

Forced Migration and Jesuit Refugee Service: Past, Present, and Future

Paper presented at a Symposium hosted by
the Center for Human Rights and International Justice
at Boston College, 21-22 March 2013

Talk by Mark Raper SJ
President, Jesuit Conference of Asia Pacific
and Former International Director, Jesuit Refugee Service

The author wishes to note that he was engaged directly in JRS for its first twenty years and since then has exercised roles in administration in the Society of Jesus. Given his absence from the refugee work for some time, he does not speak here of immediate current challenges such as in Mali and Syria, nor of the abiding long term crises, such as Afghan refugees, Dadaab, and so forth, but limits his comments to the examples in the Asia Pacific region where he now works.

What are the major challenges raised by the realities of forced migration, now and in the future? How can the Jesuit Refugee Service mission of accompaniment, service, and advocacy help in shaping an effective response to these?

“The phenomenon of migration... is a striking phenomenon because of the sheer numbers of people involved, the social, economic, political, cultural and religious problems it raises, and the dramatic challenges it poses to nations and the international community. We can say that we are facing a social phenomenon of epoch-making proportions that requires bold, forward-looking policies of international cooperation if it is to be handled effectively.”

Benedict XVI, Caritas in Veritate, 2009, #62

The topic of our conference is migration, and I am asked to speak on forced migration through the lens of the Jesuit Refugee Service (JRS), an agency with which I have been associated since its founding in 1980 and during its early development. JRS is a “faith based organization” whose mission is to accompany, serve and advocate on behalf of the forcibly displaced. JRS is

at work in around 60 countries, and draws deeply on the Jesuit network: its spirituality, institutions, and people – Jesuits and collaborators. Indeed it has become a signature work of the Society of Jesus.

JRS was founded in 1980 in response to a particular historical crisis of the time, the Vietnamese boat people who left their country following the Indochina wars. Quickly we were drawn to accompany and serve the Cambodian and Lao refugees who were on the move at the same time and in the same geographic region for many of the same reasons.

The question: JRS then and now

If JRS was founded today, would it be the same? Would it be given the same mission? Would it take the same structure, and employ the same strategies?

It is not a silly question. The world and the refugee realities have changed in thirty years. The new boatpeople today in South and Southeast Asia, for example, are the Rohingya, a Muslim minority group from Myanmar, described as the most persecuted people in the world. No one wants them. Rohingyas arrive by boat in Thailand, Malaysia and some were so desperate they recently attempted to make it to Australia by boat. They are intercepted, turned back; many die during these perilous journeys. In contrast to the boatpeople of the 1980s, two million of whom were resettled in third countries, the fate of the Rohingya is appalling.

The treatment of the Rohingya, the response to the escalating attacks on Muslims in Myanmar, the capacity to achieve a peaceful settlement in the Kachin war, the ability to find harmony among many ethnic and racial groups, will be the tests not only of the new Myanmar regime of Thein Sein, but also of their newfound friends, the many countries and companies now enjoying a honeymoon of new investment possibilities in Myanmar. It is a testing time too for the humanitarian agencies desperate to play a protection role for the 800,000 Rohingya people displaced within the country and for those who are pushed back from Bangladesh, Thailand, and Malaysia. JRS Cambodia counted it as a massive victory and precedent recently that two Rohingyas were recognized as refugees in Cambodia and thus able to gain asylum there – two persons out of approximately two million persons at risk.

Today we face a new world of hostility to refugees. Are the old agencies adequate to the task? Do we need quite new strategies, and even quite different organizations?

Each agency has a story

All humanitarian organizations have a story shaped by their origins, by the circumstances in which they were born, and by the ways they have learned from their experiences and grown. They reflect the compassionate response of their founders to particular crises; were shaped by

the organizational vision, resources and opportunities available to those founders; but the test is often shown in how they have applied that vision in new circumstances.

The Red Cross was founded by Jean Henri Dunant in 1859 because of the horror he saw on the battlefield of Solferino in Northern Italy. He founded an agency recognized for its strict political neutrality. Because of that neutrality, respected by all sides to the conflict, its workers could attend simply to the victims. The Red Cross to this day works hard for the development and application of humanitarian law concerning engagement in combat.

The United Nations High Commissioner for Refugees was instituted in 1951 to respond to the massive displacement of people in Europe following World War II. It was updated with an additional protocol in 1967 removing the applications to European situations and giving a definition of a refugee applicable in whatever circumstances. Thus the robust system of protection available to forced migrants today was created. Now almost 150 states are signatories to either the Convention or the Protocol or both. Institutional development has opened the way for a broader group of persons being 'of concern' to UNHCR. UNHCR's responsibilities now extend to asylum seekers, returnees, stateless persons and internally displaced persons (IDPs).

Médecins Sans Frontières (MSF) was set up following the Biafra secession conflict of 1967-1970 by a group of doctors who had gone to Nigeria with the French Red Cross but felt totally hampered by the political neutrality of the Red Cross. The doctors had been required to stand by, do nothing and say nothing, while they saw civilians attacked, mistreated and murdered. They created an agency that will go anywhere to save human life, but they will also blow the whistle and say who is doing the killing.

In every humanitarian crisis untold people are moved and touched by what is reported. Some see opportunities to intervene, and even to mobilise their own networks to bring specific contributions. For example, actor Sean Penn founded an agency for Haiti following the 2010 earthquake; it is still going strong, appeals to many supporters and is attracting big donors. Sometimes these agencies once established and having gained support and experience, can contribute in response to new crises.

Similarly, the first inspiration for JRS came from the vision, compassion and energy of Pedro Arrupe, then Superior General of the Jesuits, who was moved by what he saw in the boat people crisis of the late 1970s and was convinced that the Jesuit order, with its enormous network of institutions and persons, could do something effective. When he made the first call for help he was overwhelmed with the response. That response itself instructed him that more could be done. He could see the potential given by the clearly focused Jesuit mission to seek

justice for all, its vast international network with many resources, and the sheer availability of its personnel, both Jesuits and collaborators.

The same mission that drew Jesuits and companions to Southeast Asia opened our eyes to the conflagrations in the Horn of Africa and to the victims of conflict in Central America; it was only a question of months before JRS activities commenced in both those places.

Building a “learning organization”

Of course the organization had to be built, and it was the experiences of the people in the field that shaped the way it developed. May I tell one story of how JRS grew as a “learning organization”, as an organization that is shaped by learning from its experiences? This is the story of a discernment made at the Thai-Cambodia border in late 1989.

During the 1980s around half a million people were confined in camps at Thailand’s border with Cambodia under the control of a bizarre set of political and military alliances. In camps to the north were the Sihanoukists, the royalists, and to the south were camps controlled by the Khmers Rouges, ideologically an extreme leftist body, while in the centre, where JRS worked, was a remnant of the supposedly democratic Lon Nol regime. All camps were bases for fighting against a common enemy, the Vietnamese, and for that reason the arrangement had the support of both the United States and of China (under the old principle, “the enemy of my enemy is my friend.”) Life in these camps had the semblance of humanitarian normality, with services for health, education and food distribution; nothing much changed year after year. No self-respecting UN agency would take the responsibility, so services were organized by an ad hoc body called UN Border Relief Operation, patched together with elements of UNDP and WFP.

In 1989, one of the members of our team, a Jesuit, was convinced that we should blow the whistle on this farce which had been holding the people captive for ten years already with no end in sight. Clearly the people wanted to return home. The UN was a pawn simply holding the people there. He proposed we do what MSF would do. Since our mission was to advocate, we should make a loud statement as Jesuits that would reverberate around the world and get some action. Others in our group resisted this approach, they would not abandon the people, since our mission was to accompany and serve. These people were not being killed, but had simply been abandoned, they argued, all the more reason to stay with them. The fact that they were being used was all the more reason to stand by them and to protect them by our presence.

We were thirty people. We opted for a six week decision making process, guided by Fr Howard Gray who happened to be there with us at the time. Each of the thirty, whether Christians or not, committed to half an hour of prayer or reflection each morning. We followed a process developed by the early Jesuits called 'discernment'. On the last day of sharing and reflection together, we came to hear each person give their opinion on what we should do and their reasons. Of the thirty people, 15 argued that we should stay, and 15 were for a dramatic pull-out. Howard the facilitator, then turned to me and said, "Well it is over to you to make a decision! Take your time."

The decision was made easier by the fact that over the six weeks of conversations, all had expressed the desires in their hearts. There was a consensus that while all were drawn by compassion to accompany the refugees, it was surely best for them to be allowed to return to their homeland without delay. All could see that to keep them in the camps endlessly was to perpetuate a situation of injustice, where they were kept as hostages and a cover for political and military games. While the future was uncertain, it was clear that whichever political faction gained ascendancy, they would need to look after the vast numbers of war wounded and disabled. It was also clear that some of our co-workers did not have a sophisticated awareness or analysis of the political realities of the camp life.

The outcome was a decision to start a new project on the other side of the border, i.e. in Cambodia, and at the same time to continue a presence in the camps. Our priority work on both sides would be with the handicapped and poorest people, and our presence in Cambodia was intended both symbolically and practically to prepare for return of the refugees. It was of great significance to the refugees that persons known to them were on hand inside the country.

JRS learned much from this exercise and continued the practice of placing teams on both sides of conflicted borders in other situations, such as in Rwanda and Tanzania, in Bosnia-Croatia and Serbia, in Angola and Zambia.

Changes in the refugee realities

There have been massive changes in the refugee realities over the past thirty years, but so far these have required shifts in emphasis and in strategies but not in the fundamental mission of JRS to accompany those who are displaced, serve them and defend their rights.

There has been a geographic or continental shift over these three decades. To simplify things, we can say that in the 1980s we dealt with the Asia Pacific crises; in the 1990s and early 2000 was a huge Africa crisis and now we see a Middle East crisis as well as in Central Asia, and the

Sahel in north Africa. The focus of JRS today consequently is shifting from Africa to the Middle East. If JRS Syria does all they planned it will be in volume and number of volunteers one third of JRS. "JRS continues to respond to current crisis and in that way keeps its original dynamic," claims its current International Director, Peter Balleis.

Here are some of the changes occurring today and noticeable over recent years.

As the areas of crisis shift to the Middle East, we realize that around 70% of refugees are Muslim, particularly if we include the Palestinians, Afghans and North African displaced people. They suffer from the increasing hostile discourse on terrorism and the legitimation it gives to new violence. Syria is a current disaster area, with 8,000 a night leaving that country and now over 2 million refugees. Many are in camps, but one triumph of Lebanon is that there are no camps. They have welcomed all in to houses.

The urbanisation of forced migration: today at least half the world's forcibly displaced people struggle to survive in urban areas. Urban refugees face a host of specific protection challenges, among them unemployment and sheer poverty, but also xenophobia and exploitation and not infrequently incarceration and deportation. Many obstacles prevent their access even to the basic services more readily available to refugees in camps such as food, health care, education, psycho-social services.

"**Mixed flows**": refers to situations in which increasingly in recent years refugees, forced migrants and so-called economic migrants are mixed together. In many cases, people are forcibly displaced through a combination of political repression, ethnic conflict, environmental disaster, poverty and famine. Thus there is an **increasingly hazy blur between migrants and refugees** - it is becoming more and more difficult to differentiate between people who are refugees or who are on the move for other reasons. "Hunger kills just as war does," one JRS worker remarked. Recently I came across an interview with an HIV+ minor victim of human trafficking who had left Nigeria and was being helped by JRS: certainly a deserving case, desperately looking for a better life, but technically not a Convention refugee at all.

There is a competition for attention and resources for the chronic refugee situations, such as Afghans in Iran and Pakistan, and new crises, such as Syria.

The reasons for flight are different today. Many of the refugees assisted by JRS 30 years ago were victims of what may be called ideological conflicts, in which states took 'sides'. Today, forcibly displaced people are leaving their homes for a vast number of reasons including internal conflicts over land, resources, ethnicity, the disarray following the collapse of

repressive regimes [sometimes due to foreign intervention], and the severely damaging impact of climate change, natural disasters and disastrous economic policies (e.g. badly controlled mining or stripping of land for plantations). Sometimes a person may begin their journey as a migrant, but experience persecution along the way. As noted above, it is harder than ever to pinpoint Convention refugees.

The increased **hostility**, especially from western governments and often communities too, is definitely a feature of today's global migration phenomenon. Around the globe there is hardly a State that welcomes refugees. This hostility is expressed in the increasing use of **mandatory detention** for irregular arrivals, or for people who are irregularly in the country. Becoming standard in many countries around the world, it leads to a dehumanisation of detainees. Regional cooperation often appears to have a goal of containing refugee movement rather than facilitating the protection of refugees.

The numbers of stateless persons today have risen to around 12 million. In the 1980s, working in Southeast Asia, we never expected to meet a stateless person. Today Malaysia and Thailand host millions of stateless persons, mostly from Myanmar.

The numbers of internally displaced persons is possibly over 27 million today. Once again the term was not even coined when JRS began its work in 1980. It was not until 1988 that Francis Deng's work gained recognition for this harassed and needy category of forcibly displaced people. It is with great satisfaction that we see a Convention covering Internally Displaced Persons has come into force and that the UNHCR has an extended mandate to assist at least some of these people.

Conclusions for the case of Jesuit Refugee Service

Considering all these dramatic changes and more, can we consider again the question concerning Jesuit Refugee Service? Has it reached its "use-by" date? Should it move beyond being a cosy "family business" of the Jesuits into a more muscular, hard-nosed, professional, autonomous international organization?

May I be bold enough to draw some practical recommendations and conclusions?

First, JRS is a valued "ministry of consolation" of the Society of Jesus. Strengthening the symbiosis between the Society and Jesuit Refugee Service is important to both. JRS relies on the guidance and hospitality of local Jesuit communities, on their understanding of local cultures and languages, on their communion with the local Church and often with local

authorities. JRS offers local Jesuit communities an opportunity to engage in new ways in the universal mission of the Society. JRS maintains its comprehensive competence, its intellectual and spiritual vigour and its availability precisely because and in so far as it is a favoured project of key Jesuit leaders and communities around the world.

Second, although the mission of JRS remains constant, its strategies must develop to meet the needs. It must remain a “learning organization”, recording, reflecting on and valuing its experiences so that its service may be constantly improved.

Third, in the same light, JRS must surely develop through innovation. Recently JRS France initiated a “Welcome Project”, inviting families to open their homes to refugees. It has caught on and is extending to other European countries and to diverse experiments, such as a “buddy” project in Portugal and “communities of welcome”. Small scale, bottom-up breakthroughs are needed, for example to give employment to refugees in urban settings, to give refugees platforms to advocate their own agenda. Boston College Graduate School of Social Work is helping in this precise area by supplying persons to assist in designing sustainable programs in Johannesburg, Bangkok and Tanzania, for example. JRS should always have research arms, possibly in cooperation with university centres. Similarly JRS makes use of technical expertise and advances in means of communication and tools for accountability in order to improve its own organization and thus its effectiveness. As a large global body it needs globally observed standards and adequate human resources policies.

Fourth, while accompaniment is the cornerstone of JRS identity and techniques and quality of services always need improvement, a strong, coherent advocacy role remains a spontaneous role of all JRS workers. One can advocate for the rights of an individual and for changes in policy that will affect millions. The advocacy role can be exercised through quiet example like a team going into Cambodia, or through a voice in Washington or Brussels that relies on the credibility of a presence in the field. An important advocacy task is to promote the right to asylum and to build welcoming communities in the face of dehumanisation or demonization of people seeking asylum or a better life. The goal is to overcome hostility, strengthen local legal cultures and generally to close the gap between law and practice. In all cases the advocacy role of JRS gains its integrity and credibility from the presence of JRS personnel among the refugees and from enabling the voice of refugees to be heard.

Fifth, one field of advocacy is with and on behalf of the UN itself, to enable its mandate to be widened. Great work has been done to increase the role of UNHCR, for example among Internally Displaced Persons and Stateless Persons. With the phenomenon of mixed flows and

an ever widening number of causes of forcible displacement, it is essential that nation states be able to cooperate more directly in meeting the needs of those bereft of protection.

Sixth, JRS has a strong legal arm. Moreover the Society has numerous important centres for research and advocacy concerning human rights. Indeed the Center hosting this conference is one such. Their greater cooperation in an advocacy agenda seems a no-brainer. For example, they might cooperate in the development of a “soft law” approach as a way to complement the Refugee Convention. Myriad human rights conventions and civil and political agreements are already accepted, and cover for example, the rights of the child, the rights of women, and the right to education. Their stronger application in regional agreements for particular case-loads would be a desirable goal.

Seventh, for some intractable situations, regional arrangements are most effective. The Rohingya can only be resolved by agreements among the few nations directly connected. Africa and Latin America each have regional agreements concerning the status of refugees. But for Southeast Asia, regional agreements so far reached appear to be designed to protect borders rather than the persons who need to cross them.

Finally, education is one essential service that remains the hallmark of JRS. Education carries immense multiplier consequences. The Society has multiple resources available for deployment through JRS for the education of the many people it serves.

Conclusion

In the end it must be said that the mission of JRS, the Ignatian tenets underlying its approach and its identity as a faith-based organisation contain many of the elements needed to respond to some of today’s forced migration challenges: accompaniment, being present among forgotten refugees; going where the need is greatest; a focus on education to bring hope in seemingly hopeless situations, presence as witness and protection, networking with the local Church to be able to gain access to respond quickly and effectively, to gain trust and so that a service remains once others have left.

If JRS were to be founded today I would not change its mission. The founding inspiration, the mission and the story of JRS remain immensely attractive and relevant as a response to the distress of forced migrants and refugees today.