driven from their villages. In the south of Sudan where people are starving, food drops are sent in over the border from the north of Kenya. The Sudanese government will monitor when the planes come, then the people will come out of the jungle to pick up the food and that is when they bomb them. That is persecution! When you are bombed in trying to get the food that will keep you alive.

Persecution is when the Burmese Junta goes through villages burning all the huts and the crops so that they don't have anything to eat, taking the men away for forced labour, returning them broken, with their health wrecked and taking the women to be porters and sex slaves.

The saddest pieces of literature I have in my office are part of a report on a training manual issued by the



Eileen Pittaway with refugees and workers at the Kakuma refugee camp. PHOTO COURTESY OF CENTRE FOR REFUGEE RESEARCH, UNSW

Burmese Government in which it instructs its soldiers on how to perpetrate rape, how to impregnate women from ethnic minorities to dilute their ethnic purity. And this is written in a training manual. This is persecution! Rape and sexual assault of women is one of the most common forms of persecution and it is not just done to offend women, or even to have sex. It is deliberately done to destabilise families and whole communities. It is the enemy saying, “look at you, you are so weak you cannot even defend your own women! What sort of man are you?”

In communities where rape is shame, it shames the whole community. Women and their children are sometimes cast out because of rape. We heard refugees talking about large numbers of children being born from rape, in conflict and in refugee camps. It is massive. It is a really massive problem. Think of the implications. Some babies born out of rape are killed; others are kept. Some women do the most amazing job looking after their children. I am not just talking about African countries or Asian countries.

Some 20 years following the major conflict in the former Yugoslavia, we are hearing increased numbers

of suicides by women who were in the rape camps in Bosnia and Croatia, where they were held and repeatedly raped until they were impregnated. And then they were let free. Women who sometimes bore the child and then killed it, and other times kept it but were ostracised by their communities for caring for the child. These women now are committing suicide at three times the rate of other women in our communities. Such are the ongoing impacts of these types of horrors.

So persecution is something that we need to understand. Refugees run from persecution. They run to camps.

What are camps like? If we are to believe some of our politicians they are like holiday camps. Maybe not as nice as the ones we go to, but not too bad. We heard about how evil refugees tried to jump queues from camps. How evil people were, because they moved from one camp to try to find asylum elsewhere. We were told people get food, medical attention, in camps. There are schools in camps.

You might have seen photos of those camps. Camps are hell on earth. I can't think of a nice thing to say about a refugee camp. There is never enough food.

These are never nice places. They are huge institutions often stuck in the most inaccessible parts of a country. I have been to camps where there were hospitals without blankets, without sheets, with nothing but paracetamol on the shelves and the doctors come and go, so do the nurses offering pretty basic medical care for the sick who live in the camps.

I have also been in refugee camps when there has been what I would call ‘a fly-in and fly-out visit’ by some dignitary or important person. When a small plane will come into an airfield, the camp will have been tidied up enormously; hospital linen appears and might be white washed. Suddenly on the shelf there are medicines, antibiotics, needles for injections. Where do they come from? I asked myself. They were not there yesterday! And after the ‘fly-in and fly-out visit’ by the important person they are not there the next day either.

This is life in the camps. There are some schools. People do amazing things trying to provide education for refugee children but it is not good enough. You often have people who are not trained, struggling to impart basic knowledge.

In December 2009 the UNHCR estimated that there were 14.5 million mandated or registered refugees in the world. But in addition to that, there are 34.5 million people of concern to the UNHCR. This is an enormous number of people. Eight million mandated refugees have been living in refugee camps for between five to 20 years. Many have been there for 15 years. Children are born in camps and grow up in appalling conditions, where every normality is taken away.

The roles of men and women are taken away, even the traditional cultural roles of men as providers. The only way you get food is to stand in appalling heat for four hours a day to get it from a central kitchen. But the food they get isn't what they would traditionally eat. They get it once every two weeks and the size of the ration is about half of what the World Food Program says a person should eat.

You cannot keep your family healthy if you don't give them greens, eggs or any meat. And people know this. In the camps the role of caring for your family is taken from you.

Men no longer have a role anymore and most often they don't have work. So tensions arise in camps. There is violence between factions. Very often local populations do not like having the refugees there, so there are tension between the locals and the refugees. The worst aspect is rape and sexual abuse of refugee women and girls and young boys, which is endemic in the camps.

One of our research projects was looking at women at risk in refugee camps. We spent much time going backwards and forwards to a camp called Kakuma in the north of Kenya. The first time I went to that camp I went to meet with the head of the camp. He said, “Why are you here?” I told him why. He said: “Women at risk?”, “If you can find one woman in this camp who has not been raped I will give you a prize. So if they have all been raped, do you want to settle them all in Australia? I have about 35,000 women here. Do you want to take them all?”

It was a hard message, a very hard message. After that we decided to develop a High Risk Identification Tool, to identify those refugees living in the camps who

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are most at risk. For instance, imagine two young girls living in the camp. They will be 15 or 16 years old. They have both been raped. They have both become pregnant because of the rape. One of the girl's parents may say: “We don't care about what happened, this is our daughter ... We are caring for her and her child even if the community disapproves.” Despite her terrible ordeal that girl is not at risk. The other girl may not have parents, or if she does, her parents might be forced by community pressures to reject her and put her outside the thorn fence and into prostitution. The only way she can raise enough money to buy a bit of oil, an occasional egg is to sell her body. And this again is the reality in camps. The second girl is a refugee at risk.



Sector 5, Shahbaz camp. 8000 families, who were taking refuge in government buildings after the Pakistani flood are now moving in this newly developed sector. PHOTO: OXFAM NEW ZEALAND/HIRA TANVEER/JAN 2011

Not all refugees live in camps. In fact increasingly, refugees live in other situations (in urban areas or in the country side). I think the balance has changed. Now more refugees live in situations other than in camps. Some of the projects we ran were in refugee sites in urban areas. Those areas are just as hard on refugees because they don't have rights. They don't have citizenship. Refugees don't have access to their civil and political rights or their economic and social rights. They don't have access to the law. So people come and exploit them and rape them and beat them with impunity. Refugees survive these experiences.

What keeps me going back to work with refugees is the incredible resilience, the courage of the people that live through all this and survive it all, and they still keep their families and their communities together. They keep their culture alive and they live for the future. I look at them sometimes and find them amazing. If it were me, I would curl up in a corner and I would die.

I sometimes spend four weeks in the camp and I am so stressed. Those people have been there for 14 years. The situation of refugees in urban areas also has to be addressed.

A couple of years ago I was in Cairo. There is a huge refugee population there. An estimated two million from the north of Africa and Iraq live there. I was working with a group of men because women had complained about domestic violence and had asked us to do some work with the men. So I started a training session with the men. Looking at what was happening with them. They talked about this and that. On the

second morning I said to the men: "...I have been told many women have engaged in survival sex to support themselves here. Is that the case? What do you think about it?" They said, "oh no, not in our community, no survival sex here". I said, "Come on! I am an elder myself, let us talk about it!"

Then someone said, "Okay, yes. There are some terrible women among our community who are prostitutes. They work as prostitutes and they bring shame on their whole community and we believe they should be put in prison."

"Is this really the case?" I asked. "Let us talk about this. Why do they work as prostitutes? Is your community intrinsically amoral?" I asked, and challenged the men to talk.

Suddenly in the middle of this very heated debate one of the men started crying. I watched him. I said to him, "would you mind telling me why are you crying?" He said, "Yes". "Can you imagine what is like when you are sitting down at night at your dinner and you are watching your children eat dinner and you know that the only reason your family is eating is because your wife works as a prostitute? Because your wife works as a housemaid and every single day the man of the house and their sons rape her. And if you stop her doing it, your children and your family will starve. That is why I am crying. That is what is like for so many men here," he said.

This is the experience of so many refugees in camps and other settings and this is the message I want to bring

to you tonight, because I think when we look at boats arriving on our shores, we see some sort of devils. We see people that come and want to have a good life in Australia. We don't see people who have experienced years and years of life in camps, years of persecution before camps, as well as horrendous journeys. We don't know much. We don't talk about it and we are not told. The people coming to Australia and claiming asylum are desperate people. For them this is a last resort. There is absolutely no doubt about that. Do people want to come to Australia? Are there so many refugees scurrying across Asia into Indonesia to come to Australia? It is just not true. If we took a helicopter across the shore of Indonesia, we would find it is not lined with asylum seekers trying to get here. There are some and these are people who cannot stand living in perpetual danger any more.

Over the years we have been told that refugees in camps and urban areas have to be resettled. That this is all they want, just to resettle in another country. That living in the refugee camps is just a stage until they resettle. The reality is not like that. I have been in this field for 14 years and have talked to refugees in the last 10 years, when I ask them: "What is it that you want?" They say, "to go back to my village, to go back to our land, to go back to my house, to go home." That is what the majority of refugees want.

So why do you want to resettle? And, why have you put your name in the resettlement list? They say, "Because I have been here for 15 years ... because the conflict in my country has been raging for 20 years and there is no end to it ... Because there is no end to being in this camp. Because there is no end with me living this hellish life in this urban slum ... because I have seen two of my children die of malnutrition, because my sister died in child birth ... because my daughter, my mother and sister were raped, and I cannot do anything about it ... because we don't have decent health care the children are not getting an education and we cannot go home." These are the answers. Wouldn't you do the same if you couldn't go home or care for your family?

I was in Sri Lanka, in the midst of problems a few years ago, for a United Nations (UN) meeting on women's roles. We had been funded by UNICEF to go and talk to women in camps to get the messages that they wanted to convey to the UN on women's rights in the north of Sri Lanka. When we had the meetings with the women, we said we would help them to write a report that we would then take to the UN.

One of the problems we knew was that the post-birth death rate for babies was four times higher in refugee communities than in the general Sri Lankan

population. That was due to a number of reasons. The women didn't get the supplements that the other women got. There wasn't sufficient food in camps and the water was of poor quality. But this was not their main concern. "The biggest issue is our worries about our young men, our young teenagers," the women said. I was taken aback. "Why is this the biggest issue?" I asked. "Because our boys were born and have always lived in refugee camps. When they become teenagers, their hormones jump in like all teenagers everywhere in the world. They are angry. They have seen their fathers being killed. They have seen their sisters being raped. They haven't got an education. They haven't got jobs. They are bored and angry and we are terrified. We are terrified of what they will do. We do not want to lose our sons. So please, can we have a resolution? We have to protect our sons. They are our future."

In the course of the discussions I said: "What happens now?" They said, "Whenever we can find people who have some savings, the families will put together bits of wedding gold they still have and we will gather the little money we have got. They will sell their best clothes, anything, and the family will collect the money and will send one boy with the people smuggler.

I said, "to Australia?" They said, "We don't know. Just somewhere, anywhere where there might be a home for that boy to have a life for himself, just a home where he might earn some money to send some back, a home where eventually we might join him."

I can't argue with that. There are a lot of young people who are coming now on boats, whose whole communities put faith in them. I said to the women, "How often does it work? How often does a young man come to Australia?" They said, "About half of them come back and are put in prison. Half of them we never hear from again because they have drowned, just a quarter get through." And I asked, "Is it worth it?" They replied, "It is better than keeping them here."

And these are the sort of reasons why people use people smugglers. They use them because they are desperate, because there is no other way.

Australia has a very proud record as a country of resettlement. We resettle each year about 13,000 people, half of them refugees and half of them on the special humanitarian program.

There is talk about a queue, the queue that refugees should get into in order to resettle in another country. Over 13 developed countries resettle about 76,000 people each year. There are 45 million people of concern to the UNHCR and 14 million refugees in the world. However, there are only 76,000 places a year for resettlement into a third country. Resettlement is never going to be the answer to the refugee problem.

“That is persecution! When you are bombed in trying to get the food that will keep you alive.”

There is no such thing as a queue. A UNHCR official describes it as a lottery, not a queue. If you are lucky enough to get your name in that list, you are very lucky indeed. A UNHCR official in Sri Lanka in desperation said: “Queue? There is not even a bloody table in this office, never mind a queue.”

There are 95,000 people sitting in Kakuma refugee camp in 45-degree heat. They know that only 5,000 a year, if they are lucky, will get out and will be resettled, but more than 5,000 new refugees a year come into the camp fleeing persecution.

What can we do about the refugee problem? Something has to be done. The obvious answer is world peace. It would be good.

The number of refugees is swelling. The number of people of concern to the UNHCR is also swelling. We don't have any easy answers. Going back home is not a viable solution. Often, safety is an issue. Local integration is another option. However, we are asking the poorest countries in the world to resettle millions of additional people.

So, what are we going to do? Political will is needed to address this problem. Without political will nothing will happen. UNHCR is often criticised but it does an amazing job, sometimes in the most difficult of circumstances. I have absolute admiration for them. But it does it with no funding, virtually.

They have some funding of course but they never have enough. Donor countries won't give UNHCR what it needs to provide basic services in refugee camps so there are no basic services in camps. There is never enough food. The food program doesn't have enough food. The High Commissioner for Refugees used to say that if every government in the developed world gave US\$1 per year per capita to the UNHCR, it would be able to provide for every refugee in the world. Some measures indicate that we are not asking for too much.

The poorest countries in the world hosting refugees are asking for the burden to be shared. It is a responsibility we are sharing when we signed the Refugee Convention, which says refugees have rights and the international community has responsibilities for fulfilling those rights. That is what we agreed to when we signed the convention.

I would like to say that we can improve situations

for refugees but it is going to be hard. Refugees need to be able to work, access services, and often this is very difficult for poor countries because poor countries themselves don't have basic services.

So what is needed often is not to focus just on the refugee population in India or in Bangladesh, but on the entire population in which they are sitting. It is not good being refugees in privileged conditions compared to the local people. That causes conflict. We have to look at the provision of development services and they don't cost that much.

We need to improve the way we receive refugees from overseas. The UNHCR is very keen to ensure that people use better country information. Often, the information used to determine whether it is safe for the people to return to their country is fraudulent. It is not safe for refugees to go back to Sri Lanka or Afghanistan.

One of the problems that refugees experience, particularly those who have been in protracted conflicts, is adapting to family life and the family laws in Australia when they first arrive here.

For instance a single woman, who has lived in a camp with her children for years, comes to Australia and decides to lock her children in the flat when she goes shopping. In the refugee camp she would do so to make absolutely sure nobody abducted, harmed or raped the child.

But here it is illegal. When this refugee mother comes here it is totally a new experience for her. She has been put in a flat by herself. She does not know anybody. She doesn't know where to go. She has to go to the shops. She is not used to the buses. She does not speak English. She does exactly what she did in the camp. At that moment, along comes child welfare, and that is when problems start.

For Australians who lived here all their lives this is bad. But before we put those children in foster care, we need to ask, why is this happening? Has anybody explained to them the Australian ways? Is there sufficient support for refugees when they come to Australia? And the answer is while we have good settlement services we don't have enough.

When we work in camps we use a methodology we have developed to be ethical in what we do. In the course of conducting our research, if refugees want, we provide human-rights training and they always

want it. Because many people are pre-literate, we use graphics and we colour code the graphics. When we talk about human rights we do a symbolic exercise to show that everyone is entitled to all of their human rights. We then pick up some beads and we do a human-rights necklace. Each bead is the colour of one of their human rights. They are entitled to all their human rights. It is purely symbolic. It is a game, and refugees enjoy it.

Two years ago I was in one of the worst refugee camps in the world, in Bangladesh. We were invited to go to the camp by UNHCR Geneva to do a situational analysis of the camp and then share the information with service providers. UNHCR sent a team of six people over to observe. UNHCR Dakha also sent a team. This was a horrendous camp. It was very poor; there was child prostitution. Just about everyone suffered from malnutrition.

At the end of the week it was arranged that the refugees themselves would present to UNHCR their concerns about the camp. They would talk to the pictures they had drawn. The women's group picked an elderly woman to make the presentation. She had never been to school. She was not literate in her own language, or in another language.

So on the day of the presentation she stood up, very brave to talk about her story. She had a dirty robe, as they had not much water there. She stood up, looked at the pictures then looked to the stage and said: “UNHCR, look, I have a necklace on. All the women have got their necklaces on. Do you know what this necklace is? This is our human rights necklace. We have just been studying this. Every bead in it represents a different human right and we are all entitled to all of our rights.”

She said, “When we lived in Burma 25 years ago, we lived in the village. Everyone in the village wore their necklace with pride. Everyone: the men, the women, the children, then the State Peace and Development Council came. They burnt our village. They took the men for labour, raped the women and burnt the crops. We had to run. We were persecuted and we came here to this camp in Bangladesh.

“Here in Bangladesh it is hell. It is even worse. We don't know what to do. Do you UNHCR? Do you know what happened to our rights?” Then she took her necklace and tore it and said: “That is what happened to our rights. We are up here and they are scattered everywhere. UNHCR, we want you to help us to get every right to make our necklace. We want to wear our necklace again with pride.”

I want to finish with that note because I think this is our challenge. We have to help refugees to get their rights back, including the right to asylum in Australia. **R**

CENTRE FOR REFUGEE RESEARCH

This is an interdisciplinary research centre that focuses on international refugee flows, internally displaced people, forced migration and resettlement issues, as well as social policy, law, health, both physical and mental, and direct service provision as it applies to the phenomenon of refugees and past migrants.

It conducts education and advocacy programs, partnering with community-based refugee organisations, in relation to the nexus between refugee circumstances overseas and the resettlement experience in developed countries, identifying and responding to the needs of the most vulnerable refugees, in particular women and girls at risk.

Established in 1999 by Paul Ferguson, Dr Eileen Pittaway took over as director in 2001. The Centre's research over the past decade in Ethiopia, Kenya, Bangladesh, Sri Lanka, India and Thailand has resulted in a UNHCR conclusion (part of international law) to strengthen the protection of refugee women and girls. They have also developed a Heightened Risk Identification Tool to assist personnel on the ground to respond to the most vulnerable refugees. The Centre adopts a human-rights framework and engages principles of community development and social justice in all its work.

This achievement led to an invitation from the UN Development Program to work in Sri Lanka after the tsunami in 2005, and that led in turn to the UN resolution on the protection of women and girls after such disasters.

Dr Eileen Pittaway and her deputy Linda Bartolomei attend the UN Economic and Social Council's meetings, which includes the United Nations High Commissioner for Refugees, its Human Rights Council and the Commission on the Status of Women, and they use that access to feed their research into international law and policy.

Apart from research, Dr Pittaway in the past decade has provided training to refugees, and UN and NGO staff in refugee camps and urban settings. She has acted as technical advisor to a number of projects, and has evaluated humanitarian and development projects in Kenya, Thailand, Ethiopia, Bougainville, Egypt, India and Sri Lanka.

A major focus of her work has been on the ethics of research on vulnerable populations. Just as importantly, here in Australia, the centre's work with recent refugees has focused on improving the help given to children who have been tortured, or traumatised by the torture of their parents. In addition to that research, the Centre provides over 60 internships for University of NSW students who are able to undertake refugee training, and support projects in India, Thailand and elsewhere and in some cases to accompany Dr Pittaway to meetings of the High Commissioner for Refugees in Geneva.