

AI Index ACT 34/02/97

*Respect my rights
Refugees speak out*

amnesty international

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Refugees speak out

Women and men who have been forced to leave their homes speak out in this booklet, describing why they fled and how they were treated when they sought protection. Millions of other people could have told equally harrowing stories.

Amnesty International staff and volunteers spoke to people in more than 40 countries about their experiences of being uprooted. Hundreds of refugees came forward, even though they found it painful to recount the horrors, indignities and violations they had suffered. They hope that their words might help protect others from a similar fate.

We thank them all for their contributions.

What is Amnesty International?

Amnesty International is a worldwide voluntary human rights movement that works impartially for the release of prisoners of conscience, fair trials for political prisoners and an end to torture, "disappearances", political killings and executions. Amnesty International campaigns to stop anyone being returned to a country where they would be in danger of these abuses. The organization is financed by its million-plus members and supporters around the world and accepts no money from governments.

(C)

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Every day people make the agonizing decision to leave their homes, communities and countries because they are afraid. They are afraid for their lives. Few can afford to escape by air. Most take to the road on foot, heading for the nearest border.

They flee war, terrified that they will be attacked or caught in the cross-fire. They flee persecution, frightened that they will be imprisoned, tortured or executed. Their fears are based on real suffering, real threats or the real experiences of friends and neighbours.

Every single refugee is the consequence of a government's failure to protect human rights. Some governments commit violations. Some tolerate them. Others are unable to prevent them. Fifteen million refugees are a massive indictment of the world's governments. A further 20 million people are internally displaced. They have been forced to abandon their homes but are still within the borders of their country of origin.

Refugees are entitled to international protection. Their fear of persecution, discrimination or human rights violations should guarantee them sanctuary. Yet governments are increasingly ignoring their obligations.

States are going to great lengths to prevent asylum-seekers entering their territory. Armed border guards block their passage. Airlines refuse to let them

fly. Hostile immigration officials deny them asylum. Visa restrictions curtail their options.

The richer nations are also failing to help the poorer states that host the overwhelming majority of refugees. As a result, countries that have traditionally welcomed refugees are now turning them away.

The international system to protect refugees is in crisis. And each time it fails, a life is put at risk.

Refugees are not asking for charity. They are simply asking for their rights to be respected. Refugees should not be dismissed as a job threat, a housing need, or a welfare problem. Any one of us could become a refugee. Every one of us has the right to seek refuge.

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“There was always a moment when I could not feel any more pain... then they would put matches between my toes, light them and see whether I still reacted.”

This young man deserted from the Iraqi army and narrowly escaped execution. He sought refuge in the Netherlands. Today he is studying engineering and putting back together the pieces of his shattered life.

[BOX]

Refugees do not leave their homes on a whim. Some have fled an immediate and terrible threat. Others have decided to leave their country after a long and agonizing period of uncertainty, when all other options have failed. All are forced to leave behind their homes, friends and livelihoods. All have had their lives turned upside-down by forces beyond their control.

[120 words]

[PAGE 5]

“Someone told me my children had been killed”

Rivera Kalenzo fled to Tanzania with her two youngest children when she heard this news. Her four eldest children had been killed when soldiers attacked the market at Bucana in Burundi.

[box]

Most of the world's refugees have no choice about their escape route. They go to the nearest border carrying their possessions on bicycles and carts or on their backs. More than two-thirds of them are in countries of the south - the countries with the least resources. Fewer than one in 10 reach industrialized nations.

[PAGE 6-7 SPREAD]

“People often ask what it was like, but most people don't listen when you tell them how bad it really was”

A Bosnian woman refugee

[page text]

Fear and flight

Behind every news story of refugees arriving at a border point, beach or airport lies a human rights tragedy. Every refugee has escaped violence or persecution.

Some have seen their loved ones massacred, their homes destroyed, their crops ruined by soldiers or armed groups in one of the world's many violent internal conflicts. Merciless warring factions have torn some countries apart, using murder, mutilation and terror to dominate their patch of territory. The people in their path have only one option -- flight.

Other refugees are escaping ruthless governments. Some are critics who have been jailed and tortured; some are on the wanted list. Some have been targeted because of their ethnic origin, language or religion. All know that it is too dangerous to stay where they are.

Refugees are at risk of human rights violations that the international community has agreed should not be tolerated.

It is time that governments took responsibility for refugees. They must ensure that all receive the protection to which they are entitled. They must share the costs. By breaking their own commitments to refugees they are betraying millions of women, children and men who desperately need help.

[PIC CAPTION]

A mortar crater in a Sarajevo street

(c) Peter Andrews/Katz Pictures

[page 8]

“My cousin Francisco fell into a UNITA ambush. He was shot in the head and killed. Then they cut him into pieces.”

Augusto Gomes fled his home town in Angola as he too feared for his life. Because he crossed no border, he is not technically a refugee but one of the world's millions of internally displaced people.

[box]

Powerful governments supplied, armed and encouraged the conflict in Angola, knowing that their allies were committing human rights abuses. Some 1.5 million people were internally displaced and 320,000 became refugees. Those governments should share responsibility for the human costs of such wars and for the legacy of continuing violence.

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“I cannot go back as I fear that my children and I may be kidnapped or killed”

Mariam Azimi, a 35-year-old Afghani women's activist, hiding in a church in Norway in mid-1996. She was terrified of being sent back to Pakistan, where she originally sought refuge, because women who share her views have been assassinated in the refugee camps by Afghani armed groups. Norway rejected her asylum application and was intending to deport her to Pakistan, saying she should claim asylum there.

[box]

Many refugees are being returned to countries through which they have travelled in their search for asylum. These "safe third countries" are often anything but safe. Some, like Pakistan, have not even ratified the UN Refugee Convention.

A state can only return an asylum-seeker to a third country if it has received guarantees that the person will have access to fair and satisfactory asylum procedures and will be protected from forcible return to a country where they would be in danger. Even this minimum obligation is being breached every day.

[PAGE 10 -11 spread]

“My story did not interest the men from the ministry, they did not want to know. I was getting very angry because I simply had enough of being treated like a criminal.”

A refugee from the former Yugoslavia speaking of his experiences in Ireland

“Everybody knows there is no hope of being recognized as a refugee”

A refugee from Bangladesh in Japan

“I once thought Europe welcomed anyone who fought for democracy. I was wrong.”

An Iranian woman refugee

Refugees have rights

Over 40 years ago the world's governments agreed that anyone who fled their country in fear of persecution should be offered international protection. The memory of the Holocaust and the disorder following the Second World War prompted the international community to promise sanctuary to all those whose fundamental rights were at risk.

Governments accepted the principle of *non-refoulement* -- that no one should be forcibly returned to a country where their life or freedom

would be threatened. This was recognized as an essential means to guarantee the fundamental rights enshrined in the Universal Declaration of Human Rights.

In 1951 the UN Refugee Convention was agreed. This defines a refugee as someone who:

"... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country..."

The Convention was updated and supplemented by a 1967 Protocol, and in subsequent years regional agreements in Africa and Latin America broadened the refugee definition and extended protection to groups fleeing generalized violence, as well as persecution.

Today, the international system for protecting refugees is in danger of being rendered irrelevant. Some states refuse to ratify and implement the refugee treaties. Many are flouting the provisions of international refugee law, challenging its premises and refusing to honour their responsibilities. States which break their promise to protect refugees are undermining international human rights guarantees. They should be exposed and challenged.

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*Who breaks an important promise
Who does not keep his word
He also breaks his consciousness
And breaks his happiness.*

Gjergj Komnino, a 76-year-old Albanian, wrote this poem in Italy while awaiting a decision on his asylum claim. He died in 1996 before that decision was made. He had spent 25 years in an Albanian jail for "anti-communist crimes".

[box]

Every year countless people are denied their basic rights as refugees. Some are kept waiting in agonizing uncertainty for years, never knowing whether they are safe. Some are sent back to the arms of their persecutors.

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“After one week in Sweden, I was returned to Turkey”

Assam fled Iran after the authorities summoned her for interrogation. She knew she would be tortured or killed if she went, and escaped to Sweden via Turkey. The Swedish authorities breached international refugee law by sending her back to Turkey, saying she should have applied for asylum there, even though Turkey was not a “safe third country” for Assam.

Assam managed to return to Sweden and eventually received refugee status.

[BOX]

Turkey does not recognize as refugees individuals from the two largest groups of asylum-seekers in the country -- Iraqis and Iranians. Many have been sent back to their countries of origin to face torture and other human rights violations. Turkey has refused to extend protection to refugees from outside Europe.

[PAGE 14 -15 spread]

"It was horrible having to wait so long for a decision. When I think back it was like torture, every day seemed to be as long as a year."

An Iranian refugee

"I was shocked and upset because I hadn't expected to get a reception like that"

A Turkish refugee and former prisoner of conscience describing his reaction when he was made to strip by an immigration official in Sweden

Asylum procedures

Decisions on asylum applications can mean the difference between life and death. Yet every day officials around the world make rulings that flout international refugee law.

Border officials often refuse to allow asylum-seekers to enter the country. Every asylum-seeker has the right to have their case referred to a responsible authority. Border officials should never be allowed to reject an asylum-seeker.

Many refugees find the asylum process confusing, frightening and humiliating. Often they are greeted with hostility and disbelief by people who are totally ignorant of the countries they are fleeing. Often they

are too frightened to tell intimidating officials what has happened to them.

Sometimes they do not describe their persecution because no one has bothered to ask them. This is later used to deny them refuge. Sometimes there is no interpreter, or an interpreter who translates falsely, either through ignorance or malice. Sometimes asylum-seekers are not told why their application has been rejected and are denied legal assistance to make an appeal.

Asylum procedures are only fair and satisfactory if:

- the decision-making body is independent, expert and free from political interference;
- every asylum claim is personally examined by a qualified interviewer with expertise in international human rights law as well as international and national refugee law;
- women asylum-seekers are interviewed by a woman;
- competent, qualified and impartial interpreters are available at all times during the process;
- every asylum claim is dealt with individually and thoroughly;
- effective legal assistance is available;
- asylum-seekers are given reasonable time to prepare their case and seek legal advice;
- asylum-seekers who have fled without relevant documents are given the benefit of the doubt in light of their special circumstances;

- there is a full right of appeal to a different independent body;
- the asylum-seeker has the right to stay in the country until the final outcome of the appeal.

[pic caption]

Refugee files at a screening office in Sungei Besi Transit Camp, near Kuala Lumpur, Malaysia

(c) Howard J Davies

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"I know I am a Palestinian and a stranger to this society. But I start to feel that I belong to this society and it belongs to me."

Fawaz Houssein el-Hanafy fled persecution in Kuwait, the country of his birth, after the 1991 Gulf War. As a Palestinian, he had no "home" to return to. After a long legal battle, Japan eventually granted him refugee status in 1995.

[box]

Some three million Palestinians are without nationality and without the right to citizenship in any country. They are, as they have been for nearly half a century, the largest refugee population in the world.

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“I shouted and cried for help when they were kicking me with their boots.”

When Goma Sapkota was released from her torture three days later, she immediately fled Bhutan. She now lives in a refugee camp in eastern Nepal.

[box]

Around 90,000 refugees, the great majority of whom are Nepali-speaking people from southern Bhutan, are in camps in Nepal. Some of them have been stripped of their citizenship and forcibly exiled, in breach of international human rights standards. No agreement has yet been reached between the governments of Bhutan and Nepal about which of the refugees will be able to return home or when.

[PAGES 18-19 CENTRE SPREAD]

"It is so sad to leave family. But I said to myself that I could meet my family somewhere, sometime, if I could stay alive."

A refugee from the Middle East

I have a name

When pictures appear of faceless people crammed into sprawling refugee camps, it is easy to forget that each one is a unique individual. Each has childhood memories, family and friends, a life story with its share of joys and pain. Each still nurtures hopes and dreams.

This uniqueness does not disappear when large groups of people have been forced to abandon their homes. Yet all too often, they are treated not as human beings with individual rights, but as an irritating fragment of a troublesome mass.

Border officials greet them with suspicion not sympathy.

Immigration officials treat them as criminals not victims.

Refugees tribunals are guided by quotas not international standards for refugee protection.

Politicians scapegoat them to divert attention from their own failures, putting them at risk of racist violence.

In host countries, xenophobic lies and half truths are spread, which obscure the individual tragedies of those seeking shelter. People are led to believe that “aliens” and “migrants” cause economic problems. They are not told that refugees are different from other migrants, and that to refuse them sanctuary can condemn them to torture or death.

In such a climate, people who would normally go to enormous lengths to help their neighbours or even strangers can lose their instinctive compassion.

That is why we must all remember that every refugee has a story -- a story of repression and abuse, fear and flight.

We must learn to see that every man, woman or child refugee represents a failure of human rights protection somewhere in the world. That failure was not their fault. They should never be blamed.

[pic cap]

*One refugee stands alone on the Rwanda/Zaire border.
Two million other women, men and children fled
Rwanda after the genocidal violence of 1994.*

(C) Tom Stoddart/Katz Pictures

[PAGE 20]

“I ran from the war and came to Ghana. But I am old. I can’t walk. I can’t run. I have forgotten how to smile.”

Mary Dunawoogy fled the civil war in Liberia in 1993. She is now 93 years old and is waiting eagerly for the day she can return home.

[Box]

Three-quarters of Liberia’s population have been driven from their homes by a civil war that has cost 250,000 lives. About three-quarters of a million have found asylum in other West African countries and at least a million are living in camps for the internally displaced.

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“I prefer you do not use my name and how I was arrested or any information that allows the regime to identify me. After this time, my name is Neina.”

“Neina” fled Iran in 1994 after she had been arrested for non-violent political activities. She was tortured in Tehran’s infamous Evin Prison. She is a recognized refugee in the Netherlands.

[box]

Many of the refugees who spoke to Amnesty International asked us not to use their real names. Some are still terrified that they will be sent back to the violations they escaped. Others fear that their relatives at home might suffer reprisals because they have spoken out.

[PAGE 22-23 spread]

Refugees behind bars

Refugees are not criminals. They should not be locked up. Yet in many countries, asylum-seekers are often detained.

Some are automatically detained on arrival and held while their application is processed. Some are jailed if their application is considered “manifestly unfounded” or has been rejected.

The physical conditions for asylum-seekers are sometimes appalling. Refugees suffer the additional torment of knowing that they may be forced to return to danger.

*Governments usually try to justify detention by saying the applicant arrived without the proper papers. But most refugees can only escape their countries by travelling without documents or with false papers. The UN refugee Convention states that refugees escaping danger should **not** be penalized for entering a country illegally.*

Amnesty International’s research shows that the detention of asylum-seekers is not usually necessary or legitimate under international standards. Moreover,

deprivation of liberty undermines fair and satisfactory asylum procedures.

Detaining asylum-seekers means imprisoning people who have escaped political imprisonment, tormenting people who have fled torture, and punishing people who have already been cruelly punished.

Pic caption

Cuban asylum-seekers detained in a US base

Vietnamese asylum-seekers detained in Hong Kong.

[PAGE 24]

“The police sprayed gas into the room and shut the door. I started coughing and my eyes were watering.”

Fauziya Kasinga describing how she was treated when, at the age of 17, she arrived in the USA and was immediately imprisoned. She had fled Togo to escape female genital mutilation.

[box]

Many governments, particularly those in richer countries, are increasingly putting asylum-seekers behind bars. The motive appears simple. They wish to deter others from seeking sanctuary at their borders.

[PAGE 25]

“They hanged my husband”

Esther Kiobel’s husband was one of nine people hanged in Nigeria in 1995 after grossly unfair political trials. Esther fled to Benin to escape the continuing arrests, ill-treatment and persecution of the families of the executed.

[box]

Many women and children are held hostage, ill-treated or targeted for assassination because of the stand taken by their husband, father or brother. Some are refused asylum on the grounds that they themselves were not politically active. This violates international refugee and human rights standards.

[PAGE 26 -27 spread]

Women: doubly disadvantaged

"I heard a soldier's voice and then I heard my grand-daughter give a short but very loud scream... Then the Captain raped her"

A woman from Myanmar (Burma), who fled to Thailand in 1995 after this attack.

Women and children make up the majority of the world's refugees. Most have abandoned their homes for the same reasons as refugee men. All face the same obstacles when seeking asylum as refugee men. But they also suffer additional dangers and hardships because they are women and children. They are doubly disadvantaged.

Women and girls, especially those travelling on their own, are particularly exposed to abuse during flight. Some, escaping by boat, have been gang raped by pirates and abducted. Others, making their way on foot, have been robbed and raped by soldiers, members of armed groups or fellow refugees.

For many women, asylum does not mean safety. They are often subject to abuse by officials and members of the local population. The pressures of refugee life, particularly in camps, often result in violence against women.

Refugee camps are usually organized in ways that discriminate against women. The distribution of food and water is almost always in the hands of men. Women who are the heads of families find themselves last in line or disregarded altogether. All too often the men in power take advantage of them – sometimes forcing women into sexual bondage.

Some camps are in dangerous locations, near to war zones or disputed borders. Armed attacks on the camps often involve the rape and abuse of women and children.

A small minority of women refugees seek asylum in industrialized countries. In many countries, immigration officials oppose asylum for women who fear reprisals at home because they have transgressed strict moral codes. They try to reject women who have fled domestic violence and have been offered no protection by their own government. They turn away women who are in danger because of their family connections, or who have fled the threat of female genital mutilation.

Even when treated with respect, many women asylum-seekers are too frightened to describe their humiliating experiences in front of strangers. Rape victims in particular are often too traumatized to say anything at all. Their silence may then be misunderstood or used by officials only too keen to keep refugees out.

[PAGE 28 - 29 spread]

Forced to flee in their own country: the internally displaced

Millions of people have been forced to leave their homes because of threats to their lives or liberty, but have not crossed an international border. Many are housed in camps or settlements; others live wherever they can find shelter. They are internally displaced within their own countries, and have no international legal structure to turn to for protection.

These people are often exposed to further abuses or attacks by state officials or armed groups. They are still living in the state that failed to protect them in the first place. Many suffer extreme poverty and deprivation.

The international response to the plight of internally displaced people has been uneven at best, and at worst driven by political and economic interests. It is time the international community took decisive and consistent action based on human rights standards to protect these people.

“They stripped me naked and assaulted me. I begged them to kill me. Instead, they cut off my hands with machetes.”

Sallay Goba is one of hundreds of thousands of internally displaced people in Sierra Leone. She had fled her home after a rebel attack in which her husband, son-in-law and three of her grandchildren were killed. But she did not find safety. The following year armed men attacked the village where she was living and callously mutilated her.

[PAGE 30-31 spread]

“Once again they are massacring us.”

These are the words of a former refugee whose community returned to Guatemala from Mexico after being promised security. One year later, as they gathered to celebrate the anniversary of their return, soldiers arrived and killed 11 people, including eight-year-old Santiago Coc Pop.

Pic caption

Santiago Coc Pop’s father leaning over the body of his dead son

[Box]

Sometimes the dangers that drove people from their country have ended and refugees can return home safely. Some do so spontaneously without international assistance. Others return under voluntary repatriation schemes overseen by the UN’s refugee organization, the UN High Commissioner for Refugees, or by governments working together.

However, there is a disturbing trend for host governments to put intense pressure on refugees to repatriate, bringing into question whether their return was “voluntary” or premature.

[pic caption]

A Cambodian refugee family returning from a camp in Thailand in 1992 under a voluntary repatriation program overseen by the UN.

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“It was bad enough that Bosnians had to leave their country in the first place. They should not be forced to go back against their will. People are not chairs that can be moved around constantly.”

Renata Mandic fled the carnage in the former Yugoslavia. She is allowed to live in the Netherlands on humanitarian grounds.

[BOX]

Millions of refugees from the states of the former Yugoslavia are living with uncertainty as they have only been offered “temporary protection” in Europe. As with others in similar situations elsewhere in the world, none of them should be repatriated unless it can be shown that their country is safe and likely to remain safe. Any of them who fear that their individual circumstances make it too dangerous to return should have access to individual asylum procedures.

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“It’s like having a second chance in life”

Ebenezer Koomson, a refugee from Ghana, made full use of his second chance in Germany. When a devastating fire swept through Dusseldorf airport, where he worked as a personnel manager, his actions saved countless lives. His bravery was widely acclaimed.

[box]

When refugees are allowed to rebuild their lives, they can enrich the societies around them. If given the chance, they contribute to their new countries, bringing skills, experiences and energy and adding to cultural diversity.

[PAGE 34 -35 - double page spread]

Time for change

Amnesty International has launched this campaign - in response to the worldwide refugee crisis. It has three main aims:

- to prevent human rights violations so that people do not have to leave their homes in search of safety;
- to ensure that those who flee human rights violations are allowed to reach a place of safety, are given effective protection against forcible return, and are guaranteed minimum standards of humane treatment while they are displaced;
- to press for human rights to be a priority when considering refugee issues, such as programs for refugees to return home, developments in international refugee law and practice, and the protection needs of people displaced within their own countries.

What can you do?

1 Join our campaign

Join our campaign to remind the world's governments -- by the pressure of public opinion -- that they have a duty to protect the human rights of all people, including refugees. Contact the Amnesty International

office in your country and ask how you can help. We will be organizing public events, petitions and lobbying to put pressure on governments to respect human rights, particularly those of refugees.

2 Help raise awareness about refugees

Help spread the word that every refugee is a unique individual who has fled the threat of human rights violations or generalized violence. Distribute Amnesty International's publications and raise refugee concerns with any organizations you may belong to. Write letters to the press. Speak out against anti-refugee propaganda. Confront racist politicians who abuse refugees in an attempt to win votes.

3 Urge your government to act

Make sure your country has signed the international treaties protecting refugees. Put pressure on your government to respect refugees' rights. Demand that your government promotes human rights at home and abroad. Call on your government to use its influence to ensure that the costs and responsibilities of refugee protection are shared by all nations.

4 Show solidarity with refugees

Join campaigns against restrictive and unfair asylum policies. Support individuals who are fighting forcible return to a country where they would face serious

human rights violations. Above all, work to show that refugees are welcome in your country.

Other Amnesty International publications

Amnesty International is producing several other reports in this campaign. They include a comprehensive study, *Refuge! Human rights have no borders*, five regional reports, several papers addressing key refugee policy issues, and a poster display.

Other recent publications produced for Amnesty International's worldwide campaigns include the *Amnesty International Report*, an annual world survey of human rights issues, and major reports on country situations and human rights themes.

These can be obtained from your local Amnesty International Section or group, or from the International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

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*“We started by planting trees to erase the notion that refugees always destroy their environment...
The whole life of a refugee is looking for a future”*

M Wollor Topor, a Liberian refugee