

## 4<sup>th</sup> March Lent talk – Aidan Hallett, Refugee Action

### 1. Definitions

*An asylum seeker is someone who has formally submitted a claim asked for protection from another country. A refugee is someone whose asylum claim has been accepted by that country. However, 'refugee' is usually used to describe someone who has fled their home seeking safety, whether or not they have submitted a formal asylum claim in another country.*

### 2. What's the position worldwide?

#### *How many refugees are there worldwide?*

In mid-2014 the UNHCR calculated that there were 18 million refugees worldwide.

Worldwide nearly 1.1 million people submitted formal asylum claims. Most refugees never make a formal claim.

(Source: UNHCR 2013 Global Trends Report)

#### *Which are the world's top refugee producing countries?*

For the first half of 2014 :-

- 1 Syria 3 million ++
2. Afghanistan 2.7 m +
- 3 Somalia 1.1 m
- 4 Sudan 0.7 m +
- 5 South Sudan 0.5 m ++
- 6 DRC 0.5 m
- 7 Myanmar 0.5 m
- 8 Iraq 0.4 m
- 9 Colombia 0.4 m
- 10 CAR 0.4 m +

Of the top 40 refugee producing countries 27 showed an increase with Ukraine the biggest increase.

### 3. On what grounds can you ask for protection?

1951 Geneva Convention Relating to the Status of Refugees states that to be granted refugee status you must show that you have a well-founded fear of persecution due to your race, religion, nationality, political opinion or membership of a particular social group, and are unable or unwilling to seek protection from the authorities in your own country. Under the Convention, you must show that:-

- The harmful treatment you fear amounts to 'persecution'
- Your fear of such persecution is 'well-founded'
- The persecution is for one of the five reasons specified in the Convention
- You could not find protection in another part of your country and
- You would be at risk of experiencing such persecution in the future if you were returned

### 4. Asylum Statistics for 2014 – European Union countries

#### *How does the UK compare with other countries which receive asylum claims?*

- 1 Germany 166,800 asylum applicants (including dependants)
- 2 Sweden 81,300
- 3 France 63,100
- 4 Italy 56,300
- 5 UK 31,400
- 6 Hungary 28,000
- 7 Austria 24,500

8 Netherlands 24,000

9 Belgium 19,600

10 Denmark 15,400

### **How many refugees are there in the UK?**

At the end of 2013 - refugees, asylum seekers and stateless persons made up just 0.23% of the population. There were 126,055 refugees, 23,070 pending asylum cases and 205 stateless persons.

The top ten countries of origin for asylum seekers coming to UK in Q3 2014 are as follows:

#### ***Eritrea (1233) increase of 196% on Q3 2013***

Pakistan (654)

Syria (612)

Iran (547)

#### ***Sudan (471) increase of 141% on Q3 2013***

Afghanistan (360)

Albania (358)

Sri Lanka (272)

Nigeria (219)

#### ***Iraq (197) increase of 166% on Q3 2013***

(Source: Home Office Asylum Data Tables January to March 2014)

### **Remember**

The vast majority of refugees stay in their region of displacement, so that **86%** of the world's refugees are hosted by developing countries.

Pakistan hosts the highest number of refugees at 1.6 million, followed by Lebanon 1.1 m, Iran 1 m, Turkey 0.8 m, Jordan 0.7 m, Ethiopia 0.6 m, Kenya 0.55 m, Chad 0.45 m, Uganda 0.35 m, China 0.3 m. IDPs total 26 million.

(Source: UNHCR Mid-Year Trends Report)

### **5. Claiming Asylum**

You can't claim asylum from outside the UK. Asylum claims should be made to an immigration officer as soon as you arrive in the UK. Around 10% of asylum claims are made at a port. If you are already inside the UK (eg having been smuggled in) you must go to the offices of UKBA in Croydon and claim asylum in person.

If you don't claim asylum as soon as you enter the UK you may be denied welfare support and accommodation. The delay may also harm your claim at a later date.

### **6. Asylum Decisions**

Decisions often depend on whether the HO interviewer thinks your account is believable. There is a presumption that you are lying unless you can prove that you're telling the truth – the reverse of the criminal law presumption. Your credibility may be damaged if you give inaccurate or inconsistent information, if you delayed claiming asylum without good reason, if you have been convicted of a criminal offence such as using false travel documentation, or if you did not claim asylum in the first safe country you reached after leaving your own country.

If you prove your asylum claim you will get Refugee Status, which lasts for five years. UKBA can review this grant of status during this time if eg the situation in your country has changed. After five years you can apply for Indefinite Leave to Remain (ILR) in the UK and seek citizenship after that. If you can't prove persecution but can show you'd be in danger on return you may get limited leave to remain in the UK. This is also subject to review.

If you are granted protection in the UK, you can work, claim benefits and be re-united with your spouse and children. However, an unaccompanied child who is given refugee status has no right to be joined by parents or siblings.

## Legal Advice

Many asylum seekers go through the asylum process without adequate legal advice. It is often not possible to gather all the evidence needed. Legal Aid very restricted. Not available for substantive asylum interviews.

## Fresh Claims

You can make a fresh asylum claim if you have new evidence.

## 7. Support during a claim

You are prohibited from working unless you have been waiting for an asylum decision for over a year through no fault of your own. If you can't support yourself while your claim is considered you can apply for support from UKBA. Cash support is currently set at just over £36 per person, per week, which gives around £5 a day for food, sanitation, clothing, travel etc. Support rates unchanged since 2011.

If your asylum claim is refused you can apply for **Section 4** support if you meet the strict criteria. It's a package of housing and finance. **No cash is given.** £35.39 is credited to an 'Azure card' which can only be used in specific supermarkets. Supposed to be short term support, but in 2014 3700 people had been on S4 for more than a year.

## 8. Does the system work?

### October 2013 – Home Affairs Select Committee Report

Two major concerns running through all the findings:

- that the abiding poor quality of asylum decision-making generates substantial and avoidable human and financial costs; and

- that the routine insensitivity and occasional callousness of the system exacerbate its essential dysfunctionality.

The report highlighted suspicion, scepticism, incredulity and a 'culture of disbelief' that pervades every level of HO asylum decision making.

MPs were "alarmed" by the "sub-standard level of housing" provided to asylum applicants by private firms G4S, Serco and Clearel under contract with HO.

**Around 41% of applicants got some form of status on initial decision. However 28% of appeals against refusal were successful in 2014. In Scotland 65% of applicants were successful. The criteria are the same as for England.**

### **Which nationalities are most likely to be granted protection by the UK?**

Eritrea 88%

Syria 86%

Sudan 74%

Iran 49%

Almost half asylum claims don't get an initial decision within 6 months. Some people have waited up to 16 years for a decision. There is a backlog of nearly 30,000 asylum cases which aren't concluded.

Most claims refused on credibility grounds. If you have no evidence but the story of what happened to you and you are disbelieved, **how do you overturn a rejection based on lack of credibility?**

Most people not famous, not in the papers, will have limited supporting evidence, if any.

## Detention

The UK placed around 13,600 asylum seekers in immigration detention in 2014.

Under the Detention Fast Track system, asylum seekers are detained throughout their application and appeal.

On principle, UNHCR opposes the detention of asylum seekers and calls for the use of alternatives where possible.

In 2014, 99 children were detained in immigration removal centres, with 40 being under the age of 5.

## **So, how should we respond, as people of faith?**

No references to asylum seekers or refugees in the bible, but some useful passages in both the OT and NT.

The OT records the history of the exile of the Jews and throws up some helpful instructions for us when dealing with those in exile in the UK.

### **Leviticus 19:34**

When aliens live with you in your land, do not ill-treat them. The alien living with you must be treated as one of your native born. Love the alien as yourself, for you were aliens in Egypt.

### **Leviticus 24:22**

You are to have the same law for the aliens and the native-born.

### **Exodus 23:9**

Do not oppress an alien, you yourselves know how it feels to be aliens, because you were aliens in Egypt.

### **Deuteronomy 24:17**

Do not deprive the alien of justice... Remember that you were slaves in Egypt and the Lord your God redeemed you from there. That is why I command you to do this.

These passages refer back to the time of the captivity in Egypt. The Israelites were not only living in a strange land, a land which was not their own, but suffering injustice at the hands of the rulers there and they were persecuted and ill-treated during their exile. Eventually they took flight and, for 40 long years, they searched for a place of their own, a place of safety, a place they could call home.

Now, thousands of years later, we see people, many millions of people, fleeing persecution and war, tyranny and oppression. Their flight echoes the flight of the Israelites from Egypt. But today's exodus is different, in a very significant way.

Today's exodus is of people who do not share the Israelites burning sense of destiny, of God leading them to their promised land. Today's exodus is of people who are leaving behind their homes and all that is dear to them, with no more than a hope that, at some time in the future, it may be safe for them to return.

The vast majority of refugees stay as close as they can to their homelands, often in poor, neighbouring countries, themselves decimated by disease and conflict, usually in makeshift camps, alongside tens of thousands of other people just like them, in dreadful conditions, looking back at the places they love... so near, yet so far away.

Only a fraction make it to the wealthy countries of Europe and only a fraction of these reach the safety of the country we call home.

These aliens -

come from all the continents of the world.

Come from lands where political dissent can lead to imprisonment and torture;

come from lands where religious belief can lead to death, not life;

come from lands where tribal or social background can mean the loss of life or limb to the blade of the machete;

come from lands where our God-given human imagination is used to devise new ways of inflicting pain and suffering;

come from lands where the act of love, a gift from God, becomes a vehicle of oppression and sometimes, through AIDS, of death.

And the aliens who arrive on these shores, what sort of reception do they receive? Do they find, in this land, the justice they have often been denied in the country they call 'home'? Do they find that this land of ours obeys the command of God to his people recorded in Leviticus?

Do they find that we treat them as Jesus commanded?

### **Luke 6:27**

*'But I say to you that listen, Love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you. If anyone strikes you on the cheek, offer the other also; and from anyone who takes away your coat do not withhold even your shirt. Give to everyone who begs from you; and if anyone takes away your goods, do not ask for them again. **Do to others as you would have them do to you...** Be merciful, just as your Father is merciful.*

These aliens find they must break the law to enter here because they have no means of entering lawfully.

People living under repressive regimes find it hard to get documents to leave.

People who have lived off the land may never have needed documents before.

And when they declare themselves as refugees, seeking asylum in our green and pleasant land, they are treated as liars until they can prove that they should be believed. The assumption of innocent until proven guilty is reversed, and they are subject to rules which do not apply to the native-born of this country.

They are pilloried by the media and viewed with suspicion by government. They are called 'illegals' and scroungers, accused of making bogus claims in order to enjoy the financial rewards of life in soft-touch Britain.

Just like the Israelites in Egypt, to paraphrase the Psalmist, how can these strangers, these people of flesh and blood, created and loved by God, with homes and families, hopes and dreams, how can they sing their song in a strange land like ours?

### Where

- they are housed in communities (in housing which no one else wants), amongst people who are already disadvantaged and who are often resentful of their presence.
- the media demonises and abuses them with rumours, damned lies and statistics.
- the government regularly imprisons, without trial, people who have committed no crime, simply because they are assumed to have no basis for their claim.
- the government explicitly works to create a hostile environment for those presumed to have no right to be here.
- the government relies on inaccurate or out of date information to justify rejecting claims and forcibly returning people
- eg Zimbabweans/Sri Lankans were deported, despite reports of detention and torture once returned.
- the government uses a White List of supposedly safe countries, from which no claims for asylum will be considered, despite the evidence that persecution can occur almost anywhere in the world and that human sinfulness means some minorities will always suffer at the hands of the majority.
- the government would rather throw millions into keeping Syrian refugees in camps in neighbouring countries, than offer even a small number refugee status here, on the spurious grounds that this will enable them to fulfil their desire to go home sooner.
- the Home Office asks homosexuals to 'prove' their homosexuality. A lesbian's case was recently rejected on the basis that she couldn't be a lesbian because she had children.
- Christian converts are asked detailed questions about their biblical knowledge by Home Office staff who have rejected claims for inconsistency on the basis that a person said they were both Anglican and Church of England!
- Women who've suffered sexual violence are interviewed by men or have to use their children as interpreters because none has been found for them.

In October 2014, Joyce Anelya from the UK's Foreign Office released the following statement explaining the UK's decision to abstain from financially supporting Operation Triton following the shut-down of Mare Nostrum - the Mediterranean emergency search and rescue service:

"We understand that by withdrawing this rescue cover we will be leaving children, women and men to drown who we would otherwise have saved. But eventually word will get around to the war torn communities of Syria and Libya and to the other unstable nations of the region that we are indeed leaving innocent children, women and men to drown. And when it does, they will think twice about making the journey. And so eventually, over time more lives will be saved."

We should remember the Egyptians and God's judgement upon them for how they treated the aliens in their midst. With God's grace we, his people, will heed Christ's warnings in the Gospel of Matthew and, at the last, hear our Lord say

### **Matthew 25**

"Come, you that are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me, I was naked and you gave me clothing, I was sick and you took care of me, I was in prison and you visited me." Then the righteous will answer him, "Lord, when was it that we saw you hungry and gave you food, or thirsty and gave you something to drink? And when was it that we saw you a stranger and welcomed you, or naked and gave you clothing? And when was it that we saw you sick or in prison and visited you?" And the king will answer them, "Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me."

Let us pray

Lord God, give us the courage to befriend those who seem strange to us. Give us the compassion to open our hearts and our communities to those who have fled their homes because of war and persecution. Give us the charity to be generous to those who rely on us for help. Give us the will to demand justice from our rulers for those who seek refuge in this land and to fight until that justice is available to all. Amen.

### **So what can we do?**

Volunteer with a refugee charity

Get involved with City of Sanctuary

Write to your MP to ask them to support the campaign to raise asylum support rate or to add their voice for immigration detention to be reformed

[http://www.refugee-action.org.uk/about/media\\_centre/our\\_news/1248\\_home\\_office\\_announces\\_asylum\\_support\\_rates\\_will\\_remain\\_unchanged\\_following\\_review\\_despite\\_legal\\_challenge](http://www.refugee-action.org.uk/about/media_centre/our_news/1248_home_office_announces_asylum_support_rates_will_remain_unchanged_following_review_despite_legal_challenge)

[http://www.refugee-action.org.uk/about/media\\_centre/our\\_news/1485\\_refugee\\_action\\_echoes\\_mps\\_urgent\\_call\\_for\\_immigration\\_detention\\_reform](http://www.refugee-action.org.uk/about/media_centre/our_news/1485_refugee_action_echoes_mps_urgent_call_for_immigration_detention_reform)

Hold a Big Night In on 2 May to support the work of Refugee Action.

[http://www.refugee-action.org.uk/support\\_us/fundraise/join\\_an\\_event/events/1465\\_refugee\\_actions\\_big\\_night\\_in](http://www.refugee-action.org.uk/support_us/fundraise/join_an_event/events/1465_refugee_actions_big_night_in)

Visit immigration detainees.

<http://detentionaction.org.uk/aboutus>

Get involved with teaching ESOL.

Give money to a refugee charity.

Use social media to highlight issues of injustice or unfairness in the asylum system and to help your friends and family understand that the picture painted by the media is often a hugely distorted and unfair one.