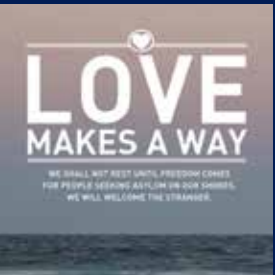


FORCED MIGRATION review



Faith and responses to displacement



plus articles on:
the 40th anniversary of the OAU Convention, work and refugee integration in Sweden, Kashmiri Pandits in India, violence in Central America, displacement in Mexico, and the status of refugee integration in Uganda

3 From the editors

Faith and responses to displacement

4 **Religious leaders unite to disarm hearts and minds**

Monsignor Dieudonné Nzapalainga, Imam Omar Kobine Layama and Pastor Nicolas Guerekoyame Gbangou

5 **Local faith actors and protection in complex and insecure environments**

James Thomson

7 **The value of accompaniment**

Joe Hampson, Thomas M Crea, Rocío Calvo and Francisco Álvarez

9 **How local faith communities can aid asylum seekers**

Kelly Barneche and 'Joe'

10 **The role of religion in the formation of cross-community relationships**

Sadia Kidwai, Lucy V Moore and Atallah FitzGibbon

14 **The contribution of FBOs working with the displaced**

David Holdcroft

16 **Faith and the secular: tensions in realising humanitarian principles**

Alastair Ager

18 **Faith motivation and effectiveness: a Catholic experience**

Robert Cruickshank and Cat Cowley

22 **The dignity of the human person**

Nathalie Lummert

24 **Journeys of a secular organisation in south Lebanon**

Jason Squire and Kristen Hope

26 **Reflections from the field**

Simon Russell

27 **The asylum seeker: a faith perspective**

Flor Maria Rigoni

28 **Christian civil disobedience and mandatory, indefinite immigration detention in Australia**

Marcus Campbell

30 **Guided by humanitarian principles**

Andreas Vogt and Sophie Colsell

31 **A Luxembourg government perspective on faith in partnership**

Max Lamesch

32 **Not in our remit**

Maurice Herson

33 **Faith, relief and development: the UMCOR-Muslim Aid model seven years on**

Amjad Saleem and Guy Hovey

36 **Church asylum**

Birgit Neufert

38 **Offering sanctuary to failed refugee claimants in Canada**

Kristin Marshall

39 **Interfaith humanitarian cooperation: a Lutheran perspective**

Elizabeth Gano

40 **The clash and clout of faith: refugee aid in Ghana and Kenya**

Elizabeth Wirtz and Jonas Ecke

42 **An inter-religious humanitarian response in the Central African Republic**

Catherine Mahony

45 **Respecting faiths, avoiding harm: psychosocial assistance in Jordan and the United States**

Maryam Zoma

47 **Religious space, humanitarian space**

May Ngo

48 **Faith-based humanitarianism in northern Myanmar**

Edward Benson and Carine Jaquet

51 **The costs of giving and receiving: dilemmas in Bangkok**

Sabine Larribeau and Sharonne Broadhead

53 **Faith and the politics of resettlement**

Shoshana Fine

54 **Principles and proselytising: good practice in Ethiopia**

Zenebe Desta

56 **Jewish roots of humanitarian assistance**

Ricardo Augman and Enrique Burbinski

56 **Chins in Mizoram state, India: a faith-based response**

Jenny Yang

59 **Engaging IDPs in Sri Lanka: a Buddhist approach**

Emily Barry-Murphy and Max Stephenson

60 **An ecumenical organisation for asylum seekers in Switzerland**

Susy Mugnes, Felicina Proserpio and Luisa Deponti

62 **African refugees and the particular role of churches in the UK**

Samuel Bekalo

63 **Post-disaster recovery and support in Japan**

Kimiaki Kawai

64 **'Welcoming the stranger' and UNHCR's cooperation with faith-based organisations**

José Riera and Marie-Claude Poirier

84 **What's faith got to do with it?**

Tahir Zaman

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From the editors

The role of faith in the humanitarian sector is not easy to measure. Faiths and religious texts generally advocate welcoming the stranger, and there are many organisations (and individuals) inspired by their faith or religion to assist people in need, and many faith leaders and communities who act locally to provide protection and aid. Perhaps the greatest contribution of faith communities lies in their networks and their capacity to allow people on the move to connect and find a welcome in an otherwise possibly hostile environment. Yet it is easier to measure the activities inspired by faith than to measure the difference that having that faith makes, and secularly inspired standards for such activities can appear to be in tension with the faith inspiration.



In addition, the work of faith-based humanitarian actors is not made any easier in a world where religion plays a part – or is used – in fomenting or sustaining many conflicts. Faith communities and their leaders who are caught up in such conflicts face an even harder task. The first article in this issue, from the leaders of three faith communities in the Central African Republic, is a heartening example of courage and determination in such circumstances.

We are very grateful to Elena Fiddian-Qasmiyeh of the Refugee Studies Centre/University College London and James Thomson of Act for Peace for their assistance and input as special advisors on this issue. We would also like to thank CAFOD, the Henry Luce Foundation, Islamic Relief Worldwide, the Swiss Federal Department of Foreign Affairs, the US Conference of Catholic Bishops and World Relief for their financial support for this issue, and to acknowledge the role of UNHCR, in particular José Riera, in bringing FMR into this debate.

The full issue and all the individual articles are online in html, pdf and audio formats at www.fmreview.org/faith. It will be available in print and online in English, Arabic, French and Spanish. An expanded contents listing for the issue is available at www.fmreview.org/faith/FMR48listing.pdf.

Please help disseminate this issue as widely as possible by circulating to networks, posting links, mentioning it on Twitter and Facebook and adding it to resources lists. If you would like print copies, please email us at fmr@qeh.ox.ac.uk.

With our best wishes

Marion Couldrey and Maurice Herson
Editors, Forced Migration Review

General articles

- 68 **Refugees' integration in Uganda will require renewed lobbying**
Georgia Cole
- 70 **The 1969 OAU Convention and the continuing challenge for the African Union**
J O Moses Okello
- 74 **From violence to more violence in Central America**
Israel Medina
- 76 **Work and refugee integration in Sweden**
Miguel Peromingo
- 78 **Frozen displacement: Kashmiri Pandits in India**
Mahima Thussu
- 79 **Public policy to address displacement in Mexico**
José Ramón Cossío Díaz
- 80 **Reflections from the encampment decision in the High Court of Kenya**
Anna Wirth
- 83 **Refugee Studies Centre news**

November 2014

Religious leaders unite to disarm hearts and minds

Monsignor Dieudonné Nzapalainga, Imam Omar Kobine Layama and Pastor Nicolas Guerekoyame Gbangou

In the Central African Republic, where religion has been used as a tool to divide and manipulate the population, religious leaders have come together to promote tolerance and forgiveness as a basis for rebuilding peaceful cohabitation.

The recent crisis in the Central African Republic (CAR), with its roots in political power struggles, has threatened to destroy the underlying social fabric that was for so long a source of religious tolerance. In the process, nearly a million people – about a fifth of the population of the country – have been forced to flee their homes. At present, there are roughly 485,000 internally displaced persons (IDPs), and 180,000 CAR refugees who have fled to neighbouring countries since December 2013.

In the wake of the conflict is an environment of suspicion and fear, as well as a deep-seated desire for truth and justice, which the national government, in its current strained state, is unable to provide. This environment has provided the perfect opportunity for rebel, militia and political leaders with an interest in perpetuating instability to use religion as a tool for further dividing and manipulating the Central African people. However, as religious leaders, we know very well that the recent crisis, at its heart, has never been about religion.

Although religion is not the root cause of the conflict, religion can serve as a powerful tool for transforming hearts and minds and uniting people in the common cause of peaceful reconciliation. In 2012, before the recent crisis, we founded the Central African Inter-Religious Platform, made up of the Evangelical Alliance, the Islamic Community and the Episcopal Conference of CAR. In

partnership with Catholic Relief Services and USAID, we have launched a national campaign for social cohesion, bringing together thousands of Muslims and Christians in demonstrations of solidarity. We have trained hundreds of religious leaders, civil society, government officials and armed group representatives to become ambassadors of peaceful co-existence. Many of these leaders have subsequently led their constituents and communities through the same process.

In a country where churches and mosques have more legitimacy than the national government and reach deep into the heart of the country, where government resources are limited, religious institutions are uniquely positioned for responding to humanitarian needs. Throughout the country, displaced populations of Muslims and Christians alike have taken shelter in church and mosque grounds. We have witnessed moving examples of religious leaders risking their lives to serve the needs of displaced persons of another faith. These powerful examples of forgiveness and reconciliation are not the exception but the norm. As we so often say here in CAR: “On est ensemble” – We are together.

Monsignor Dieudonné Nzapalainga is Archbishop of Bangui, Imam Omar Kobine Layama is President of the Central African Islamic Community, and Pastor Nicolas Guerekoyame Gbangou is President of the Central African Evangelical Alliance.

“Our main challenge is to live together when we’ve been shattered by violence; it makes us suspicious of each other, that our neighbour is an informer or a collaborator. Reconstructing the social fabric will take time. Disarming people is one thing; disarming hearts is a much harder task at hand.”
Archbishop Dieudonné Nzapalainga.

November 2014

Local faith actors and protection in complex and insecure environments

James Thomson

Faith leaders, faith-based organisations and local faith communities play a major role in the protection of people affected by conflict, disaster and displacement. Humanitarians, however, have only recently begun to fully appreciate the depth, scope and variety of protection work being done by faith actors and the complex interrelationships between faith and protection.

Despite sharing common humanitarian values and principles, and common interests in providing protection, faith-based and secular humanitarian actors have often operated in somewhat parallel universes. At the national level, it is not uncommon to see two sets of humanitarian actors struggling to understand, let alone navigate, each other's structures, systems and ways of working despite the fact that both are striving to protect the same communities.

One reason for the divide stems from the fact that Western humanitarianism has been largely shaped by secular values, and has tended to overlook or downplay the influence of faith outside the realm of private belief. Yet while religion has declined in industrialised countries, the vast majority of people affected by conflicts, disasters and displacement are people of faith. For many their religious beliefs and values play a major role in their lives, helping to shape the way they understand the world and their role and place within it, providing a moral compass as to what is right and wrong, and helping people cope in times of crisis. Faith may encourage acts of compassion, tolerance and respect for human dignity, while inspiring social justice, reconciliation and conflict resolution.

Bridging the gap between secular humanitarians and faith actors, and fostering engagement and stronger protection partnerships, however, are not easy tasks. Faith actors' motivations and ways of working are as diverse as the cultures and societies that sustain them, and comparatively little research has been undertaken to understand the scope and variety of their protection

work or what protection roles they are best placed to play, and why. The low visibility of their work and the fact that local faith-based organisations (FBOs) and faith leaders are rarely linked into the humanitarian system also make coordination, collaboration and complementarity a challenge.

There are other challenges too. Many FBOs lack technical expertise, and some may not be willing to take up sensitive protection issues. Being rooted in traditional cultures and beliefs, they may perpetuate harmful traditional practices or encourage stigmatisation (for example, of survivors of sexual and gender-based violence), while other faith leaders and FBOs try to address these issues. Some proselytise. Additionally, while many FBOs practise relative impartiality and neutrality, and most subscribe to humanitarian principles or their equivalents, others fail to do so because of the political context within which they operate.

The potential benefits of working with faith actors, however, are significant. Because of their local ties and widespread presence, the reach of local FBOs into crisis-affected communities often extends well beyond that of humanitarian actors and even state authorities, particularly in complex and insecure operating environments where the legitimacy of state authorities and humanitarian actors are often called into question.

Local faith leaders and FBOs are usually deeply embedded in – and generally respected by – local communities, and are intimately attuned to local cultural nuances and social and political dynamics. They also tend to

November 2014

inspire a high level of trust within their community, giving them great influence over local norms, culture and behaviour – all of which is vital for community-based protection work. The sheer size of some of these constituencies, along with their influence and connectedness, often gives them considerable leverage with state authorities and non-state actors.

The long-term engagement of faith actors with local communities and government authorities also allows their protection initiatives to take root and sustain efforts to address root causes, change patterns of behaviour or advocate for changes in law and policy.

Their presence before, during and after disasters and conflicts mean they are well placed to provide both early warning and early action to prevent conflict, and community-based disaster or conflict preparedness. Linked to this, their role as first responders after disasters is often critical. Schools, churches, temples and mosques are frequently used as safe shelters and for coordinating response efforts. Their organisational structures and networks, though often disrupted, provide a ready-made local response capacity. Faith leaders and FBOs can also draw on their social capital to launch new initiatives and gain community support and mobilise volunteers.

Lack of awareness of – or lack of sensitivity towards – the significant role that faith plays in the lives of crisis-affected communities can result in humanitarians finding themselves up against barriers and unexpected



Refugees from Myanmar enter the compound of a Seventh-day Adventist church in Umpium camp in Tak province, Thailand.

consequences, missing opportunities to persuade and mobilise communities, and even causing unintentional harm. FBOs and local faith communities (LFCs) understand the role that faith can play in helping people recover from abuses and they can provide support (spiritual reassurance, religious guidance, counselling, etc).

Faith constituencies also reach well beyond the affected community and so are well placed to prevent and resolve conflicts; deal with refugee and host community tensions; combat xenophobia and racism; mobilise support from the wider society; and address the causes of insecurity that require wider social and political change. Where religion is used as a tool to incite conflict and polarise communities, FBOs and LFCs also potentially have a unique ability to work with and through their faith communities to counteract extremist views, and reconcile the differences and tensions that fuel conflict and drive displacement.

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November 2014

The value of accompaniment

Joe Hampson, Thomas M Crea, Rocío Calvo and Francisco Álvarez

Friendship and compassionate companionship with the most vulnerable provide a powerful type of humanitarian service giving priority to personal accompaniment.

Jesuit Refugee Service is an international Catholic organisation founded in 1980 to respond to the plight of the Vietnamese boat-people, with a mandate of accompaniment, service and advocacy for refugees and other forcibly displaced people.¹ In accompaniment work, we move beyond a mere delivery of services through offering companionship, active listening and solidarity, focusing on individuals' personal needs and concerns.

For us accompaniment is a process echoing the fundamental belief of divine presence on earth, expressing solidarity and compassion. Through accompaniment we aim to lessen the enormous power gap between humanitarian worker and beneficiary and hope to increase the desire for genuine participation by displaced people in programmes and services affecting them.

In virtually all refugee or forced migration stories there lies the menacing background of war and violence; hopelessness in the face of suffering and deprivation; the yearning to be listened to and to tell one's story; and the value of small gestures of compassion and respect. Empowering refugees is to give them back self-worth and hope for the future. Involving refugees in the plans made for their lives is not only sensible but a psychological and moral necessity, a precondition for sustainable, effective projects which should be the hallmark of faith-based organisations' humanitarian programmes. Of course faith-based organisations (FBOs) can and do run large programmes of humanitarian assistance using all their professional expertise but these large-scale approaches must always be in the service of, and never dwarf, personal and human approaches.

Accompaniment can offer an antidote to the 'commodification' of beneficiaries that

unfortunately happens so often in large-scale humanitarian relief operations. We recall our experience in western Zambia, where a sudden influx of new Angolan refugees had arrived in a newly erected refugee camp. Though officially tasked with education services, JRS took it upon itself also to advocate in a broad sense for refugees' concerns and rights with the camp authorities. One issue of importance to the refugees, but of low priority to harassed camp and government authorities, was the register of those who had died since arriving in Zambia. JRS became responsible for keeping a record of the dead, on behalf of the living; in performing this simple yet meaningful service, JRS accompanied the refugees on their journey of life by allowing refugees to formalise the importance of those who had gone before them. Death is perhaps a particularly significant aspect of a faith life, and therefore important for faith-based organisations, but not the only example; there are many places where there is an intersection between faith and the humanitarian instinct. The importance of compassion for those in need or the value of companionship for life's journey – these practices are enjoyed by a faith approach and provide a powerful and special type of humanitarian service, giving priority to personal accompaniment.

A faith-based approach to accompaniment also provides an alternative lens through which to view the programmatic implications of service delivery:

- Because of strong links with local religious leaders and communities, FBOs are in a powerful position to make the case for local integration, stressing values of hospitality and solidarity.
- Humanitarian intervention is often viewed as parachuted-in help from outside but

FBOs usually have a local viewpoint, knowledge and skill base.

- FBOs have been a powerful tool for advocacy work at national and international levels, making known the plight of the forgotten displaced untouched by the 'CNN effect'. For example, the global treaty to ban landmines was in large part inaugurated and later driven by FBOs.
- Because levels of trust between FBOs and the displaced are often higher than with secular NGOs, there is greater likelihood, in our experience, of being able to tap into the strengths, experiences and networks of refugees that may help lead to solutions.
- In Africa and Asia, we have found great respect by religious leaders for the work done by FBOs for displaced, regardless of the church or religion.

No matter in what sector of service delivery, in JRS we have found it valuable to build in details of accompaniment at every stage of our project cycle: in the training of staff on its importance and priority in our work; in our codes of conduct and conditions of service; in our reports, monitoring and evaluation exercises; and in our assessment of impact. FBOs with a strong sense of accompaniment may be better placed to position themselves alongside refugees in protracted situations, although one of the challenges we have found in stressing the value of accompaniment is the delicate timing of letting go, especially after a prolonged presence. FBOs may not always be the first on the humanitarian scene but often they are the last to leave. Also, secular INGOs and UN agencies may lack local familiarity and knowledge, and have to face the realities of frequent staff rotation, as well as bureaucratic difficulties of conducting cross-border programmes.

Another challenge facing FBOs, and certainly present in JRS, relates to the different understanding of what constitutes the best approach to service delivery. FBOs are usually close to the population and know

them well, working from the perspective of accompaniment and empowerment of the most vulnerable. This profound understanding of the needs of the community can sometimes collide with indicators of service delivery proposed by external agents who do not know the community. To the extent possible, a sense of mission should guide a set of evidence-based, best practices in the field, which in turn serve to advance the mission. Yet, in practice it is often difficult to conceptualise specifically how the mission and practices can best be linked. In the complex environments in which FBOs operate, we believe that the best approach is one guided by a set of values, yet drawing from and using best available evidence operationally – what could be termed 'evidence-informed mission work'.

In over three decades of service to refugees and IDPs, JRS considers that one of the defining elements of its identity – accompaniment – is central to most religious traditions, and is also a unique element that they can bring to humanitarian service. Accompaniment as practised in JRS is defined by a cluster of attitudes and values: solidarity, hope, respect and dignity, friendship, open listening, hospitality, striving for justice, and opting for the poor and marginalised. Like many other FBOs who aim to be close to and in solidarity with those they serve, JRS has found in accompaniment a practice and a dimension that offer deeper quality of service as well as benefits well beyond those of a rigid calculus of output and impact.

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November 2014

How local faith communities can aid asylum seekers

Kelly Barneche and 'Joe'

Local faith communities are able to offer assistance to asylum seekers in ways that faith-based organisations (FBOs), constrained by eligibility criteria, are not, and they play a critical role in the reception and resettlement of refugees and asylees in the United States. Refugees and immigrants who are granted asylum once in the US ('asylees') are eligible for a host of services offered by FBOs working on resettlement. Immigrants who seek asylum upon arrival in the US, however, discover that they do not have access to the assistance that refugees and asylees do. Because the asylum application process lasts for months or even years, the experience of asylum seekers is characterised by uncertainty and waiting. Any aid they require – financial, medical, psychological or social – must be sought through community networks. This leaves asylum seekers, who have escaped life-threatening situations, extremely vulnerable upon arrival in this 'safe' country. Those without social connections or financial means risk homelessness, exploitation and trafficking.

Synagogues, mosques and churches are perfectly placed to offer the critical assistance that asylum seekers need upon arrival. Whereas FBOs are restricted by their funders in what services they can offer to forced migrants without refugee or asylee status, local faith communities do not face such limitations. They are free to decide that asylum seekers, despite a lack of official legal status, are eligible to receive assistance from them. When they offer housing, clothing, food, companionship and spiritual care, they reach individuals who would otherwise be excluded from accessing care from local organisations and charities, including FBOs engaging in refugee resettlement.

The experience of Joe¹, one East African asylum seeker who sought asylum in New York City after being persecuted, demonised, humiliated and threatened with death in his home country because he is gay, offers us an example of what this engagement with local faith communities can be like in practice.

Shelter: Says Joe of his first day in New York, "It was the coldest day of my life; I sneaked into a church and slept on the pews. I felt lost, alone and frightened." Some local faith communities find that their facilities can serve effectively as short-term

lodging for asylum seekers, while others are able to make arrangements with community members who are willing to offer space in their own homes.

Food and clothing: Coming from a warm climate, Joe had "never experienced seasons". Many local faith communities maintain stocks of food and clothing or regularly offer warm meals to asylum seekers who often do not qualify for the warm clothing or meals provided by organisations that require beneficiaries to provide identity documents.

Transportation: Joe found that access to transportation was essential to his ability to navigate the city: "If one has a metro card [a public transport pass], they are then able to go to the soup kitchen or doctor's appointments, see their lawyers, go to church, do volunteer work, etc. ... Transportation support in form of a metro card is a fantastic and crucial tool to help people like me."

Companionship and spiritual support: Although some asylum seekers are able to connect with other immigrants from their own cultures, others cannot. The experience of isolation can compound symptoms of trauma. Joe recommends that local faith communities "help [asylum seekers] find new friends. ...you are left alone in deep thoughts with no one to talk to... If [local faith communities] could find volunteers who are willing to become genuine friends to people like me that would be a great achievement." Joe says of this effect, "find[ing] a group of friends would help me and others in my situation to gain a sense of being loved, human, and they would help me appreciate life again."

The flexibility that local faith communities enjoy, in terms of what type of assistance to offer and who may receive it, allows them to discern how best to collaborate with and help the asylum seekers among them. Most significantly, they are able to transcend the typical client-provider dynamic found in most organisations (including faith-based ones), allowing friendship and spiritual support to develop in the context of a community.

Kelly Barneche *Kelly.barneche@gmail.com* is a social worker living in Lausanne, Switzerland. 'Joe' is currently seeking employment while he awaits a decision regarding his asylum application; Kelly Barneche will forward messages to him.

1. Not his real name.

The role of religion in the formation of cross-community relationships

Sadia Kidwai, Lucy V Moore and Atallah FitzGibbon

Spiritual life is a priority in many conflict-affected communities, perhaps especially in situations of displacement. It is rarely prioritised by aid agencies, yet may be central to the formation and maintaining of strong and effective cross-community relationships.

Questions around migration, the treatment of forced migrants and cross-community relationships between host and forced migrant groups are deeply embedded within Islamic history. From an Islamic perspective, cross-community relationships are facilitated by a mutual recognition of the dignity and honour that God bestows on forced migrants for their fortitude in escaping persecution or deprivation, and on their hosts for their generosity of spirit.¹ A crucial aspect of maintaining this dignity is in ensuring that neither the vulnerability of the migrants nor the generosity of the hosts is exploited.

When the first community of Muslims in Mecca, including the Prophet Muhammad (PBUH²) himself, migrated to the nearby city of Medina to escape religious persecution, the Prophet established a unique system of protection whereby local families would each take responsibility for one migrant family, sharing with them their wealth, food, home and tribal protection.³ Such a system facilitated the integration of the migrants into the host society, providing them with a sense of belonging and a source of spiritual support, leading to the establishment of healthy and mutually beneficial relationships between hosts and migrants.

While there is a rich tradition within Islam of hosting migrants this tradition is not often invoked by Muslim faith-based organisations (FBOs) in their work. Calls for action and support for forced migrants tend rather to be based on general Islamic obligations to give charity, while the individual religious motivations of staff within Islamic Relief (IR) focus on the need to

care for the vulnerable, rather than invoking the Islamic history of care for migrants.

Forming cross-community relationships

IR's experience indicates that religious **identity**, rather than religious **values**, tends to play a more prominent role in its work with migrant and host communities. Our research concludes that in many cases, although not all, IR finds itself at an advantage over non-Muslim agencies when working with displaced and host communities that are Muslim.⁴ The nature of this advantage and the reasons for it are as varied as the contexts in which we operate; however, they are often ascribed to IR's ability to build relationships of trust with those communities.

Staff interviewed across multiple locations commented that a sense of trust was based on the agency's clear connection to its religious identity, visible through its name and logo. This identity is nurtured through sensitivity to the spiritual and religious needs of the community, for example in the provision of food parcels during Islamic religious celebrations such as Ramadan and facilitating the *qurbani* (distribution of meat) for *Eid ul-Adha*. Beneficiaries in camps of internally displaced people (IDPs) from Darfur to Kabul point to this provision as evidence of a shared religious understanding, while IR's policy of recruiting local staff (who are therefore from the same religious community in many cases) undoubtedly plays a key role in supporting this sense of shared religious identity. While most international non-governmental organisations (INGOs) hire local staff, the expectation is often for staff to leave behind references to their religion and behave with a secular outlook; this tendency

November 2014

is less emphasised where the organisation identifies with the employee's faith.

Spiritual life, not often recognised by aid agencies, is a priority for many conflict-affected communities, perhaps especially in situations of displacement. Although IR's policy is not to build specifically religious buildings, we are frequently approached with requests for assistance in building mosques and religious schools, partly because our religious identification makes beneficiaries comfortable in doing so. However in the context of working with forced migrants, we provide temporary spaces for religious and spiritual use equitably to all communities (both Muslim and non-Muslim). IR's role in camp management has required a recognition that space for worship and religious education be considered a basic need in some cases as this is a priority of the camp residents themselves.

However, the faith 'label' of an NGO can also act as a barrier rather than a bridge. In contexts where religious identity has been conflated with political position, being identified as a 'Muslim organisation' has made it more complicated to build trust with communities. When IR began working in El Geneina in Darfur, the organisation was

initially viewed with suspicion; beneficiaries assumed that as a religious organisation IR was representing the Sudanese government, and other NGOs suspected IR of having pre-existing relationships with either the government or other local militias. Similarly, in Al Saloum Camp in Egypt, Sudanese refugees from Darfur expressed unease about being in a camp managed by IR because they perceived this as a potential barrier to applying for entry to northern Europe or North America. Where there are multiple factions organised around a politicised religious identity, as in Afghanistan or Iraq, there are additional risks for Muslim NGO staff. Staff from Kabul, for example, expressed fears that they were unable to work in some of the more remote areas because their less conservative appearance (interestingly referred to in terms of their "lack of beards") would lead to them being at risk of attack.

In contexts of forced migration, faith has always played a role in directing migration patterns. This is seen most recently in the case of Syrian refugees, particularly in Lebanon, where Syrians are most likely to move to a location inhabited by those from similar religious backgrounds. These connections may allow greater potential for tolerance and



Malian refugees get ready to break the fast during Ramadan in Goudoubo refugee camp, Burkina Faso.

hospitality by host communities for migrants from similar ethnic or religious backgrounds and aid may be more easily distributed when done through existing religious structures. Conversely, reduced opportunities for different communities to interact can exacerbate a sense of division, difference and competition. The positive role of shared faith identity is also tainted where this results in discrimination vis-à-vis other communities. In Lebanon there have been government restrictions on the number of Syrian refugee families in any settlement. However, the majority of settlements in the Beka'a region, for example, contain substantially higher numbers of Syrian families and popular opinion attributes this to authorities turning a blind eye where settlements house refugees from the same sect as local power brokers.

Secularisation of humanitarian discourse

The humanitarian sector has a strong secular bias, with FBOs often feeling that there is an actively anti-religious feeling within the international sector. This can be overt, for example where funding is withdrawn or unavailable for work in northern Mali due to fears of falling foul of anti-terrorism legislation; or it can be systemic, for example when project staff working on cross-community peacebuilding with IDPs in Sudan feel uncomfortable including training on Islamic approaches to conflict transformation in the project proposal. In Lebanon, initial questions to IR staff and partners about how their faith inspires their work were immediately met with strong pronouncements on the importance of non-discrimination, with any discussion of faith being first understood in terms of its potential risk to humanitarian principles.

The relegation of religion to 'culture' by parts of the international aid community⁵ undermines the potential for understanding the economic, political and social role of faith and faith communities in situations of forced migration, and how this can have a positive impact on the design of response. At the root of humanitarian agencies' concern is the potential difficulty of separating out

FBOs' humanitarian role from their pastoral role. This has the potential to deny important pastoral services such as the comforting of the sick, traumatised and bereaved. Secular institutions have often dealt with this in the Global North by integrating multi-faith chaplaincy into front-line services, with highly developed ethical and practice-based guidelines. Professionalising the provision of such services within refugee settings could enable secular agencies and FBOs to address the dilemma of reconciling the need for pastoral care in line with humanitarian ethics, whilst also addressing the need to include elements of faith counselling in psychosocial services for forced migrants (which, in the case of issues such as pregnancy arising from rape, is often essential for closure).

Because of this bias it is therefore difficult to measure the role faith plays in the formation of cross-community relationships; it is easier to measure activities by faith leaders and communities as aid distributors than to understand the role that values play in those actions. Historically many FBOs visibly align themselves with standard practices and international values and are hesitant to focus on their faith credentials (or may feel discouraged from doing so) when communicating outside their communities. This is a direct result of donor expectations and can encourage a 'dual mentality' within organisations.⁶

Shared values or shared identity?

A further question that is posed by a critical examination of the role that faith plays is whether these connections are based around an **identity** label or an understanding of shared **values**. A critical examination of IR's experience indicates that while faith often acts as the inspiration for those providing support to forced migrants, in most cases there is little discussion of shared values.

Our experience is that where a common faith is evoked as a shared values system it can have a powerful impact. In Darfur, a Peace and Community Conflict Resolution project brought IDP, host, nomad and

November 2014

pastoralist communities together; through discussion of religious principles and teachings, the importance of neighbourliness in Islam and good treatment of others was acknowledged as central in restoring trust between communities. Connections through values provide greater opportunities for behavioural change; shared identity opens up access for dialogue on sensitive issues, while shared values enable harmful practices to be challenged from within the religious framework, helping people learn more about their holy texts and the positive impact they can have on community well-being.

Conclusion

It is clear that the Islamic faith is not often being drawn upon to its full depth for the protection of forced migrants. Examples from the time of the Prophet offer a model of practice where migrants are immediately given support to enable them to provide for themselves through work, and long-term émigrés are integrated fully into the community. While this does take place in some contexts (the Turkish policy of integrating Syrian refugees is one such example), this is not typical of the treatment of forced migrants in many Muslim-majority countries today; IDP camps in both Kabul and Darfur, for example, have existed for over ten years through a persistent 'state of emergency'.

The secular nature of the humanitarian and development sectors has made it challenging

to see the role that faith plays in the sector, and only in recent years are we seeing a renewed interest in how faith can be a positive agent of change, rather than focusing on concerns of proselytisation or religion as divisive. Consequently, there has not yet been the full opportunity to examine the positive and negative roles that faith can play in the aid sector, and it will not be possible to do this fully unless FBOs and faith communities are able to feel comfortable in vocalising and enacting the teachings of their faith in their relationships with those in need.

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1. See box. See also FMR supplement (2012) 'Islam, human rights and displacement' www.fmreview.org/human-rights
2. PBUH – Peace Be Upon Him. Prophets of God are honoured by Muslims with this saying when their name is mentioned.
3. Ramadan, T (2008) *The Messenger: The meanings of the life of Muhammad*, Penguin Books, London.
4. Kirmani N, Ahmed Khan A and Palmer V (2009) *Does Faith Matter?: An Examination of Islamic Relief's work with Refugees and Internally Displaced Persons*, Islamic Relief Worldwide, UK. <http://tinyurl.com/ISlamicRelief-and-refugees>
5. See, for example, *Culture and Risk: World Disasters Report 2014*, International Federation of the Red Cross and Red Crescent Societies. <http://tinyurl.com/WorldDisastersReport2014>
6. See for example James R (2009) *What is Distinctive About FBOs?: How European FBOs define and operationalise their faith*, Praxis Paper 22, INTRAC. <http://tinyurl.com/JamesFBOs-distinctiveness>

Islamic Relief resources on faith-based approaches to forced migration and conflict transformation

- Kidwai S (2014) *The Rights of Forced Migrants in Islam* <http://policy.islamic-relief.com/portfolio/the-rights-of-forced-migrants-in-islam/>

Islam has a strong heritage of protection of forced migrants. It is a tradition which provides a robust and generous framework for the protection of and provision for forced migrants, enshrining rights such as the rights to dignity, *non-refoulement*, equal treatment, shelter, health care, family reunification and protection of property. This paper provides an overview of the Islamic teachings related to the rights of forced migrants, and is a resource for any agency dealing with Muslim forced migrant or host communities.

- *Working in Conflict: A Faith Based Toolkit for Islamic Relief* <http://policy.islamic-relief.com/portfolio/working-in-conflict-a-faith-based-toolkit/>

The toolkit outlines Islamic Relief policy founded on Islamic principles. From this foundation, and drawing on good practice from across the peacebuilding sector, the kit outlines practical tools and approaches to aid and development projects in contexts of conflict and fragility. While written for Islamic Relief staff, the toolkit may be equally useful for other agencies working with Muslim communities experiencing conflict and violence and includes an introductory section for non-Muslim agencies who wish to draw on the toolkit for their own activities.

The contribution of FBOs working with the displaced

David Holdcroft

Faith-based organisations take from their religious traditions both strong motivations and access to a long history of thinking concerning social and political issues. This can make them ideally placed to fill the gaps in the implementation of human rights.

Early in 2014 I visited Mavisela, a Zimbabwean woman living in a small shack on the outskirts of a small town in South Africa.¹ She came to South Africa during the great migration from Zimbabwe in 2008, was granted an asylum permit under the general dispensation in force at the time, and has had it renewed periodically, without resolution of her case, ever since. Jesuit Refugee Service (JRS) first encountered Mavisela in a local hospital. She was barely alive, weighing 25kg and suffering from HIV and drug-resistant TB. Since then, the organisation has helped her with a variety of interventions which have seen her slowly regain her health, make contacts with the community (both South African and migrant) and begin to find work.

JRS's response to Mavisela's case highlights the type of contribution that faith-based organisations (FBOs) working in the area of forced displacement can make, as well as some of the challenges and pitfalls they face. Like many of her compatriots living in South Africa, Mavisela is most probably not a 'Convention refugee' and this places her outside UNHCR's core mandate of concern. Like most survival migrants, however, she felt forced to move to South Africa where she lives a highly precarious existence in deep poverty. JRS's programme had both the freedom from definitional preoccupations and an on-the-ground network to be able to respond to some of her needs, then subsequently to mount various interventions as we came to know her and the circumstances of her case in more detail. Over time the priority has shifted to enabling her to forge links with the local community, which involves mainly the civil authorities and churches with whom JRS is networked. All in all, by the end the process will have taken around six years, a not unusual time frame for such work.

I would argue that an FBO is naturally placed to fill the gap that exists between governments' core area of concern and responsibility, which is focused on their own citizenry, and that of a relatively young international system of protection which has trouble creating strong links with local communities. FBOs face challenges and risks, however, in attempting to fill this gap. These include, on the one hand, the risk of overstretching and losing focus and, on the other, a diminution of freedom and courage in the face of funders' requirements and the need to achieve measurable outcomes. FBOs can represent the best of their background traditions when they allow the thinking of those traditions to interact with, and be challenged by, the evolution of thinking in professional management, social entrepreneurship and forced migration. I have few illusions, however, of the difficulty and complexity of this task.

Nor do I view religious traditions' contribution to work with the forcibly displaced as limited to FBOs. Indeed, the networks provided by mosques and churches often form the first entry point of a refugee into a new society; this is, in many ways, the greatest contribution that faith groups make and it lacks sufficient acknowledgement. Furthermore, the arguments I make can equally apply to 'secular' non-faith-based organisations working in the sector – FBOs do not have a monopoly on ethics. However, the major religions all have a wisdom that can be creatively brought into dialogue with the identification of needs and current trends in programmatic thinking to result in well-targeted, cost-effective work with high impact.

The concept of rights

The body of thought by which the Catholic Church applies its beliefs to social and political

November 2014

issues is known as Catholic Social Teaching. There are many aspects to this but one in particular concerns us: the concept of the intrinsic dignity of the human person, no matter in what circumstances that person finds him or herself. This dignity endows the person with the status of someone to whom respect must be shown in every way. It is not hard to see the close links this concept has with those values enshrined in the Universal Declaration of Human Rights, as well as many other human rights instruments. Catholic Social Teaching emphasises two aspects of the nature of human dignity and its understanding of the human person which I think are especially helpful.

The first is that it views the person not only as an individual with rights but also as a being-in-relation-to-others, and in many ways dependent upon those others for the realisation of selfhood. Thus a person interacts with others in a plethora of ways, economically, socially, culturally and politically, and finds their identity and meaning principally as a result of these interactions. The person as a result has a right to contribute meaningfully to a community of people. It is not difficult to see that the most significant political mechanism for the realisation of this right is the political community we call the state. When the state, for whatever reason, does not adequately provide this participatory environment, then the person has a right, and indeed a duty, to address this situation, if necessary, by migration.

This challenges us out of our traditional provider-beneficiary mindset. Refugee flight is more to be seen as the active exercise of a right, and there is much less opportunity to view the displaced person as helpless victim. It also follows that countries have a duty to welcome forced migrants and take active steps to integrate them effectively into society in some way or other.

Secondly, agencies which have their foundation in this tradition are provided with broader and more flexible parameters when

faced with issues of definition – of deciding who should be admitted to their sphere of concern. This should provide a guide to a systematic and ethically consistent response to refugees, survival migrants, crisis migrants, internally displaced people and other groupings under the term ‘displaced’. This greater flexibility extends to the nature of the programmes they design, altering the focus from the refugees themselves to the provision of capacity to the host society to help those refugees begin to contribute meaningfully to that society. This in turn opens the door to FBOs implementing projects which involve both members of the host society and refugees, instead of merely targeting refugees alone and heightening the risk of xenophobic backlash from the host population.

It is this more social view of the human person and their rights that both provides a challenge and gives a continuing rationale for FBOs to be actively involved in the sector. It concerns a logical incoherence in human rights discourse and governments’ consequent political response to forced migrants attempting to cross into their territory. The concept of the secular state came into being in the aftermath of the European wars of religion and the accommodation that religion would be allowed to continue, in a more private sphere, in return for secular rulers providing for the physical security of the people who lived within the borders of the state. As the role of the state has developed, so has the responsibility of governments to privilege the rights of its citizens over those of others. The existence of the forced migrant, who appeals to a more universal set of human rights, sits awkwardly with this political accommodation. Our recent history sees governments on all sides of the political spectrum fundamentally struggling with their response to forced migrants as any truly principled response is not politically expedient. The exception is if governments can make the difficult public case that there exist benefits of immigration for the local population that outweigh the negatives of accepting a group of strangers within one’s borders.

With the international system of protection still nascent in its development and subject to the interests of member states (and funding), FBOs are ideally placed, by virtue of the operative freedom and universal understanding of the human person granted in their traditions, to fill this gap. They can do things that governments need done but do not necessarily want to be seen to be doing. This is not to absolve governments of the responsibility to enact a regime of universal human rights. Nor is it to say that such a role for FBOs is either simple or straightforward. FBOs must hold that dual line of maintaining accountability, both to standards of service and local statutes, and at the same time exercising that freedom which accountability to their own faith traditions elicits.

Conceivably, the greatest contribution of faith communities lies not in their organisations but rather in the already mentioned networks and resultant capacity to allow people on the move to connect and find a welcome and hospitality in an otherwise possibly hostile environment. Experience has shown too that it is the

comprehensive nature of these networks that, if activated, makes the real difference in the crucial first forty-eight hours of an emergency.

It follows that transnational organisations could do well to recognise the peculiar contribution of FBOs and learn how to work better with them. The sector has great need of broad-based cooperation and of the utilisation of the strengths brought by the differences of all the various groups which offer their services. At the same time, FBOs could do well to shake off their fear of working with civil and transnational authorities. In so doing, they will continue to play a vital role in filling the logical gap created by the politics of human rights, while remaining suitably accountable both to civil authorities and to the directions discerned in the light of their faith traditions.

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1. Not her real name.

Faith and the secular: tensions in realising humanitarian principles

Alastair Ager

There is good reason to engage faith-based organisations and local faith communities in humanitarian response but doing so raises challenging issues for the interpretation of humanitarian principles in what some see as a post-secular age.

Faith-based organisations and local faith communities represent a major proportion of civil society capacity in many contexts vulnerable to humanitarian crisis. This makes strengthened engagement with such groups an appropriate element of strategies to enhance local and national capacity for crisis preparedness, mitigation and response. A recent multi-agency review of the role of local faith communities in humanitarian contexts found extensive evidence of contributions with respect to disaster risk reduction, emergency response and facilitating transitional and durable solutions.¹ Many reports covered by

the review identified local faith communities to be well situated to respond within the early days of an emergency when facilities for the provision of shelter, or volunteers to assist distressed and displaced populations, may be crucial. It is also increasingly recognised that through belief and ritual local faith communities may provide a sound base for bolstering community resilience in the immediate aftermath of crisis.

Such evidence is generally interpreted in terms of the instrumental value of faith-based resources to a pre-existing humanitarian

November 2014

agenda, which is most typically articulated in specifically secular language. In these terms, it may be that engagement with local faith communities is seen to be warranted for the resources that it makes available to humanitarian efforts but that any activities and values considered to be potentially at odds with humanitarian principles should be kept well away from humanitarian space. For some humanitarians the risks of such engagement continue to far outweigh the potential instrumental benefits.

Recent moves by UNHCR towards more effective engagement with the faith-based sector were thus accompanied by a strong emphasis on a 'code of conduct' for faith-based partners² which proscribed activities – such as proselytism – seen to be incompatible with humanitarian engagement.

Such caution is understandable if a secular approach is seen as the guarantor of protecting humanitarian principles. However, a number of developments now challenge this position. Peter Walker has noted how the current understanding of humanitarian principles will need to evolve to reflect the impact of globalisation.³ The fields of international relations, political science and sociology have all come to abandon the presumption of secularism advancing with development and have begun to address the potential dawning of a 'post-secular age'. There is increasing acceptance that the world of faith cannot be pragmatically or legitimately confined to the private sphere and kept out of the public sphere. Further, the secular frame is increasingly acknowledged as reflecting a Western ideology developed from within a Judaeo-Christian tradition, far from a 'neutral' perspective. The politicisation and militarisation of aid is rightly understood to have been a major driver of the erosion of humanitarian space but a growing



Temporary mosque established at an IDP camp in Yogyakarta, Indonesia.

understanding that the secular framing of humanitarianism reflects Western, neoliberal values also contributes to such pressure.

This all signals the complexity of engagement with local faith communities. There is evidence that communities can learn a secular script to facilitate their work with international humanitarian actors. This echoes the way that international faith-based organisations have come to frame their work in a way that is often indistinguishable from the way secular organisations do so. This strategy will remain preferable for some. But sticking to a secular script presents two major challenges to humanitarian actors. First is the recognition that this framing often shapes humanitarian assistance in a manner that is alien to many local faith communities, creating a disconnect with many local resources relevant for their recovery from crisis. Second is the recognition that silence on matters of faith is not a signal of neutrality but reflects a particular ideology.

The 2012 UNHCR Dialogue on Faith and Protection reflected sensitivity to both of these challenges, and encouraging greater religious literacy in humanitarian workers is an important step towards addressing them. Pursuing impartiality, independence

and neutrality must remain core to the humanitarian agenda. Engaging with issues of faith is not to abandon these principles but to acknowledge that in a context of pluralism we need to learn to operate with an awareness that religious belief and the secular alike are “one human possibility amongst others”.⁴ Negotiating humanitarian action and partnership in this post-secular age will be demanding. However, the “common understanding” claimed by secular and religious actors in the formulation of the Universal Declaration of Human Rights offers a significant historical precedent for navigating such discussions.

Our experience of the work of local faith communities in providing humanitarian assistance to Syrian refugees in Jordan suggests some very practical actions for humanitarian agencies to more effectively partner with religious groups. These include: commit to mapping the breadth and diversity of faith-based engagement in local humanitarian response; model respect for such engagement – and a mature understanding of

the humanitarian principles of impartiality and neutrality – through physical presence with diverse faith actors; recognise the religious and spiritual concerns of these groups as integral to their identity; and treat such groups as partners with precious local knowledge rather than as contractors to deliver a pre-determined intervention.

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For more detail, plus references, see Ager A and Ager J (2015) *Faith, Secularism and Humanitarian Engagement*. Palgrave.
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Faith motivation and effectiveness: a Catholic experience

Robert Cruickshank and Cat Cowley

CAFOD’s ability to partner with other faith-based organisations and communities brings significant advantages for its work with displaced people and other conflict-affected communities. However, modern-day humanitarianism does not always sit comfortably alongside some of the practices and approaches of the major religions.

The professionalisation of the humanitarian world since the Rwanda genocide in 1994 has tended to obscure the religious origins of much of humanitarian thinking and practice. The humanitarian work of UK-based international NGO CAFOD¹ is underpinned by Catholic Social Teaching which emphasises the intrinsic dignity of every person and our responsibility to protect human life, especially the lives of the most vulnerable. It therefore provides a strong ethical framework for our work, and principles

which we share with some 500 local partners and with Caritas Internationalis’s network of 165 Catholic agencies.

The valuable psychosocial role of spirituality and supportive faith networks in reinforcing people’s coping capacity is often overlooked by the wider humanitarian community. This recognises that material assistance is not enough and that people draw great emotional comfort and support from their faith and their faith community in times of

November 2014

hardship. For example, in the Democratic Republic of Congo (DRC), one of CAFOD's church partners runs a project across 34 parishes to support survivors of rape and sexual violence, including displaced women. The initiative came about after a local priest noticed that many women were coming to the parish to talk about their experiences; the church was the only place the women felt they could gather and find support. "God can help you to forget what happened. When I am alone at home I think of bad things but when I'm in the group, I forget." Equally, this is often a crucial factor for partner staff themselves, who may be working on emotionally demanding issues, and who are motivated by and benefit from having spiritual support.

Impartiality and independence

The principle of humanitarian impartiality requires FBOs to provide assistance to those most in need, rather than to those of their own faith. This is particularly important in conflicts perceived to have a religious dimension, and Syria typifies the complexity of adhering to this principle.

CAFOD is supporting church partners in Syria who are well placed to provide humanitarian assistance to all communities affected by the civil war. But interventions are difficult to monitor and there is a nagging worry that pressure from within the Christian communities and church hierarchies (not just Catholic) could lead to assistance being provided to members of one faith community. If true, this would not only compromise their humanitarian impartiality and independence but would also further alienate the minority Christian community from their Muslim neighbours and on a practical level would greatly increase the risks involved in their work. To mitigate this, CAFOD's church partners in Homs not only use information from the parishes to identify those families most in need but they have also established a centralised process to check the lists and ensure vulnerability is measured independently of religious adherence, according to a set list of criteria

i.e. people with disabilities, displaced, older persons, single-headed households, etc.

The increased fragmentation of Syria's religious and ethnic panorama can sometimes make it hard for faith-based NGO partners to work with other faith groups. On the other hand, there is anecdotal evidence that religious groups of all persuasions are working to broker local ceasefires, cooperation pacts or even peace agreements, although this in itself may make them targets. Where this cooperation is occurring, FBOs are well placed to provide assistance to the displaced of all faiths. The delicate balancing of needs and perceptions in such a fraught, complex and dangerous environment often depends not only on the ethos of the organisation but also on the quality and attitude of the staff and leaders of these local partners.

Faith-based versus human rights-based

As well as drawing on Catholic Social Teaching, our responses have to be informed by scientific research and best practice. Our experience demonstrates that promoting dialogue between secular and faith-based approaches can highlight the significant similarities in aims and approaches and the possibilities for complementarity rather than the differences often overshadowing the discourse. Modern-day humanitarianism does not always sit comfortably alongside some of the teaching and practice of the major religions, and this sometimes gives the impression of a clash between faith-based and rights-based approaches.

FBOs should more purposefully apply the ethics, the social teaching and the doctrinal position of their respective faiths to the application of humanitarian, technical and accountability standards. Indeed, these debates should not prevent FBOs from delivering effective and safe humanitarian programmes. Reconciling scriptural interpretation, doctrinal positions and the everyday realities of life is not straightforward, as evidenced by the difficulties that religious authorities of various faiths have had in dealing with issues

November 2014



Sister Angélique Namaika (2013 Nansen Award winner) in the Catholic church of which she is a member, in Dungu, Democratic Republic of Congo.

such as family planning, HIV and AIDS prevention, and the respective roles and status of men and women. However, in the same way that some faith leaders can seem obstructive and inflexible in their approach to outside organisations, Western donors can come across to Southern church leaders as equally intolerant when compliance with their principles and approaches is a condition of aid. The fallout from these issues has reverberated across the Caritas network and our local church partners, influencing the way we work with the displaced in all contexts.

Professionalised language

The differences between secular and faith-based NGOs can seem more glaring because, as the humanitarian protection sector moves towards greater professionalisation, there has been a move towards the use of more technical, standardised language. Although

such terminology is now widely used in the humanitarian sector, to local FBOs it can seem both alien and at variance with a faith-based approach. The result of not being able to use this language is that local FBOs struggle to represent their efforts in coordination meetings, for example, and can be excluded and undervalued in the response activities.

Although the language of secular and faith-based organisations about human rights and displacement issues may differ, in essence the organisations are often dealing with similar challenges and have related objectives. Equally, the fact that some Catholic networks may base their work on Catholic Social Teaching rather than the more technical concepts of secular agencies can actually be more appropriate in certain contexts where a human rights discourse may meet with a negative response.

November 2014

Advocacy

Approaches that take into account, and adapt to, the local faith-based perspective can have a wider and deeper effect as partners are able to talk about issues in a way that is easily understood by, and has resonance with, local communities. Through its networks CAFOD is able to invite local priests, bishops and members of the communities they serve (including refugees and IDPs when appropriate) to speak in international fora and to advocate for policy change. For example, Archbishop Dieudonné Nzapalainga, Archbishop of Bangui and President of Caritas Central African Republic (CAR), has worked closely with other faith leaders including Imam Omar Kabine Layama as part of the Inter-Religious Platform there. They have consistently called for the conflict in CAR to be framed by the political, social and economic factors underpinning the tensions rather than religious differences. Given the potential power and influence of faith leaders, both faith-based and secular organisations need to support them to ensure their approaches are evidence-based and free from stigmatisation.

Access to individuals and communities

Faith-based NGOs pride themselves on accessing individuals and communities beyond the reach of most other NGOs through the church's networks of workers and volunteers based in the diocesan and parochial structures. In addition, the church's sustained presence, acceptance by communities and knowledge of the context allow them to cover wider geographical areas and cross-sections of society.

FBOs may also be better placed to act as interlocutors with unsympathetic governments or non-state actors. For example, CAFOD has worked through the church in Sudan, DRC and Eritrea to reach a wide cross-section of faith communities unaided by secular NGOs. In Colombia, only the church could reach certain areas, where the conflict and lack of state presence made access difficult for humanitarian agencies. CAFOD's local church partner, FUNVIPAS, for example, works in FARC's traditional

strongholds² and is one of the few organised structures to work in the region; this access has enabled them to conduct training on international humanitarian law and human rights law, and to provide psychosocial support to victims of the conflict.

Sustainable and long-term response

When displacement becomes chronic and media interest and funding start to dry up, FBOs may have the advantages of being a sustained presence although the value of this can be undermined by religious institutions' wider focus on pastoral and social work in the communities they serve. This may over-stretch an FBO's capacity and resources and can unfairly leave them open to the charge that they are diluting the efficiency and effectiveness of their humanitarian response (i.e. not acting as 'professional humanitarians'). Ultimately, however, harnessing an FBO's broader approach and deeper knowledge of communities could greatly strengthen humanitarian responses – if there is also a common understanding of and commitment to humanitarian principles and coordination.

CAFOD has started a programme to strengthen partners' humanitarian responses: building their contingency planning and response systems, and strengthening their technical knowledge, programme management and leadership competencies. With this support, CAFOD hopes to enable our faith-based partners to integrate more effectively into the rapidly changing humanitarian response world, enabling them to deliver more effective and robust responses to displacement.

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1. CAFOD is the official aid agency of the Catholic Church of England and Wales, and part of Caritas Internationalis.
2. FARC: Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)

The dignity of the human person

Nathalie Lummert

Catholic Social Teaching's emphasis on the dignity of the human person is a lens that Catholic institutions use to evaluate how we as a global society enhance or threaten the dignity of the human person, especially the most vulnerable of people – including those on the move.

The Catholic Church's view of all individuals as endowed with an intrinsic human dignity is the basis for its commitment to live in solidarity with displaced populations and for the importance it places on accompaniment. Accompaniment is a way of 'walking alongside' the refugee or migrant, rather than seeing the person solely as a recipient of services. It is also consistent with the concept of empowerment or a client-centred approach often espoused within a professional social work framework and used as a response in contexts of forced migration. We believe there are several comparative advantages in the Church's presence in activities addressing forced migration, which are linked to this concept of accompaniment.

The Catholic Church's long-standing presence in many settings provides an important advantage when responding to forced migration. In many places, the Church is indigenous to the location, in contrast to an international entity arriving after displacement occurs. This local presence encourages trust and a sense of mutual identity with the local community; refugees and other displaced persons turn to the Church for assistance even when they are from other faith backgrounds. The indigenous character of the local church is also why many international organisations turn to local church partners for collaboration in assisting affected populations. Furthermore, the voice of those affected can be brought to larger policy discussions through internal Church networks; a 'ministry on the margin' approach brings top leadership in contact with migrants, and in turn can influence political leaders.

The Catholic Church often has access to communities where others may not; this may be because of pre-existing Church

relationships, or perhaps because religious pastors are not viewed as threatening by those in control. For example, Catholic priests and religious sisters visit immigrants in detention worldwide and often have special access as pastoral agents.

The Catholic Church, while just one of many faith-based perspectives, is often recognised as a moral authority that can be a motivating force to take action on behalf of, and with, others. Pope Francis's challenge to confront the "globalisation of indifference" during his visit to Lampedusa in 2013 has been cited internationally through both secular and faith-based channels. And in April 2014 Cardinal Seán O'Malley, together with a number of bishops from the United States and other countries, celebrated a Mass at the border fence between the US and Mexico to highlight the need for changes of heart and policy toward our brothers and sisters across borders; this attracted considerable news coverage nationally and internationally.

Catholics, and others committed to a faith tradition, also bring a holistic approach that includes a view of the individual as a spiritual being. Incorporating the centrality of spirituality and religion in the lives of many migrating persons within humanitarian responses at all levels – from individual assistance to supporting the ability to practise religion – is something that many more organisations could recognise and incorporate into their protection responses. Faith is an important factor in resilience for many who have suffered due to forced migration.

Past experiences with government agencies, whether in their home country or, for example, with immigration enforcement agencies in their country of destination,

November 2014

can negatively affect displaced populations' views of those offering assistance. In such an environment, the Catholic Church and other faith organisations can have a comparative advantage in gaining the trust of displaced persons. This trust allows faith-based organisations (FBOs) to serve as bridges to government entities to voice concerns and assist with protecting the most vulnerable, helping them find their way in their new community, and educating them about their rights under current laws.

Catholic Church-affiliated entities share these advantages with other FBOs involved

in assisting in forced migration contexts, and common agreement with both faith-based and secular organisations on addressing forced migration has led to strong coalitions and partnerships among a cross-section of those concerned about turning humanitarian indifference into positive change.

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Cardinal Seán O'Malley and bishops celebrate Mass at the US-Mexico border, April 2014.



Journeys of a secular organisation in south Lebanon

Jason Squire and Kristen Hope

A secular NGO's experiences in south Lebanon demonstrate that it is possible for non-faith-based organisations to develop productive relationships with faith-based actors without compromising their secular identities.

Religion and faith are important factors which influence governance, social practices and beliefs affecting child protection. Child protection organisations – such as Swiss NGO Terre des hommes Foundation (Tdh) – have therefore sought to engage with religious discourses and faith-based actors to combat different forms of violence against children. Many have experienced tensions and difficulties, however, when carrying out child protection programmes in Muslim-majority communities. The experience of Tdh's child protection team working in Palestinian refugee camps and communities of Tyre area in south Lebanon suggests a model of action that enables secular international organisations to engage effectively in situations where they are less likely to be embedded within the local culture of a community and/or where they may be perceived as having an agenda other than that of purely delivering aid.

Tdh, an organisation “free from any political, religious or ethnic bias” according to its Charter, established an office in Lebanon in 1975. Since 2009, it has focused on work in the Palestinian refugee camps of the Tyre area, developing a strong relationship with Palestinian governance and other actors in order to build firm partnerships and encourage decision makers to take ownership of child protection responses. The intervention was based on a needs assessment that concentrated on collecting information while at the same time building networks and explaining that Tdh looked to build partnerships based on trust and empathy, focusing on children's well-being rather than on politics or religion.

Despite this, Tdh encountered several obstacles at the beginning of its work in the

Palestinian refugee communities. When staff initially spoke about the project, families and community leaders expressed varying degrees of mistrust. One of the concerns voiced was that Tdh had a hidden agenda to promote Western and/or Christian values. In addition, there was an unwillingness to acknowledge more sensitive child protection risks, such as child sexual abuse or commercial sexual exploitation of children because these were designated as *haram* – shameful and morally unacceptable, and therefore taboo subjects. This was reinforced by the fear that openly acknowledging the existence of such practices would fuel negative perceptions of Palestinian refugees in Lebanon. The measures taken by Tdh to overcome these obstacles can be broadly divided into two categories: the creation of relationships of trust among all concerned stakeholders, regardless of religious or political affiliation, and targeted activities with faith-based actors.

Building trust and engagement

Trust was built through continual, transparent engagement with duty bearers. Crucially this included recognising and regularly meeting with both Palestinian Liberation Organisation-aligned and Al Tahaluf (opposition) governance structures and community members in order to position Tdh unambiguously as a neutral INGO working with everyone. It involved both confidential discussions regarding case management, where all relevant authority structures and individuals were acknowledged and respected, and involvement of the community in all aspects of project development and design.

Importantly, Tdh needed to show as much commitment to getting relationships right inside the organisation as it did

November 2014

with relationships in the communities. A training and development department was established with the remit not only to ensure consistency in work standards through staff inductions and capacity building but also to capture reflections and facilitate constructive critique of Tdh's processes and practice. This workplace culture of reflection and consideration fed into Tdh's relations with the Palestinian refugee community, and Tdh's secular institutional identity eventually was no longer seen as threatening or subversive. Trust grew and became central to facilitating innovation and creativity in how to better address child protection risks.

In addition to building trust, a number of activities were developed that specifically sought to engage local faith-based actors in fostering a protective environment for Palestinian refugee children. As early as 2010, several Palestinian *imams* expressed a willingness to become more concretely involved in Tdh's project activities. To that end, numerous initiatives were undertaken with *imams*, all of which took place against the background of Tdh being transparent about its non-faith-based institutional identity while at the same time articulating its respect of Islamic values that seek the well-being and protection of children.

Initially the *imams* were invited to meetings and workshops in order to be better connected with governance and civil society actors to enhance child protection networking. This in turn saw doors open for Tdh case workers to strengthen relationships with FBOs which could be resources or referral partners. On a deeper level, certain *imams* were consulted individually in order to provide personalised support and to encourage change by providing religious guidance to selected families who were reluctant to modify harmful behaviours.

Tdh also encouraged *imams* to incorporate specific messages into their Friday sermons. Project staff would meet with the *imam* in order to determine the specific child protection risk to be discussed during the sermon, namely corporal punishment,

early marriage or school dropout, and to agree on the content of the message to be shared. In total, an estimated total audience of 3,800 people were reached through these messages by the end of 2013. Hearing religious leaders openly refer to child protection issues during Friday prayers was a key element in de-stigmatising child protection concerns in the community.

As relationships matured and strengthened, so did the level of access to more delicate and difficult child protection cases such as incest, commercial sexual exploitation of children, child pornography and child abuse. All actors recognised that the nature of child protection work leads to differences of attitude and approach but, having built up relationships of trust, Tdh was able to either eliminate or mitigate potential levels of conflict which could have jeopardised the organisation's capacity to act for children's well-being.

There is a need, however, to be mindful of the lessons learned along the way. Given that trust is built on sharing knowledge and information, there is a risk that the fundamental principles of consent and confidentiality could be compromised. Front-line protection workers need to pay particular attention to ensuring that any individual or organisation involved in case management fully appreciate the value of and uphold informed consent and confidentiality at all times.

As a non-FBO, Tdh's work with the Palestinian refugee communities in south Lebanon illustrates how, in humanitarian settings, diverging personal or organisational faith persuasions need not be determining factors in enabling partnership and collaboration. Rather, trust and empathy function to bind different actors together around common visions for community improvement.

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Reflections from the field

Simon Russell

Working with religious leaders is an essential element of serving local communities, as is an understanding of the religious life of local communities and how belief influences their decision making.

Churches, monasteries, temples and mosques are located within, and are part of, local communities and know the situation on the ground far better than most. During the post-election violence in Kenya in 2008, the National Council of Churches was an important network for the distribution of relief but also, equally importantly, provided information to beneficiaries and analysis of the situation to humanitarian organisations.

Using local knowledge can be critical to effective relief. In Karen State in south-east Burma, the typology of displacement used by the Karen Baptist Convention is helpful to understand a very complex situation of repeated displacement over decades. Throughout south-east Burma, Buddhist monks and monasteries have been powerful protectors of local people, providing sanctuary during times of counter-insurgency operations and negotiating with the Burmese army to mitigate some of the worst excesses of these operations. They have been one of the only institutions that could not be ignored by the Burmese military. Nonetheless, they have been unable to prevent the destruction of hundreds of villages and the displacement of hundreds of thousands of people, illustrating the limits of even their enormous influence against power.

In promoting respect for the human rights of displaced people it is usual to work with faith-based organisations or, more accurately, with religious leaders who often exert considerable influence over their communities. In 2004, the Norwegian Refugee Council (NRC) established a legal aid programme in Mazar-i-Sharif, northern Afghanistan; one highly effective way of advertising its services for women was, with permission of the mosque's leaders, to make announcements

over the loudspeakers of the Blue Mosque's Imam Ali shrine on the weekly Women's Day. More generally, the NRC legal aid programme throughout Afghanistan relied heavily on the influence of local *imams* in its mediation of land disputes, especially as many disputes centred on an interpretation of statute, custom and sharia. The views of local *imams* could be decisive to the interpretation, notwithstanding their lack of education or a poor understanding of sharia.

In its response to the earthquake in Pakistan in 2005, NRC was hugely assisted in the distribution of relief items by working with *imams* in remote mountain areas; the *imams* advertised and helped organise the distribution of items, and transmitted prayers for NRC over mosque loudspeakers, giving a seal of approval to the work of the organisation.

Beliefs present some interesting challenges to programming. In northern Uganda, IDPs in camps could only explain occasional fires that burned down huts by the presence of witches among the people. The killing of these 'witches' was a regular occurrence, which no amount of rational explanation could overcome. In South Sudan, protection cluster assessments in 2010 revealed that the major concern of people in conflict-affected parts of the country was the activity of people who transformed themselves into lions ('were-lions') rather than abuses committed by warring parties. Headquarters analysts refused to allow mention of this in the analysis of the assessment results. In Karenni State, south-east Burma, many IDPs have returned to their home areas but avoid their former villages because they believe that bad spirits, created by the traumatic event of displacement, prevent them

November 2014

from doing so; return is therefore to areas nearby. Such beliefs are pervasive factors in Burmese life, beliefs which humanitarian organisations may not recognise sufficiently when working with local communities.

Humanitarian organisations and faith-based organisations often have different approaches – and agendas – even where goals are the same. In Tennasserim, south-east Burma, where the influence of Buddhist clergy in determining assistance to displaced people is critical, the provision of water points by UNHCR has sometimes been rejected in favour of water being provided by a monastery. Faith-based organisations can also be faith-based businesses.

From these examples, I would derive a number of lessons. Firstly, working with

religious leaders is an essential element of serving local communities. Second, it is equally important to understand the religious life of local communities and how belief influences decision making. Thirdly, religious leaders and faith-based organisations are not bound by humanitarian principles and come at solutions to displacement from very different angles. And, finally, while religious leaders and humanitarian actors may be motivated by the same concerns for displaced people, agendas can be very different and outcomes unpredictable.

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This article is written in a personal capacity.

The asylum seeker: a faith perspective

Flor Maria Rigoni

In my view and in the course of my dealings with refugees and migrants of all kinds, faith is a spiritual attitude for reaching the core of the person – as a human being who can be called brother, friend, guest, someone who can knock at my door and I open it. There is no element of charity or pity but a choice that comes from my faith. Thus I would like to clear the ground of any attempt to use the refugee as a possible object of proselytism. I have always considered this to be taking advantage of someone's vulnerability and subjecting them to another form of violence. Our (Catholic) mission is rather to offer love and compassion.

In contrast to the law, which is cold and regimented, an organisation based on faith will listen and try to understand when unjust laws, traditions, cultures or ideologies cause refugees to flee. Faith – of any religion – is about freedom. The concept of 'rights' too runs the risk of being treated coldly, like the law. If we act out rights in a routine or functional manner we should drop the label of faith or religious belief – to say we were acting from faith would be hypocritical and immediately be seen as such by others. And, as I have learnt from many refugees, faith is about hope, which is a force that is

incomprehensible to those who live within the logic of merit, the justice of the street or strict definitions.

In this already sensitive area, one of today's problems is the geographical or religious distance that refugees have come from. Here in Mexico we have people from, for example, Nepal, Bangladesh, Iraq, Nigeria, Ethiopia, Sudan and Somalia, so those who are appointed by faith organisations to work with them need to have a broad, tolerant and comprehensive vision. Opening oneself to those of other religions or their practices does not risk sullyng our faith but can create linkages and a future where diversity and solidarity can be celebrated. When the asylum seeker meets the same coldness as is sometimes found in government organisations or their subcontracted agencies, this can be a blow to their hope of finding a reception that they have not found before. Acting in keeping with universal moral values sends a message of hope to people who may have experienced any manner of disappointment and persecution.

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November 2014

Christian civil disobedience and mandatory, indefinite immigration detention in Australia

Marcus Campbell

A new movement of Christian activists in Australia is using radical direct action to challenge their country's policy of mandatory detention of asylum-seeker children.

In late 2013 the Australian government launched 'Operation Sovereign Borders', ceasing all processing of asylum seekers for resettlement in Australia and controversially using the navy to turn boats back before they enter territorial waters. An aggressive military-themed advertising campaign was circulated to inform would-be asylum seekers that there is 'No Way' they would ever be resettled in Australia.

In response to this, a group of Christians appropriated the font style and layout of the government campaign and began the movement 'Love Makes A Way'. Inspired by the legacies of Jesus Christ, Martin Luther King Jr and Gandhi, and compelled to take action for the more than 800 asylum-seeker children held in indefinite detention,¹ the movement seeks to dramatise the issue through non-violent direct action and civil disobedience.

Their actions take the form of 'sit-in' prayer vigils inside the offices of politicians such as the Prime Minister and the Minister for Immigration and Border Protection. Small groups of faith leaders from a range of different traditions enter and occupy a politician's office to say liturgical prayers for asylum seekers and sing hymns, refusing to leave until they are given a commitment or timeline for the release of all children from detention.

Between March and November 2014, 112 faith leaders including 41 clergy, four nuns and a Jewish rabbi occupied the offices of twelve members

of parliament across Sydney, Melbourne, Perth, Adelaide, Brisbane, Launceston and Canberra. 95 people were arrested and 25 faced court for trespass but the cases were later dismissed by magistrates. The movement capitalises on these dramatic events by intelligent use of social media, particularly though live tweeting about the



November 2014

sit-ins and arrests, and the religious nature of the movement has no doubt contributed to its growing popularity in many ways.

Firstly, Love Makes A Way has been able to demystify the endless political debate in Australia about how to deal with asylum seekers by reducing the argument down to the basic moral principle that it is wrong to detain children indefinitely. They frame it as an injustice so intolerable that as Christians they are called to action by the 'refugee Jesus' who as an infant had to flee persecution by King Herod.² Framing the issue in this way is designed to persuade other Christians to change their views on asylum seekers or to join the movement.

Secondly, the dynamic and decentralised structure of the movement was born out of pre-existing church networks and this has meant that protest actions can be launched quickly and in locations all over the country.

Thirdly, the movement appeals to a sense of unity, with leaders claiming that Australian churches are speaking with 'one voice' on the issue. In reality this is not strictly true but the movement succeeds by having as many church denominations as possible involved – from liberal to conservative – giving the sense that there are major institutions backing them.

Lastly, the word love is targeted as a form of moral leverage to call out politicians who profess to be Christians. Love is rarely brought up in discussions on asylum seekers but anyone with the most basic knowledge of the New Testament would be familiar with its repeated command to 'love your neighbour'. Love Makes A Way activists say they aim to invite the politicians to a more compassionate and loving way, and this ethos makes their influence powerful.

With no sign of slowing down, Love Makes A Way has proven that there is still room for us as global citizens to take practical action after international law has been circumvented, letters and petitions have been dismissed, and street protests have been ignored. There is clearly a growing momentum of people radically committed to the true meaning of loving their neighbour.

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1. See FMR issue 44 on 'Detention, alternatives to detention, and deportation' www.fmreview.org/detention

2. See www.redletterchristians.org/pastor-arrested-easter-refugee-australia-jarrod-mckenna/



LOVE
MAKES A WAY

WE SHALL NOT REST UNTIL FREEDOM COMES
FOR PEOPLE SEEKING ASYLUM ON OUR SHORES.
WE WILL WELCOME THE STRANGER.

#LoveMakesAWay

Guided by humanitarian principles

Andreas Vogt and Sophie Colsell

Caritas Luxembourg's work with refugees, IDPs and migrants in Colombia, Lebanon and Luxembourg offers some examples of the ways in which a faith-based organisation may be advantaged or disadvantaged by its faith basis and how it needs to adhere to humanitarian standards.

Caritas Luxembourg is a member of the international network of Caritas Internationalis and inspired by Catholic Social Teaching. The organisation regards itself as non-discriminatory, committed to international humanitarian principles and respectful of culture and custom. The collaboration between Caritas Luxembourg and its main donor, the Luxembourg Ministry of Foreign and European Affairs, is based on the understanding that Caritas Luxembourg and its partner organisations around the world are professional, not-for-profit organisations respecting humanitarian standards and norms and will not use human or financial resources for proselytism of any kind. Caritas Luxembourg's partners contractually commit to respect humanitarian principles and standards, and Caritas Luxembourg invests considerable efforts in monitoring its partners' performance in all different fields.

Caritas Luxembourg works in Lebanon and Colombia with and through national Caritas groups and other local partners, which helps anchor it in the local context. Its partner Caritas Lebanon provided assistance to thousands of people during the civil war, regardless of their religion, and its current support for Syrian refugees confirms this disinterested organisational position.

The fact that Caritas is linked to a religion can sometimes play to its advantage. In Lebanon, migrant domestic workers seldom have permission to leave their place of employment. However, in a country which is deeply religious, employers will often make an exception for their employees to practise their religion. Many mistreated migrant domestic workers therefore gain access to Caritas through pastoral services, a mechanism

less readily available to organisations having no confessional background.

In Colombia, the Colombian Bishops' Conference has been involved in negotiating and mediating peace processes in many roles, from observer to mediator, while always emphasising the importance of dialogue and reconciliation and addressing the socio-economic inequalities inherent to the conflict. The Church has also been able to build a certain level of trust with the different parties of the armed conflict, and this privileged position has repeatedly been used for facilitating dialogue between the parties, getting access to victims and preventing further violence.

To address the potentially negative aspects of Caritas' roots in Catholicism, the organisation has made a tremendous effort over the years to demonstrate its professionalism first and foremost by putting into practice its mission statement that "our help reaches out to all people worldwide, regardless of their religion, sex, birth, views, allegiance, age, language or other status". In Lebanon, evidence suggests that due to its professionalism, and the inclusion of Muslims as well as Christians among its staff and volunteers, people associate the name Caritas with assistance rather than with religion.

Caritas Luxembourg supports hundreds of migrants, asylum seekers and refugees in Luxembourg itself, some of whom specifically seek the assistance of Caritas Luxembourg as a Catholic organisation. The incoming population is of mixed religious background and obviously has a variety of expectations of and experiences with faith-based organisations which might

November 2014

colour their vision of Caritas. Staff are aware that some migrants might avoid approaching Caritas for assistance due to an unfounded fear that beneficiary selection may be based upon confessional criteria, and reassure migrants that they will under no circumstances be selected or rejected on the basis of their religion. Information about Caritas Luxembourg's services is distributed not only through faith-specific networks but through professional communications networks, partner organisations, and government and police services. The temporary residence for asylum seekers in Luxembourg managed by Caritas is

deliberately designed as a multi-cultural space, where proselytism is not accepted.

Spirituality and religious belief provide the fundamental inspiration, reference point and motivation of faith-based organisations, which have many comparative advantages when working with migrants but which must practise a zero-tolerance policy regarding proselytism and discrimination, and must at no time compromise humanitarian principles.

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A Luxembourg government perspective on faith in partnership

Max Lamesch

The Luxembourg government works closely with civil society organisations and multilateral agencies in order to improve the living conditions of populations affected by natural disasters or conflicts and to prevent and mitigate the effects of humanitarian crises. Neither the religious identity of these agencies nor the beliefs or values of those being assisted determine the eligibility of its partners.

There is, however, a clear set of requirements governing the selection of partners. Firstly, the decision-making processes of eligible NGOs must be fully needs oriented. This means that the organisation, together with its local partners, must remain neutral and impartial in identifying vulnerabilities and selecting communities. Secondly, it is a priority for Luxembourg to reach the most vulnerable communities and to fund humanitarian action predominantly in protracted and 'forgotten' crises. Partners may be chosen based on their special access capacity or on their particular know-how in working in complex environments. Thirdly, the preferred partners are organisations with a positive track record, showing high standards of accountability and solid operational structures.

While Luxembourg is fully aware of the differences that exist between faith-based and secular discourses in humanitarianism and of the prevailing criticism towards certain FBOs frequently accused of

proselytism, it tries not to lose sight of the operational strengths of its partners. FBOs are often known to be well embedded in local contexts and are therefore well positioned to understand local dynamics and cultural specificities, which can help to provide access to communities. Moreover, because of its global presence and influence, religion can be an important medium through which the psychosocial wellbeing of disaster-hit populations can be improved. In certain contexts, for example, using familiar religious references when providing counselling may prove beneficial in contributing to the restoration of hope and in helping communities to overcome trauma.

And yet, while taking into account these potential advantages, the Luxembourg government pays particular attention to the extent to which partner organisations adhere to the humanitarian principles as laid out in the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Relief and in the European Consensus on Humanitarian Aid. International humanitarian law and human rights law also reject any kind of favouritism and discrimination based on faith, as well as any form of proselytism potentially distorting a neutral needs-based approach. One of the responsibilities of Luxembourg's humanitarian aid desk is therefore to scrutinise the work done by partner NGOs – not only FBOs – in terms of their neutrality and impartiality.

November 2014

International research suggests that staff employed by FBOs tend to have professional backgrounds which are increasingly similar to those employed by non-faith organisations,¹ as a consequence of the professionalisation of the humanitarian sector. If this trend towards mainstreaming organisational cultures, a common set of principles and a converging humanitarian language prevails, the divide between faith-based and secular

organisations may one day become obsolete. This could well be to the benefit of people in need.

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1. <http://mr31.qeh.ox.ac.uk/events/faith-based-humanitarianism/FaithBasedHumanitarianismReport.pdf>, p.2

Not in our remit

Maurice Herson

When secular organisations are responding to the needs of displaced people, the religious practices and needs of the communities may not be high on the list of things to be thought about. Indeed secular organisations may struggle to recognise the importance of religion, in life and in death.

At the end of 1990 the Tamil Tigers expelled all of the Muslim residents from Sri Lanka's Northern Province. Many of those who were now internally displaced went to the Puttalam area on the west coast where Oxfam, a secular organisation, took on much of the task of working with the local government to create camps, providing – among other things – shelter materials.

The most easily available and common roofing and wall material are *cadjans*, the leaves of a local palm, which are used to make a waterproof form of thatch. However, given the rainy environment and the shallow water table, we also provided rolls of plastic sheeting to be cut up as groundsheets. Quantities were calculated by the number of huts and their area, and the IDPs were instructed to cut the sheeting and give it out for use in each hut. However, when I went to monitor the distribution in one of these settlements I found that a substantial area of sheeting had been designated for use on the floor of the mosque (which had been constructed, like the huts, out of poles that we had provided and *cadjans*). As the person responsible, my reaction was that we could not provide sheeting for the mosque as it had been given for use in dwellings.

I find it difficult at this distance in time to recall with certainty my arguments and those of the community of IDPs but mine included both the 'fact' that, as a secular organisation, it was not in our remit to provide for a building devoted to religious observance rather than residence, and the objection that the mosque

was for the exclusive use of men and boys rather than the whole community, including women and girls.

Whatever their arguments were, in the end they 'won' both by virtue of the *fait accompli* and because I was not able to persuade them otherwise. But in any case we were all of the same mind, that it was in the interests of all that we remained on good terms and continued the work – not just immediate assistance but also capacity building with a new IDP organisation they were forming.

I recall reporting what had happened to my managers, in-country and in the UK, and nothing came of it. Except I have often thought back to it and reflected how I, on behalf of the organisation, did not take notice of the value to the people of having a mosque, or maybe of the loss of community to them in not having one. I had worked with them, and against the local authorities, to let them build village-like settlements rather than rigidly aligned camps but I had not taken the further step of seeing their religious needs. I am still not sure I was wrong but even this bare outline of the situation and its pros and cons indicate some parts of the core difficulty.

By way of contrast, when I was in Somalia in late 1992, we willingly provided shrouds to enable people to bury, with due religious observance, the many people dying of violence and starvation. A far more extreme situation but, somehow, recognising the importance of religion in death seemed easier for an avowedly secular organisation, and staff member, to actively respond to than the importance of it in life.

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November 2014

Faith, relief and development: the UMCOR-Muslim Aid model seven years on

Amjad Saleem and Guy Hovey

Seven years ago, a strategic partnership between the United Methodist Committee on Relief and Muslim Aid in Sri Lanka was formalised into a worldwide partnership agreement. The partnership offered a model for community-based, culturally appropriate and sustainable assistance provision – so why did the partnership not reach these goals?

On 26 June 2007, a ground-breaking partnership was formalised at the Houses of Parliament in London between the UK Islamic NGO Muslim Aid (MA)¹ and the US Christian NGO the United Methodist Committee on Relief (UMCOR)². The long-term vision for this partnership was to develop a model whereby a consortium of faith-based organisations (FBOs) would work together to bring relief, development, peace and reconciliation and provide a space for developing mutual respect and understanding in a world where faith is increasingly manipulated as a tool to drive conflict rather than resolve it. An article in FMR issue 30 in 2008 covered the story of the partnership and challenges that were anticipated. Some of the anticipated challenges proved prophetic and, seven years on, the partnership – although operating as an occasional cross-funding mechanism – as originally envisaged has yet to reach the hopes of those early days.

The beginning of partnership

In August 2006, the Muslim majority town of Muttur (in Sri Lanka's Trincomalee District) was attacked by the LTTE. Efforts by aid agencies, the UN and the Red Cross to negotiate a humanitarian corridor into the town came to nothing, and a few days later most of the inhabitants fled to the Sinhalese majority town of Kantale. With the influx of tens of thousands of IDPs, the Kanthale area, already under-resourced, was extremely tense and violence was common.

Most NGOs had left but UMCOR and MA were still working in the area. As the crisis developed, the two agencies gravitated towards each other and within a couple of

days were working together, setting up a joint field office and warehouse, and sharing staff, vehicles, aid supplies and logistical support. Both agencies worked in coordination with their respective faith and community leaders and councils to coordinate the mobilisation of thousands of volunteers. MA engaged with the imams, the coordinating council for Muslim theologians and communities, discussing the impartial nature of humanitarianism with them and vouching for UMCOR staff's neutrality. Discussions centred on the imperative of both faiths to serve humanity and reduce the suffering of the disadvantaged – language which people could understand and relate to. UMCOR did the same through local Methodist priests in Christian areas, and with Hindus whom the priests knew. MA and UMCOR also jointly approached the local Buddhist chief monk to ask for help in bringing aid to the beleaguered Buddhist community; with the chief monk's support, inter-faith cooperation flourished, with the Buddhist temple becoming an aid distribution centre. The UMCOR-MA partnership continued once the emergency was over and it was agreed to work on developing a longer-term institutional partnership.

Difficulties in developing the partnership

Developing the partnership in the form that was envisaged was always going to be problematic. The concern that the Sri Lankan experience owed more to personal friendships between staff members of the two NGOs proved to be justified. Within a year after formalising the partnership, many key staff at the field offices in Sri Lanka had left or been replaced as had some key headquarters-based leadership which had supported the initiative.

There were thus no opportunities for an incubation period in which the relationships at field and particularly at senior HQ levels required to cement the partnership could grow and develop. The staff changes left the NGOs with few senior staff who had been involved in developing the partnership and with little knowledge of the initiative.

Even though the partnership remained strong at the grassroots level for a while, it failed to garner enough support with two stakeholders: the faith communities in the NGOs' home countries which formed their core support, and the trustee/senior management level at HQ. For UMCOR there was negative reaction from some in the Christian community in the US while some in the Muslim community in the UK also reportedly voiced dissent. Much of this can be attributed to lack of awareness among the general public who give money to these two organisations about the nature of FBOs as professional relief and development organisations. This in turn led to fears that the partnership could dilute the Islamic identity of MA and the Christian identity of UMCOR – that the coming together of the two could produce a compromised organisation not at ease with itself. However, perhaps the greatest misconception at the senior level surrounded the question of funding. Many within both organisations viewed the partnership through a financial lens: a gateway to increased institutional funding. Almost immediately questions were being asked as to how to translate the partnership into hard cash.

Thus a clash of understandings was immediately apparent between the field and HQ understandings of the partnership. The former considered the partnership to be an innovative model of humanitarian relief and development, increasing NGO and community security, humanitarian access and general operational efficiency. The latter considered it as an investment with an expected financial return to fund projects. Both views had validity but the pressure to achieve the 'hardware' of joint institutional funding and projects did not allow the space to develop the 'software' – such as the intangibles of

personal relationships or inter-organisational knowledge – required to achieve them.

In addition, the problems of forming an inter-organisational relationship based on mutual trust and equality were exacerbated by perceived dynamics within the relationship. Each organisation viewed themselves as the stronger partner, with all the subconscious power dynamics that these perceptions bring.

Unfortunately, with much emphasis being placed on tangible 'results' at the grassroots level, not much effort and time were available to concentrate on building relationships at higher levels. In hindsight, the formal signing of the partnership was rushed through without ensuring that the main constituents, particularly from the governance side, were on board and that the 'personal' had sufficiently moved to the 'institutional'. Much more effort should have been made to show members of the governing boards the work on the ground and the potential for the partnership before it was decided to form it. Within this incubation period, both organisations should have experimented with different models of cooperation and experimentation in the field backed by academic investigation in order to ascertain the viability of the model and its practicality and relevance especially to grassroots communities. With this type of evidence in hand, it would have been easier to convince detractors of the model's viability and effectiveness.

Relevance of the model

Despite the setbacks, as two of the key people behind the establishment of the partnership in Sri Lanka we still believe in its significance and the commonality of purpose. Many international agencies have taken an ever narrower sectoral and institutionally defined way of tackling vulnerability. Yet the shocks and stresses we are seeing in the world today have multiple, unpredictable effects and increasingly demand – but do not always trigger – diverse responses at the local level. Building resilience requires moving beyond narrow views of risk. We need a better, more inter-disciplinary understanding of

November 2014

vulnerability and with it a new paradigm to challenge people to accept diversity and create opportunities for diverse communities, ethnicities, traditions, cultures and faiths.

Faith in relief and development offers access to communities but has tended to be sidelined because of its potentially sensitive nature. The relief and development world promotes engagement with local institutions but invariably does not engage meaningfully with the oldest community institutions – those representing the faiths which often underpin community stability (and sometimes instability). Virtually all faiths, however different theologically, have a common purpose to serve humanity and aid the disadvantaged, and religious institutions and actors can offer cultural, social and political networks unsurpassed by any other.

One of the most surprising aspects of the partnership in Sri Lanka was that it was the first time the majority of people had witnessed different faiths working together in a practical sense. The idea of faiths operating together is not new³ but has to date largely been limited to inter-faith dialogue and some cross-funding initiatives – the latter reflecting the current UMCOR-MA relationship.⁴ In Sri Lanka the UMCOR-MA partnership demonstrated that there is huge untapped potential in engaging with faith. The cooperation cut across faith and theological differences to concentrate on the humanitarian objective of alleviating poverty and facilitating a dialogue for peace and understanding. The partnership served as an example that people can work together on a common cause of humanitarianism without compromising their individuality or beliefs.

It is a model of engagement with faith that involves starting from a basis of cooperation, mutual respect and understanding, and acceptance of a common agenda, which contributes to the ability not only to work together but also to eliminate competition over resources. It could have proven timely in situations like the Central African Republic, by providing humanitarian access to insecure environments.⁵ The sight of two (or more)

FBOs of different faiths working together in the field and engaging local faith leaders can have a calming effect on many conflict-affected communities, thereby allowing them to work effectively in an insecure context.

Such a model that places an emphasis on organisations and people of different faiths putting theological differences aside (without compromising their individuality or beliefs) and working on common goals is sorely lacking. However, as the example of MA and UMCOR shows, a lot of work needs to be done behind the scenes with constituents. Certainly not every faith community is tuned to the same frequency and not every faith community has achieved harmony within itself. Organisations must work hard to contain opposition and to explain their policies with care to their supporters at all levels. Prior to formalisation of the UMCOR-MA partnership, a period of internal and external outreach should have taken place. This would have advocated the benefits and potential hazards of the new model represented by the partnership, and emphasised the responsibility that NGOs have to explore innovative ways of supporting disadvantaged people irrespective of financial returns. This could have led to the creation of new and innovative approaches and mechanisms, a deeper understanding of inter-faith working, and a wider and more efficient outreach to the disadvantaged and vulnerable.

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This article reflects the opinions of Amjad Saleem and Guy Hovey and does not necessarily reflect the opinions of either Muslim Aid or UMCOR.

1. www.muslimaid.org

2. <http://gbgm-umc.org/umcor/>

3. For example, the Geneva-based ACT Alliance www.actalliance.org

4. UMCOR is currently funding 400 cash grants through Muslim Aid in Bannu, Pakistan.

5. See Mahoney article p42.

Church asylum

Birgit Neufert

Church asylum, or sanctuary, is a practice to support, counsel and give shelter to refugees who are threatened with deportation to inhumane living conditions, torture or even death. This practice can be located at the interface of benevolence and politics.

Giving refuge, or more specifically, giving sanctuary or church asylum, is a specific form of benevolence that has a centuries-long tradition. What is known in Germany as 'church asylum' has mostly been inspired by the American Sanctuary Movement and by movements in other European countries, leading to the Charta of Groningen in 1987 and eventually to a common Charta of the New Sanctuary Movement in Europe in 2010.¹

In 1983 a Berlin parish granted church asylum to three Palestinian families threatened with deportation to Lebanon during the civil war there, and since then church asylum has been established all over Germany and is practised in the Protestant as well as the Catholic Church. Both churches have taken a stand for refugees and their rights in numerous public statements and have used church asylum as an instrument to protect refugees and support them in claiming their rights.

A snapshot: In the small town of Braunschweig lives a family of eight: mother, father, six children. The children go to school and to vocational training. All of a sudden – after eight years in Germany – the family receives a letter from the Aliens Authority (Ausländerbehörde): they are requested to leave the country a few days later. They will be deported back to Pakistan, back to the country where they have been and will be persecuted, because they belong to the Muslim minority of Ahmadiyyah. One day before their planned deportation a small protestant congregation opens the church to the family. The next day the Aliens Authority will receive a letter from the church: "This is to announce that the family is now in church asylum and is therefore protected by our congregation."

Church asylum is very hands-on and tangible. People are challenged to forget about their plans and everyday routines, to react immediately and in a most practical manner: to open doors, to create spaces to sleep and eat, to spend time with people,

to simply be there. Church asylum protects people from the authorities, from police officers who come at the crack of dawn to pick up and deport people. This protection happens not in a symbolic but in a physical way. It is the closed doors of churches and parsonages that stand in the way of state power; it is church grounds that are – usually – respected by state authorities as a space not to be entered; and it is volunteers – church members and neighbours – and pastors who keep these doors shut, who talk to police officers and authorities, and who do whatever is necessary to protect this safe space and by doing so protect people whom the state does not regard as deserving of protection.

Although there is no official right to church asylum, the state most often respects sanctuary. But there are exceptions and police might, after all, enter and clear a church. However, this never happens without public attention – without press releases and negotiations between church and state officials. Usually, there are extensive discussions between the pastor of a church and the bishop on the one hand, and the political authorities on the other hand. In doing so, they try to make sure that in future the police will neither enter church grounds nor forcibly remove people. However, for individuals and families who have been deported despite being in church asylum, these negotiations come too late.

In consequence, church asylum is to a certain degree based on the church as a powerful institution. It is the institution of the church that is respected by the state when agreeing not to invade church sites and when the church demands negotiations. However, it is also a grassroots church practice. Furthermore, sanctuary is not



only a place, and not only a practice; it is a community that is not provided for in the laws by which refugees are accommodated in detention centres rather than allowed to live independently. It is this community that supports and accompanies refugees in their struggle for “the right to have rights”.²

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1. www.kirchenasyl.de/wp-content/uploads/2013/12/Charta-english1.pdf
2. Arendt, H (1951) *The Origins of Totalitarianism*. San Diego: Harcourt Brace & Company, p296.

Offering sanctuary to failed refugee claimants in Canada

Kristin Marshall

The term sanctuary connotes the medieval practice where fugitives from justice could take refuge in a church to avoid prosecution. The abolition of this practice in the sixteenth century was largely celebrated as a sign of progress and a triumph of the rule of law. The resurgence of the practice of offering sanctuary in recent decades turns the original notion on its head; instead of fugitives from justice seeking shelter, fugitives from injustice within the refugee determination system seek protection from deportation within a church, with support from the congregation.

Immigration authorities in Canada still do not enter church property to apprehend individuals living in sanctuary (and in fact have written a policy directive to Canada Border Services Agency officers indicating that entering places of worship should be reserved only for cases involving security threats and serious criminality) but neither do they engage in negotiation about these cases. The result is increasingly lengthy stays in confinement – which serves as a means to discourage the practice of sanctuary.

Congregations undertake extensive scrutiny of failed refugee decisions before accepting someone into sanctuary, in essence acting as an informal merit review in order to safeguard against removal to torture, persecution and human rights abuses. Most churches justified their use of sanctuary on the basis that refused claimants had no right of appeal on the merits to challenge an incorrect decision, so they do the review. An appeal was recently implemented, but it is not available to all claimants.

It is precisely the fact that recent changes to refugee legislation stand in such stark contrast to Canada’s international obligations that lends

support to the view that sanctuary providers are taking a civil initiative to uphold Canada’s obligations, rather than acting in civil disobedience to flout Canadian law. Providing sanctuary is an effective mechanism to safeguard lives, yet at quite a cost to the individuals and communities involved due to the lengthy delays in close quarters and the uncertainty surrounding the outcome.

With little legal foundation to support the practice of sanctuary, one wonders what stops immigration authorities from entering churches to arrest such people. The answer is the negative publicity: clearly it looks bad to break down a church door, push past a pastor, and drag out refugees that the church claims ought to be protected. One thing for certain is that if a group of concerned individuals decided to shelter a failed refugee claimant slated for deportation, that person would not have the same protection from arrest and deportation that a person invited into the sanctity of a church (synagogue, mosque or temple) currently does. Escaping deportation by going “underground”, rather than seeking sanctuary, is often not looked upon favourably by either the immigration authorities or the Federal Court, both of whom view such an act as disrespect for the law.

Sanctuary has been invaluable in the validation that congregations have provided to families and individuals as they pursue justice, confirming that they are cherished, believed and supported. It also serves to bring the congregation and wider community together, to find meaning and focus around what is right and just.

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November 2014

Interfaith humanitarian cooperation: a Lutheran perspective

Elizabeth Gano

The Lutheran World Federation's experience is that closer cooperation between faith-based organisations of different faiths is both possible and beneficial.

In parallel with enthusiastically participating in UNHCR's Dialogue on Faith and Protection in 2012, the Lutheran World Federation (LWF) began linking with other faith-based organisations (FBOs) to more deliberately address the divisions and suspicions between religious communities through fostering interfaith humanitarian collaboration. Working together with FBOs of other faiths can promote a compassionate and respectful religious voice, and can send a powerful message that people of different faiths can unite around the common goal of serving people in need and working together for peace.

To this effect, in October 2013 the LWF and The Humanitarian Forum¹ convened a workshop entitled 'Working Together: Christian-Muslim Humanitarian Partnerships' in Amman, Jordan. Participants from the LWF, ACT Alliance and several Islamic humanitarian organisations, including Islamic Relief Worldwide and Muslim Aid, gathered to discuss operational issues around interfaith humanitarian partnerships. Pilot projects for working together were outlined for Jordan, Kenya and Myanmar, and a joint statement was released, acknowledging some differences and potential challenges in interfaith cooperation but also reaffirming a common belief that FBOs can be a force for peace and good in the world.

Several real challenges exist in building new partnerships, particularly as relations between religions are often a sensitive issue, and participants at the Working Together workshop identified a series of challenges to address through practical collaboration. Misunderstandings or general ignorance of differences and similarities

in culture and religion can lead to fear of the other; this can foster mistrust of FBOs, and apprehension, both among local communities of different faiths and among constituents of FBOs engaged in interfaith work. In contrast, demonstrating common values through working side by side in humanitarian assistance can help reduce negative perceptions and foster trust.

As a direct result of the workshop, the LWF and Islamic Relief Worldwide are developing a partnership at both global and local levels, and indeed signed a Memorandum of Understanding in August 2014. Planned areas of cooperation include a joint pilot project in the Dadaab camps in Kenya for Somali refugee children with intellectual disabilities; and joint programming in Jordan on a pilot peace-building project among Syrian refugees and Jordanian host communities which will include joint budgeting and shared roles and responsibilities. Collaboration at the country level has raised issues and challenges, such as delays caused by technical difficulties in getting organisational systems to work compatibly. Nonetheless, it is precisely in working through these challenges together that partnership can be developed and strengthened.

Good practice

Transparency about the LWF's motivations and identity has contributed to defusing suspicions that it might be proselytising, and has enabled the LWF to work more effectively in multi-faith environments. Likewise, collaboration between the LWF Jordan and Islamic Relief Jordan has enabled the LWF Jordan staff to learn about Islamic Relief's values, standards and mandate, and vice versa, which has

November 2014

confirmed that both organisations are like-minded in values and committed to working towards the same humanitarian goals.

The LWF has been serving vulnerable and marginalised communities worldwide for nearly 70 years, prioritising refugees, internally displaced persons and local communities, and is currently UNHCR's largest faith-based implementing partner, motivated by Christian values and guided by professional humanitarian and development principles and standards. Knowing that organisations of other faiths share a similar profile, LWF's experience suggests that it is possible to join forces to overcome the prejudice that religion is a source only of conflict and, through working together, to demonstrate that religion can be a force for well-being and peace.

"Partnership becomes a compelling duty on all of us; no one organisation can work alone," noted Dr Hany El Banna, President of The Humanitarian Forum, in the Working Together workshop Joint Statement. "We shouldn't be afraid of building partnerships." And the Reverend Eberhard Hitzler, then director of the LWF Department for World Service, added that "We strongly believe that closer cooperation at local and global levels can be of mutual benefit and, most importantly, can contribute to improving our humanitarian services for people affected by disasters."

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1. UK-based forum for dialogue and understanding between Muslim organisations and their Western and multilateral counterparts. www.humanitarianforum.org

The clash and clout of faith: refugee aid in Ghana and Kenya

Elizabeth Wirtz and Jonas Ecke

A case-study from Ghana assesses the importance of a faith-based response to displacement in West Africa, while an example from Kenya highlights problems that can arise in collaborations between secular and faith-based organisations.

Faith-based organisations (FBOs) have been fundamental to Ghana's response to the Liberian refugee crisis. Evangelical Christian and Pentecostal churches, run by refugees and Ghanaians, were first responders and later offered a buffer when official aid had been drastically reduced. When the first Liberians fled to Ghana in 1990, Ghana had no official humanitarian infrastructure to cope with what would become a major crisis with the arrival of more than 30,000 Liberian refugees. By most accounts, the Christian Council of Ghana – consisting of 15 long-standing Christian churches in Ghana, such as the Presbyterian Church – was crucial in providing aid for the refugees in the early stages of the crisis.

Church communities and individual members provided lodging, food and other relief goods before the Ghanaian government formed a committee on refugees and designated the Gomoa Buduburam compound in Ghana's Central Region as a refugee camp. After the Ghanaian government had called the United Nations High Commissioner for Refugees (UNHCR) for assistance, and the aid and registration process had become more standardised, FBOs played a major role in improving conditions in the camp.

Many of the Liberian refugees who arrived in Buduburam were Charismatic Baptists, a faith that resonated well with the religiosity of the

November 2014

Ghanaian first responders and evangelical non-governmental organisations (NGOs). Even though the overall humanitarian response to the refugee crisis was beset with problems, the faith-based aid efforts in Buduburam met with a positive response precisely because they could be framed in a commonly shared religious framework. Furthermore, many Liberians in Buduburam drew on their religiosity to explain the past, mobilise resources for the future, create economic exchange networks and promote inter-ethnic reconciliation. In anticipation of the perceived benefits of Pentecostal religiosity, countless Liberians joined Pentecostal and Evangelical churches in the camp. Liberian refugees contacted church members abroad, particularly in the US, to solicit financial support for their churches, individual scholarships for parishioners and some social services. Nowadays, many of the few remaining aid providers in the camp are faith-based.

Clash of belief

In contrast to the success that FBOs have had in Ghana, research in East Africa highlights ways in which a faith-based approach to humanitarian assistance can cause problems in implementing programmes or delivering services to refugees, particularly when the religious beliefs of the organisation and its employees are in contrast to the goals of the project.

Many of the implementing partner NGOs working with UNHCR in refugee camps in East Africa are FBOs; some are large international organisations while others are locally based. In one particular refugee camp, much of the sexual and reproductive health education and outreach is managed and directed by a local Christian FBO, as an implementing partner of UNHCR. An international, secular organisation, which had not previously been active in the camp, sought to implement an adolescent and youth sexual and reproductive health campaign, in which the two organisations would jointly train community-based refugee workers to educate their fellow refugee

communities on sexual and reproductive health issues facing adolescent refugees.

The international NGO's goal was to educate refugee youth on subjects such as sexually transmitted infections and family planning. However, the two organisations held different beliefs regarding premarital sex, contraceptive use, commercial sex work and homosexuality. The secular organisation was most concerned with protecting the health of adolescents through encouraging the use of contraceptives to protect against STIs and unintended pregnancies. The staff from this organisation did not display any particular beliefs for or against homosexuality, commercial sex work or adolescent/pre-marital sex. Contrary to this approach, the FBO staff expressed their belief that adolescents are too young to marry and should not engage in premarital sexual activity; their approach to adolescent sexual and reproductive health was to encourage abstinence until marriage as much as possible and only turn to safe sex practices when these measures fail.

Strong beliefs about sexuality and reproduction are not of course restricted to FBOs or their staff. Sexuality and reproduction are highly charged topics tied to notions of morality, purity and public health. But it is hardly surprising that a secular organisation and a faith-based organisation might disagree on approaches to adolescent sexual and reproductive health. Such a clash could easily lead to reduced success in achieving project goals, conflicting information being given to refugees and, ultimately, poorer adolescent sexual and reproductive health outcomes.

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An inter-religious humanitarian response in the Central African Republic

Catherine Mahony

Inter-religious action has played a key role in ensuring that social cohesion and inter-religious mediation remain on the international agenda in relation to response in the Central African Republic, where people's faith is an integral part of their identity but where it has been manipulated in a horrific way.

CAFOD and Islamic Relief have a long history of working together to respond to humanitarian crises when, for reasons of security, conflict sensitivity or other risk factors, either organisation would have been unable to respond without this partnership. Prior to engaging in the Central African Republic (CAR) they therefore already had established ways of working together.

One of the driving factors behind the inter-religious response in CAR was the desire of Muslim agencies in the UK to respond to the crisis there, due to both the growing humanitarian needs and also the expectations of their supporter base. With the exception of Islamic Relief, the UK's Muslim agencies who had expressed an interest in CAFOD's programming and the possibility of partnership were not funding any programmes in CAR, and none of the agencies had a presence in-country. The continued state of insecurity and violence, largely targeted at Muslim populations, and an increasing number of attacks against international NGO workers and property, prevented Muslim agencies engaging in CAR. Partnership with Christian agencies, which were working closely with the Inter-Religious Platform in-country¹ and had been advocating for a greater focus on inter-religious mediation, provided a conflict-sensitive solution that enabled these Muslim charities to respond to the crisis.

Both sides increased their options for funding. For CAFOD it was an opportunity to access funding for its partner organisations who were working in-country through the private donations of the Muslim charities such as Islamic Help and Muslim

Aid and also through Islamic Relief's and Muslim Charities Forum's (MCF) relationships with institutional donors.

From the start of the current crisis in CAR, religion has been manipulated by those in power. The Inter-Religious Platform,² comprising Archbishop Dieudonné Nzapalainga, Imam Omar Kobine Layama and Pastor Nicholas Guérékoyame Gbangou, has continuously worked to communicate a message of moderation, tolerance and respect through dialogue with communities but also by example in their own actions. As tensions and violence between communities increased, the Archbishop and the Imam decided to live together at the Archbishop's home, to offer protection to each other and to set an example of peace and cohesion despite the ongoing conflict.

Advocacy

The efforts of the Inter-Religious Platform have also been instrumental in drawing international attention to the crisis in CAR. With the exception of heightened media interest around December 2013 and January 2014, the crisis in CAR has remained largely neglected by the international community. Recognising and inspired by the symbolic value of the Inter-Religious Platform, CAFOD actively sought to amplify its advocacy



November 2014

efforts by approaching MCF and exploring opportunities for joint messaging on advocacy issues. It was felt that this relationship could help amplify CAFOD's advocacy messages, not only because of MCF's reputation within the sector but also because of the traction that a united voice between Muslim and Christian organisations would have with political decision makers. Having focused much of its initial response to the crisis in CAR on advocacy and having invested a large amount of time analysing the situation, CAFOD was also able to provide significant advocacy capacity to Muslim charities, most of whom had no presence in the country and limited capacity to advocate on these issues.

It was through this link between CAFOD and MCF that relationships between Catholic and Muslim agencies working on CAR were developed in order to extend this symbolic value to the delivery of aid. Baroness Berridge stated in the UK Parliament in June 2014, "If the Christian community in the CAR gets

its food aid from UK Muslim aid agencies, this will help to rebuild much-needed trust among the communities." It was this vision of promoting social cohesion through joint inter-religious humanitarian programming, mirroring the actions and messages of the Inter-Religious Platform, that was a driving factor in establishing working relationships between Muslim and Catholic aid organisations in response to the crisis in CAR.

Investment and achievements

CAFOD was already coordinating a lot of advocacy work on CAR, and MCF were engaged on these issues and regularly attended meetings. It was MCF which directed Islamic Help and Muslim Aid to approach CAFOD to enquire about CAFOD's role in CAR and seek guidance on how they could support this work in partnership. In response to the requests of Islamic Help and MCF, CAFOD convened a meeting between a number of Muslim charities and its US sister agency Catholic Relief Services (CRS)



UNHCR/B Sokol

Imam Moussa Bawa and Sister Maria Concetta in Zongo, Equateur Province, DRC, across the river from Bangui, the capital of the Central African Republic. The two religious leaders work together to try to heal the wounds that have divided the Christian and Muslim communities in CAR.

to discuss potential funding, partnership and joint programming opportunities.

As a result of this meeting, CAFOD, Islamic Relief, MCF and Muslim Aid undertook a week-long joint mission to CAR. This was a significant investment in establishing working relationships between the agencies. The group was able to visit numerous projects replicating the approach of the Inter-Religious Platform and examples where Catholics, Muslims and Protestants were working together to heal the wounds of the conflict and were trying to bring about mediation and reconciliation. The visit allowed agencies to assess the needs of affected communities and further explore options for joint programming and funding. In addition the mission helped amplify the group's advocacy messages as it added significant symbolic value and also allowed those on the mission on their return to speak with policymakers and supporters from their own first-hand experience of the country.

Through their joint inter-religious efforts, the grouping of UK faith-based NGOs has been able to obtain access to UK policymakers which they have used to continuously highlight the need to support social cohesion in CAR. This access, in part, was facilitated by the international regard for the work of the Inter-Religious Platform.

To ignore faith would severely limit any analysis of the current situation in the country. In CAR itself, religious institutions are perceived by communities as a source of sanctuary and shelter. Almost every church is surrounded by an IDP camp, providing relief to Christian and Muslim communities sheltered there. The joint mission has also since enabled some programme collaboration; Islamic Relief is now directly funding CRS to implement shelter and food security programmes and has established a more permanent presence in Bangui.

However, this process has not been without its challenges. The five organisations who undertook and hosted the joint mission (CAFOD, CRS, Islamic Relief, MCF and

Muslim Aid) required significant investment and capacity, particularly in organising the visit to Bangui. The maintenance of these relationships similarly requires investment and capacity, which is not always available due to competing demands. Whilst it was fairly easy to coordinate communications and advocacy in the immediate aftermath of the joint mission, as time passes coordination between five agencies can be challenging.

Opportunities

Despite these challenges, the crisis in CAR continues, and efforts to promote social cohesion will require scaling up in-country. There are clear advantages to pursuing an inter-religious approach to the humanitarian response in CAR and for Catholic and Muslim organisations to work together. Working with different faith organisations enables a conflict-sensitive approach as well as helping to amplify advocacy messages and gain traction with decision makers. There is still a need to advocate on, for example, adequate conditions for the safe return of all those who have been displaced by the conflict and to ensure that humanitarian programmes enable these conditions for return.

The impact of this inter-religious approach to programming in the promotion of social cohesion, given the volatile situation, is difficult to measure. That being said, there are clear examples in the work of CRS with Muslim communities that such engagement has increased humanitarian access and facilitated some dialogue between groups there. Whilst every emergency context is different and requires its own analysis, in similar situations where religion plays an important role both in the conflict and in the reconciliation process, working with different faith organisations is not only sometimes necessary but preferable.

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1. See article by Nzapalainga, Layama and Gbangou on page 4.

2. While the grouping of religious leaders is referred to internationally as the Inter-Religious Platform, its official name is La Plateforme des Confessions Religieuses en Centrafrique.

November 2014

Respecting faiths, avoiding harm: psychosocial assistance in Jordan and the United States

Maryam Zoma

Both faith-based and secular organisations need to recognise the ways in which religion can provide healing and support but can also cause harm for refugees and asylum seekers.

Faith-based organisations (FBOs) have historically provided a variety of services to refugees and asylum seekers, regardless of individuals' religious or spiritual affiliation, and this assistance may be indistinguishable from that provided by secular counterparts. However, FBOs are guided by their religious values and may reach out to wider religious institutions for resources that secular organisations may not be able to access. In addition, many refugees and asylum seekers use religion and spirituality as a source of coping, recovery and resilience.¹

This article compares psychosocial work with refugee and asylum seekers by two FBOs: the Catholic Near East Welfare Association (CNEWA) in Amman, Jordan, and Seafarers International House (SIH) in New York City, US. CNEWA provides assistance to Iraqi, Syrian, Palestinian and Jordanian populations and help with medical issues, food, housing and education, regardless of a person's religious background; in addition, CNEWA provides funding to the Franciscan Missionaries of Mary (FMM) in Jordan for catechetical programmes (exclusively for Christian families). SIH is a Lutheran social ministry organisation affiliated with the Evangelical Lutheran Church in America which mainly provides temporary housing for asylum seekers and immigrants originating from countries in Central and South America, the Middle East and sub-Saharan Africa.

Benefits of FBOs providing psychosocial assistance

Many of the refugees and asylum seekers with whom I worked in Jordan and the US speak about the importance of faith and their integration into faith communities as a source of spiritual, emotional and social

support. FBOs through their activities can help asylum seekers and refugees feel a sense of belonging and provide them with some sense of familiarity. For example, the FMM taught a weekly group Bible study course at their convent. Many of the female participants said how they looked forward to this since it provided them with both a spiritual and a social activity in a context where refugees have limited resources to spend on recreational activities. Weekly Bible study provided refugees with a space to learn about their faith, interact with the community, and discover resources and services available to them from other organisations; it also helped them cope with the stress of their situation.

SIH provides temporary housing to asylum seekers and immigrants recently released from detention centres; in addition, SIH staff and volunteers visit asylum seekers and immigrant detainees in detention centres throughout New Jersey to provide them with emotional and social support.² Many of SIH's volunteers come from Lutheran congregations in New York City and participate in this programme as a way to act on their religious faith. SIH trains volunteers before they visit a detention centre so that they know that the purpose of the visit is not to proselytise but to provide emotional and social support. However, if the detainee brings up faith as something important to them, then volunteers can engage with detainees on this topic. For example, one immigrant detainee told SIH's volunteers that reading the Bible helped him stay positive during his stay in detention; he felt comfortable enough to share this information after meeting with a volunteer for an hour and they then shared Bible passages they liked to read, and the detainee said this conversation brought him comfort. Staff at

secular agencies may not feel comfortable engaging in discussions about faith.

Asylum seekers who stay at SIH's guesthouse also speak about the importance of faith. One asylum-seeking client who self-identified as Christian said that staying in a Christian place helped him feel secure and safe. Helping create an environment where refugees and asylum seekers feel safe, accepted and secure is extremely important for their mental and emotional well-being. Religious symbols and images can help create spaces which appear familiar and are reassuring to asylum seekers and refugees. Furthermore, staff partaking in and respecting religious rituals – whether of their own faith or another – can help establish trust with clients and a meaningful connection to both the agency and broader community. Secular organisations providing similar services may not be able to create a nurturing environment for clients who cite religion and spirituality as important aspects of their emotional well-being; indeed, they may over-utilise Western therapeutic interventions that may be very different from the client's own forms of coping and which may cause the client distress.

In addition to providing spiritual, emotional and social support, FBOs have connections to other social networks, such as places of worship, and can attract resources and volunteers through these networks. For example, SIH works with Lutheran congregations to recruit volunteers to visit detention centres while CNEWA and FMM use their church networks to locate and distribute resources such as housing, furniture and clothing for their refugee clients. Staff can connect asylum seekers and refugees who share the same faith as the FBO to places of worship that may provide them with additional spiritual assistance. Secular agencies may not have connections to places of worship.

Limitations and pitfalls

FBOs also have limitations and may cause distress to some individuals who practise a different faith from the agency, were persecuted because of their faith, question

their faith or feel a higher power abandoned them in their time of distress. Some may be afraid to seek assistance from FBOs because they fear being converted. FBO staff need to be mindful of these issues and if asylum seekers and refugees express such concerns, practitioners must help them discover other beneficial methods of coping and if necessary refer them to other organisations.

Asylum seekers and refugees may feel discomfort at receiving assistance from an FBO not aligned with their own faith. Some clients may think these agencies only assist individuals of the same faith, or clients of the same faith may think they will receive preferential treatment. Clients with the same faith might also feel pressurised to outwardly display their faith when receiving assistance from faith-based agencies.

Religious symbols and images may make clients who practise a different faith feel distanced from the agency. One SIH volunteer was wearing a cross when speaking with an immigrant detainee in a detention centre who identified as Muslim; the detainee was made uncomfortable by the cross, stating that he was Muslim and did not want to be converted. Faith-based agency staff need to send clear messages to the community that they provide assistance to all individuals regardless of their faith; if possible, they should avoid displaying religious symbols.

It is extremely important for both secular and faith-based agency staff to be versed in the basic tenets of the faiths that their clients follow. Agencies need to be mindful and respectful of certain practices and obligations, such as dietary restrictions and holy days. Staff should also, if possible, try to incorporate clients' spiritual traditions into the activities of the agency, or hold cultural celebrations if clients cite this as something meaningful to their community and path to psychosocial well-being, and if it is appropriate in the local context. At the request of a Muslim and Christian asylum-seeker couple, SIH's pastor provided a blessing for their newborn child, incorporating both traditions.

November 2014

Agencies must be prepared to engage in a discussion of faith and spirituality with their clients since many displaced populations cite faith as an important factor for coping and healing, and both secular and faith-based agencies should therefore train staff in the basic tenets of their clients' faiths. More interdisciplinary research needs to be done and additional practice frameworks need to be created by social workers, mental health practitioners and humanitarian aid workers to ensure that faith and spirituality are seen as something valuable to discuss with asylum seekers and refugees, and to

ensure that their own practices do not cause additional psychosocial or emotional harm.

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Religious space, humanitarian space

May Ngo

The official Protestant church in Morocco, the Église Évangélique au Maroc or EEAM, has churches in several cities in Morocco. After a post-independence decline, in the 1990s the EEAM churches experienced an enormous increase in membership from the arrival of students from Sub-Saharan Africa but also a new challenge: the appearance of irregular migrants from Sub-Saharan Africa, usually aiming to pass through Morocco on their way to Europe but who inevitably end up in a semi-permanent settled state in the country. Faced with this, in 2003 EEAM began working with refugees and migrants in Morocco through its social arm, the Comité d'Entraide Internationale (CEI).

One of the CEI's main activities is an assistance and emergency aid programme, consisting of food and medical aid, clothing and blanket donations, and spiritual accompaniment for Christians who ask for it. This direct aid is usually given during regular 'drop-in' sessions in EEAM churches in several cities across Morocco. However, the reorientation of this arm of the church towards irregular Sub-Saharan African migrants in Morocco has not happened without some challenges. There is a continual tension that the CEI navigates between being a church organisation, with its emphasis on personalised and pastoral care, and being more like a non-governmental organisation, with an emphasis on efficiency and professionalism.

There is a fundamental ambiguity within the CEI between its evangelism and its humanitarianism that affects its mission, objectives and organisational

decisions. It is not a case of either/or but rather an unresolvable ambiguity intrinsic to the organisation and its history. These issues are the outcome of the organisation trying to interpret and negotiate the 'sacred' and the 'secular' in practice, and demonstrate how the role of religion in humanitarianism is marked by contradictions and tension, reflecting the wider ambivalence of religion's role in the public sphere.

A study of a Southern faith-based actor like the CEI contributes to a greater understanding of some of the smaller actors who engage in 'other' modes of humanitarian action that often go unrecognised, and hence enlarges our definition of humanitarianism. Through being at the same time a transnational space, a religious space and a humanitarian space, the CEI is an example of how such faith communities transform themselves into actors, particularly in the face of a lack of provision of services by the state and sometimes active aggression towards migrants.

To quote the President of the CEI, "we are inventing as we go along". Improvisation and invention have been the main ways that the CEI has attempted to manage the transition from a pastor-run operation to a growing organisation acting as a resource space for migrants in response to wider global processes that affect its own community.

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Faith-based humanitarianism in northern Myanmar

Edward Benson and Carine Jaquet

The response of faith-based organisations to displacement in northern Myanmar has been remarkable but sustaining an open and collaborative relationship with the international community remains an ongoing challenge.

The resumption of armed conflict in 2011 in the north of Myanmar led to tens of thousands of people being displaced; three years on, over 99,000 internally displaced persons (IDPs) remain. In this predominately Christian area of Myanmar, Baptist and Catholic communities and organisations have been the pivotal providers of aid. Since the Christianisation of Kachin in the late nineteenth century, churches have been providing public services where the state has not. Over generations this has earned them legitimacy and, perhaps crucially, trust with the population. More recently in the wake of the conflict, churches and their compounds have served logically as safe havens and places where groups could respond to the immediate humanitarian needs of people of the same faith or even members of the same congregation, whether they were in government-controlled or non-government-controlled areas.

Beyond this history of faith-based organisations (FBOs) helping to meet people's needs, it has also been argued that some of their success is due to a position that allows them to cooperate with both parties to the conflict. The Government of Myanmar, though overwhelmingly Buddhist, has little option but to accept churches and FBOs that have responded to IDP needs through their extensive religious networks. Due to their very nature, FBOs feel that it is their duty to respond to the needs of civilians. Even if they are not hugely experienced in humanitarian work, they consider that they have little choice. While international agencies still struggle to gain regular and predictable access to over half the displaced population located in non-government-controlled areas, this is not a problem for the FBOs and their personnel. The provision of suitable land, often such

a major impediment to the provision of shelter in humanitarian operations, has often been solved through shelters and camps situated inside church compounds.

Being small in size has been beneficial not only in avoiding the problems inherent in large congested camps but also in terms of the FBOs' capacity to respond flexibly. The organisations evolved and developed organically as the needs emerged, leaning on their pre-existing presence, knowledge and relationships with the displaced people. Rather than large-scale responses that focus on all beneficiaries receiving the same in an effort to ensure equity, such FBOs can have an approach whereby each person or family receives what they need. One internationally funded programme allowed pre-determined focal points in camps to respond to specific IDP needs. It was hugely popular with the FBOs and when funding channels temporarily dried up they managed to garner the support of local churches or businessmen so assistance could continue.

FBO advantages and constraints

Their clear chain of command has also been cited as an advantage – an ability to take decisions, built on the hierarchy of the churches with Catholic bishops and Baptist pastors having the final say. While the leaders may spend little time on the ground (something that could equally be said of some senior persons in international agencies), they have an army of support staff who do and who are part of a powerful network. Key FBOs have faith enshrined in their name: KBC, the Kachin Baptist Convention; KMSS, Karuna¹ Myanmar Social Services (Caritas Myanmar). The Metta Development Foundation describe their 'driving force' as the embodiment of the words 'loving kindness', words that are found

November 2014



in the Buddhist canon, although interestingly enough the leadership tends to be Christian. Evidence of proselytising appears to have been scant yet perhaps this was not necessary as beneficiaries were already committed to their very familiar humanitarian provider, by being part of the same faith.

Yet despite all these positives, FBOs do also suffer constraints and challenges as humanitarian responders. While assuming the role of large-scale humanitarian responders in the Kachin crisis, FBOs have exhibited a number of trends relating to their structures, staffing and mandates that have arguably created some challenges for them in the response. First, staff turnover can be high and while some staff are highly experienced and professional, others are recruited more on the basis of their faith or connection to the church. Second, in technical sectors, knowledge of minimum standards can be minimal or

non-existent. Third, poor documentation practices, lack of transparency or lack of robust accounting systems can undermine donors' confidence as to what extent they can or should be funded. Their requests for more funding can be based solely on a rationale of what they, the particular FBO, would intuitively like to do but with little analytical approach of the overall situation.

Another concern is the issue of impartiality. While there are a few examples of Catholic camps responding to the needs of Baptist IDPs, and vice versa, camp residents are frequently from one church group as IDPs move to the closest institution that shares their faith – which could be deemed contrary to key principles of humanitarian work. Furthermore, some have questioned whether an already paternalistic relationship between the displaced and their church is amplified to the point that it lacks some of the necessary checks and balances between

the provider and recipient of the aid. This dynamic can limit FBOs' accountability to their beneficiaries and limit the participation of beneficiaries in determining what assistance might best suit their needs.

International assistance

As the displacement continues into its fourth year, the last two years have seen a scaling-up of international humanitarian assistance. However, marrying the two spheres remains challenging for various reasons. First, parts of the international response (such as clusters) were not activated until 18 months after the war resumed, and efforts to introduce internationally recognised standards against this backdrop has predictably been harder. Second, there can be a resentment that international agencies rely on an expatriate workforce, a presence that is temporary while local FBOs are here to stay. Third, some suggest that the influence of international agencies has traces of neo-colonialism, adding to a lack of trust as to what their real intentions are. Whatever the truth, what is clear is how huge the organisational differences are culturally.

Differences are not just cultural but are also structural. While the international humanitarian community organises its response by sectors, local FBOs tend to take a broader, more holistic view and aim to address all the various needs of the displaced. The result can be FBOs being asked to attend a wide array of coordination forums, leading to frustration on their part. International agencies will also usually have clear lines of reporting and information exchange between the field and their head offices in Yangon (Myanmar's largest city). FBOs, however, may be structured around certain religious demarcations, such as Catholic dioceses or Baptist conventions. Some lack any presence in Yangon while others, even if they do have offices there, have minimal reporting or sharing of information across their local offices or with their headquarters in Yangon.

One must accept that greater coherence and convergence between the two spheres

will take time, probably years, despite the frequently impatient world of humanitarian responses. Looking forward, the vision must be one of mutually beneficial partnership. FBOs must be treated as fully fledged equals, not as implementing partners or, worse, as contractors. At the same time, lack of reciprocity or feedback to repeated efforts by international agencies and forums to reach out does few favours to local FBOs, especially if financial support from and recognition by the international community is what they desire. It is naïve to think that donors and international agencies will hand over millions of dollars with minimal influence over what happens to the funds. International frameworks require transparency, consultation and information sharing. Additionally, while much literature and thinking continue to emphasise the advantages of working through and with local grass-roots organisations, local FBOs also compete with their fellow local agencies for influence and credibility.

The need for greater collaboration and trust between international agencies and local FBOs is self-evident although perhaps the hardest obstacle to overcome is the lack of trust. While suspicion is not surprising, few could argue against the fact that if combined, with each sphere contributing with its areas of expertise and comparative advantage, the humanitarian response would be far more effective than if working in parallel or in competition. From both sides it requires a willingness to look outwards and recognise that while the means and the mindset may often vary, what they both wish to achieve and are striving for is much the same.

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1. Buddhist concept of 'compassionate action based on wisdom'.

November 2014

The costs of giving and receiving: dilemmas in Bangkok

Sabine Larribeau and Sharonne Broadhead

Local faith-based organisations play a central role in meeting the basic needs of the increasing urban refugee population in Bangkok. This raises challenges for all involved.

The issue of faith-based organisations (FBOs) and their responses to displacement is highly relevant in Bangkok where the number of urban refugees is now estimated to be over 8,000 (more than five times the number in Bangkok in early 2013) and continues to increase. Thailand is not a signatory to the 1951 Convention and has no national framework to protect urban refugees. Refugees here live under constant threat of arrest, exploitation and detention, which has a significant impact on their lives and livelihood options. Furthermore, as a majority of the refugee population is relatively new, there is limited organised refugee community support. Thousands of refugees in Bangkok depend on NGOs and FBOs to survive.

The hurdles facing refugees and those serving them in Bangkok are significant. There is only a small group of NGOs providing services and assistance to urban refugees, and for many of them their budgets have either stagnated or been cut. Services to refugees, in particular material assistance, are being withdrawn or are no longer sufficient to meet the growing needs. Refugees are now relying on FBOs, in particular churches, to fill the gaps in material provision that are not being covered by UNHCR or NGOs. Many urban refugees now depend on assistance from churches to survive, and this has presented a variety of challenges for the churches, their mission and their congregations, other NGOs working in Bangkok, and the refugees themselves.

Distorted roles

FBOs have expressed concern about how the provision of assistance for refugees can detract from their core mission and purpose.¹ One church explained that they are responding to a need without necessarily feeling that it

is their role to be providing a formal service for refugees. Any response then draws more refugees to them, and has a further impact upon worship and fellowship activities they may want to undertake. A church pastor explained how their usual custom of eating together after a service became contentious as refugees sought to be involved in that activity in order to access food. This distorted the purpose of this activity, creating some ill-will towards refugees from other people in the congregation, and resulted in it becoming unsustainable. He concluded that: "The needs of the refugees are so great that we could probably expend our entire resources (financial as well as staffing and facilities) toward their care and do nothing else. We don't feel that that is what we are being called to do. We feel we are being led to help but not to make it the focus of the church, which it can quite easily become."

The distortion of roles is also felt keenly by refugees. For many Christians who have fled their country due to religious persecution, they find they now have a different relationship with church attendance. One refugee said, "It feels that we are not going into the church to please God but we go there for other purposes, like getting food or some help or donations... [this is] obviously not good for our mental health, nor for our faith." Another refugee said, "I do not want to feel or become like a beggar... I want to attend church without thinking of going there to get help."

Furthermore, the giving of material assistance can impact upon the freedom of churches to provide purely pastoral care. One pastor commented, "One of the significant challenges we face is that the needs of the refugee community are so great, that our efforts to

seek to help can potentially take us off track of what we feel our primary purpose as a church is." FBOs can begin to feel like refugee aid organisations, and some church workers who provide assistance have shown signs of compassion fatigue. A number of refugees we talked with felt they were treated with disdain. One refugee said, "It feels so bad when you stand in a line to receive very little food and the way church workers treat you and the way the refugee community behaves there. It's not at all a good experience." Because of this, some refugees say they would much rather receive aid from a non-religious organisation. "We would definitely prefer to receive support from UNHCR or an NGO rather than church. We could go to church with dignity, as we now feel embarrassed that everyone thinks we are coming to ask them to help us and some people really behave rudely."

Need for coordination

The food and financial support provided by the variety of different organisations in Bangkok are usually not on their own sufficient to meet refugees' basic needs. Many refugees therefore approach more than one organisation to request assistance. Typically, each time refugees have to recount the reasons why they left their country of origin, as well as details of their present situation. This raises a number of issues. It presents the risk of re-traumatisation for refugees and also encourages refugees, regardless of trauma suffered, to present themselves as vulnerable in order to obtain the most assistance possible. As one counsellor working with the refugee population explained, "[what is] concerning to me, especially here in Bangkok, is the victimisation of refugees in which a person is forced to embody their story and only talk about the trauma or reason to flee and highlight how they need help from others. This does not promote resiliency or independence." Unfortunately some refugees believe that sharing a traumatic story will ensure assistance. One pastor commented that "what we hear expressed regularly when we are not able to help is that we don't believe their story". She says that the hardest thing is "listening to a refugee's story, then requesting

help, and having to tell them we can't help them". This is problematic for all involved.

Secular refugee service providers in Bangkok too are in a similar position of assessing and sometimes refusing direct assistance to those in need, and can similarly struggle to do this with a rights-based approach. However, they work collaboratively with other service providers, sharing resources and implementing standards. There are regular meetings and structured weekly communications, as well as informal daily interactions. The organisations hold each other accountable, and support each other. FBOs typically do not have the same grounding and involvement in refugee issues specifically, despite their actual pivotal role.

An innovative solution to address some of these challenges has been the creation of the Bangkok Asylum Seekers and Refugee Assistance Network (BASRAN). This network includes FBOs, refugee service providers and UNHCR, and aims to coordinate services for the urban refugee population in Bangkok. Meetings are held every two months and are a neutral space in which refugee service providers and FBOs can hold discussions. Topics vary from organisations trying to better understand the RSD process or what UNHCR's role in protection is, to discussing how to dispel rumours that have bubbled up through the communities. This forum for exchanging information is extremely important to facilitate the spread of knowledge between the various actors who all bring expertise in different areas to the network. This has led to successful, timely and coordinated responses to issues faced by refugee communities. One example is NGOs, FBOs and refugee community leaders – connected through BASRAN – responding to financial extortion within refugee communities; these groups have worked together to assist individuals affected, and to raise awareness within the communities of the risks of exploitation.

BASRAN also has separate working groups on critical issues that require further examination and collaboration among those working with refugees in Bangkok. These

November 2014

are currently focusing on education and health, and involve refugees with skills or an interest in these areas, as well as those who have been active in establishing their own community-based services.

The network provides a forum where FBOs are supported and strengthened in their work. For example, FBOs that are concerned about the impact on their mission of providing refugee services and are seeking to move away from providing direct material assistance are encouraged to continue to assist but to do so less visibly, by providing financial and human resources to other organisations running services and activities for refugees.

Communication between all individuals and organisations working with urban refugees is

key to striving for high standards of assistance to better meet the material needs of the population being served, without this being at the expense of meeting spiritual needs. Joint problem solving is vital, and refugee service providers should ensure that FBOs active in the provision of assistance for urban refugees are included in collaborative approaches.

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1. This article draws on views regularly expressed during meetings of the Bangkok Asylum Seekers and Refugee Assistance Network (BASRAN) and by FBO representatives consulted in writing this article.

Faith and the politics of resettlement

Shoshana Fine

For some asylum seekers in Turkey, conversion may be an opportunistic strategy to improve resettlement prospects.

Those working with asylum seekers and refugees in Turkey have noticed that a growing number of Iranian Shi'ite asylum seekers are converting to Christianity during their migratory passage through Turkey. With apostasy punishable by death in Iran, asylum claims and requests for resettlement can be based on or strengthened by such conversion.

Resettlement is considered a privilege rather than a right under international law, and the selection process occurs in a context in which demand is much greater than the quotas stipulated by resettlement countries. This selection process divides refugees into sub-categories of deservedness, which are in theory based on vulnerability but are in practice linked to political as well as humanitarian rationales.

It has been argued that in the case of the United States – by far the most important resettlement country for refugees in Turkey

– foreign policy interests have in the past played a key role in deciding which refugees are selected for resettlement. Resettlement selection processes have long favoured the entry of ideologically useful entrants, such as individuals fleeing Communist regimes during the Cold War. With a shift in focus from resettling religious minorities in the former Soviet Union to a similar focus in Iran, the US gives preferential treatment through reduced evidentiary standards to Iranian religious minorities (Baha'is, Jews, Christians). It is in this context that conversion is perceived by some Shi'a Iranian asylum seekers in Turkey as a way to improve their prospects for reaching the West; several studies have shown that the conversion of Iranian migrants and asylum seekers is a significant practice in Turkey.¹

The absence of welfare support for migrants and refugees in Turkey opens up a space for voluntary support mostly provided by

NGOs and Christian associations. Their staff are frequently missionaries, a significant number of whom are fluent in Farsi and who are associated with networks of Farsi-speaking churches throughout Turkey. Missionaries assist migrants such as by offering translation services or establish contact by inviting Farsi-speaking migrants and asylum seekers to social events and church services – providing social networks which can give meaning to migrants' lives in an otherwise unstable situation.

An important part of the trajectory of conversion is the production of a personal narrative of conversion. Undoubtedly

some of these narratives of conversion are 'real' in the sense that the Christian faith is believed and internalised by the individuals in question over the course of their passage in Turkey. For others, conversion maybe more of an opportunistic strategy to improve resettlement prospects.

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1. See Koser Akçapar S (2007) 'What's God got to do with it? The role of religion in the internal dynamics of migrants' networks in Turkey', *Revue des mondes musulmans et de la Méditerranée*, November 119-120; or Leman J (2007) 'A "Lucan Effect" in the Commitment of Iranian Converts in Transit. The case of the Pentecostal Iranian Enclave in Istanbul', *Revue des mondes musulmans et de la Méditerranée*, November 119-120.

Principles and proselytising: good practice in Ethiopia

Zenebe Desta

Faith-based organisations need to ensure that in providing essential humanitarian assistance they do not exploit the vulnerability of people by proselytising, whether overtly or covertly.

Humanitarian agencies who have signed up to the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief have committed themselves not to use humanitarian response to further political or religious creeds.¹ However, the reality is that some faith-based organisations (FBOs) do proselytise in the context of giving aid, whether through activities such as prayer, scriptural study and distribution or display of religious materials and symbols. Such practices gravely erode the contributions of FBOs in the protection and support of refugees. A World Council of Churches report in 1961 defined proselytism as a corruption of Christian witness: "Witness is corrupted when cajolery, bribery, undue pressure or intimidation is used – subtly or openly – to bring about seeming conversion." That same year several Orthodox Churches – which had long been opposed to proselytism – joined the World Council of Churches.

The Ethiopian Tewahido Orthodox Church runs a refugee support programme through its Development and Inter-Church Aid Commission in the Refugee and Returnee

Affairs Department (DICAC-RRAD).² The refugees supported by DICAC-RRAD are mainly from Somalia, Eritrea, South Sudan, Sudan, Democratic Republic of Congo and Yemen. In February 2014, about 2,000 camp refugees were receiving secondary education provided by DICAC-RRAD, and around 2,500 urban refugees were dependent on the department for health care, education and subsistence money. In accordance with the Orthodox Church's long history of opposition to proselytism, the Ethiopian Orthodox Church's refugee support programme takes a firm stance against proselytising.

Although DICAC-RRAD's website carries references to biblical sources for its commitment to assist refugees, "there is no religious statement or symbol or icons that I have ever observed written or displayed except the stamp of the organisation that bears a cross", says a Somali refugee interviewed by the author. This is an important practice in keeping spirituality and humanitarianism separate. However, it is essential to be aware that even a symbol such as a cross on an organisation's 'stamp'

November 2014

could be picked up on – as either a sensitive matter or deemed to be promoting a faith – by people from a different religious background. Significantly, there are no religious symbols, icons or references on or in the DICAC-RRAD head office or in the schools in the refugee camps. When asked if DICAC-RRAD staff ever approached refugees to discuss religion, Deng Gach, a South Sudanese refugee, says “Yes, they tell us to be strong in our own religion in order to be resilient in the face of all the bad things we have gone through.” In this way, DICAD-RRAD reinforces faith as a way to cope with trauma and suffering without saying ‘my faith is the best way’.

While education is a likely setting for proselytising to creep in, the schools run by DICAC-RRAD follow the government’s secular curriculum and there are no additional biblical subjects provided, unlike those provided in the church-run primary and secondary schools for the local population (i.e. schools not established for humanitarian purposes). Providing health-care services for ill and/or distressed refugees could also be open to volunteers using the opportunity for evangelism. DICAC-RRAD allows volunteers (who include refugees) of any and no religious affiliation, and provides orientation for them on what is and is not appropriate.

Applicants for jobs with DICAC are not screened for their commitment to Christianity or any other faith. Although there is an interview question on the applicant’s general knowledge of the Ethiopian Orthodox Church/DICAC, there is no expectation of a commitment to the church. Hence, there are Muslims and persons from other Christian denominations who work for DICAC-RRAD, both in the head office and in the refugee camps. So far, however, there are no people from other religions in senior positions, something that DICAC might wish to reflect on.

Monitoring and accountability

DICAC-RRAD’s partnership with UNHCR requires adherence to humanitarian

principles (including non-discrimination and no proselytising) and monitoring thereof. Participatory Assessment Teams are tasked with periodically assessing the performance of the humanitarian support that the organisation is providing. Ahmed Abdella, a refugee from Eritrea who is a member of one of these teams, explains: “We were democratically elected, representing each refugee nationality, and we review every aspect of humanitarian support delivery. With regard to the imposition of religion, we have had no problem with that so far. If we noticed such a practice, we would bring it to the organisation’s attention to be rectified.” In addition, a Refugee Centre Committee meets every month (involving both urban and camp-based refugees) to discuss issues of concern and to lodge complaints as appropriate. Furthermore, individual complaints by refugees can be made openly at meetings or confidentially in writing or email.

Proselytising under cover of humanitarian aid can come about because the funding comes from the proponent of a particular religion. While the fact that DICAC-RRAD secures its funding from UN agencies is one reason why it does not blur the lines between humanitarianism and proselytisation, it should be commended for differentiating its humanitarian work from its religious values in the context of people fleeing persecution and seeking protection. Faith-based organisations can play vital roles in protecting and supporting displaced people but need to adhere to the humanitarian partnership principle of non-discrimination and non-proselytism. Flouting this principle could be tantamount to exploitation and abuse.

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1. www.icrc.org/eng/assets/files/publications/icrc-002-1067.pdf (see Article 3)

2. <http://eotcdicac.org/index.php/programs/refugee-and-returnee-support>

Jewish roots of humanitarian assistance

Ricardo Augman and Enrique Burbinski

Founded in 1881 originally to assist Jews fleeing pogroms in Russia and Eastern Europe, HIAS¹ was formed to provide meals, transportation and jobs for the new arrivals to Manhattan. The Old Testament and the Talmud are the pillars on which our practice and our ethics are built, and in them are specific injunctions to give priority to assist and protect strangers so that they can build their lives with dignity, and to assist one's neighbour.

Putting this together with the long history of migration and persecution of the Jewish people, HIAS' humanitarian programmes are inspired by these values which have been sustained through many generations. We benefit from the knowledge of our forefathers who had to uproot themselves, leaving behind the places they were born and taking with them sadness for the deaths of those who could not leave. They too had to re-start their lives with the belief that it is possible to build a better world. While liberty and security are principles for HIAS that give direction to its practices in general,

welcoming the stranger derives from our basic texts, and the protection of refugees is our main mission.

HIAS now works to resettle the most vulnerable refugees of all faiths and ethnicities from all over the world. As an organisation, HIAS does not claim to transmit its faith through its humanitarian work, nor does it attempt to spread its faith to beneficiaries or to partners. Our staff training is only aimed at humanitarian professionalism, and our global experience is of assistance to people of other faiths and religions. We are clear that faith is not needed for solidarity; the act of assistance is an act of respect for the humanity of others and is not the preserve of any one faith.

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1. Originally Hebrew Immigrant Aid Society, now known only as HIAS.

Chins in Mizoram state, India: a faith-based response

Jenny Yang

The faith community in Mizoram state in India has played an instrumental role in providing social services, changing public attitudes and perceptions towards refugees, and providing access and assistance, reaching the most vulnerable where there is no international presence.

Since the 1988 pro-democracy uprising in Burma, ethnic Chin refugees have fled to India's Mizoram state, which borders Burma's western Chin state. Because of the remote location and government-imposed restrictions on foreigners' travel to Mizoram state, the Chins in Mizoram have been largely out of sight and out of mind of the international community. In the absence of UNHCR (United Nations High Commissioner for Refugees) and any international humanitarian assistance, the Chins face protection challenges and lack humanitarian assistance, while placing a burden on the resources and infrastructure of Mizoram.

While the Indian government provided the refugees with shelter and food upon their

arrival in the late 1980s, these services were stopped after a few years, and the Chins have faced many difficulties. Even though the Chins have fled persecution, they are not recognised as refugees by India; residents of Mizoram state ('Mizos') view them primarily as economic migrants because they are perceived to be fleeing generalised poverty, and point to the burden they create for Mizoram.

Despite some positive changes in the Burmese government in recent years, voluntary repatriation to Burma on the whole remains not viable, and the safe, humane integration of Chins will be necessary through Mizoram churches, NGOs and state government, with support from central government and the

November 2014

international community. During a temporary lifting of the travel restrictions in April 2011, I visited Mizoram and witnessed how the church has played a critical role in this regard, providing key social services to both Mizo and Chin populations, identifying and serving the under-served refugees in the community, and ensuring there is a sense of commonality and welcome for the Chin people living in their state.

The Mizoram church, government and community leaders speak of the Chins as “brothers and sisters” because they are fellow Christians and come from the same ethnic roots. One can hardly overstate the influential role that Christianity plays in the daily life of Mizoram, especially as Christian denominations in Mizoram focus on serving not just the spiritual needs of the community but also the physical, emotional and intellectual needs through church-run hospitals, clinics, nursing homes, orphanages, hostels, schools and community development and assistance programmes.

Contributions of FBOs

One of the main questions I asked during my trip was what role civil society – in particular, faith-based organisations (FBOs) – played in providing assistance and protection to refugees in an area where there is no international protection or assistance. Faith-based groups in Mizoram have provided key social services for refugees, and church-run hospitals and clinics complement the government health and education systems and fill gaps to ensure that those who are especially poor – which includes most refugees – receive health care and an education in Mizoram. Many such hospitals and clinics also absorb the health-care costs of indigent Mizos. Since the Chins and Mizos share a common religion,



A group of Chin refugee pastors sharing their stories in a local church in Saiha, Mizoram state, India.

the church has long worked to serve both Mizos and Chins in development projects.

The Baptist Church of Mizoram (BCM), for example, started the Lydia Project in 2011 to assist displaced Chins and low-income local people, in partnership with two other denominations, the Lairam Jesus Christ Baptist Church and Zomi Baptist Church. BCM started by surveying 10,000 individuals – collecting names of the displaced, analysing their humanitarian needs and determining why each one had come to Mizoram – and

November 2014

focusing on developing programmes to serve the most vulnerable and the long-stayers in Mizoram. They developed 33 self-help groups (80% of the members being Chins and 20% local people), with 7 to 15 per group. Members contribute funds monthly which are deposited in a bank in their names. There is also a programme for youth development and one for community counselling.

The Lydia Project focuses on small income-generating projects for these groups, and also works to build awareness of, for example, government-funded opportunities. The project also includes education and reconciliation activities. BCM's relief and development department provides overall coordination with churches and Chin communities in areas of Mizoram with high concentrations of Chin refugees, while project leaders emphasise how critical it is not to separate out the Chins from the local population for humanitarian assistance.

Despite the refugees not having legal recognition, the Lydia Project has helped to empower the refugees and provide a safe space in which community dialogue can begin to address tensions between the refugee and host communities. By not singling out the refugees as a population in need, the project has greater acceptance in the local community, and with Chins and Mizos being trained together, the project has created working relationships that will help to foster a more positive environment for the refugees. The project has also identified and reached some of the most under-served areas and populations in Mizoram, working through the three denominations' networks of churches in areas that are hard to reach even by local government officials.

FBOs provide holistic community care by coupling assistance with promoting more favourable attitudes towards and perceptions of migrants in their communities. Fundamental to the basic protection of refugees is not only their legal recognition and protection but also their acceptance by the local community. In a state where almost all law enforcement officials, elected officials and

civil servants attend a church, the influence of the church to change public perception of immigrants cannot be overstated.

As well as trying to meet the physical and educational needs of refugees by offering assistance through their hospitals and schools, the churches have also engaged in educational efforts to help the Mizoram community better understand the Chin community and, from a faith perspective, why they should welcome and care for the Chins living among them. The Baptist Church in Mizoram, for example, has run various educational events around a theological perspective on caring for the immigrant. They have handed out pamphlets at churches, conducted public educational events, and in some churches have talked from the pulpit about a Christian response to immigration. The Mizoram Presbyterian Church Synod hired a minister to reach out specifically to Chins in Aizawl, the state capital; his duties include mission, evangelism and social services, and he also coordinates a monthly prayer gathering called 'Prayer for Burma' which includes all Chin churches and fellowships in Aizawl.

By speaking out for the vulnerable in their community the churches have helped to prevent anti-Chin activities in the past, and they continue to provide critical teaching to ensure the community is not only merely accepting but actively welcoming of the Chin refugees among them. During Burma's current period of change, there is a great opportunity to pursue a newly framed regional approach that will provide protection and long-term durable solutions for the Chins by working through local FBOs that are trusted and have been operational in the region for decades. These organisations can not only provide critically needed relief and development activities but also be influential in shaping attitudes and perceptions of host communities to welcome the refugees among them.

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November 2014

Engaging IDPs in Sri Lanka: a Buddhist approach

Emily Barry-Murphy and Max Stephenson

A Buddhist Sri Lankan NGO provides an example of how endogenous faith-based civil society organisations can help mobilise IDPs in owning and defining strategies for their own protection.

The rhetoric concerning protection of internally displaced people (IDPs) often focuses on top-down, international and/or state-led protection mechanisms. The 1998 Guiding Principles on Internal Displacement and other more recent documents such as the Inter-Agency Standing Committee's 2010 Framework on Durable Solutions for Internally Displaced Persons emphasise the international community's responsibility to promote 'protection' and 'durable solutions' principally by means of national programming, with the participation of additional actors, including IDPs, as appropriate. An emphasis on state-led IDP action agendas does not consider seriously that those most affected by displacement could serve as leaders in designing and implementing their reintegration efforts, including being actively included in the process of defining what concepts of 'protection' and 'durable solutions' mean.¹

An example of a faith-based NGO working to empower IDPs to take part in framing and organising themselves in addressing issues that concern them is the Sarvodaya Shramadana Movement in Sri Lanka. In recent years, Sri Lanka has suffered from many events causing displacement – including the 2004 Indian Ocean tsunami, a long civil war and recent large economic development projects. Sarvodaya works through a small number of national units and hundreds of legally independent organisations, called Shramadana Societies, which operate at the village level to address post-conflict development concerns through a Buddhist spiritual framework of mindfulness based on the concepts of *sarvodaya* (awakening of all) and *shramadana* (sharing of labour).

The movement seeks to bring together politics, economics and faith in a development

approach grounded in village-level democratic participation, non-violence and a belief that diverse ethnic and religious groups can together improve the nation's quality of life. Sarvodaya works for and with Buddhist, Christian, Muslim and Hindu groups.

Power and protection

One of Sarvodaya's key initiatives is *Deshodaya*. *Deshodaya* is a Buddhist term that suggests spiritual liberation from individual and unequal socio-economic limitations in order to build human potential. The programme employs mindfulness and 'awakening' to define 'protection' and 'durable solutions' in ways that help villagers, especially individuals who have been disempowered by their displacement, to recognise the power dynamics at play in local, national and international arenas, how these affect their lives and how they can use this recognition to understand the dominant discourse that underlies the power dynamics (and change it).

Villagers are encouraged to think critically about power and how it is enacted at the international, national and local levels; to create regional, district and village-level *Deshodaya* forums and groups to lobby and work with the government and international organisations; and to promote individual and community-level action that generates a bottom-up understanding of peace, development, post-conflict reconciliation and, most importantly for displaced individuals, protection. National *Deshodaya* forums bring villagers together – including IDPs – to learn about national and international actors responsible for policies that affect their lives. Participants are encouraged to identify where they themselves can intervene and act with others in seeking

change. Between the start of its community empowerment programme in early 2010 and May 2011, the initiative reached 500,000 individuals in 245 villages in Sri Lanka, many of which had large numbers of IDPs.²

Sarvodaya's 'political awakening' unit helps IDPs to register their group legally as a civil society organisation; these entities then become the mechanism through which displaced individuals at the village, district or regional level can come together to discuss and plan 'protective' action, while looking for opportunities for advocacy in national and international discussions. An example of forum-inspired IDP participation and advocacy concerning protection and durable solutions occurred in the eastern, war-affected district of Trincomalee, in which a Deshodaya unit successfully lobbied public transport authorities for additional services; adequate public transportation allowed returning IDPs to access the employment market and gain job security. The initiative also allowed children to enter schools in Trincomalee town and permitted families to reach better urban health-care facilities. Meanwhile, in Jaffna after the official end of the conflict, Deshodaya members joined together to promote protection for child IDP returnees by improving pre-school facilities and raising money for teachers' salaries. Similarly, in the western district of Puttalam, where there are many IDPs, a village-level Deshodaya group spoke in public forums to raise awareness of child protection issues faced by recently returned displaced families.

Deshodaya forums led by village leaders, including IDPs, have resulted in otherwise marginalised populations becoming recognised as participants and leaders in conversations concerning their protection. By creating forums in which IDPs assume responsibility for developing their own path forward, the Deshodaya groups are not pushing a faith-based protection agenda, nor are they arguing that government and international organisations should not be involved in protection for IDP communities. Rather, they are contending that displaced Sri Lankans of all faiths should have the right and the possibility to participate in protection programmes and to define and lead those initiatives in tandem with government, international and other civil society organisations. So, in addition to calling into question who is defining what protection means, IDPs are now also questioning how current protection initiatives are designed and implemented.

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1. See Nancy Fraser's 2010 *Scales of Justice: Reimagining Political Space in a Globalizing World* in which she provides a framework that endogenous faith-based NGOs can adopt to facilitate and catalyse a process of IDP agency.

2. Sarvodaya Shramadana Partner Coordination Unit's 2011 *Final Report: Community Empowerment for Peace, Reconciliation and Development (CEPRD)*.

An ecumenical organisation for asylum seekers in Switzerland

Susy Mugnes, Felicina Proserpio and Luisa Deponti

An ecumenical organisation provides socio-pastoral assistance for asylum seekers while they go through the first crucial steps of the asylum proceedings.

Through an ecumenical organisation called OeSA,¹ the Reformed, Catholic and Methodist Churches in Basel offer humanitarian assistance to refugees who have just reached

Switzerland after difficult and dangerous experiences. OeSA provides socio-pastoral assistance for asylum seekers in the period they spend in the Registration and Procedure

November 2014

Centre (RPC), while they go through the first crucial steps of the asylum proceedings. The RPC is not a detention centre, so the asylum seekers are permitted to go outside during the day and at limited times on the weekend. With its various services within and next to the RPC, OeSA becomes a resting place in the journey of many asylum seekers.

Pastoral counselling is possible in all Swiss RPCs, thanks to an agreement signed in 1995 by the three main Christian churches in Switzerland, by the Federal Office for Refugees and, in 2002, by the National Jewish Community. Together these form a National Committee, which has elaborated a common 'Overall Concept' for the pastoral work among asylum seekers in the RPCs. According to the Concept, this work should take into consideration the variety of the asylum seekers' religious backgrounds; it defines the pastoral work in the RPCs as "commitment to the human being", and rejects any religious discrimination and any form of proselytism. The principles that lead the pastoral work and which are shared with a larger group of people focus on hospitality, special attention to the most vulnerable, openness to all asylum seekers irrespective of their origins and religion affiliations, and attentiveness to a wide range of psychological and material needs.

The pastoral workers provide information to the asylum seekers about the asylum system and OeSA's services, and about legal counsellors who are situated just next to the Centre. First contacts in the country of asylum are particularly important for the asylum seekers who are very vulnerable and so any small gesture of welcome has a much greater symbolic value than its actual concrete effect.

The OeSA team is not only ecumenical but also multicultural and multireligious. Around 50 volunteers of ten different nationalities cooperate in the different socio-pastoral services. Although the guidelines were developed in a Christian context and OeSA is supported by the Christian churches, people of different religious

and cultural backgrounds easily share the motivating vision and the working style of the organisation.

The place for first contacts and conversations with asylum seekers outside the RPC is a coffee bar run in shifts by a team of 15 volunteers five days a week. During its opening times, trained volunteers (speaking different languages) work in shifts to offer emotional support, counselling and general information on asylum law; they also help to connect asylum seekers when necessary with the Legal Advice Office, or – if the rejected asylum seeker is considering voluntary return – with the IOM office in the RPC. OeSA's volunteers also offer other practical services such as German lessons, child care, etc.

The pastoral workers' respect for each person and their faith has inspired certain initiatives. For example, RPC directors were asked to allow Muslim asylum seekers to stay out of the Centres for longer during the Ramadan period so that they could finish the day in the mosques. Another important aspect of pastoral counselling is networking – establishing contacts within the RPC so that asylum seekers' questions or difficulties can be discussed with staff, security guards and/or officials (including the director).

Raising awareness in favour of asylum seekers is yet another important part of OeSA's mission. It hopes to contribute to the development of a more welcoming society by reducing prejudices and building bridges between asylum seekers and the local population, and by awakening solidarity, dialogue and mutual acceptance across cultural and religious divides.

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1. Ökumenischer Seelsorgedienst für Asylsuchende (Ecumenical Socio-Pastoral Service for Asylum Seekers)

African refugees and the particular role of churches in the UK

Samuel Bekalo

Many churches have the necessary physical and social assets to assist refugees in the community both individually and by bringing them together.

Certain Christian church denominations in the UK have become focal points for providing assistance to refugees from East Africa and the Horn of Africa. The Pentecostal and Coptic (Orthodox) churches in particular – the principal religions of the refugees – are long-established institutions where African refugees have found sanctuary and an opportunity to experience wider community beyond their own groups.

After reaching the UK, the majority of the refugees are dispersed across the country, far from London where their communities are concentrated, due to insufficient accommodation in the capital and the government's dispersal policy for new asylum seekers. In addition to having been traumatised by the experiences that triggered their flight, they face a range of challenges in adjusting to the local culture and the economic norms of their new world. At such a critical juncture, churches and other voluntary charitable organisations are often the ones that come to the rescue. However, there seem to be particular factors that mean that churches and other faith-based groups have been more sustainable in providing assistance than the secular community groups established for African refugees.¹

Volunteering: Volunteer programmes are one of the key assets and strengths of the churches. Without these, it would be difficult (if not impossible) to sustain their various support activities. The secular African refugee community groups appear to lack a long-term volunteer base and the majority of these groups eventually founder.

Physical resources: Buildings, often equipped with valuable resources, are

important assets. Due to the decline of church attendance in the UK, there are plenty of churches with spare space for African refugee community groups for worship and communal activities. Such free facilities are not always available to secular community groups.

Faith-based expectations and obligations: Helping the needy and the disadvantaged is an expected part of Christian faith and practice.

Networks: Extensive contacts and networks help to identify and reach out to those in need and also to those in a position to assist. Furthermore, church leaders can play a powerful role in shaping attitudes and practices.

From this base, the churches in question have been able to provide a wide range of practical community support services, including outreach to newly arrived refugees; drop-in services where people can seek assistance, impartially and in confidence; support services according to age, gender and needs;



At a Habesha (Ethiopian & Eritrean) Pentecostal Church event in Leeds, UK.

November 2014

emergency support services to the wider community during crisis, such as food banks and debt-management support; family-befriending schemes; and the less tangible but important support for their Christian faith.

Aside from providing practical assistance, the churches create a platform for volunteering and capacity-building programmes which help communities such as the African refugees to become self-sufficient in the long run. They help revive hope, purpose and dignity for vulnerable members of the community. Unlike

their secular counterparts, many churches both have the necessary physical and social assets and are often uniquely suited to bring people together to address pressing challenges and to empower people to improve their lives.

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1. Based on the author's observations and work experience with support-service providers and recipients over a ten-year period.

Post-disaster recovery and support in Japan

Kimiaki Kawai

On 11th March 2011, eastern Japan was hit by a magnitude 9 earthquake, followed by a tsunami approximately 30 minutes later. By 22nd June, the death toll had reached over 15,000, with more than 7,000 still missing and over 110,000 living in shelters or temporary housing. Many villages and towns of the affected region had been completely destroyed. Thousands of individuals volunteered for relief activities, as did a range of groups including Soka Gakkai, a lay Buddhist movement, which immediately set up a disaster response coordination team.

The actions of the Soka Gakkai members who got involved – many of whom lived in the affected areas – were grounded in their Buddhist belief that all people possess life of equal dignity and value; members generally pray and take action for “the happiness of both oneself and others”, including by volunteering. As a locally based and faith-based organisation (FBO), there were several aspects that enabled Soka Gakkai to contribute effectively to the relief effort, responding to both physical and psychological needs.

First and foremost, Soka Gakkai's network of community centres provided evacuees with shelters and relief supplies. Some members' homes were also used to accommodate local evacuees and as relay points for distributing relief supplies. Secondly, volunteers delivered relief supplies to general evacuation shelters and also, through our community-based network, to others not directly hit by the disaster but severely affected by the destruction of infrastructure. Because of their networks and

knowledge of their local community, volunteer members knew the whereabouts of people in the affected areas and what supplies they might need. Thirdly, we provided memorial and prayer services for psychological support, with prayers dedicated to the swift recovery of affected areas. Finally, money was donated to various municipalities in the affected areas.

FBOs can play a unique role in providing both material and psychological support. However, FBOs based in Japan need to more effectively coordinate with public sector bodies such as the national government and local municipalities. Akihiko Morishima, then leader of Soka Gakkai in Miyagi Prefecture (which took the brunt of the tsunami), stated in an interview: “We have carried out our relief activities focusing first on the individual in need just in front of us. ...The public administration, however, may not necessarily take the same approach. They usually prioritise efficiency and equal access to relief.” Both approaches have their own strengths that should complement each other. In emergency situations, FBOs need to work in solidarity beyond differences in their religious traditions. In this regard, it was significant that in April 2011 a network was launched (called the Japan Religion Coordinating Project for Disaster Relief¹) for the purpose of coordinating disaster relief by faith-based organisations.

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1. <https://sites.google.com/site/syuenrenindex/> (Japanese only)

'Welcoming the stranger' and UNHCR's cooperation with faith-based organisations

José Riera and Marie-Claude Poirier

Since its creation in 1950, UNHCR has engaged with faith-based organisations, faith communities and faith leaders in carrying out its work. Recently, UNHCR has been more actively exploring the role of faith in humanitarian responses.

The fifth High Commissioner's Dialogue on Protection Challenges explored 'Faith and Protection', assembling over 400 representatives of faith-based organisations (FBOs), faith leaders and other partners in Geneva in December 2012 for a two-day discussion on partnership with faith-based actors. This was the first formal multi-faith dialogue UNHCR had engaged in to explore the common values underpinning the notion of refugee protection in all of the world's major religions. It also fostered deeper appreciation for and understanding of the role that religion and spirituality play in the lives of those whom UNHCR serves.

Participants in the Dialogue further recognised the importance of UNHCR's existing and potential partnerships with FBOs. They strongly reaffirmed the key principles underpinning humanitarian work¹ (i.e. impartiality, non-discrimination, respect for the beliefs of others, diversity, empowerment, equality, humanity, and protection against any form of conditionality) and acknowledged the requirement to respond to humanitarian situations according to these principles.

At the close of the event, High Commissioner António Guterres underscored "the valuable contributions that faith organisations and communities make to the protection of refugees and the displaced". He highlighted a number of concrete suggestions for follow-up, which included a call to develop guidance on 'faith literacy' for UNHCR staff.

UNHCR and faith-based organisations

In July 2014 UNHCR published a 'Partnership Note', setting out broad guidance about engaging with, reaching out to and partnering

with FBOs, local faith communities and faith leaders, and giving examples of where faith actors have played an important role at the local level.² The Partnership Note recognises that FBOs, local faith communities and faith leaders vary in size from a group composed of a few believers to global religions and broad inter-faith networks. These organisations encompass a range of faith identities and motivations, with diverse degrees of knowledge of and willingness and capacity to observe humanitarian principles.

Faith leaders play influential roles within their faith communities and the broader local community. By providing concrete examples, the Note demonstrates that faith leaders benefit from trust and exercise moral authority over members of their local faith community, and shape public opinion in the broader community and even at the national or international level. These examples were drawn from a survey that UNHCR undertook in 2013 (with the support of a coalition of FBOs) to better understand the breadth of existing partnerships between faith actors and UNHCR at all stages of the refugee and displacement cycle. It explored lessons learned and identified good practices for engagement with faith actors.

Challenges and opportunities

UNHCR, like others in the broader humanitarian community, is committed to upholding humanitarian principles and ensuring that protection underpins all its activities. UNHCR does not engage in partnerships that are contrary to these principles and, in particular, its support cannot be used for proselytising or imposing conditions on delivering aid that are contrary

November 2014

to humanitarian principles. On the other hand, it must be recognised that faith actors occasionally encounter bias against them among staff from outside of the faith community. The challenges of partnership need to be viewed from both perspectives if they are to be overcome, particularly through positive changes in attitudes and approaches.³

From UNHCR's perspective, the most difficult partnership challenges are presented when faith actors promote or condone the following: antagonism towards or exclusion of members of other faith backgrounds; hate speech or incitement to violence directed against individuals or communities of another faith; proselytisation and pressure to convert as a pre-condition for continued support; early marriage or other possibly harmful traditional practices; gender stereotypes, and disregard for the specific rights of women, boys and girls, and for vulnerabilities in contexts where sexual and gender-based violence and negative coping mechanisms are widespread; stigmatisation and discrimination surrounding HIV/AIDS; and stigmatisation and discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals and communities. In addition, local faith communities may lack familiarity

with UNHCR's processes and procedures, including its strategic priorities and notions of risk and vulnerability, which can become a source of frustration and misunderstanding for UNHCR staff.

UNHCR staff also recorded that the common difficulty of coordination in complex emergency situations extends to local faith communities, their networks and community-based organisations. Other documented challenges and concerns about partnering with faith actors, especially local faith communities and faith leaders, include a focus on charity-based approaches as opposed to human rights-based approaches to humanitarian assistance.

It is clear that partnership with UNHCR poses specific challenges as well for faith-based organisations. One factor is the inherent inequality of power between a large international organisation and a small local institution. Another is UNHCR's procedures and requirements, which FBOs may be unable or unwilling to satisfy, and the fact that staff rotation may affect UNHCR's institutional memory and presence in the deep field, potentially putting at risk long-standing positive cooperation.

Good practice examples

A number of good practice examples are contained in the Partnership Note and in two publications entitled *Overview of the Survey on Good Practices Examples and Analysis of the Survey on Good Practices Examples*.²

"... the leaders of the Muslim community [in Bangui, CAR] mobilised some 5km away from the refugee camp on the road to Tirungulu to stop [armed non-state actors] from advancing. This group literally sat on the dirt road to prevent them from moving. They pleaded and invoked the Holy Qur'an, reminding the armed non-state actors of their duties as fellow Muslims."

"...faith-based organisations [in Myanmar] have acted as buffers between warring parties and were hence able to operate in both areas, even at the peak of the conflict. Due to the trust they benefited

from, they were good advocates for protection. They lobbied the government to take full responsibility for the education and health services of IDPs in Kachin state. They also managed to have IDPs released from detention as they were able to vouch for detainees. No other international organisation or local NGO has such a wide margin of manoeuvre to respond to the humanitarian situation."

"The capacity, knowledge and skills of the faith-based organisations and the community religious leaders [in Jijiga, Ethiopia] prompted the office to work closely with them, given their potential to address the protection needs of the refugee community. ...There was a call for the support of religious leaders from the women's anti-FGM group in camps, since the community was challenging [the leaders] on religious grounds."

November 2014

Notwithstanding the challenges for both sides, FBOs, local faith communities and faith leaders have traditionally contributed to a wide range of protection activities in humanitarian situations, including: providing physical protection and facilitating humanitarian access; deterring violence through presence and accompaniment; mediating tensions between refugees/internally displaced persons (IDPs) and host communities in conflict or post-conflict situations; engaging in reconciliation and peace-building activities; combating xenophobia and discrimination; preventing and responding to SGBV or forced recruitment; improving reception conditions and accompanying the detained; providing legal counselling and asylum case-management; advocating for legislative changes benefitting persons

of concern; and supporting refugee resettlement and/or local integration.

Welcome the Stranger

Another initiative that sprang from the High Commissioner's Dialogue on Faith and Protection was a call to develop guidance for faith leaders, which aims to promote tolerance and respect for the human dignity and human rights of asylum seekers and refugees, migrants, IDPs and stateless persons. In early 2013, UNHCR worked with a group of FBOs, networks and religious experts to draft a text consisting of 16 affirmations written in the first person that draw upon principles and values shared by the world's major religions. The document aims to provide faith leaders with an opportunity to affirm the role that faith communities play to "welcome the stranger, the refugee, the internally displaced,



Signing ceremony for the Affirmations for Faith Leaders at the Religions for Peace 9th World Assembly in Vienna, 21st November 2013.

November 2014

the other [...] to challenge intolerance [...] and respect the right of the stranger to practise his or her own faith freely”.

The call to ‘welcome the stranger’ is essentially a statement of belief flowing from principles of hospitality, respect and equality, as these are values that are deeply rooted in all major faiths.

Hospitality: Local faith groups, such as local faith communities, are often the first to respond to individuals, families and communities in the initial stages of a humanitarian crisis. They respond by virtue of their presence in some of the most isolated and remote areas. Recognition of this fact has sparked off renewed interest in engaging with these communities to improve outreach to the most vulnerable.

Respect: Respect for the diversity of identities, values and traditions is pivotal to enhancing the protection and resilience of forcibly displaced individuals and communities. Local faith communities are uniquely aware of the fact that, in many countries and communities around the world, faith is a ‘basic need’ and provides spiritual sustenance for persons of concern to UNHCR. Local faith leaders and faith communities are uniquely positioned to meet these needs.

Equality: Cooperation between UNHCR and faith actors should be based on a shared set of objectives, and be premised on mutual respect and equality of partnership. Equality should also translate into equal treatment and the right to equal protection according to humanitarian standards.

These principles are a point of departure for dialogue between UNHCR and faith actors and may also help guide partners that wish to establish dialogue across faiths and between traditional and non-traditional humanitarian actors.

From December 2012 through to December 2013, the Affirmations were signed and endorsed by over 1,700 religious leaders, members of faith communities and faith-based organisations worldwide, and were formally launched at a signing ceremony before an assembly of 600 faith leaders at the Religions for Peace 9th World Assembly on 21st November 2013 in Vienna.⁴ Faith groups around the world are now using the Affirmations and supporting resources as practical tools to foster support for refugees and other displaced people in their communities.

“A core value of my faith is to welcome the stranger, the refugee, the internally displaced, the other. I shall treat him or her as I would like to be treated. I will challenge others, even leaders in my faith community, to do the same.”

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1. See ICRC ‘Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief’. www.ifrc.org/Global/Publications/disasters/code-of-conduct/code-english.pdf

2. UNHCR’s *Partnership Note on Faith-based Organizations, Local Faith Communities and Faith Leaders* is available in English www.unhcr.org/539ef28b9.html and in French www.unhcr.fr/53ad6b569.html. For the *Overview of the Survey on Good Practices Examples* see <http://goo.gl/nLdEeN> and for the *Analysis of the Survey on Good Practices Examples* see <http://goo.gl/YsFnFM>. For more resources, see www.unhcr.org/pages/501a39ce6.html

3. The principles of partnership established by the Global Humanitarian Platform are: equality, transparency, results-oriented approach, responsibility and complementarity. See Global Humanitarian Platform, ‘Principles of Partnership’, July 2007. <http://tinyurl.com/GHP-Principles>

4. The multilingual Affirmations document (in Arabic, English, French, German, Hebrew, Russian, Spanish and Turkish) is online at www.unhcr.org/51b6de419.html



Refugees' integration in Uganda will require renewed lobbying

Georgia Cole

A legal decision about whether refugees in Uganda can become citizens continues to be delayed.

Despite being a country with a relatively progressive history of responding to refugees, Uganda unfortunately appears nonetheless to be falling at the final hurdle. As it currently stands, a number of long-staying refugees within Uganda have approached the Department for Immigration to apply for citizenship and have been denied by the authorities on dubious legal grounds.

On 30th August 2010 a Petition was therefore filed in the Constitutional Court on behalf of several Congolese refugees to request the interpretation of the law vis-à-vis the opportunities for refugees to naturalise in Uganda, that is, to become Ugandan citizens. This was in response to the concern of numerous actors that the supposed impediments to refugees' naturalising within the country are a case of discriminatory practice, rather than legislatively justifiable.

It appears that the main source of contention lies in the misinterpretation of the difference between registration as citizens and naturalisation. The Uganda Citizenship and Immigration Control Act (1999) makes it clear in Article 14 on 'Citizenship by registration' that children or grandchildren of individuals who entered Uganda as refugees are not entitled to be **registered** as citizens of Uganda (as is generally the case in states where citizenship depends on the nationality of parents and not on whether the person is born in the country). Although this Article does not apply to those who arrived as refugees, it is nonetheless wrongly cited by many actors to dismiss the right of refugees at any point to gain Ugandan citizenship.

In Article 16, however, on 'Citizenship by naturalisation' it clearly states that "the

board may grant to any alien¹ citizenship by naturalisation subject to the provisions of this section". These provisions include that: an individual has lived in Uganda for a total period of 20 years; they have lived in Uganda for the whole two years prior to applying for naturalisation; they have an adequate knowledge of either a vernacular language or English; they are of good character; and they intend to remain in Uganda permanently, should their request for naturalisation prove successful. Provided they have access to the appropriate documentation – which may also entail many hindrances – fulfilling such requirements after decades in Uganda would not be difficult for many refugees.

Delays at the Constitutional Court

Unfortunately the discussion of this Petition by the Court, like many others currently awaiting interpretation, appears to have been constantly thwarted. Although on numerous occasions in the years after its filing the Petition has been scheduled for a hearing, on no date has the Court achieved the quorum required to address the applicants' questions. Upon enquiry at the Court as to when it might be discussed after three years of inactivity, it was suggested by the staff that the issue was so politicised that it was unlikely that the case would go any further without either being re-submitted, or without significant pressure from concerned parties.

In light of the Cessation Clause for Rwandan Refugees within Uganda, and thus the desire by many organisations to find ways to regularise the immigration status of Rwandans within the country prior to the loss of their refugee status, I was regularly told during fieldwork in late 2013 that the only impediment to this was the ruling of the Constitutional Court. Many of the concerned

November 2014

parties, including representatives of the Government of Uganda, the Government of Rwanda, the United Nations High Commissioner for Refugees (UNHCR) and non-governmental organisations (NGOs), nonetheless stated that they were working to expedite the Petition's resolution and thus were expecting an interpretation imminently.

Evidence would suggest, however, that the importance bestowed on this Petition by organisations working with refugees has not been met by a corresponding investment in attempts to resolve it. One of the law firms in Kampala hired to represent this case stated that it had not received legal or financial support from any organisations to assist them with the Petition since it became involved in the issue in 2010. The representative of the other law firm had moved to South Sudan, and was no longer actively engaged in the case.

The attribution of responsibility for pushing the Petition forward is thus confused. Evidently representatives of the Government of Uganda are in a difficult position. They are torn between their responsibilities to refugees within the country and the relative simplicity of the law in their favour, and political considerations of providing a definitive interpretation on a law which would potentially allow thousands of refugees access to Ugandan citizenship. This has been the incentive for the politicians and the bureaucrats to allow the status quo to continue by maintaining an ambivalent line on what opportunities exist for naturalisation, whilst giving the impression that they are working towards a concrete ruling.

UNHCR, whether for pragmatic and/or political reasons, has maintained its distance from the Petition. Though the success of their programmes undoubtedly hinges on its outcomes, they have appeared to favour

waiting for the Court's determination without directly involving themselves in pushing the process forward. Similarly, after several years of uncertainty concerning the Petition's status, NGOs appear to have disengaged from an issue that they feel is more representative of high-level political interests than legal interpretation, and thus beyond their sphere of influence.

The result, however, is that opportunities for durable solutions within Uganda remain severely curtailed. Whilst the law would seem to suggest that refugees may naturalise provided they fulfil certain criteria, in the absence of any clear judicial interpretation on this issue refugees find their applications judged at the discretion of immigration officials who – basing their decisions on the popularised notion that refugees may not become citizens – invariably refuse them.

Though it remains unclear as to whose responsibility it should be to push this Petition forward, it is evident that the uncertainty about the status of the debate, the absence of discussions over its legal basis and the delegation of its resolution to the Constitutional Court will never result in the Petition going further than the archives. For those Congolese, Sudanese and Rwandan refugees who have lived in the country for at least the past two decades, speak the local languages and are *de facto* integrated as Ugandans, it is nonetheless crucial that the dialogue be reinvigorated to lobby the Court to issue its interpretation.

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1. The Aliens (Registration and Control) Act makes it clear that the category 'aliens' includes refugees.

FMR's 'General articles': Readers are encouraged to send us written submissions for publication on any aspect of contemporary forced migration. While each issue of FMR has a theme (this one is on 'Faith-based responses to displacement'), a part of each issue is generally set aside for articles on any other subjects related to refugees, IDPs or stateless people. You can submit an article at any time and it will be considered for publication in a forthcoming issue. Email us at fmr@qeh.ox.ac.uk

The 1969 OAU Convention and the continuing challenge for the African Union

J O Moses Okello

Forty years after the OAU Convention on Refugees came into force, the dismal state in which refugees in Africa find themselves these days raises the question as to whether the Convention has lived up to expectations.

Shortly after independence, many states in Africa were faced with the challenge of nation building along with the need to protect, assist and find durable solutions for refugees displaced by the wars of liberation and the struggle against apartheid in South Africa. The Organization of African Unity (OAU) was established in 1963¹ and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (the OAU Refugee Convention) was enacted in 1969 and came into force in 1974. The primary concern then was the large number of Africans fleeing conflict arising from the struggles against colonialism. As then President of Tanzania, Mwalimu Julius Nyerere said: "We saw refugees coming out of colonial countries and our idea was, treat these people well."² It was not expected that after independence there would still be refugees – nor internally displaced persons (IDPs), who do not even feature in the OAU Convention.

In much of Africa what followed were internal conflicts; Angola, Mozambique, Uganda, Sierra Leone, Liberia and Rwanda are only a few examples. While recent years have seen the progressive return of peace and stability to those parts of the continent that were troubled then (and as a result many of the refugees and IDPs have been able to return home), at the same time new conflicts have emerged: in DRC, South Sudan, Egypt and Tunisia, and more recently in Mali and the Central African Republic, and in Somalia a never-ending war that has morphed into an atrocious politico-religious conflict. Thus while Africa succeeded in freeing itself from the yoke of colonialism, the continent has yet to free itself from its own transgressions. In all of this, large numbers of people are displaced,

many of them in static and protracted situations spanning years and in some cases decades. Unlike in the years leading up to independence, the leading causes of forced displacement in Africa today are largely home-grown, although on occasion there may be external factors influencing the situation.

The OAU Convention was enacted for the receiving countries to set the standard for the treatment of refugees in those countries and did not address itself to events in the country of origin.³ But in most of Africa these days, refugees are not welcomed with the exuberant sense of solidarity that surrounded the promulgation of the OAU Convention. Instead, African states are increasingly following the lead of other regions by closing their borders and threatening to forcibly return those who have made it into their territories. Even in those countries where refugees are readily admitted and positive policies towards them are in force, their treatment is not always in keeping with the Convention. Previously such treatment was by states alone but today it is also the treatment by the general public that is the concern as hosting communities have become increasingly hostile to the refugees. In South Africa, for instance, where only recently many of its own citizens were themselves refugees for many years, xenophobic behaviour and intolerance towards refugees have become commonplace.

Since the rise of international terrorism, security has taken the prime position in the consideration of asylum for refugees. This development threatens the very survival of the institution of asylum in Africa. In the early part of the Convention's 40 years, the concern about security was largely to do with

November 2014



Antonio and his wife, sister and granddaughter are about to return home from DR Congo to Angola, 40 years after Antonio was originally displaced. Even if the family has many questions about their new life in Angola, their joy is far greater than their apprehension. "I am so moved to go back that I can't stop my tears. I will dance when we arrive at the border," said Antonio's sister Maria. Despite living as a refugee in a foreign country for 40 years, there is no question of where Antonio feels he belongs. "Angola is my home – it's my country," he says. (August 2014)

suspected subversive military and political activities perpetrated by refugees on their countries of origin. The Convention carries specific provisions addressing this concern, including an explicit stipulation prohibiting such subversive activities.⁴ Early legislation on refugees also sought to control them and protect the receiving state. Not only is this posture increasingly threatening to make a forceful come-back but it also will probably be accompanied by more flagrant cases of *refoulement*. While states have a duty to protect themselves from harm, carrying out that duty should not justify the infringement of commitments made in the Convention.

Performance so far

In discussing the 40 years of its existence, it is not the OAU Convention itself that is in review but performance of the States Party in achieving the initial expectations and vision of the Convention. When the Convention was adopted in Addis Ababa in September 1969, coming into force in June 1974, there was much acclamation about its timeliness and importance. The welcome for the Convention was supported by the international community, among them humanitarian actors,

human rights activists, academics and the rest of civil society. What was expected to follow was its implementation and, where there was reluctance on the part of States Party, a nudging by the international community to do so. It is fair to observe, however, that while the latter has diligently done its part in pushing for full implementation, States Party have largely reneged on their commitment.

The above notwithstanding, a few countries in Africa still strive to meet their obligations. Ethiopia, for instance, has adopted – and practises – an open-door policy towards refugees. Between 2009 and 2014 the country received nearly 450,000 refugees and in 2009 introduced an 'out-of-camp' policy according to which refugees are allowed to live outside camps provided they are able to support themselves. Originally applicable only to refugees from Eritrea, this policy is now applicable also to refugees of other nationalities who qualify. Ethiopia has admitted the refugees in the face of very difficult local challenges, such as the overwhelming impact on its fragile environment. Uganda too practises an open door policy and has, for instance, offered

refugees land to cultivate. These examples represent some of the good practices which should be encouraged.

The majority of countries hosting refugees in Africa, if not all of them, are poor to start with. Their resources are hardly sufficient to cover even the basic needs of their own people. The effect on these countries of hosting refugees is their constant refrain, many pointing to the negative consequences of their generous act. This also represents a challenge to the principle of burden sharing, about which the Convention states, "Where a member State finds difficulty in continuing to grant asylum to refugees, such Member State may appeal directly to other Member States and through the OAU [African Union] and such Member States shall in the spirit of African solidarity and international co-operation take appropriate measures to lighten the burden of the Member State granting asylum."⁵

This laudable principle remains an area in which more could have been done but with most States Party in similar socio-economic circumstances, and with the realities of geography, it would not be easy to re-distribute refugees among the countries. Perhaps it is time to explore other options, such as those discussed in the 1980s under the International Conference on Assistance to Refugees in Africa (ICARA)⁶ when projects were launched with the objective of attracting donor interest for what was known at the time as refugee aid and development.

Solutions

The existence of a mechanism to predictably and reliably convert refugee status into a properly arranged and enduring solution is required not only in relation to the countries that are currently taking refugees for resettlement but in relation to African countries as well. In the earlier days of the Convention, there were efforts to achieve this. In southern Africa at the time, refugees entering Swaziland from South Africa were immediately airlifted to destinations in Tanzania, Zambia and Uganda. There was also the commendable offer of resettlement

places by Burkina Faso and Benin. But there have been no recent similar initiatives by African states to relocate refugees from one to another in the spirit of burden sharing. States Party who are in a position to do so should be encouraged to consider receiving eligible African refugees for resettlement.

To give refugees hope and a tangible future, a provision allowing for employment was included in the Convention. The continuing overwhelming imposition of reservations on this provision and on its twin – freedom of movement – is not healthy. It is the obstinacy in maintaining these reservations on the Convention that is partly responsible for the secondary movement by refugees in search of livelihoods. In some cases, the concerns or contextual factors that led a State Party to enter these reservations have since disappeared. The reservations, however, have tended to remain in force, thereby undermining the strength of the protection regime. This is not what African states should be aspiring to. If nothing is done, many more refugees will simply move on in an irregular manner in search of a better life.

Recognition of refugee status

Under the 1951 UN Convention definition many of the refugees hosted by Ethiopia in the early days would have had to prove well-founded fear of persecution on an individual basis in order to be recognised as such. However, Ethiopia granted them recognition via the *prima facie* mechanism which is intrinsic in the OAU Convention definition when dealing with an overwhelmingly large number of asylum seekers. Although the *prima facie* mechanism for refugee status determination was not the creation of the OAU Convention, nevertheless the OAU Convention has incidentally helped to promote a faster alternative to the slower and sometimes cumbersome process of individual status determination.

By providing legal cover for their consideration as refugees, the OAU Convention has surreptitiously covered even those fleeing environmental catastrophes

November 2014

such as drought and famine. In this case, the Convention has also operated as a human rights protection safety net for those who would otherwise ordinarily be denied it, although the Convention is silent as to whether victims of natural disasters can legitimately be considered as refugees. Moreover, with the refugee definition in the 1951 Convention remaining focused on the individual, by providing for this wider protection the OAU Convention has lived up to the general needs of the continent, even though the era of decolonisation in which it was conceived and enacted has long passed. Thus the real value that the OAU Convention has added in the last 40 years is that focus (in the definition) on the objective circumstances which compel flight and not linking the flight to the individual asylum seeker's subjective interpretation of danger arising from events around his or her person.

It is that added value that was borrowed and applied to the dilemma faced in the mass refugee exodus during the war in the Balkans, and that has been the inspiration for other similar legal projects such as the Cartagena Declaration. In return, the OAU Convention could learn from the Cartagena Declaration's discussion of generalised violence, internal aggression and massive violations of human rights.

Forty years on, the OAU Convention has remained the first reference point when addressing refugee problems in Africa itself and has considerably influenced the domestic legislation of most countries on the continent. Instead of the refugee-control-focused domestic legislation that the newly independent states in Africa were promulgating, the emphasis has shifted to the management of refugee matters.

The Convention has most recently had much to do with the development of the 2009 African Union Convention on the Protection and Assistance to Internally Displaced Persons in Africa (the 2009 Kampala Convention) since the OAU Convention itself does not cover the protection and assistance

needs of IDPs. In May 2006 a proposal was made by AU Member States to amend the OAU Convention to include provisions that would also address the protection and assistance of IDPs. When that idea was floated, there was opposition, not least from UNHCR, that held the view that the proposal posed serious risks to the integrity of the Convention.

While this may have saved the integrity of the OAU Convention and led to the Kampala Convention, it also represents a missed opportunity to take a critical look at the OAU Convention and if necessary adjust it to bring it to where it may need to be 40 years after its coming into force. That the Convention was not perfect and that it had its shortcomings must have been quite clear at the time of its adoption. Even so, it has not undergone any amendment and remains the same document that it was in 1969 even if the times have changed considerably and there have been calls for its review for some time.

There is a need to revisit the OAU Convention – to take another look at its provisions, including its definition of a refugee, in light of today's Africa, and ensure that it continues to reflect the actual situations which today cause people to flee. The times may have changed but the needs remain. To the hypothetical question as to what would happen were the OAU Convention to be annulled, the answer would most likely be that another one would have to be enacted.

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Nothing in this paper reflects the official position of UNHCR and the author is wholly and solely responsible for the views expressed here.

1. The Organisation for African Unity (OAU) has since morphed into the African Union (AU).
2. 'Africa: Innocence lost': in an interview for UNHCR *Refugees* magazine, 1999.
3. With the exception of Article V which sets out principles on voluntary repatriation.
4. Article 3.
5. Article II (4).
6. Held in the 1980s under the auspices of the UN, UNHCR and OAU.

From violence to more violence in Central America

Israel Medina

Many Central American migrants flee their home country as a result of violence and threats from the criminal gangs. A large number of them also encounter the same type of violence that they are fleeing when on the migratory routes through Mexico.

In recent years, urban violence has worsened the living conditions of people in El Salvador, Honduras and Guatemala. Very often, men, women and children leave not in search of a better life but simply in order to survive. Territorial conflict between the gangs is continual. The violence, fear and mistrust sown by the gangs eventually erode the social fabric and the little commercial initiative that remains in these places. For many, migration is the only option.

In some regions of these countries, gang rule is absolute and young people are extremely vulnerable to forced recruitment into the gangs. Adolescents are continually intimidated and subjected to violence, pressurised into joining the gangs or working for them as drug pushers or in other roles. A recurrent theme in out-migration is the large number of children forced to leave their countries, exposing them to the dangerous conditions of the journey. Some families prefer to see their sons and daughters exiled rather than risk them being killed or forced into a life of crime.

But the violence continues along the migration route. The route from Central America to the United States represents enormous financial interests, principally for the people traffickers, most of whom either pay or work directly with organised crime networks. Similarly, the trafficking networks are constantly in search of women and children to feed their lucrative sideline in sexual exploitation. The people who follow the migratory route are very vulnerable for these reasons and because of their lack of documentation that would allow them safe passage through Mexico. Once they enter Mexican territory, they encounter a systematic cycle of abuse. From drivers on

public transport who charge them higher prices, and common crime, through corrupt police officers demanding a bribe to let them go on their way, assaults from gang members posing as migrants, to violence from organised criminal groups in the form of extortion, rape, torture and abduction. Along the way, each remaining cent is squeezed from them at every opportunity, and they may even lose their lives.

This violence is little different from the violence they face in their own countries. In most cases, the violence is deliberately intense and bloody in order to terrorise the survivors. Individuals are kidnapped and forced to provide telephone numbers for their relatives in the US; the gangs then call the relatives to demand thousands of dollars for the life of their loved one. Although the Mexican government does not provide official figures on how many migrants are abducted within its territory, the National Commission on Human Rights cites numbers of cases as being in the thousands each year.¹

Violence is normalised to such a degree that travellers fully expect to experience some form of it on their journey and there is now a degree of resignation to the fact. Perhaps the clearest example of this is seen in those women who start taking contraceptive pills before setting out on the journey as they are aware there is a high risk of sexual attack along the way.² Those who considered to have 'done well' on the way may only have been assaulted or robbed, and been hungry and cold.

As is often the case, the information available and the complaints registered represent only a small fraction of the reality. Anonymity and invisibility are the greatest problems

November 2014

in migration through Mexico as they increase the vulnerability of individuals travelling the route. Fear of deportation is largely behind the failure to report crimes; in order to get to their destination, most migrants will continue on their journey as soon as possible, leaving the experiences behind them, shrouded in silence.

Looking for remedies

Several human rights organisations and other civil society associations have presented strong and clear denunciations of these abuses. There have been marches by migrants through Mexico demanding respect for their rights. Long processions of Central American mothers have demonstrated in Mexico City, calling to know the whereabouts of sons and daughters who have disappeared. Although some display of solidarity can be found, most of the Mexican population remains unaware of what is really happening.

Against a backdrop of generalised violence in Mexico, the state machinery has proved incapable of finding an effective solution. In fact, it has shown itself scarcely capable of recognising the internal displacement of its own population as an outcome of violence caused by conflict with organised crime and drug trafficking and it has failed to recognise and measure the proportions of human rights abuses and violations towards migrants. Indeed, in a show of double standards, the Mexican state angrily demands good treatment for its nationals crossing the northern border into the US, while it shows little political will to counter the abuses typically experienced by Central Americans on the southern border and on their journey through Mexico.

In July 2014, the Mexican Interior Minister announced a strategy to protect migrants by banning them from travelling across Mexico on goods trains (the main mode of transport for many migrants), the stated aim being to protect them from the risk of accidents en route. However, this strategy does not resolve the issue of people trafficking or the human rights violations against migrants

living in Mexico. In any case, a strategy of this kind can be counterproductive if measures are not also implemented to protect the safety of migrants then resorting to other modes of transport. The migratory dynamic is a living and changing entity and the migratory flow always finds new ways around any difficulties and obstacles set in its path. This strategy runs the risk of forcing migrants to disperse within Mexican territory, pushing their experiences during migration further into invisibility.

There is no simple or straightforward solution. While civil society organisations have certainly made a noise about the migration issue, greater organisation and communication are needed for an organised and effective political movement capable of pushing the state into genuine action on the issue of the abuse of migrants in Mexico. The right to remain is being denied to human beings fleeing the violence, the decision to leave has been forced upon them, and the violence they experience on the route through Mexico further victimises each individual and increases their suffering.

While violence and poverty persist in the home country, ever higher walls and tougher prohibitions will do little to discourage people from emigrating. Human beings cannot be told to give up hope of a better life. Any solution aiming to truly resolve the issue requires analysis of all of the factors and dynamics involved in the migration process. Limited efforts give limited results.

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The opinions expressed are ideas of the author; these opinions are not necessarily the opinions of Médicos Sin Fronteras.

1. Comisión Nacional de Derechos Humanos (2011) *Special Report on the Kidnapping of Migrants in Mexico (Informe Especial sobre secuestro de migrantes en México)*.
2. Amnesty International (2010) *Invisible Victims: Migrants on the Move in Mexico (Victimas Invisibles: migrantes en movimiento en México)*.

Work and refugee integration in Sweden

Miguel Peromingo

One of the main challenges facing refugees trying to integrate in their host country is finding a suitable job. Sweden recognises this issue and is investing in making inclusion in the labour market the driver of refugee integration.

“Work is important for me. I have always worked. Work is my baby!” says Misrak (aged 36). Eleven months ago she moved from Eritrea to Sweden to join her husband, also from Eritrea, who had had to leave the country before her. Both have refugee status and now live in Stockholm. Misrak’s straightforward attitude to work is perfect for being integrated into any labour market, one would think. Unfortunately, migrants, refugees and asylum seekers are struggling to find jobs when they arrive in their country of destination, especially in the European Union (EU).

Over 80% of all non-EU nationals between 15 and 64 years of age residing in the EU are working as, or are profiled as, low-skilled or unskilled. In countries with high barriers to the recognition of foreign skills (such as Finland or the Czech Republic), immigrant workers in general are perceived as less well-educated than native workers and often have to accept worse working conditions. The origin of migrants further aggravates the differences. 21% of Russian migrants to Finland, for instance, have their tertiary education recognised, while fewer than 10% of Somali migrants, mostly refugees, have managed to do so.¹

Migrants are often considered less skilled by default, refugees even more so. Analyses in multiple countries have shown that refugees always perform worse in labour market integration than other migrants, even if their skills levels are comparable. This ‘refugee gap’ occurs irrespective of age or competence in the host language. Refugees also have limited access to labour-market support measures, such as unemployment benefits, compared to migrants. The situation for newly arrived refugees is even worse in some EU countries; they might not get

anything at all, thereby cutting them off from help getting access to employment.

Countries that have tried employment mentoring programmes – long-term traineeships for skilled refugees to fully enter a company or start their own business – have discovered them to be a viable way of reducing unemployment, increasing earnings and financially empowering refugees. Sweden accepts the highest number of refugees of any European country, and has opted for what might be a unique approach in putting work first when welcoming refugees. Newly arrived refugees and asylum seekers in Sweden are not left waiting in camps or parked in social support systems; instead, they are enrolled in a work integration programme. After their residence status is settled, it is the national public employment service, not the migration board or city council, that helps the refugee to gain a foothold in their new environment. Finding a job is at the core of this.

When Misrak arrived in Sweden she was immediately put into the work integration programme for refugees run by the Swedish public employment service (Arbetsförmedlingen). Unlike other countries, where family members joining an already resident refugee are expected to be looked after by the more settled person, this programme invests in the employability of each refugee.

Skills levels among new arrivals are very varied – and certainly not always low. The skills assessment component of the Swedish integration programme looks not only at formal qualifications but also at employment history, soft skills and other employment-relevant experiences. The refugee also expresses their personal expectations of the programme and of the assistance they would

November 2014

like to receive from the job advisor at the public employment service. The resulting integration plan respects the refugee as a job-seeker who will take his or her share of responsibility in finding a suitable job. Arbetsförmedlingen supports and guides where necessary with preparatory training courses to explain the Swedish employment reality – both an eye opener and a door opener, according to Misrak. The assessment got her into a university programme for those with higher skills, where her background in administration and management would be suitably matched with job vacancies.

The public employment service also reaches out to employers, identifying those who are willing to hire refugees and negotiating with those who show less readiness to invest in skills development. Subsidies for work experience posts and preparatory training courses help pave the way to a mutually positive kick-start. Continued assistance after the refugee starts working helps ensure sustainability of employment.

Beyond a job

A strength of the Swedish programme is that it starts parallel paths to training and integrating the refugee; refugees do not, for example, spend a long time sitting in a language course and then start looking for a job but do both at the same time. As

its focus is not only on finding a job, the programme also helps refugees to look for appropriate housing, as a thriving labour market usually triggers a higher priced housing market. Since the beginning of the programme in 2012, 8,000 refugees have asked the public employment service for help in finding a place, half of whom were offered a satisfactory match with a workplace. One in four of the programme participants have found jobs or courses of study, an impressive start into improving the labour market integration of over 4,000 refugees in 2012 alone; the remaining three-quarters without placements remain in the integration programme for opportunities in the future.

Measurable results develop slowly in pioneering projects. That is why for this integration programme the Swedish government decided to evaluate every individual success, even if the overall numbers of integrated refugees might be humble in the beginning. The fact that the programme is not ruled by monitoring deadlines or budgetary constraints helps to establish migration policy as a long-term approach, rather than a quick fix to a temporary phenomenon.

Misrak had low expectations when she came to Sweden. Today she works for the procurement department of a Swedish cosmetics company based in Stockholm. Thanks to the work integration programme, she feels that her skills are recognised and she takes pride in being a good example of integration in Sweden. She says that Eritrea is still her home, which is only natural. If she decided to stay for longer, however, the integration programme also came with different modules – starting with *Coming to Sweden*, moving on to *Having influence in Sweden* and ending with *Growing old in Sweden*. She has a choice now. A lot of refugees do not.

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1. International Organization for Migration (2012), *Labour Market Inclusion of the Less Skilled Migrants in the European Union*. <http://tinyurl.com/IOM-LabourMarketInclusion>



UNHCR / Båvman

A Syrian refugee family begins a new life in the small town of Torsby, Sweden, January 2014.

Frozen displacement: Kashmiri Pandits in India

Mahima Thussu

In the 1990s nearly 250,000 people, mostly Kashmiri Pandits, were displaced by violence in Jammu and Kashmir state in India. More than 20 years later the question for them is whether the responses to their displacement so far can form the basis for long-term solutions for their protracted displacement.

Typically, the terms 'refugee' and 'internally displaced person' (IDP) have been tacitly accepted as a kind of proxy for vulnerability. As the years of displacement have worn on, with people not willing or able to return to their homes, what is necessary is not a label of vulnerability but a situational analysis of what the displaced people actually want and who are still the vulnerable among them.

Unemployment, under-employment and deterioration of income remain problematic, long after their physical relocation. But added to this, people became alienated as they lost their cultural space along with their individual homes, and suffered psychological damage, loss of confidence and a fall in status. Informal networks of mutual help, local association and service arrangements that are important to survival are also lost when people are displaced. Very little reliable information and analysis of the situation of those who returned home after periods of displacement exist. It is important to understand whether returning home would actually represent an endpoint in displacement-induced vulnerability or whether long periods of displacement create lingering patterns of vulnerability. The government relief and rehabilitation package fails to differentiate categories of beneficiaries, nor have relief and rehabilitation been dealt with separately, despite the fact that not all those who need relief will need rehabilitation and vice versa, and there has been no impact assessment of the packages provided.

There is also an urgent need for re-profiling as some people are not registered yet may be in need of assistance. After 23 years the need to find more stable and long-term solutions leading to an eventual withdrawal of assistance is desirable, although withdrawal of assistance must not be abrupt. The national authorities have to establish

conditions conducive to safe and dignified return or to settlement elsewhere. But in order to be durable the solutions must consider long-term safety and security, compensation for lost property, resumption of normal socio-economic conditions and also a secure legal and socio-political status.

The specific impacts of displacement fall into four broad categories: destruction of assets, denial of access to assets, dislocation from a normal socio-economic environment, and the psychological and material impacts of living in limbo. What also has to be taken into account is the duration of displacement – not only chronological time but also the number of generations.

The continuing vulnerability of displaced people emerges from a specific set of factors, including the resilience of their economic and social capital to the impacts of displacement and the impact of specific policies and actions of host governments and international assistance agencies. Existing surveys and assessments are largely too general to bring out the different sub-situations with clarity. To determine whether and to what extent a durable solution has been achieved it is necessary to examine both the processes through which solutions are found and the actual conditions of the returnees and those persons who have integrated locally or settled elsewhere in the country.

The reality is that these populations have lived in an indeterminate state for a long time, and while conflicts can remain frozen, people cannot. There is a persistent assumption that investing in sustainable solutions for the self-reliance of displaced people somehow undermines national objectives of facilitating an eventual return home. But maybe eventual return home is not the final and the best solution; to force them to go back would be a clear violation of their human rights and in neither their interest nor that of the authorities.

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November 2014

Public policy to address displacement in Mexico

José Ramón Cossío Díaz

At hearings of the Inter-American Commission on Human Rights in November 2013 on the human rights situation in Mexico the issue of the internally displaced in particular caught my attention, both due to its current serious level and for its potential impact in the not too distant future.

There are an estimated 160,000 displaced persons in our country. Until 2007, this phenomenon was the result of land disputes, local conflicts, religious intolerance, large-scale building projects and projects of enforced urbanisation, the building of dams, natural disasters and the Zapatista conflict. Since then the main causes have been criminal violence, the activities of some members of the security forces and corruption. The vulnerability of most of the families or individuals who have been forced to abandon their homes is clear but the mistreatment to which they are exposed does not end when they leave their homes; they are often subsequently subjected to further serious abuses and acts of corruption as they lack identity documents and therefore cannot access essential services or even the minimal requirements for living. Women, children and indigenous peoples seem especially affected.

The first point to make is that this has been given little attention by Mexican society, practically remaining at the level of denial. Legally there is some limited coverage given to this issue, including the law for the Prevention and Attention to Internal Displacement in the state of Chiapas (February 2012, the first state to legislate on this matter), and an initiative for a General Law on the Prevention and Treatment of Internal Displacement presented to the Senate in December 2012, which is currently working its way through the house.¹ Similarly, the Senate has approved various motions to call for a report on the situation of the internally displaced from the President of the Republic along with the enactment of public policies to provide them with due assistance.

The second point is that there is a complexity inherent in the causes of forced internal displacement. Residency in Chiapas, the presence of conflict and being a mother or even simply a woman are circumstances that combine to force individuals from their homes. Similar associations can be seen with residency in Sonora, Michoacán or Oaxaca, the war on drugs, the construction of dams, and membership of an ethnic group, for example. Without having direct causal or linear explanations, it is possible to warn of likely sets of conditions that may expose an individual to the risk of displacement. On the basis of this conclusion, it seems there are two types of public action to be taken, through the corresponding legal pathways.

The first of these, of a preventative nature, must be the identification of the general factors that may lead to displacement. These may be aggravating factors and there should therefore be public action taken to help remedy these – but if what leads to forced migration is a coincidence of factors, the appropriate action would be to counteract one or several of these in order to avoid ever larger segments of the population going down this path.

The second type of public action is remedial. Given that forced displacement is in itself a violation of human rights, it is necessary to remedy the situation of those who are displaced and who suffer the effects of displacement – including stigmatisation, rootlessness, feelings of frustration, family disintegration, and limited hopes for reparation, compensation or access to justice.

We must start by recognising that displacement is a serious issue in Mexico today. Given the way in which the criminal

November 2014

sector operates in the country and the way their operations are being combated, it is highly probable that the number of displaced persons will increase, perhaps even by a considerable number. We must propose solutions based in empathy towards those amongst us who have lost nearly everything. The issue deserves general and inter-disciplinary consideration, the issuing of regulations and the implementation of intelligent and ongoing public policies, both to repair that which has already occurred

and to mitigate the impact of what may come. The phenomenon is slow, silent and incremental, and is therefore in need of urgent and clear-sighted resolution.

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www.scjn.gob.mx/Paginas/Inicio.aspx

1. Dealing with protection, care, and implementation of durable solutions, and emphasising the state's obligation to guarantee humanitarian protection and to assure Mexicans the enjoyment of their human rights to international standards.

Reflections from the encampment decision in the High Court of Kenya

Anna Wirth

Civil society groups are embracing a recent victory in the High Court of Kenya as a reminder of the important role that strategic litigation can play in the enforcement and promotion of refugee rights.

On 26th July 2013, the High Court of Kenya delivered a judgment in a remarkable vindication of the rights of refugees. The Court struck down a government policy that, if implemented, would have fundamentally violated the freedoms and dignity of all refugees living in Kenya's urban areas.

The case, which was brought by Kituo Cha Sheria, a local non-governmental organisation (NGO), stands as a reminder that strategic litigation has the power to alter the legal landscape for all refugees. When executed properly, it has the potential to provide large-scale recourse for rights violations, create positive human rights jurisprudence, and send a strong message to governments and members of public that refugees are not just people with needs but people with rights to be claimed and enforced. When appeals to the legislative and executive branches of government go unacknowledged, civil society groups, such as the NGO that drove the case to victory in Kenya, are increasingly turning to strategic litigation as a means of enforcing and advancing the rights of refugees.

Urban refugees in Kenya

Although an informal encampment policy has operated in Kenya since the 1990s, approximately 150,000 refugees live in urban areas. For these urban refugees, life operates as normal – children attend school, adults work to support their families, roots are put down and lives are rebuilt. In December 2012, however, this normality came under threat.

Following a series of grenade attacks in Kenya linked to Somali non-state armed group Al Shabaab, the Department of Refugee Affairs issued a press release in December 2012 announcing its decision to stop the registration of urban refugees and to relocate them to refugee camps. On 16th January 2013, an inter-ministerial letter was circulated giving effect to the press release, instructing the first phase of the 'rounding up' of refugees to occur on 21st January. For refugees who had called the urban areas of Kenya home for years, some even for decades, the implementation of the policy would have meant another forced relocation and a dislocation from

November 2014

the communities, livelihoods and families that anchored their identity and dignity.

On 21st January, the day that the policy was scheduled to be carried out, Kituo Cha Sheria bravely challenged the government directive by filing a petition in the High Court. Soon after, seven asylum seekers and refugees residing in Nairobi filed a similar petition seeking to quash the directive. In their pleadings, each of the petitioners illustrated the ties they had made to their communities, and the ways in which an encampment directive would sever those ties, affecting virtually every aspect of their lives, including education, work, health, family, free movement, privacy and dignity.

Kituo Cha Sheria illustrated the injustice and destabilising effect that the directive would have upon the lives of individual petitioners if implemented. Kituo Cha Sheria's case and the individuals' petitions were consolidated into one case, and on 23rd January the Court issued temporary orders prohibiting the implementation of the policy pending the formal hearing of the case.

Over the course of the next six months, Kituo Cha Sheria and others from the refugee rights community joined forces to pursue and raise the visibility of the case. Refugee rights advocates around the globe, including Human Rights Watch and Asylum Access, brought the violating policy into the public eye by publicising the case in reports, newsletters and press releases. The United Nations High Commissioner for Refugees (UNHCR) also made a commendable contribution to the case by submitting a 20-page *amicus curiae* ('friend of the court') brief which clearly delineated UNHCR's concerns regarding the encampment directive, offering a solid legal explanation of Kenya's obligations under the 1951 Refugee Convention. In their coordinated effort, civil society and UNHCR sent a clear message to Kenya's government that if it were going to tolerate human rights violations, those abuses would not go unscrutinised by the global refugee rights community.

On 26th July, the Court ruled in favour of the urban refugees, quashing the government's encampment directive. In a refreshingly pro-refugee judgment, the Court held that the policy violated, amongst other things, Article 28 of the Kenyan Constitution on human dignity; Article 27 on equality and freedom from discrimination; Article 47 on right to fair administrative action; and Article 39 on freedom of movement and residence. In explaining its rationale, the Court made considerable references to the codification of these rights in international and regional human rights and refugee law.

The Court rejected the argument that national security was a justifiable rationale for the policy, stating:

"Where national security is cited as a reason for imposing any restrictive measures on the enjoyment of fundamental rights, it is incumbent upon the State to demonstrate that in the circumstances such as the present case, a specific person's presence or activity in the urban areas is causing danger to the country and that his or her encampment would alleviate the menace. It is not enough to say that the operation is inevitable due to recent grenade attacks in the urban areas and tarring a group of persons known as refugees with a broad brush of criminality as a basis of a policy..."¹

In agreeing with arguments advanced by the petitioners, the High Court held that to allow the policy's implementation would amount to a complete upheaval of the refugees' lives, preventing any level of normality in their country of refuge.

The power of strategic litigation

The Kenyan case is a testament to the fact that civil society groups have the power to extend rule of law and make concrete and measurable changes to law and policy through judicial intervention.

By definition, strategic litigation seeks both to bring about individual justice and to alter the legal landscape in which rights exist. As is evident from this case and others, litigation can and should be accompanied

by a broader advocacy strategy that will incorporate the involvement and collaboration of a range of stakeholders, partnerships, media campaigns and political dialogues. Importantly, this advocacy must continue well beyond a court's positive ruling; even favourable court decisions require follow-up to ensure their implementation.

In the Kenyan judgment, the Court relied heavily upon the legal analysis produced by UNHCR. The submission of *amicus curiae* briefs is only one amongst a range of ways in which UNHCR may support civil society's capacity to pursue judicial recourse; there is also scope for UNHCR to train judges and practitioners in the application of international human rights and refugee law, as well as offer case support by reviewing legal briefs, providing background information and advising on litigation techniques. In situations where UNHCR is, for diplomatic reasons, ill-placed to directly intervene in cases, it

should channel resources to strengthen the capacity of NGOs to pursue litigation.

Likewise, strategic litigation should be promoted amongst refugee rights advocates as an important tool to enforce human rights and strengthen protection at the local level. NGOs can play an important role in supporting one another in judicial intervention, through media campaigns, the sharing of information and lessons learned, as well as with legal support in the preparation of Court documents. If strategic litigation is in fact to be strategic, we must continue to build constructive partnerships that will strengthen one another's capacity to use the tool effectively

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1. *Kituo Cha Sheria vs. Attorney General* (2013) eKLR, paragraph 87, pp38-39.

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New RSC director: Professor Alexander Betts

Professor Alexander Betts took up the post of Director of the Refugee Studies Centre in October 2014. Professor Betts is Leopold Muller Associate Professor in Refugee and Forced Migration Studies and Director of the Humanitarian Innovation Project at the RSC. His research focuses

on the international politics of asylum, migration and humanitarianism with a geographical focus on Sub-Saharan Africa. The RSC directorship runs on a three-yearly cycle, rotating among senior academic staff of the Centre; Professor Betts succeeds Professor Dawn Chatty.

2014 Annual Harrell-Bond Lecture

On 5 November 2014, Her Royal Highness Princess Basma bint Talal of Jordan presented the RSC's 2014 Annual Harrell-Bond Lecture, focusing on 'Forced Migration to the Hashemite Kingdom of Jordan: Burden or Boon'. The communities comprising modern Jordan have a long history as refugee hosts, and HRH Princess Basma bint Talal examined the ways in which former refugee communities – Circassian, Chechen and Armenian – had integrated in Jordan, and how policies that engage and include refugee communities can have positive outcomes for both sides, creating peaceful and productive coexistence. Listen to the podcast of the lecture at <http://tinyurl.com/RSC-HBLecture2014>

International Summer School in Forced Migration**6-24 July 2015, Oxford**

The RSC's International Summer School offers an intensive, interdisciplinary and participative approach to the study of forced migration. It aims to enable people working with refugees and other forced migrants to reflect critically on the forces and institutions that dominate the world of the displaced. The three-week course combines the very best of Oxford University's academic excellence with a stimulating and participatory method of critical learning and reflection. The Summer School is intended for a) mid-career and senior policymakers and practitioners involved with humanitarian assistance and policy making for forced migrants, and b) researchers specialising in the study of forced migration. For more information, see www.rsc.ox.ac.uk/study/international-summer-school

Humanitarian Innovation Conference 2015

The second annual Humanitarian Innovation Conference (#HIP2015) will be held on 17-18 July 2015 in Oxford.

The theme of this year's conference is 'Facilitating Innovation'. For more information plus call for papers, visit www.oxhip.org/2014/11/hip2015-cfp/

Short course: Palestine Refugees and International Law

To be held 6-7 and 13-14 March 2015 (in Amman and Beirut)

This short course places the Palestinian refugee case-study within the broader context of the international human rights regime. It examines, within a human rights framework, the policies and practices of Middle Eastern states as they impinge upon Palestinian refugees. For details see www.rsc.ox.ac.uk/study/short-courses/palestine-refugees

Professor Cathryn Costello co-authors new report urging an end to cruelty, coercion and complexity in European asylum processes

This study, entitled *New approaches, alternative avenues and means of access to asylum procedures for persons seeking international protection*, was prepared for the EU's Committee on Civil Liberties, Justice and Home Affairs. The authors examine the workings of the Common European Asylum System (CEAS) in order to assess the need and potential for new approaches to ensure access to protection for people seeking it in the EU, including joint processing and distribution of asylum seekers. Rather than advocating the addition of further complexity and coercion to the CEAS, the study proposes a focus on front-line reception and streamlined refugee status determination, in order to mitigate the asylum challenges facing Member States, and guarantee the rights of asylum seekers and refugees according to the EU acquis and international legal standards. Report online at www.europarl.europa.eu/RegData/etudes/STUD/2014/509989/IPOL_STU%282014%29509989_EN.pdf

The Oxford Handbook of Refugee and Forced Migration Studies

Elena Fiddian-Qasmieh, Gil Loescher, Katy Long and Nando Sigona (eds)

The *Handbook* critically evaluates the birth and development of the field of Refugee and Forced Migration Studies, and analyses the key contemporary and future challenges faced by academics

and practitioners working with and for forcibly displaced populations around the world. The 52 chapters, written by leading academics, practitioners and policymakers, provide a comprehensive overview of the key intellectual, political, social and institutional challenges arising from mass displacement in the world today. June 2014. 784 pages. 978-0-19-965243-3. Also available as eBook. For more information, including Table of Contents, see <http://ukcatalogue.oup.com/product/9780199652433.do>

What's faith got to do with it?

Tahir Zaman

The use of the faith-based label demands greater clarification lest it lose coherence and result in adverse policy implications, excluding religiously motivated actors from providing much-needed assistance to displaced communities, particularly inside Syria now.

The emergence of 'liberated areas' in the Syrian conflict has brought into sharp relief the salience of faith in humanitarian activity, as faith-based organisations (FBOs) are explicitly providing the majority of support and assistance to displaced Syrians there. Humanitarian activity provides a platform for the struggle played out between state and non-state actors for the care and control not only of bodies but also of souls. FBOs are concerned not only with meeting biological and physical needs of displaced populations but also with encouraging a re-imagining of how best to engage with the world – providing answers to existential questions confronting people in conflict zones. This leaves the door ajar to charges of proselytisation. How this tension is managed affects how faith-based actors are viewed in the humanitarian field.

Many humanitarian actors object to the use of the faith-based label which conjures up overtones of sectarianism. The Syrian Expatriate Medical Association (SEMA) illustrates the ambiguity of the faith-based label. SEMA concentrates on medical service provision, supplying medicines, equipment and volunteers to hospitals and clinics inside Syria. The doctors at SEMA (all men) are clearly – to judge from their dress and speech – devout Muslims. One of them said: "We can think of Islam as a holistic framework. Within that you have ethical and humanitarian concerns. ... SEMA doesn't carry a religious name ... and concentrates only on medical provision. There isn't any contradiction between the work we do and our Islamic understanding or motivation. You can't separate the two. To be Islamic is to be humanitarian and ethical." For them, to be considered an FBO would mean to explicitly

propagate beliefs and perhaps impose them on others – something the staff at SEMA do not do.

Serving humanity while wearing visibly religious dress creates certain expectations on the part of the displaced people with whom humanitarian actors engage, sometimes marking out their religiously inspired work as qualitatively different from that of other NGOs and agencies. Not all organisations reject the faith-based label. Hayyet al-Sham al-Islami (The Levantine Islamic Association) state that *da'wa* work (the propagation of Islam) is an important aspect of their work in addition to relief and development. This sets them apart from other Islamic initiatives; the director of the organisation referred to it as being "pro-active [...] and not contingent on other services provided". *Da'wa* is understood as helping to build the resilience of displaced people and educating them "against extremism and ignorance [...] to restore a sense of dignity in a way commensurate with the values of the displaced populations".¹

Misunderstanding how religion is mobilised in humanitarian work has led to reluctance on the part of donor agencies and international NGOs to engage with religiously motivated humanitarian actors. The use of the faith-based label demands greater clarification lest it lose coherence and result in adverse policy implications, excluding religiously motivated actors from providing much-needed assistance to displaced communities, particularly inside Syria now.

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1. Author's interview with Dr Maen Kousa, Gaziantep, Turkey. 30th October 2013.

