

# REFUGEE UPDATE

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## UNDERSTANDING THE CHALLENGE OF PROTRACTED REFUGEE SITUATIONS<sup>1</sup>

BY JAMES MILNER

### What is a 'protracted refugee situation'?

More than two-thirds of refugees in the world today are trapped in so-called 'protracted refugee situations'. UNHCR defines a protracted refugee situation as 'one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile.'<sup>2</sup> These situations pose a growing range of challenges to refugees, the states that host them and agencies that work to ensure their protection and find a solution to their plight.

These situations are also proving harder to resolve: UNHCR estimates that 'the average of major refugee situations ... has increased from nine years in 1993 to 17 years at the end of 2003.'<sup>3</sup>

### Where are protracted refugee situations?

While most regions of the world host protracted refugee situations, the largest situations are to be found in the global South. Below is a list of major protracted refugee situations at the start of 2005, with a population of at least 25,000 refugees who have been in existence for at least 5 years. While these are not the only protracted refugee situations in the world, they are the

### Major Protracted Refugee Situations, 1 January 2005<sup>4</sup>

Country of Asylum	Origin	end-2004
Algeria	Western Sahara	165,000
Armenia	Azerbaijan	235,000
Burundi	Dem. Rep. of Congo	48,000
Cameroon	Chad	39,000
China	Viet Nam	299,000
Congo	Dem. Rep. of Congo	59,000
Côte d'Ivoire	Liberia	70,000
Dem. Rep. of Congo	Angola	98,000
Dem. Rep. of Congo	Sudan	45,000

Country of Asylum	Origin	end-2004
Côte d'Ivoire	Liberia	70,000
Dem. Rep. of Congo	Angola	98,000
Dem. Rep. of Congo	Sudan	45,000
Egypt	Occupied Palestinian Territory	70,000
Ethiopia	Sudan	90,000
Guinea	Liberia	127,000
India	China	94,000
India	Sri Lanka	57,000
Islamic Rep. of Iran	Afghanistan	953,000
Islamic Rep. of Iran	Iraq	93,000
Kenya	Somalia	154,000
Kenya	Sudan	68,000
Nepal	Bhutan	105,000
Pakistan	Afghanistan (UNHCR estimate)	960,000
Rwanda	Dem. Rep. of Congo	45,000
Saudi Arabia	Occupied Palestinian Territory	240,000
Serbia and Montenegro	Bosnia and Herzegovina	95,000
Serbia and Montenegro	Croatia	180,000
Sudan	Eritrea	111,000
Thailand	Myanmar	121,000
Uganda	Sudan	215,000
United Rep. of Tanzania	Burundi	444,000
United Rep. of Tanzania	Dem. Rep. of Congo	153,000
Uzbekistan	Tajikistan	39,000
Yemen	Somalia	64,000
Zambia	Angola	89,000
Zambia	Dem. Rep. of Congo	66,000

### Causes of protracted refugee situations

Protracted refugee populations originate from the very states whose instability lies at the heart of chronic regional insecurity. The bulk of refugees in these regions – Afghans, Burmese, Somalis, and Sudanese – come from countries where conflict and persecution have persisted for years. In this way, the rising significance of protracted refugee situations is closely associated to the growing phenomenon of so-called ‘failed’ and ‘fragile’ states.

More specifically, UNHCR argues that ‘protracted refugee situations stem from political impasses. They are not inevitable, but are rather the result of political action and inaction, both in the country of origin (the persecution and violence that led to flight) and in the country of asylum. They endure because of ongoing problems in the country of origin, and stagnate and become protracted as a result of responses to refugee inflows, typically involving restrictions on refugee movement and employment possibilities, and confinement to camps.’<sup>5</sup>

Protracted refugee situations are also caused by both a lack of engagement by the international community. Failure to address the situation in the country of origin means that the refugee cannot return home. Failure to engage with the host country reinforces the perception of refugees as a burden and a security concern, which leads to encampment and a lack of local solutions, including self-reliance and local integration.

While most regions of the world host protracted refugee situations, the largest situations are to be found in the global South.

### Consequences of protracted refugee situations

Most refugees trapped in protracted refugee situations are forced to live in isolated and insecure refugee camps and face a number of protection and human rights challenges.<sup>6</sup> Levels of sexual and physical violence in refugee camps are typically very high, and refugee women and children are at particular risk. The prolonged encampment of refugee populations has also led to the violation of a number of refugee rights, including freedom of movement and the right to seek wage-earning employment. Faced with these restrictions, refugees become dependent on subsistence-level assistance, or less, and lead lives of poverty, frustration and unrealized potential.

Protracted refugee situations are also a critical element in continuing conflict and instability and have obstructed peace processes and undermined attempts at peace building and economic development.<sup>7</sup> At a local level, tensions between refugees and the local population over scarce resources can increasingly become a source of insecurity. Protracted refugee situations also lead to a number of political and security concerns for host states, the countries of origin, regional actors and the international community. A resolution of these protracted refugee situations will therefore benefit not only the protection needs of refugees, but wider efforts at peace and stability.

Refugees are now spending an average of 17 years in exile, often in isolated and insecure conditions that violate a wide range of rights.

### Addressing protracted refugee situations

The problem of protracted refugee situations has typically not featured prominently on the international political agenda. There are, however, early signs of positive change. UNHCR has increasingly highlighted the issue since 2004. The

Government of Canada established an Interdepartmental Working Group on Protracted Refugee Situations in 2006, and is taking a leadership role internationally. Other countries are slowly starting to follow. Host countries in Africa and Asia are also starting to demonstrate a willingness to revisit their policies on hosting refugees. A range of NGOs and researcher have also engaged with the issue.

In an effort to bring these efforts together, UNHCR hosted a major conference on the issue in Geneva in December 2008, bringing together over 300 representatives of governments, civil society and the research community. Among the conclusions of the conference was agreement that the *status quo* needed to change, greater opportunities for refugee self-reliance should be explored, the individual solutions of repatriation, local integration and resettlement should be expanded, and opportunities to engage other development and security actors with the UN system should be enhanced to help find comprehensive solutions to some of the world's most protracted refugee situations.

As a follow-up to the Geneva meeting, the Refugee Research Network sponsored a series of events at Carleton University in Ottawa in January 2009. These events brought together representatives of the policy, research, practitioner and advocacy communities in Canada to ensure that momentum is carried from the Geneva meeting and a common approach developed for policy, advocacy, practice and research in Canada.<sup>8</sup> There was a common feeling that sustained collaboration between the research, advocacy, policy and practi-

tioner communities will not only provide a better understanding of the problem of protracted refugee situations, but ultimately contribute to their resolution.

Refugees are now spending an average of 17 years in exile, often in isolated and insecure conditions that violate a wide range of rights. Given the scale of human suffering represented by this statistic, a solution to the problem of protracted refugee situations cannot come soon enough.

*James Milner teaches at Carleton University, Ottawa.*

<sup>1</sup>This article is based on Gil Loescher and James Milner, "Understanding protracted refugee situations", in Gil Loescher, James Milner, Edward Newman and Gary Troeller (eds.), *Protracted Refugee Situations: Political, Human Rights and Security Implications*, Tokyo: United Nations University Press, 2008; and Gil Loescher and James Milner, "Protracted Refugee Situations: The search for practical solutions", in UNHCR, *The State of the World's Refugees: Human displacement in the new millennium*, (Oxford: Oxford University Press, 2006), available on-line at: <http://www.unhcr.org/publ/PUBL/4444afcb0.pdf>

<sup>2</sup>UNHCR, Executive Committee of the High Com-

missioner's Programme (ExCom), "Protracted Refugee Situations", Standing Committee, 30<sup>th</sup> Meeting, UN Doc. EC/54/SC/CRP.14, 10 June 2004, p. 1, available on-line at <http://www.unhcr.org/excom/EXCOM/40c982172.pdf>

<sup>3</sup>UNHCR, ExCom, June 2004, p. 2.

<sup>4</sup>This table refers to refugee situations where the number of refugees of a certain origin within a particular country of asylum has been 25,000 or more for at least 5 consecutive years. Industrialized countries are not included. Data does not include Palestinian refugees under the mandate of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Source: UNHCR, *The State of the World's Refugees: Human Displacement in the New Millennium*, Oxford: Oxford University Press, 2006, p. 107.

<sup>5</sup>UNHCR, ExCom, June 2004, p. 1.

<sup>6</sup>For more information on the human rights of refugees trapped in protracted refugee situations, see: US Committee for Refugees and Immigrants (USCRI), Campaign to end Human Warehousing, <http://www.refugees.org/>

<sup>7</sup>For details on the links between protracted refugee situations, peacebuilding and development, see: Gil Loescher, James Milner, Edward Newman and Gary Troeller (eds.), *Protracted Refugee Situations: Political, Human Rights and Security Implications*, Tokyo: United Nations University Press, 2008.

<sup>8</sup>Part of the Carleton program was a public event, bringing together prominent researchers on protracted refugee situations to discuss their findings. To view videos of these presentations, see: <http://integration-net.ca/english/videos/index.cfm>

## EDITORIAL

### CONFLICT, CHANGE AND REFUGEES FROM PALESTINE

The year 2009 began with several pieces of news relevant to refugees. First, there was a new President in the United States and promises of an end to the use of torture and of the Guantanamo Bay facility. Of course, in a financial catastrophe, expectations may have to fall. We may not see a full renaissance of human rights in the world region of the Americas, but we have some hopes about the Obama era. Closer to home, there have been gatherings of academics and government officials about responding to long term populations of refugees referred to as "protracted refugee situations". But perhaps most significantly, there have been eruptions of two conflicts impacting refugees in early 2009 – one in former Palestine and the other in Sri Lanka. Although in technical terms very different, both of these remind us that today's refugees are mostly from

some protracted armed conflict. This underscores the importance of pressing our governments to continue efforts to find a resolution to the conflicts which produce refugees. Changes in global politics like the beginning of the Obama Presidency provide moments of opportunity.

The differences between these two conflict situations begin with definitions. Following the UN definitions, the civilians in West Bank and Gaza are refugees. Technically, the attacks are on refugees. Later this year, at an academic conference which Refugee Update hopes to follow, ideas may emerge on what might now be tried to resolve this conflict. On the other hand, the civilians caught up in fighting in Sri Lanka, where Tamils are seeking forms of sovereignty in Tamil homelands, are not refugees but resident or displaced populations. In both situations it is important to

remember that military victories do not ensure the end to an entrenched conflict. Peace must be made. Then a durable solution for refugees becomes possible.

Focussing on the first of these two early 2009 conflicts, on January 3<sup>rd</sup> Israel sent military forces into Gaza, former Palestine. There is a tendency to see such military attacks as a conflict between two factions. Yet no protracted conflict continues without a number of external actors pursuing their interests. And feelings run high. Some readers have strong feelings in support of all things Israeli. Others support all things Palestinian. Yet Palestine is all our problem. The insecurity engendered by this protracted conflict is our insecurity and the use of entire populations as pawns in a political game is our responsibility, if not as active enablers (and many would argue that we are), then as befuddled bystanders. And let us not even discuss the traumatic and soul destroying effects of normalised violence that appears to have developed on both sides. Also, the beginnings of the problem lies with international decisions – decisions in which all states are implicated. The problem runs back to the end of the Ottoman Empire and the subsequent British Protectorate of Palestine in 1918. The League of Nations mandate ended with the establishment of the United Nations and Britain left Palestine in 1948. The United Nations inherited Palestine and the UN has helped to shape the present situation. How that happened is controversial, but too important to finding a solution to avoid.

According to the UNHCR account, late in 1947, the UN General Assembly approved the dividing of Palestine into a Jewish State and a Palestinian State. In spring 1948, the British withdrew. The Palestinians rejected the plan because it gave a smaller Jewish population more than half the territory. Conflict followed. With arms from Czechoslovakia, then in the Soviet Union, the Jews and their army defied the odds, took territory and in May 1948 proclaimed an Israeli State.

In late 1949, the UN General Assembly created the UN Relief and Works Agency for Palestine Refugees in the Near East, UNRWA. A condition for acceptance of UNRWA was that the Palestinians would be allowed to return to their homeland in ac-

cordance with UN General Assembly resolution 194 III of 11 December 1948. The UN has been able to define for practical political purposes who are refugees. UNRWA's operational definition recognizes Palestine refugees as persons whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict. The definition covers the descendants of persons who became refugees in 1948. UNRWA's services are available to those living in its area of operations who meet this definition, are registered with the Agency and who need assistance. By this definition, even though there are a number of seriously protracted refugee situations in the world, the Palestinian refugee population is arguably the largest and longest lasting refugee population (See UNWRA Web Site 2008).

Following the Arab Israeli six days war of 1967, the General Assembly allowed UNRWA to extend essential services to a new wave of refugees, but the mandate was not changed. During the 1987 uprising or *intifada* of Palestinians in the Occupied Territories, the UN General Assembly authorised a modest “passive protection” component to UNRWA’s work that led to a legal aid arrangement and human rights monitors. After the 1993 Declaration of Principles on Palestinian Self Rule in the Occupied Territories, UNRWA began a “peace implementation program” with projects to improve education and health facilities, to construct emergency housing, and other infrastructure, and to provide small business loans. The 2000 collapse of the peace process and subsequent cycle of terrorist attacks and harsh military responses make protection of refugees impossible.

Thus the conflict in the former Palestine is a special UN problem and so it is a special problem for all of us who care about protracted refugee situations to resolve. If there is one message from the January conflict around which progressives might agree, it is a call to pressure our governments to renew efforts to solve it.

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1 UNHCR, *The State of the World's Refugees: Fifty Years of Humanitarian Action*, New York: Oxford University Press, 2000, 20.

2 *Ibid*, 20.

3 *Ibid*, 20.

# ICI RADIO REFUGE : LA COULEUR D'UN RÊVE

*This is a special adaptation for Refugee Update by Sylvain Thibault of an earlier article about "Ici Radio Refuge." During the 2006 federal election a group of agencies organized a session to hear candidates proposals in Montreal and the radio came along to broadcast. At the end, agencies gave their reactions to the candidates on radio and it seemed only natural that asylum seekers and unaccompanied minors present from Montreal's Projet Refuge should also give their views. From this simple beginning, there have been 150 weekly broadcasts of Ici Radio Refuge giving insights into experiences of asylum seekers, refugees and other migrants. The article describes what the regular broadcasts cover, the agencies cooperating, the related support work like research and a blog and what the broadcasts mean for participants and those supervising. Anyone can listen on CINQ-FM 102.3 at 10am Mondays or can go to web site [www.iciradiorefuge.org](http://www.iciradiorefuge.org).*

Au cours de l'hiver 2006, exactement le 12 janvier nous étions en pleine campagne électorale fédérale. La Mission communautaire de Montréal (Ministère social de l'Église unie du Canada) avait, en collaboration avec la Table de concertation des organismes au service des personnes réfugiées et immigrantes (TCRI), organisé un débat électoral sur les questions de l'immigration et de la protection des réfugiés.

Une radio locale, Cinq-fm 102,3, avait déplacé ses studios pour venir couvrir en direct les propos et promesses des 5 candidats à la députation. Ce soir-là, plusieurs anciens et actuels résidents du Projet Refuge (maison d'hébergement de transition pour hommes demandeurs d'asile et mineurs non-accompagnés) étaient présents. Après le débat, l'équipe d'animateurs de cette radio a voulu avoir les impressions des organisateurs sur les propos et promesses tenus par les politiciens présents. Certains du Projet Refuge (PR) avaient alors manifesté le désir de donner aussi sur les ondes leurs propres impressions. N'étaient-ils pas les principaux intéressés après tout! Sur le champ, naissait alors ce rêve de créer une émission de radio animée par une équipe composée d'anciens et actuels résidents du PR et destinée à tout ceux et celles qui se sentent interpellés par ce que vivent les demandeurs d'asile, les réfugiés et les immigrants dans cette quête de liberté et de dignité.

C'est dans un esprit de maillage et de métissage entre les organismes oeuvrant auprès des réfugiés et immigrants que les initiateurs ont offert une collaboration à nos précieux partenaires communautaires. Dans cette belle aventure participent en alternance d'autres organismes frères du Projet Refuge soit le Refuge Juan



Moreno (refuge pour femmes réfugiées et mineures non accompagnées) et la Maisonnée.

Aujourd'hui, plus de trois années et demie plus tard, plus de cent cinquante émissions ont été produites et présentées sur les ondes de Cinq-Fm, la radio multilingue de Montréal. Plus que jamais, IRR a le vent dans les voiles et souhaite développer d'autres moyens de mettre au service de la communauté la voix de ces nouveaux arrivants qui viennent ajouter leurs couleurs à la communauté d'accueil.

IRR c'est bien plus qu'une émission radiophonique hebdomadaire qui souhaite informer et sensibiliser la société d'accueil sur les questions de l'intégration particulière des demandeurs d'asile, des réfugiés et autres migrants, c'est un microcosme fertile pour plus d'une soixantaine de personnes qui y participent de près ou de loin. Tantôt l'animation, la recherche, la création du site Internet et du blog, la technique, le montage, le tournage audio-visuel, le partage de son champ d'expertise, l'expression artistique des talents issus de notre groupe. Tous et toutes y trouvent des champs d'intérêt propres et de nouvelles passions.



Outre l'exploration et l'expression de nouvelles compétences dans les médias, IRR permet aux participants de briser l'isolement en tissant de nouvelles amitiés, de participer aux voix populi de l'ensemble de la population, d'acquérir une expérience de travail pertinente. Ça permet aussi de créer, de fortifier le sentiment d'appartenance nécessaire à l'intégration.

Cofondateur et l'un des animateurs de l'émission, Alfredo partage : « Ici Radio Refuge représente mon arme, une arme pacifique pour exprimer ma douleur et faire valoir les droits de tout être humain. Je tiens beaucoup à cette émission et je sacrifierais tout pour qu'elle se poursuive le plus longtemps possible. Grâce à elle, je suis inspiré et encouragé à trouver des solutions à mes problèmes et par le fait même à trouver des solutions pour l'ensemble de la société dans le monde ».

Pour Alfredo, IRR est aussi un lieu favorisant la guérison. Lorsque j'ai rencontré Alfredo pour la première fois, il présentait des signes du syndrome de stress post-traumatique important. Son passé lui avait enlevé sa force, sa confiance et l'estime de soi. Tranquillement, l'équipe de PR l'a aidé à reprendre le contrôle sur sa vie en lui proposant des outils pour favoriser la résilience. Son implication à IRR qui fut déterminante. Alfredo est aujourd'hui un homme épanoui, plein de confiance en lui et en la vie. Sa reconnaissance pour IRR est incommensurable. Il est devenu l'un des piliers de cette aventure en devenant le coordonnateur de l'émission.

Moise, aussi cofondateurs, a quant à lui trouvé

un boulot grâce à son expérience avec IRR. Arrivé de la République Démocratique du Congo en décembre 2005, il s'est pleinement impliqué dans ce projet lui donnant une toute première expérience de travail en terre canadienne. Cette expérience inscrite à son curriculum vitae a attiré l'œil du comité de sélection qui fut impressionné par la rapidité d'action et par son vif désir de participer activement à l'intégration dans la collectivité. Sa pro activité aura séduit les recruteurs et Moise travaille depuis ce temps pour le même employeur. Un travail permanent qui le passionne. Il donne maintenant des ateliers sur l'implication citoyenne aux résidents du Projet Refuge. IRR fut donc pour lui et plusieurs autres, un tremplin vers l'intégration économique.

Pour la société accueillante, c'est un espace pour découvrir les nouveaux arrivants, les apprécier, apprendre sur leurs espoirs et sur ce qui les anime. C'est aussi un formidable panel de talents à découvrir : animateurs, rappeurs, chanteurs, guitaristes et bien d'autres.

Pour permettre aux familles et amis des participants d'écouter nos émissions depuis leur pays d'origine, nous avons créé un site Internet multimédia. Ce site créé par un réfugié aux talents certains, fut pour lui aussi un tremplin vers l'emploi dans ce domaine.

Vous pouvez nous écouter à tous les lundis matin à 10 heures sur les ondes de CINQ-FM (102,3). Vous pouvez aussi visiter notre site Web à : [www.iciradiorefuge.org](http://www.iciradiorefuge.org) pour y réécouter, en tout temps, certaines de nos émissions produites depuis juin 2006. Bientôt sur notre site Web, vous y découvrirez des vidéos et des capsules audio produites par les participants de IRR. Pour ceux et celles qui sont plutôt *littérature*, des lettres écrites par eux sont aus-



si publiées. Nous vous souhaitons nombreux à nous écouter et à nous visiter sur notre site Internet.

« La radio est une voix qui parle à une oreille. C'est par les mots seuls que l'idée fait son chemin jusqu'à l'esprit de l'auditeur. Puisque les mots portent la pensée, il n'y a pas d'interférence entre la pensée exprimée et l'esprit qui la reçoit »

Michèle Cotta, journaliste

*Sylvain Thibault est Coordonnateur du Programme d'accueil des demandeurs d'asile Mission Communautaire de Montréal. Ce texte est une adaptation de l'article " Ici Radio Refuge : la couleur d'un rêve" paru à l'automne 2007 dans la revue INSCAN.*



## REFLECTIONS OF AN IRANIAN REFUGEE

BY MINOO HOMILY

In the beginning months after the Islamic Revolution in Iran, there was a bloody conflict between armed forces of the regime and the civilians in many parts of the country especially in Kurdistan. I was a teenager during this chaotic situation and worked as a paramedic in a hospital, trying to help injured civilians and to gather dead bodies from the streets. How I could manage to survive these dangerous missions is a long story. But, after the city Sanandaj was occupied by governmental forces, many doctors and nurses were arrested and some of them were executed (Shahin Bavafa, supervisor of the "Shohada" hospital in Sanandaj was one of them).

I could not be excluded from this flood of arrests; but, fortunately, they did not recognize me as a paramedic who had been opposing the regime by helping people. So I was released after 2 days. Months later, however, I was arrested again. And this time it was very serious because I was carrying a leaflet from an oppositionist group.

Going back to that horrible time is excruciatingly painful for me. My jail was more like Auschwitz. I actually spent a long

time in solitary confinement and also in public prisons. Different sorts of physical and mental tortures were and are the routine in prisons of Iran. We were whipped; we were deprived from visiting our families; we were kept in solitary for long periods. But these were not all of it. Describing the horror of the situation is not easy. I witnessed lots of my cellmates being taken for execution. The executioners would sometimes force us to eye-witness the massacre of political prisoners in the courtyard of the prison. And I will never forget their devilish laughter while they washed the blood from the ground.

Let me speak a bit about Fazilat Darayi, who is known to be one of the greatest soldiers of freedom. She was only 18 when they executed her. She was totally innocent and was not engaged in any sort of armed activity against the government. They killed her just for her beliefs. She could have saved her own life if she had abided by the will of the Islamic regime and rejected her beliefs. But she resisted to the last moment, never giving up loving her ideals and exclaiming this love. She was a heroine, yet she was only one of the thousands of women who fought for freedom and gave their lives for a better tomorrow.

Problems of political prisoners do not stop after their



release. A shadow always follows you and at any time they may arrest you again. They exclude you from nourishment from the community and this may force you to experience abusive relationships. In my situation, after years in prison, I became stuck in an abusive marriage. Let me explain that my adolescence had been spent with the smell of blood, prison and torture, execution and gunpowder, having made a rough personality out of me. Consequently, after the prison, I was immature in my natural instincts and with regard to the relationship between man and woman.

This inexperience put me in another prison named marriage, for my marriage was the fruit of a hasty decision without enough knowledge about my husband or about any man at all. A male-chauvinist traditional man was now my new warden. And he wasted some more years of my life by beating, harassing, and humiliating me. More painfully, the current rules and laws of the society supported this man and not me. Therefore I had no choice but to take my little child and escape from the country.

I escaped via human smugglers. Having a little daughter, being chased by a sick and violent husband, having no passport without the permission of my husband, and being a former political prisoner who was watched by the Intelligence system made my escape a dangerous, breath-taking venture; not to mention the danger of being caught by border police either in Iran or in Turkey. But I made it, and I was able to introduce myself to the office of the UNHCR, applying for refugee status.

Having received a negative answer from UN, I was completely disappointed so I decided to get support from oppositionist political parties and human rights organizations. They supported me by holding international campaigns over my refugee status, and it worked! UNHCR was finally forced to reopen my case and to give me my very basic right of being accepted as a refugee.

In fact, the hardships I went through during that difficult and disastrous time in Turkey made me committed to start a broad activity in support of all Iranian asylum seekers. There are many asylum seekers now in Turkey, exactly in the same situation in which I was trapped or even worse. There are journalists, authors and writers, students, and activists, not being really heard by the UNHCR. They are in a very fragile situation and could face the danger of deportation at any moment. Moreover, some refugees even have the acceptance from UNHCR, yet the government of Turkey doesn't allow them to leave Turkey. This specific group of Iranian refugees, about 1,200 people including women and children, entered Turkey from northern Iraq, and they have been in this hard situation for years and years with no end.

When I go back to the root causes of my imprisonment and torture, I state with no hesitation that the Iranian regime is genocidal. This is at the root of its yearning for mass death and suicide. Everybody is aware that Islamic regime of Iran has committed mass murder. Whether or not this is equivalent to the crimes Hitler committed could be the subject of an academic argument, and I don't intend to open such an argument. The Islamic regime committed group executions, and it has been executing thousands of political prisoners who had actually been sentenced to prison and not to death. Many of these victims have been asked three questions, then killed, and then buried in mass graves.

It should not be forgotten that at the very foundation of the religious tyranny in Iran there is hatred of women and the yearning to humiliate and abuse them. To understand the misogyny of the regime we need to go back to 1979 when the people of Iran revolted against the Shah. They revolted because they were discounted and dissatisfied. Under the Shah's regime, women had only a small part of their rights, like freedom to wear what they wished. People revolted in order to improve the awkward economic, political, and social conditions of the country. People knew about Europe, and they deserved a free life. Once powerful countries decided to strengthen the opposition against the Islamic regime, women were the pioneers of this opposition. Women started to defy from the first

days after the revolution, and they stated that "We didn't make this revolution to go backwards."

This objection of women plus the ideological mindset of the present theocratic regime caused the attack on women and all the lovers of liberty in Iran. Although the ideology of the Islamic regime is anti-feminine, this is not the only reason causing the suppression of women. The ruling clerics have to do this also for the sake of their political benefits. In fact, there are many Moslem governments in the world. They, however, do not violate women's right to this extent, because their political situation is different.

Given the present situation, it is difficult to anticipate about the future of Iran. There is surely a way toward freedom, and people are fighting for it. The experience of Iraq, however, shows that people should achieve

liberty all on their own. Any sort of help from outside should be aimed at strengthening people for opposing the medieval regime. Military attack by an outside superpower could result in fortifying the bases of the Islamic regime.

There is definitely a path toward freedom. The present outmoded regime of Iran should be taken over, and its constitution and rules should be destroyed to the last particle. In its ruins a democratic system similar to that of Northern America, Canada, and Europe should be established. People won't be content with less than this. And they fight for their salvation. Our people are to be helped.

*Minoo Homily is a refugee advocate and community activist in Toronto*



Canadian Council for Refugees Spring Consultation  
28-30 May 2009, Quebec City

***Protecting Refugees and Immigrants in Hard Times***

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- Discuss with others experienced in refugee and immigrant integration issues in Quebec and from across Canada.
- Meet more than 300 refugee and immigrant rights advocates and service providers from across Canada.
- Participate in ongoing dialogue on refugee and immigration policy and programs.

Information about the consultation and online registration forms are now available at:

[www.ccrweb.ca/eng/about/meetings.htm](http://www.ccrweb.ca/eng/about/meetings.htm)

***Don't forget to register before May 1st to take advantage of the reduced fees!***



## Bountiful

This Submission was made to the International Bureau of Children's Rights in connection with its Civil Society (Alternative) Report to the UN Committee on the Rights of the Child (CRC): Implementation of The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC).

This Submission focuses on the community of Bountiful in the Province of British Columbia. It outlines concerns about practices carried out within that community that contravene the terms and conditions of the OPSC.

This Submission is drawn from anecdotal evidence provided to, or gathered by Bountiful Roundtable representatives, as identified under "Background."

### **Background:**

Bountiful, located in South-Eastern British Columbia, is a closed community where visitors are not welcome and questions about lifestyle are not answered. Members are taught to distrust non-members.

It is a patriarchal society that empowers a few men to wield absolute control over all members and over every aspect of community and personal life. The structure undermines the social, political, economic and sexual rights of its members who are dependent on the community for social and economic sustenance. Members do not enjoy the rights and freedoms available to most Canadians. This results in victims being particularly vulnerable when an abuse occurs.

Residents practice the religion of the Fundamentalist Church of the Latter Day Saints (FCLDS). Polygamy (an indictable offence under section 293 of the Criminal Code of Canada) is a fundamental tenet of this sect. It should be noted that the main Mormon Church (LDS) prohibited plural marriages after 1904.

There are no spousal support provisions or inheritance rights. Women and children are completely submissive. Any behaviour contravening the "norms" of the community would result in dispossession and excommunication which they deeply fear. There is therefore a complete reluctance to testify or speak out. But some have.

In the wake of a resolution passed by the Canadian Federation of University Women (CFUW), "Sexual Exploitation of Girls in a Polygamous Community" on September 21, 2005, a Round Table was formed in Vancouver, B.C. to address issues in Bountiful.

The Round Table is an ad hoc group consisting of representatives from the CFUW B.C. Council, University Women's Club of Vancouver, West Coast Legal Education and Action Fund, B.C. Teacher's Federation, Canadian Council for Refugees, Vancouver Council of Women, Provincial Council of Women, Vancouver YWCA, various church groups, Status of Women Canada, (since there is no longer a Status of Women office in BC there is no longer a representative) and Altering Destiny Through Education (Creston, B.C.) Daphne Bramham, a reporter with the Vancouver Sun newspaper, and Jane Blackmore and Debbie Palmer, former residents of Bountiful, have attended meetings.

In particular, the following three areas are of serious concern and contravene the CRC and OPSC:

### **Issues:**

1. Cross border trafficking of minors  
CCC, s. 279.01, .02, .03; IRPA s. 37 and s. 117
2. Sexual exploitation of minors  
CCC s.153; and s. 293;
3. Forced labour of minors and lack of access to education  
Independent School Act; (and CRC)

### **Cross Border Trafficking**

It has been reported that young girls are brought across the Canada/US border illegally for the purpose of coerced "marriages" to much older men in Bountiful. Some men have as many as 30 wives. The result is that these plural wives then have Canadian-born babies and eventually obtain landed immigrant status in Canada on compassionate grounds. Bringing girls into Canada illegally is a continuing admitted practice. No "husband" has ever been prosecuted.

Wives who had babies in Bountiful have been permitted to stay in Canada on compassionate grounds. However, for the first time in November 2005, Canadian Immigration authorities refused a humanitarian and compassionate application of a US woman seeking to remain with her children in Bountiful.

Eye witness accounts tell of young girls from outside

B.C., in the presence of the “prophet” simply being “waved through” the Canada/US border.

Members of “Altering Destiny Through Education” have the names of minor girls trafficked into B.C. against their will to become plural wives.

The fact that nothing is done to prevent such flagrant abuse of the immigration laws is particularly reprehensible and negligent because government is aware of the harmful and illegal consequences of these violations to the young girls who are trafficked.

### **Sexual Exploitation of Minors**

The patriarchal structure of the community combined with the secretiveness of the community creates a climate in which the reporting of sexual abuse is very unlikely to occur. It is known that young women (under 16 years old) have been married to much older men. The “prophet” assigns women to their husbands and removes them from husbands at will. “Wives” and children do not have access to external social services without the permission of the husband or father.

B.C. has strict reporting laws concerning suspected child abuse. Professionals such as nurses, social workers, doctors, teachers and dentists are required to report suspected cases. It is known that such abuses occur and are not reported.

Statistics are hard to come by, but material obtained under the Freedom of Information Act by the *Vancouver Sun* indicates that births by teenage mothers in Bountiful are up to seven times the B.C. average. The simple step of obtaining the birth certificates of all babies born would provide statistics but this has not been done.

There is strong public interest in how the government responds to the sexual exploitation of girls occurring in Bountiful. Yet the repeated response of government is to refuse to acknowledge the issues or whether the relevant authorities are engaged in the communities or what programs, policies or practices they may be employing to tackle these serious social challenges. This means that there is, in effect, no accountability to the wider community, to the local community and, just as importantly, no accountability to the real or potential victims of Bountiful or to those who may be trying to protect these children.

### **Child Labour and resulting lack of access to**

### **education**

Independent schools in B.C., funded under the Independent Schools Act, are required to teach mandatory programs according to provincial standards and not to teach any program that promotes or fosters doctrines of racial or ethnic superiority, or religious intolerance. However, the provincial government provides about \$400,000 per year to each of the two independent schools in Bountiful.

It has been alleged that children in Bountiful are being unduly influenced to follow the beliefs of their particular cult, which is a male dominated society, in which women are subservient and producers of children. It has been further stated that women are taught that the only way for a woman to get to heaven is through a man and by being compliant. Part of the cult’s expectation appears to be that children will leave school by Grade 8 or 9, in order to work for the community or to care for younger children, or to have babies. It is a matter of fact that there is an unusually high drop-out rate amongst Bountiful teenagers, with very few completing high school.

In addition, there is documented evidence that many boys have been forced out of the community before completing school to make their own way in life thereby allowing a higher ratio of girls for the older men. There have also been reports of incidents where these boys have been abused sexually.

### **Child labour is one of the main sources of income for the FCLDS.**

Girls have been exploited in Bountiful by being pulled out of school to baby sit and perform other domestic duties. Boys have been exploited through forced labour where hours are long and compensation is far below the minimum wage, or not at all.

In an article published in the *Vancouver Sun* on October 13, 2006, page B1, journalist Daphne Bramham wrote of an FLDS company having “about 20 kids – some as young as six and none older than 13 – barefoot” working at a roofing site in Creston, a town near Bountiful. This was reported to the authorities but nothing was done. The finding was that “it was a family operation and they can do pretty much what they want”.

The same article reported that “it’s not just children that are known to have been underpaid. Young men who have left Bountiful say they worked 60-hour weeks and were paid as little as \$100 and \$200 a month by FCLDS companies. Then they were forced to tithe back a portion to the church.”

The provincial government has stated that school inspectors have been sent into the Bountiful schools on a regular basis, both announced beforehand and unannounced.

The schools remain open, suggesting that no major irregularities have been found. Nevertheless, questions have been raised as to whether inspections have been sufficiently thorough, and concerning the qualifications of the teachers.

An inspection report by an external evaluation committee obtained through the Freedom of Information Act and dated November 2, 2002, states on page 3, "Bountiful Elementary Secondary School endeavors to ensure that its educational program is consistent with the tenets of the Church. Every effort is made to include religious philosophies as direction for daily curriculum. . . 'Our school philosophies are basically nothing more than an extension of our home lives and values'."

In a November 8, 2004 inspection report under "School Philosophy and Practice" it is stated (page 3-4) "The [guidelines] provided by the Ministry of Education will be augmented specifically to include the manners, morals and mores of the pioneer heritage of fundamentalist Mormonism". The external examining committee observed that the religious component was taught through a religion course in each class, with course binders of material for each grade.

### **Conclusion:**

Bountiful is a closed community. Its members do not enjoy the rights and freedoms available to most Canadians which results in victims being particu-

larly vulnerable when abuse occurs.

We are urging the appropriate authorities to examine closely the practices of this community and ensure that appropriate resources are in place to:

- (a) Prosecute cases of abuse;
- (b) Provide victims of abuse with counseling, medical support, and other social services;
- (c) Establish systems to effectively assist those who choose to leave Bountiful, or who have been forced to leave, in making a successful transition from the community;
- (d) Provide exiting rights and protections for wives leaving plural marriages,
- (e) Ensure each student has access to education, taught by certified teachers, that follows the B.C. curriculum and allows students to attain their full potential. If the schools of Bountiful are not fulfilling this mandate, funding should cease.
- (f) Stop cross-border trafficking of women and girls;
- (g) Investigate the practice of young girls being given in marriage to much older men and prosecute any violations of Sec. 153(1) of the Criminal Code of Canada;
- (h) Ensure that members of the community have ongoing access to external community resources that could benefit their health and well-being.

## **REFLECTING ON THE WUSC STUDENT REFUGEE PROGRAM EXPERIENCE AT YORK**

BY ERIC LEUNG, SANGEETA SHAH AND THE SPONSORED STUDENTS  
OF THE LOCAL YORK WUSC COMMITTEE

A local committee at York University is part of World University Service of Canada (WUSC), an international development agency with a network of over 70 universities and colleges across the country whose mission is to foster human development and global understanding through education and training. It is a unique organization able to link post-secondary students with overseas activities. One of WUSC's most rewarding programs is the Student Refugee Program (SRP). It is through this program that local university or college committees are able to sponsor refugee students who are fleeing war or persecution in developing countries and to help them to continue their studies in Canada. WUSC recently welcomed its 1000<sup>th</sup> sponsored student. We take this opportunity to reflect on the WUSC Student Refugee Program

experience at York.

Over the past three years, the WUSC local committee at York has sponsored five students. The students have come from various countries such as Rwanda, Burma, The Democratic Republic of Congo and the Sudan. Although they came from various parts of the world, they all share something in common: they left everything behind in their home country and sought protection in refugee camps in another country. Each student can attest to the poor conditions in those refugee camps be it in Asia or in Africa.

The prospect of an uncertain future always occupied the students' minds because none knew when civil conflict and/or authoritarian dictatorship would end. Also, students were always concerned about where members of their fam



## 40th anniversary of the Refugee Convention in Canada

In 2009, the CCR invites you to mark the 40th anniversary of the Refugee Convention in Canada using the theme 'Recognizing success, Acting for Change'. Forty years ago, in June 1969, Canada signed the 1951 Convention relating to the Status of Refugees (the Refugee Convention). Canadians can be proud of many accomplishments to protect refugees over the past 40 years, but there is still a lot to do. See <http://ccrweb.ca/files/40thanniversaryRefugeeConvention.pdf>

### Take action:



**Canada must sign the Stateless Convention**

Write to the Minister of Foreign Affairs to ask that Canada sign the 1954 Convention relating to the Status of Stateless Persons



**Canada must give refugee claimants the right of appeal**

[Meet with your Member of Parliament](#). Ask him/her to vote in favour of Bill C-291 to implement the Refugee Appeal Division in Canada

[CCR campaign on the Refugee Appeal Division](#)

Write to your Member of Parliament: [suggested model letter](#).



**Canada must reunite refugee families quickly**

- Have organizations in your community endorse the [Family Reunification Manifesto](#)

- [Meet with your Member of Parliament](#) about the effects of separation on families in his/her riding

[CCR campaign for Speedy Family Reunification](#)

- Organize a public screening of ['The Cost of Separation'](#)



**Canada must resettle more refugees**

[Write to the Minister of Citizenship and Immigration](#) urging that Canada resettle more refugees, such as Palestinians in the Iraq-Syria border region

[CCR campaign for increased settlement of Iraqi refugees](#)

Photo: International Refugee Committee

[CCR campaign to resettle refugees from Guantanamo in Canada](#)



**Canada must eliminate the burden on refugees of transportation loans**

[Write to the Minister of Finance and the Minister of Citizenship and Immigration](#) urging them to absorb the costs of transportation loans for refugees

[CCR campaign to have Canada eliminate the burden of transportation loans on refugees](#)

[Meet with your MP](#) to call for the elimination of the loan burden.

*(WUSC continued)*

ily were because it was chronically difficult to establish communication from the refugee camps. Life in refugee camp is challenging and hard. Living in fear tests character. It is hard not to be able to change your circumstances for the better. All of the students want a normal life: to re-connect with family, to enjoy a life free from fear and to be able to pursue their dreams and aspirations.

The sponsored students learned about the WUSC Student Refugee Program while studying English as another language and pursuing educational opportunities in the refugee camps. The program allows sponsored students an opportunity to pursue post-secondary education in Canada and launch a new beginning here. At the same time, it enables Canadian students, faculty and the broader public to learn first-hand about refugee and development issues.

The arrival of a student, usually before the academic year begins, is an eye-opening experience. In learning about the student's experiences, trials and tribulations, it becomes apparent that there are vast privileges, wealth, and opportunities available for students here in Canada. Arriving in a new country with many new things to familiarize themselves with, culture shock for a sponsored student is an important concern for us as we want to ease their transition and resettlement in Canada.

The WUSC head office in Ottawa also trains local committees on what to expect with the arrival of the student, such as providing care, and showing the student around the local community. The first couple of weeks, as our committee learned, are crucial, and it's important to give orientation to a typical student's routine, from grocery shopping, eating out, using the transportation system, banking, using phones and phone cards, obtaining the Ontario provincial healthcare coverage and the Social Insurance Number card.

The excitement, appreciation, and strength of our past and present sponsored students – despite all their hardships – has been inspiring for our local committee and it is rewarding to know that you've helped make a difference in someone's life. WUSC enables students to get involved in a pragmatic way. The experience of participating in the WUSC local committee has greatly impacted each member and made us aware of an international responsibility as well as an appreciation for democracy. Currently, the SRP program is funded at a grass-roots level through a student-levy at York. However, more can be done because the issue of refugees and forced migration is an important matter that needs further advocacy, awareness and funding. Today, our sponsored students are no longer formal refugees as they arrive in Canada as Landed Immigrants. Although their refugee past will always be part of them, it has made them stronger human beings and it will not define their future.

## **AGENCY PROFILE**

### **ANGLICAN UNITED REFUGEE ALLIANCE (AURA)**

AURA, formerly known as the Working Group on Refugee Resettlement and founded in 1985 by the Anglican Diocese of Toronto and the Toronto Conference of The United Church of Canada, is a non-profit organization mandated to facilitate private refugee sponsorship and provide service to newcomers in the greater Toronto area. AURA is a charitable organization governed by a Board of Directors and operated under the auspices and with the support of the two founding churches. For matters of private sponsorship, AURA represents the Sponsorship Agreement Holder (Anglican Diocese of Toronto); it also serves as a key component of the United Church's national refugee network.

AURA's primary objective is to encourage and assist its member churches –within the Toronto diocese/conference area- to respond to refugees in need of protection. As such, it is committed to consciousness-raising and public education across the church and the broader community. AURA is committed to supporting the successful integration of sponsored refugees

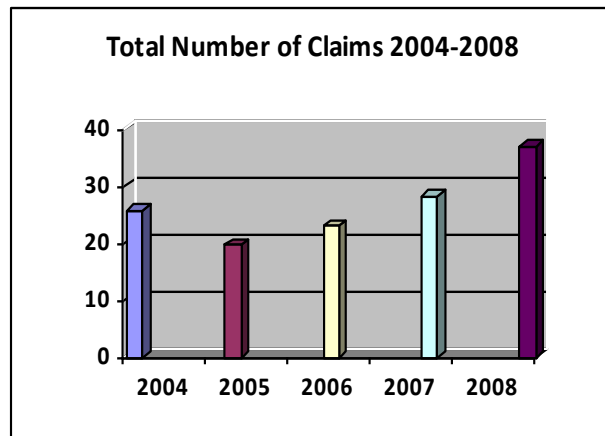
(permanent residents) into Canada and to involving the church community, through refugee sponsorship.

AURA advocates for just responses to all 'uprooted people' but most particularly for those who could be served by the sponsorship program. In that particular, AURA equips and supports sponsorship groups in their active sponsorship of refugees by embodying the denominations' beliefs that the well-being of the community requires active and informed civil engagement.

AURA assists immigrants and refugees with indirect service, through informed, supported sponsors; it also participates in newcomer information sessions to assist newcomers with their immigration concerns. AURA is also one of the many Canadian Council for Refugees (CCR) member agencies working together in a variety of ways with refugees.

AURA  
2723 St. Clair Avenue East  
Toronto, ON M4B 1M8  
Phone: (416) 588-1612

## REFUGEE CLAIM STATISTICS 2008



### BY REGION

Region where claims made:

56% in Ontario

35% in Québec

6% in BC

2% in Prairies

### TOP 20 COUNTRIES OF ORIGIN IN CENTRAL REGION

Mexico, China, Colombia, Haiti, Sri Lanka, Nigeria, Czech Republic, St. Vincent, Somalia, St. Lucia, Zimbabwe, Jamaica, Afghanistan, India, El Salvador, Pakistan, Israel, Hungary, Eritrea, Thailand.

### 2009-2010 National IRB Forecast

IRB is forecasting a 25 % increase in the number of claims. The expected top 3 countries: Mexico, Colombia and Haiti

### SAFE THIRD COUNTRY

For those exempted from safe third country, 61% were exempt based on moratorium countries, and 22% based on family.

There were 378 minors recorded as principal applicants among claimants at the border (4% of all claimants).

Male claimants at the land border outnumbered female: 53% to 47%. (The proportion has been constant for the past 3 years).

### DETENTION OF REFUGEE CLAIMANTS

Number of adults detained: 599 (Apr. 08 to Feb. 09)

Number of minors detained: 160 (Mar. 08 to Feb. 09)

Average length of detention for minors: 0.4 months (Feb.08 to Jan. 09)

## REFUGEE UPDATE

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