



WomenForChange
BREAKFAST CLUB

MIGRANTS, REFUGEES AND ASYLUM SEEKERS: POLITICAL DEFINITIONS

Women for Change Series | 5 October 2016

Panellists:

Zrinka Bralo, Chief Executive at Migrants Organise

Jonathan Ellis, Head of Policy, Research and Advocacy at British Red Cross

Zoe Gardner, Communications Officer at Asylum Aid

Carolina Gottardo, Director at Latin American Women's Rights Service (LAWRS)



Introduction

The United Nations (UN) Declaration of Human Rights provides everyone with the right to claim asylum.¹ The Declaration came a few years after the birth of the UN, an organisation made up of member states with the aim of promoting international cooperation, in response to the horrors of World War II. This was at a time when over 50 million people were displaced in order to survive.

Today, we are witnessing the largest mass movement since World War II, with 65.3 million people displaced.² With that number of people fleeing war and persecution, the right to claim asylum becomes critical. Defining “refugee” in law allows an avenue for people to claim their right to asylum. But it doesn’t allow an avenue for everyone. It doesn’t

provide for those who are fleeing poverty or trying to find a better life for their families. Deciding who has the right to settle in a new country is a highly political exercise and often creates a distinction between the “deserving” and “undeserving” with reverberations of intolerance felt at the local level. The Breakfast panellists got to the heart of the politics and provided answers to the question, “so what can we do?”.

Defining migrants, refugees and asylum seekers

“You cannot be a bogus asylum seeker.” Jonathan Ellis

Despite legal definitions, in reality the line between migrant, refugee and asylum seeker is blurred. The speakers shared their views on

ABOUT THE BREAKFAST

On 5 October, Women for Change (WfC) welcomed four expert panellists to discuss the challenges refugees, asylum seekers and migrants face both in the UK and internationally. Coming from specialist organisations with diverse experience advocating on behalf of these communities, the discussion aimed to inspire WfC members to take action.

After an introduction to both the topic and the political climate surrounding the topic, women were guided to specific actions they could take to get involved with the organisations.



A migrant is “any person who is moving or has moved

across an international border or within a State away from his/her habitual place of residence”. A refugee includes any person who flees their country “owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality, is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.” An asylum seeker is a “person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and

national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.”

how the definitions have become political and how they might be used to justify government policies. For example, in the UK, the asylum system is seen as purposefully harsh, consequently creating a dichotomy between the “good refugee” and the “bad migrant”. The definitions become the subject of divisive rhetoric and the right that we all have, to be treated with human dignity, falls by the wayside. It was agreed that the asylum system is complex with hard to meet criteria. The argument made was that if asylum seekers were given adequate legal support, the system would be much easier to navigate. However most in need do not have access to this support. People who don't fit neatly into the “good refugee” category become pushed to the margins of society with each attempt to regularise their status. To fit into the category of refugee, you would need to have had no choice but to flee.

“This country needs economic migrants. The ‘good refugee’ and ‘bad migrant’ is absolutely a political tool.” Carolina Gottardo

A hostile environment for migrants

Since the outcome of the Brexit referendum, levels of hate crime have escalated throughout society to unprecedented levels. “The police linked the spike in hate crime incidents immediately after the

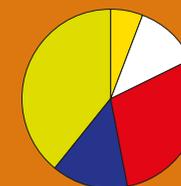
“Today, we are witnessing the largest mass movement since World War II, with 65.3 million people displaced.² With that number of people fleeing war and persecution, the right to claim asylum becomes critical.”

June referendum directly to the vote, saying people had taken the vote to leave the EU as a licence to behave in a racist or discriminatory way.”³ Post-Brexit racism is coupled with the admittedly hostile political environment for migrants in the UK. The Immigration Act 2016 details punitive measures for immigrants who don't “play by the rules”⁴. But as previously mentioned, playing by the rules can be marred with insurmountable hurdles.

Starting with discussion about Brexit-related hate crimes, the panellists discussed how the negative attitudes towards migrants, refugees and asylum seekers, however, are in fact misguided. The proportion of the UK population that is made up of refugees and asylum seekers in the UK is only 0.26%⁵; the majority of people fleeing conflict actually end up in their neighbouring countries. And for those that don't fall into the definition of refugee or asylum seeker – including the less than 6% of the population made up



Homelessness, debt, and separation from family are “some of the consequences of the severe cuts to civil legal aid that were included in the 2012 Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act. The upshot of those changes is a two-tier justice system: open to those who can afford it, but increasingly closed to the poorest, most vulnerable and most in need of its protection.” Cuts that hurt: The impact of legal aid cuts in England and access to justice, Amnesty International, 2016



Where the world's displaced people are being hosted

6% in Europe
12% in Americas
29% in Africa
14% in Asia and Pacific
39% in Middle East and North Africa

Found at UNHCR
 Global Trends 2015



Top hosting countries

Turkey – 2.5 million

Pakistan – 1.6 million

Lebanon – 1.1 million

Islamic Republic of Iran –
979,400

Ethiopia – 736,100

Jordan – 664,100

of EU migrants⁶ – the country relies heavily on their labour. It would seem that the UK could not sustain its economic growth without the migrant workforce. Low-skilled labour in industries such as catering and hospitality, is overwhelmingly provided by migrants, which is an area of expertise for one of the speakers. The workers take these positions, that involve minimal pay, long and unsociable hours and many times exploitation, to provide for their families back home, while the UK economy benefits.

What should the government be doing?

“The government needs to give facts. It’s unethical to use this debate for political gain.”
Zoe Gardner

In March 2016, the UK Government committed to spending £17 million to bolster security in Calais, while securing its own borders⁷. This is in addition to the £12 million pledged in 2015. The result seems not to be fewer people migrating to flee war and death, but instead people choosing more perilous and underground routes to find sanctuary abroad, increasing their vulnerability to exploitation and trafficking. “Thus far 2016 is proving to be particularly deadly. Some 2,510 lives have been lost so far, compared to 1,855 in the same period in 2015.”⁸ The suggestion by all of the breakfast’s speakers was a change in political rhetoric about what motivates migrants to leave their country; attention should be given to what pushes someone from their home country, rather than what motivates them to come to another.

Canada and Germany were offered as alternative examples of a change in narrative, who have in recent years opted to focus on welcoming migrants rather than engendering

a hostile reception. All migrants, regardless of definitions, that end up in these vulnerable situations need support. Women travelling from one country to another and who are living in refugee camps are particularly vulnerable to sexual violence and abuse. They have to share bathroom facilities with men and have no private space. The suggestion? A simple lock on the bathrooms would make these women safer – this is what Migrants Organise is fighting for. When migrants arrive to the UK they are asked to tell their story to the authorities. For a woman who has faced violence and trauma throughout her journey, having the choice of a female interviewer because it makes her more comfortable, can be a tremendous support, which is something Asylum Aid advocates for. For the 37% of the Latin American migrants in the UK earning less than the National Minimum Wage and the 45% who experience exploitation at work, stronger enforcement of labour laws, which LAWRS advocates for, would reduce the abuse.⁹

Driving Change

We all have a role in changing the dynamic and every small contribution makes a difference. The below are some simple suggestions that individuals can take to contribute to meaningful change:

- Women for Change members and business professionals are encouraged to offer their knowledge, time and expertise by providing advice, support or mentorship to organisations that work directly with migrants;
- If time is limited, individuals can sign up to a campaign to reunite refugee family members or to fight against profiling based on nationality in schools;
- To shift public policy or the harsh legal environment, we are encouraged to speak to our MPs;
- When faced with misguided and false facts about migrants, challenge what is being said.

By linking the NGO and business communities these discussions will spread and more people will become engaged. It is up to everyone to change the conversation. Evil triumphs when good women and men do nothing.

References

- 1 The Universal Declaration of Human Rights (1948) found at <http://www.un.org/en/universal-declaration-human-rights/> (article 14)
- 2 Global Trends Forced Displacement in 2015 found at <http://www.unhcr.org/576408cd7.pdf>
- 3 Lasting rise in hate crime after EU referendum, figures show, The Guardian (7 September 2016) found at <https://www.theguardian.com/society/2016/sep/07/hate-surged-after-eu-referendum-police-figures-show>
- 4 Home Office Press Release: Immigration Bill receives Royal Assent (13 May 2016) found at <http://cep.lse.ac.uk/pubs/download/brexit05.pdf>
- 5 UNHCR Statistics, the World in Numbers found at <http://popstats.unhcr.org/en/overview> (168,978 people of concern in the UK out of a population of 64.6 million).
- 6 Brexit and the Impact of Immigration on the UK, Centre for Economic Performance (2016) found at <http://cep.lse.ac.uk/pubs/download/brexit05.pdf>
- 7 Home Office Press Release: Further joint action between UK and France in Calais region (3 March 2016) found at <https://www.gov.uk/government/news/further-joint-action-between-uk-and-france-in-calais-region>
- 8 Mediterranean death toll soars in first 5 months of 2016, UNHCR (31 May 2016) found at <http://www.unhcr.org/uk/news/latest/2016/5/574db9d94/mediterranean-death-toll-soars-first-5-months-2016.html>
- 9 Towards visibility: The Latin American community in London, LAWRS found at <http://www.lawrs.org.uk/wp-content/uploads/2015/11/Towards-Visibility-full-report.pdf>

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Boxes

Box 1, Page 2:

IOM Key Migration Terms found at <https://www.iom.int/key-migration-terms>

UN Convention and Protocol Relating to the Status of Refugees (1951) found at <http://www.unhcr.org/uk/3b66c2aa10>

Box 2, Page 3:

Amnesty International: Removal of legal aid from immigration cases undermines access to justice (October 2016) found at <https://www.ein.org.uk/news/amnesty-removal-legal-aid-immigration-cases-undermines-access-justice>

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