



## Jesuit Refugee Service

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### Remarks for JRS Ireland's "30<sup>th</sup> anniversary celebration of JRS International"

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#### Introduction

During its growth in the thirty years since its founding, the Jesuit Refugee Service has strived to remain true to its mission: to accompany, to serve and to advocate. The first part of our mission, "accompaniment", is the heart of our approach. Being close to refugees, and being touched by their realities: in camps, conflict zones, detention centres and in cities. It is precisely our 'closeness' to refugees that teaches us how to best serve them and how to advocate for their cause.

In my remarks to you this evening, I'd like to briefly describe two recently published reports that exemplify JRS' growth within the past 30 years, while staying as close as ever to the realities of refugees. Both have to do with our work in Europe, and especially with the way JRS offices in Europe are able to coordinate their actions so they may advocate on behalf of refugees with one voice. Both projects depict the realities of refugees who live on the margins of society in Europe.

#### Detention

The first report is on the issue of migrant detention. Migrants are detained throughout Europe in a variety of conditions and legal contexts. Asylum seekers are detained while they await a decision on their application, as are undocumented migrants who are to be returned to their country of origin. Sadly, families and children are detained as well. For many years now, JRS staff and volunteers visit and accompany detainees in a number of European countries. They provide social and legal counselling, spiritual guidance and material assistance; in other cases they serve simply as a listener.

Our long experience in accompanying detainees has led us to observe that detention can bring very negative consequences to the individuals who experience it. Long bouts of isolation from family, depression and prolonged confinement contribute to a pattern of physical, mental and spiritual deterioration. This is why we've always advocated for detention to be used only as a last resort, if at all. And in the case of asylum seekers, we saw that they shouldn't be detained whatsoever.

In June of this year we published a report that has lent critical empirical weight to the observations we've made over the years. The report, *Becoming Vulnerable in Detention*, is the result of an 18-month long project we've undertaken in 23 EU member states, in partnership with JRS offices as well as with other organisations. The purpose of this study was twofold: to research how people with special needs cope in detention, e.g. people with medical illnesses, trauma, families, children and the elderly; and to research how detention impacts people at a personal level – in other words, how people may become vulnerable in detention.

In all, we collected interviews with almost 700 detained asylum seekers and undocumented migrants in 21 EU member states. We asked detainees to tell us about their lives in detention, and how it affected them at a personal level. Whereas our other reports have typically focused on the conditions of detention, i.e. the size of their bedroom, the provision of facilities, we wanted to get to the heart of the matter: the human dimension of detention.

The study reveals two very important findings about life in a detention centre. Firstly, is that people with special needs, such as families, or the medically ill, or trauma victims, are indeed vulnerable within the environment of detention, and deserve special attention due to the factors they possess. Secondly, however, we found that detention is harmful towards persons who don't possess any officially recognized 'special needs' – people who, before their detention, were relatively healthy. The environment of detention deteriorates the lives of those who experience it; and it is important to note that this occurs irrespective of the quality of the living conditions in the centre. In other words, people *become vulnerable in detention*. And the negative consequences deepen as detention is prolonged.

The study identifies three levels of vulnerability that are present in the lives of detainees. At the personal level, we see that detention brings detrimental consequences to their physical and mental health. Not only is depression and anxiety commonly reported, but also crippling stress, which emanates from the lack of a 'future perspective', or, simply not knowing how detention will impact their lives and which direction they'll need to take after their release. Related to that is the finding that most of the detainees we interviewed know little about their asylum or immigration case; and they know even less about when they might be able to be released from detention. At the social level, we see that detainees' inability to stay in touch with family and loved ones on the outside, and with sources of support, such as lawyers and social workers, deepens their level of vulnerability to the harmful consequences of detention. Actually the most frequent type of social contact detainees have is with a detention centre's staff. In some instances these relations can really help detainees cope through the difficulties of detention, as most staff persons want to do good. But we saw other instances where staff exploited the vulnerability of detainees, and this sometimes led to abuse. And at the environmental level, we see that the prison-like architecture so typical of detention centres, such as barred doors and windows and high walls, only worsens detainees'

sense of personal worth and well-being. In fact, one out of every two detainees we interviewed used the word “prison” or “prisoner” to describe whatever they were feeling.

The research that was done in Ireland revealed that detainees’ lack of information about their asylum cases had a negative impact on their mental health. Some of detainees we spoke to were unaware of their rights, the details of the asylum procedure, or even how to get in touch with a solicitor. This unawareness and the resulting questions deepened their anxiety: what can I do? where can I go? can I get protection in Ireland or will I be sent back?

Detainees live on the margins of society. They’re behind high walls and barred windows. People living in the community usually never have to come into contact with them. They’re invisible. JRS offices in Europe have a long experience with accompanying people in detention, and we’re quite familiar with the realities they face. But in recent years JRS offices have encountered a new reality, one that also has to do with migrants living on the margins: not in detention centres, but on the streets of towns and cities.

### **Destitution**

In 2007 JRS-Europe published its first report on *forced migrant destitution*. The report came as a result of JRS offices around Europe who began to encounter migrants living on the streets with little to no social support from the state. They were asylum seekers who were waiting for a decision on their application, or they were ‘rejected’ asylum seekers, or undocumented migrants who could not be returned to their home country. In other cases we saw that they were also migrants who were allowed to remain within the country, not as refugees, nor as legal residents, but as persons with a ‘tolerated’ status. In all cases these persons were unable to work, put their children into school, get access to medical care and even access to a regular and healthy diet.

That report, *We Are Dying Silent*, was a first step by JRS in Europe to document the situation of forced migrant destitution in Europe. Earlier this year we published a follow-up to that report entitled, *Living in Limbo*, which we’re releasing today. It revises the research we originally did while adding data from three new countries: Ireland, Spain and Sweden. In total, the report reveals the reality of destitute forced migrants in 10 EU member states.

What do we mean when we say ‘destitution’? As we have known it, destitution is, in short:

- A lack of means to meet basic needs such as shelter, food, health and education
- As a consequence of a State’s policy that excludes certain migrants from enjoying basic human rights and receiving official assistance,
- Or severely limits their access to such assistance,
- While simultaneously depriving them of any effective opportunity to improve their situation
- All resulting in a continuing denial of the dignity of the person.

The study reveals a reality of forced migrants – persons who've come to Europe fleeing from persecution, human rights violations or danger to their health and security – who are unable to get a foot on the ground, unable to establish a life for themselves and their families, because of State policy that aims to exclude them. And in most cases they're in this situation out of circumstances that are not of their fault: a lengthy asylum procedure that leaves them waiting without a means to be self-sufficient, or an inability to go back to their country of origin because they can't get the necessary documentation.

From our research we see that while no story of destitution is similar, various links can be found that establishes destitution as a European phenomenon. There is the link between health and housing: not having a fixed address is an obstacle to getting healthcare; and the inability to receive medical treatment worsens the situation forced migrants who are homeless. There is the connection to work, as poor health is a hindrance to finding meaningful employment and even remaining employed. A crucial element of destitution is its mental health impact. Poor health and an inability to be self-sufficient puts a great deal of stress upon the forced migrant, who might live isolated in the community, far away from family and untrusting of sources of support. Poor mental health, so common in destitute forced migrants, impedes their ability to take language courses or other educational courses that might improve their chance to integrate into the local community and to be self-sufficient.

In the report's chapter on Ireland, you can read about the case of Abdul: an Afghani man who came to Ireland in 2005 and applied for asylum. Upon arrival he was placed in a direct provision accommodation facility in Cork, where he stayed for three years. During that time he suffered from depression and post-traumatic stress disorder, from his experiences in Afghanistan. He was medicated and even hospitalised. He was then transferred to another accommodation facility in Limerick, after having been accused of an incident, which he denied. The new facility was distant from the nearest village, leaving Abdul isolated. His mental health problems worsened. He was eventually refused accommodation after having been accused of 'several incidents of violent and threatening behaviour', which he again denied. This left him without assistance from his Community Welfare Officer, and also without accommodation. He remained homeless for three months. Finally, with the help of a solicitor, his case at was settled at Court and the State granted him access to accommodation. And he was eventually granted refugee status.

The research we did in Ireland, with destitute migrants as well as NGOs, reveal that Abdul's case is not isolated. Many other forced migrants become destitute in the face of similar circumstances. And in Ireland we see an element that is common throughout the rest of Europe: that NGOs and charity groups take over typical State functions in order to minimise destitution. NGOs and charity groups do all they can to help destitute forced migrants. But they have fewer resources than the State, and in the end, it is ultimately the State's responsibility to provide for the basic and fundamental rights of foreigners.

## Conclusion

Our two reports, on detention and destitution, are two recent examples that mark JRS' long tradition of 'closeness' to refugees and the forcibly displaced: people who are on the margins of our society. But people who are in detention and who are destitute are not voiceless. Indeed, despite the gravity of their circumstances, their voices remain strong and willing to speak. And the measure of their personal sense of dignity remains undimmed despite the adversities they face. In the course of our research in detention centres, when we asked people to complete the sentence, "I see myself as ...", some answered:

- "As someone with skills; a confident person"
- "As a person who likes to help and support others"
- "As a person of confidence. People come to me to get advice and information"
- "As a person who came to have a better life"

Then there is the man from Zimbabwe whom I met in London a few years back, in the office of JRS-UK. He was waiting to meet with a JRS-UK worker to receive some assistance. He was in the middle of appealing a negative decision on his asylum application. In the meantime he was living destitute, always looking for food and shelter and for support from charities, his only recourse. He said to me, "Look, I can work. But I am sitting here in this office, waiting for many hours. Instead of sitting here I could be out there, working. Why am I not allowed to work?"

But the voices of forced migrants remain largely unheard, because they're behind walls, or they're anonymous in the streets. They're "the other". That is why we write these reports, to document their testimonies, on paper, so we can transmit them to the broader world. We can take their voices to policymakers in Dublin and Brussels, to NGOs all over Europe, to the UN in Geneva, to medical practitioners and social workers, and to friends such as yourselves.

We can even take them to as far away as Kenya. Just last week I received an email from a man in Nairobi who was concerned about his brother, a university student in Munich, whom he had not heard from for over a week. He told me that his brother was trying to renew his student visa, and that he was concerned that his brother had gotten into trouble with the local authorities. He had read our new report on detention and became very concerned that his brother might be detained. I passed on his brother's name to our detention-visitors in Munich, who found the brother in the detention centre. Now our colleagues are working to connect the detained brother with his family in Nairobi.

For the last thirty years our ability to help people like that man, and our ability to undertake effective advocacy with decision-makers, has depended on our close proximity to refugees and the forcibly displaced. And thus it will continue to be so in the future.