



Episode 6

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Refugees' double fight:

Escaping home & surviving the host



This is a transcript from [CIVICUS Voices](#) - a podcast series produced by CIVICUS. In this 6-part series, we will be joined by civil society experts and on-the-ground activists to tell us about their experiences with protesting.

Aarti Narsee (Host)

Welcome to CIVICUS Voices. I'm your host Aarti Narsee, a Civic Space Research Officer at CIVICUS. We're nearing the end of our second season of this podcast, where we looked at the Freedom of Peaceful Assembly, or the right to protest. Looking at activists and organisations defending the strike globally. For our final episode, we're going to be exploring the role of refugees in protests. I'll be talking to a researcher at Human Rights Watch, who works in the Refugee and Migrant Rights Division. And later in the episode, we'll hear from a Sudanese refugee who's been advocating for refugee rights.

But let's start off this episode with some contexts, which I hope will explain why exactly this conversation is such an important one to have. At the beginning of 2022, there were more than 27 million refugees worldwide, with over 53 million people internally displaced in their home countries. In the past decade, the number of refugees globally has doubled. People have been forced to flee their homes because of war, conflict, torture, and violence in order to seek safer environments. But in recent years, climate change has even added to this equation. floods, droughts and heat waves taking place in certain regions are so brutal and deadly, that people feel obliged to leave and seek refuge elsewhere. And as global displacement reaches all time highs, the right to seek protection has never been more important for people. This is a fundamental right that is enshrined by international law. But despite this, refugees face inhumane treatment, including brutal pushbacks that result in death, and discrimination. Protecting people forced to flee is a collective global responsibility. Once they are physically safe, refugees and asylum seekers should have the opportunity to heal, learn, work and thrive. But often this isn't the case. And for this reason, refugees take to the streets to protest to demand the fundamental rights to ensure that their voices are heard and that their concerns are addressed.

For more on this, I'm speaking to Nadia Hardman, a researcher in the Refugee and Migrant Rights Division of Human Rights Watch, who monitors and documents human rights abuses against asylum seekers, refugees and migrant populations. Nadia has worked with refugee populations from Syria, Iraq, Myanmar, Thailand, and Palestine. Nadia, thank you so much for joining us on CIVICUS Voices.

Nadia Hardman (Guest 1)

Thanks for having me.

Aarti: Nadia to get us started, could you please break down for us what the international law says, in regards to refugees and asylum seekers, for example, is the right to Freedom of Peaceful Assembly included under these international laws?

TNadia: It's a really good question. It depends to be honest on the country that you're talking about, as to what rights a refugee or asylum seeker might have. There's lots of international law that States can sign up to that protects the rights of asylum seekers and refugees and displaced populations. But not all States have entered into those agreements. So there's like the Refugee Convention, which is, you know, the kind of basic treaty in international law which gives asylum seekers and those who have refugee status who have basically been determined to be refugees, a lot of rights, and you know, that's great. And then it gives them access to residency, and usually the right to work in a country, etc. But lots of States haven't entered into those agreements, but it doesn't really matter. You know, the refugee protection regime basically sets out a way in which an individual who's had to seek protection in another country can live a life and participate in dignity in a way that's kind of documented and protected. So the Refugee Convention does that. And lots of States incorporate it into their domestic law in some States go farther than that. And they give, you know, a lot of protections to allow people to live and work in a fully participatory way. But the countries in which I work, you mentioned Myanmar, you mentioned Syrian refugees, and a lot of the countries were displaced populations from you know, these areas refugees, basically, in neighbouring countries like Lebanon and Turkey and Thailand, you know, further hinder Myanmar they haven't entered into these international agreements, they haven't signed up to the Refugee Convention, but international human rights law still applies. And the most important principle is that you can't send someone back to a place where they could face torture or a serious harm. So you know, even if they haven't ratified the Refugee Convention, it doesn't matter, they can't be sent back. Although, you know, oftentimes they are. When it comes to the right to public participation to freedom of protest, there isn't like a separate regime for asylum seekers or refugees, the same laws would apply. But the problem that you find and again, the places where I work, most refugees, and asylum seekers and displaced populations generally don't have access to documentation. So because the State hasn't ratified the Refugee Convention, and because they don't provide for a lot of the ways in which you know, you can protect someone's status in a country because they fled persecution in another, they are undocumented, they don't have a right to public participation or to work, so their freedoms are curtailed. And that's just at a basic level. At a more draconian level, these refugees are actually kind of ghettoed into areas, forced to live under the radar, self censor themselves, don't move around, you know, live in informal settlements, are really off the grid, just so that they are not noticed by the refugee host country. And, you know, the right to protest, the right to- doesn't really mean anything, if you're just scared to even go to the local shops and buy your groceries. So it's not that that right doesn't exist because it exists for people and of course, just generally an international law, you can limit certain rights. And you know, public participation is one of that and favoured national security at times. It's not a right, which applies always or prohibition, which plays always like the prohibition on torture is never something that can be curtailed, whereas the right to protest can. But you know, that aside, I would say that where I work, and the populations I'm dealing with, and I work in the countries that have the most refugees in the world, like Turkey, Lebanon, which has the highest per capita population of refugees in the world, that right is pretty meaningless, you know, when going to the hospital is a frightening prospect, because you are undocumented, you could be picked up, you could be arrested, and you could actually be deported to Syria, for example.

Aarti: Now, throughout the season, we've been speaking about the Right to Peaceful Assembly, and how powerful it can be in bringing about change. Would you...your work... have witnessed or seen any sort of change coming about for refugee rights, through protests or through other forms of activism.

Nadia: Look, fundamentally the activism of that. So you see many refugee and displaced communities, you know, are well empowered themselves to publicly participate. It's just as I said, the areas in which I work, that ability, you know, has to be weighted against the authorities long arm, which could extend to arrest, detention and deportation. I mean, we've seen instances where the protesting gets media attention. So for example, you know, Afghans right now in Indonesia, are waiting out many, let's say, years of resettlement claims, you know, living a life of limbo, almost by not having access to employment or basic services, while they wait out an opportunity to be resettled elsewhere. And, you know, they protested in front of various institutions, and this got media attention, whether it brings about any kind of lasting change is something that, you know, is difficult to measure, particularly where I work. I would say probably in other contexts, this has brought about potentially change. But yeah, it is difficult, where I am working to see the kind of change that would ensure people just have access to the basic rights. And I mean, particularly right now, where we've seen such a solidarity and outpouring of sympathy for Ukrainian refugees. I've seen a lot of refugee communities in other parts of the world, you know, raise their voice and say, but, you know, why is our claim for asylum not equal to the Ukrainians' claim for asylum? And that is a well said and well heard.

Aarti: I think that's an incredibly important point that you made, the disparity in the way refugees are treated, depending on which part of the world they reside in, has been quite struck and highlighted, particularly with the Ukrainian crisis. Obviously, as someone who advocates for change, what sort of critical change would you like to see in the work that you do in terms of refugees being guaranteed basic human rights?

Nadia: I mean, it's a big question. I think right now, I would say in the current context, and everything playing out in the world, the dismantling of the idea of a good and bad refugee. The fatigue that States feel is generally associated with protracted conflicts like the Syrian conflict like genocide, Myanmar, there's so many different areas where displacement crises are protracted and the fatigue of the humanitarian sector and donor funding follows new crises. So Ukraine is the new big crisis and of course, should attract major amounts of funding and solidarity. But you know, what I see is this division between a perception of good and bad, real and unreal asylum claims, if you like, or groups being labeled as economic migrants. Everyone has the right to have their asylum claim, you know, tested, no one should be sent back to a country where they could face serious harm, or torture. And these principles, you know, should be upheld, no matter where you're from, and most importantly, no matter what colour your skin is, because really, that's what I see, it's about in today's world, and that is not okay.

Aarti: Lastly, Nadia, what can civil society in the international community do to support the causes of refugees and their rights?

Nadia: I mean, I think the fundamental premise on which refugees and displaced populations flourish is integration into communities. People want to work, people want to contribute, people don't want to be branded a refugee that needs services and assistance and you know, are essentially 'beneficiary', the terms that the humanitarian sector give them. They want to contribute. And it's been shown that the more economically integrated a refugee is, the more kind of resilient and robust they are. And I mean, that has an impact in all positive ways. If you squeeze someone, if you, you know, force them to live off aid, if you basically, you know, push them so far under the radar, their ability to contribute to society is extremely limited. And so for me, it's..it's a recognition that migration is positive, that refugee standards are international legal standards, and that we should be creating legal and safe pathways everywhere we can to, you know, allow people to seek refuge, this very fundamental principle of international law.

Aarti: Nadia, thank you so much for joining us and CIVICUS Voices.

Nadia: Thank you.

Aarti: So Nadia really touched on some important points, particularly on how different the stakes are for refugees. When it comes to the right to protest. They face restrictions, they might face further detention or deportation. So that right is not as accessible as it is for other people who might take to the streets to protest. The other point, which I think was really important to make, which Nadia did, is the disparity in the ways in which refugees are treated. This idea of good versus bad refugees, particularly based on the geographic location of the person, or the race of the person. And this sort of discrimination that takes place within refugee communities and countries who are working on relocation or protection for refugees really needs to be tackled globally.

For more of an underground perspective, we have a story of Abdul Aziz Muhammat. Abdul Aziz is a Sudanese refugee who became an advocate for refugee rights, all under long-term detention at the Australian Government detention center in Papua New Guinea. In 2019, he was awarded the Martin Ennals award for his tireless work on behalf of his fellow detainees. Here is his story.

Abdul Aziz Muhammat (Guest 2)

The reason why I actually I stand up for the rights of the refugee its because where we were at Manus Island, it's a place where if you don't speak, no one will notice your existence. Because this is a specific area that Australian government has deliberately decided to use it as a hidden spots. They decided to put people on Manus Island so that they can send a strong message to whoever wants to come to Australia by boats or want to seek asylum from Australia that you are not welcome and don't come to Australia. That was actually the message that they want to send. The simplest way for me to describe the environment in that place is just like a hell. It's really worse than a prison.

Because if you are in a jail, you know, based on your crime that you have committed, or based on the sentence that the judge or the jury had decided, you know, you will spend your time in jail. But on Manus Island, actually, Australia stands as a judge as a jury and as a lawyer and as executor which means that there is no time limit, you can stay for 10 years, 15 years, no one knows how many years you're going to stay. And that was what is really motivated me to say "I have to stand up. I have to speak on behalf of all of my friends." And it wasn't only me who actually took the stand someday I decided to speak publicly, someday decided to write a book about it. Among our strategy at the beginning to stand up for our right was to protest. In our protest was chanting "What you want freedom? What do you want? Freedom". And actually, it was a strong message. At that time, we were asking the authority that "Could you just process us? We want to process. We want to know whether we are refugees or not". If we are refugee, we deserve to stay. I mean, if we are not refugee, we have to find another alternative option, we cannot just stay there and eat and sleep like in animals. And the response of authority was pretty horrible. In early 2014, they march in, they kill deliberately one of the asylum seekers in front of us. And it was just to send us a strong message that "Do not protest, you have to stop protesting. Otherwise, you will end up being like your friends." So the reaction of authority has actually encouraged us and give us more ideas that this people, if we don't stand up, we are going to be in this place, or incarcerated maybe for 10 years, or maybe for 15 years. So we have to find an alternative way to stand up. And that way actually is a hunger strike. So we cut off food and drinks for 14 days. Anytime when someone actually collapse or lose the conscious what happened is like they will take you to the hospital, and then you get a drink. And then the moment you gain your consciousness, you ripped it off, and then you walk back to the center. So that was actually one of the powerful protests to a point that even the authority in the country, I mean, in Australia, they start shaking upside down. And they send all the service providers, for instance, like the case workers, they took them out of the island, and they start bringing more nurses and doctors because things are getting out of control. So what happened at the end, they decided to victimise another handful of people. So which means that they play the tactic of if we can pull out all the levers will break this hunger strike with this protest, and it works perfect. The moment when we have been pulled out of the detention center sent to a prison, the hunger strike actually lasted for another 48 hours, the authority decided to use this strategy by saying, "Okay, we took your leaders to the prison and we are going to deport them, we are going to actually sentence them in prison and we are going to send them back to deport them back to their country of origin". And that was actually sort of an a scare tactic that they have used and people they decided to eat.

Aarti: That was Sudanese refugee and activist Abdul Aziz Muhammat. And what Abdul Aziz was speaking about is how protesting can manifest in different forms. They spoke about how they were protesting in the detention center chanting for freedom, and how the protests evolved to hunger strikes, where the refugees decided to stage a hunger strike for number of weeks in order to get the government's attention. And I think a hunger strike in particular is incredibly difficult, where the refugees are putting their lives on the line. But it also highlights the different forms in which protests manifest given the situation in in this case, refugees demanding for the fundamental rights in a detention center.

But I also think what Abdul Aziz highlighted again here, and this is something we've heard early on the show is how the stakes for refugees are so different. The restrictions that they face are incredibly harsh, from harassment to targeting of refugee leaders, as in the case of Abdul Aziz and the people in the detention center. So I think that what we need to realise is the right to peaceful assembly, while it is a fundamental right, not everyone has equal access to this right. And particularly in this episode, we are seeing that refugees have to fight even harder to demand the fundamental rights and find alternative ways because protest is not always something that is accessible to them.

That's it for this episode and for our second season of CIVICUS Voices. I hope you found our conversations as insightful as I have. And I hope you've learned something about the Freedom of Peaceful Assembly, and about the people and activists who are tirelessly defending this right globally. From South Africa to Myanmar, Palestine to Pakistan. I want to thank you for joining us on this journey in exploring the different contexts and consequences of protests and protest action. If you want more resources on this topic, make sure to visit our CIVICUS platforms, or check out the work being done by organisations like Human Rights Watch.

If you've missed any of the episodes this season, be sure to go back and have a listen. You can find CIVICUS online and on Twitter, Facebook and Instagram. Subscribe, listen and rate the podcast on your favorite podcast app. Thank you to all our guests the season for taking the time from the vitally important work that they're doing to share their expertise and stories with us. And thank you to you, our listeners. We really look forward to having more conversations about these issues, and continuing to shine the spotlight on organisations where defending fundamental rights.

Civic voices is produced by Amal Atrakouti, Elna Schutz, Jamaine Krige, and the CIVICUS team.

My name is Aarti Narsee. And until next time, goodbye

