

Refugees and Migrants

It took one heartbreaking photo of the lifeless three-year old Syrian boy, Aylan Kurdi, for the world to suddenly pay attention to a bloodbath which had in fact been going on for years. Prior to this, it seemed that the rest of the world is just content in passively watching if not ignoring the massive exodus of people from Syria and several other countries in Africa and the Middle East caused by widespread persecution, social and political unrest, extreme poverty and other systemic problems within those countries.

While the recent collective awakening and outpouring of compassion and support is a welcome development, this had also been giving rise to a lot of confusion, misinformation, fear and paranoia owing to the very complex origins of the crisis, varying perspectives and wide range of human emotions and experiences involved.

For one, people tend to conflate "refugees" and "migrants" in discussing recent events. This is due to the fact that the waves of people fleeing Syria and other source countries often have the characteristics of both. For while all refugees are also considered migrants, not all migrants can be considered as refugees.

For those who may still be quite confused with the differences between these two terms, let us look at some basic definitions. The term "refugee" was codified under international law by the 1951 Refugee Convention which provides in section 1(A), the following definition of a refugee:

"A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."

The Office of the United Nations High Commissioner for Refugees (UNHCR) and other related international agencies consider refugees and so-called economic migrants as being fundamentally different hence treated differently under modern international law.

Economic migrants are loosely defined as those who choose to move in order to improve their lives and future prospects for themselves and their families. Their admission are thus subject to the immigration laws of their destination countries.

Refugees on the other hand, are those who are forced to move out to save their lives and/or preserve their freedom. They are unable to obtain protection from their own state as it is often their own government that is threatening to persecute them. Hence the more urgent need for external assistance to protect their rights and to provide them with basic survival needs. Although they are also subject to the destination countries' immigration laws to some extent,

refugees are nonetheless protected by certain universal principles such as "non-refoulement" or the duty of the receiving state not to return them to real risk of harm such as torture or worse, death.

There is no question therefore, that bona fide refugees deserve our urgent compassion and concrete assistance. If we have the means and capacity, we should not hesitate to extend any help we can provide to ease human pain and suffering and to literally, save lives.

At the same time however, we should also try to deepen our understanding of the social ills which precipitate migration in general and to help push for genuine and lasting solutions to this timeless human conundrum. To achieve a balanced and reasoned perspective, we should try to work towards eliminating deep-seated prejudices, unfounded hostility and sweeping condemnation of certain groups or cultures often based on limited understanding of the complex issues involved. Cliche as it may sound, but opening both our minds and hearts, is truly key towards creating a better world.

Consequently, the so-called economic migrants should also be treated with equal understanding compassion and respect. Although their needs may not seem as urgent as those of refugees who are fleeing for their lives, we should not be too quick to conclude that they are not in equally desperate need. In many cases, especially those caring for young children and frail elderly people, enduring extreme poverty is viewed as a fate worse than death. Hence, the situation of refugees and economic migrants, may not differ all that much in many cases.

When we hear news of boatloads or truckloads of migrants drowning or starving to death after paying scandalous sums to human smugglers, it often seems irrelevant whether they are refugees or economic migrants as defined under international or domestic laws. Having gone through the same extreme risks to leave their homes and countries, we can only imagine the depths of their misery and desperation to find safer alternatives and/or build better lives elsewhere.

Understandably, people are concerned that the indiscriminate opening of national borders to all refugees or economic migrants will overwhelm the system or risk the safety, security and livelihood of the country's citizens and residents. However, historical experience had proven that these are largely unfounded fears and are often merely excuses to mask racism, cultural prejudices and exclusionary policies.

In fact, historical experience had also taught us that a spirit of human solidarity and empathy with our less fortunate neighbours enriches the lives of both the givers and the recipients in various tangible and intangible ways.

It may be the job of governments, legislators and decision-makers to enact laws that will define legal limits to help maintain peace and order, political and economic stability. But it is ultimately the job of every single person to ensure that we are not losing our humanity in the process.

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