



Interview

Jaime Ruiz de Santiago

A REMHU entrevista Jaime Ruiz de Santiago: mexicano que se juntou ao UNHCR em 1984 e desde então vem trabalhando em diferentes lugares, ocupando postos na América Latina, Europa e África Ocidental. Ao longo de sua carreira, ele se esforçou em fortalecer laços com ONG's católicas envolvidas com os problemas de proteção aos refugiados. Amigo próximo da Congregação das Irmãs Missionárias Scalabrinianas, cooperou com seus membros principalmente no Brasil, Costa Rica e Polônia.

REMHU interviews Jaime Ruiz de Santiago: mexican, joined UNHCR in 1984 and since then has been working in different places. He has been posted in Latin America, in Europe and in West Africa. During his career he has made efforts to strengthen relations with Catholic NGOs involved in protection matters. Close friend of the Scalabrinian Missionary Sisters, he has cooperated with them mainly in Brazil, Costa Rica and Poland.

1) Considering the kind of work that you do at the UNHCR, what are the facts and the international issues that nowadays most determine migration movements and the need for asylum?

I think that the most important reasons to look for asylum are those mentioned in the 1951 Geneva Convention (fear of persecution because of one's race, religion etc.) and in the regional instruments, the 1969 African Convention and the 1984 Cartagena Declaration (generalized violence, massive violation of human right etc.). The problem is that the "wider" definition is not accepted in Europe and therefore European

countries have been obliged to “create” new legal statuses, such as the “humanitarian stay” or the “B Refugee Status”.

On the other hand we need to keep in mind that the number of asylum seekers arriving in Europe has decreased more than 25 percent during the past few years and migration movements to this continent (and not only here) induced by poverty, underdevelopment and lack of work opportunities have increased dramatically.

At the same time, from the UNHCR perspective, it is very important to mention that this international UN organization has seen its mandate extended recently: nowadays UNHCR has provided refugees with international protection (the “classic mandate”) and also must protect internally displaced populations, IDPs (the “wider mandate”). This has been due to the fact that, while international conflicts have decreased in numbers, situations of national wars have increased significantly and enormous populations are obliged to leave their villages and cities remaining in the same country of origin.

2) Generally, the refugee is forced to leave his/her own country in a hurry. How can the refugee’s status help him/her to work out (or remake) his/her own life project?

It is clear that, if refugees are obliged to leave country of origin because of reasons mentioned

in the 1951 Geneva Convention, when they leave they do not have normally “a migration plan” (forced migration movements). It is quite normal that refugees leave their country of origin without even a visa or a passport! That is the condition to keep life or freedom! In this sense, refugees are not “normal migrants” and their “life plan” has to be rebuilt in the country of asylum. Refugees have been normally obliged to leave everything abruptly and they face the problem of: a) leaving their country of origin; b) being accepted by the country of asylum; c) building a new “life plan” in the new circumstances. We must remember that when persons are recognized as a refugee that means that they are “more

protected" because any right mentioned in the 1951 Geneva Convention must be respected (right to work, right to social security, to education, to ID documents, to a travel document etc.)

3) In the refugee camps the individual life project become interactive and are influenced by collective project. What is your personal experience on this matter?

It is true that in refugee camps people are more involved in community life. Community leaders in those camps have a very relevant role. In these conditions it is very important to have adequate refugee representation and refugee participation in the different activities, etc.. Links with community are stronger and more important. In those conditions UNHCR has to highlight and to support the participation of the "weakest" and "least visible" refugees, who are frequently the most numerous ones. That is the case of women, children and elderly people in many situations. Because of this, it is quite frequent that "social roles" in refugee conditions change and are reflected in new structures. That was the case, as a way of example, of Guatemalan Indian refugee women in Mexico. The case of a refugee woman such as Roberta Menchù is a clear expression of this reality. In this case the biggest challenge is to maintain this "new social structures" when refugees go back to their country of origin.

In refugee camp conditions it is essential to maintain adequate participation of all refugees; "natural leaders" have to be identified, and they need to have a permanent "interaction" with "new leaders" that represent significant portions of the refugee population. The presence of the whole community has to be well balanced with a fair attention to the needs and individual characteristics of different persons. The importance and dignity of all persons must always be preserved.

I have to add that, even if each case is different and presents unique circumstances, the participation of refugees in the management of refugee camps is always essential. Refugees have to be present in every step of decisions regarding refugee protection. One of the most important values is participation: this is a lesson that is very relevant not only in refugee matters!

4) The escape of a refugee usually begins with the dream of returning in the future. However, this is not always possible or desirable after the adaptation in the foreign country. What public policies might favour the refugee's integration in foreign societies?

As I said earlier, the situation of each refugee is unique. Voluntary repatriation is normally the ideal permanent solution for refugees, and the UNHCR should create voluntary repatriation programs whenever possible. Every effort should be made to render this solution possible. Conditions of security and dignity must always be preserved if the UNHCR promotes a voluntary repatriation movement. However, when this desirable solution is not possible, the ideal remedy is integration in the country of asylum. Integration is facilitated when refugees have easy access to citizenship.

There are even cases where countries of asylum would prefer to keep refugees permanently. In this case and in order to make permanence in the country of asylum more attractive, government could make access to citizenship very easy: this was the case, for instance, of many Guatemalan refugees in Mexico or for many Chilean refugees in Sweden.

5) Could you talk briefly about the main challenges and experiences that you had in your work with refugees?

The challenges and experiences are as different as the operations and the posts you have in the different UNHCR duty stations.

Posted as a legal or protection officer in Spain, Argentina or Italy, the main challenge was the direct involvement in protection matters. When I was in Spain the Law on Refugees had been recently adopted in the country, and it was quite challenging to follow the application of this law. Refugee protection needed to be ensured in the territory of Spain, including the Canary Islands, at borders as well as at international airports. Cooperation with national authorities and NGOs had to be strengthened, and decisions taken by the National Eligibility Commission required participation and supervision. Similar tasks were present in Argentina and in Italy. Protection in Latin American countries required the

application of the Geneva Convention as well as the Cartagena Declaration (adopted in 1984), which expands the definition of a refugee; protection in EU countries implies the application of the EU directives, that in some occasions have the tendency to make refugee protection more difficult. In all these cases dialogue with governments and both national and international NGOs is essential in protection matters.

The post and challenges involved were different when I was the Regional Protection Training Officer for Western Africa based in Senegal. It was a very nice yet demanding period considering the circumstances of those African countries. Some of them were very advanced in refugee protection; others were recuperating democratic governments and were adopting a new legislation on refugees, and others, finally, were producing important flows of refugees that needed to be protected in neighboring countries. Because of this, the most important task was to train national authorities and NGOs involved in refugee protection matters or in voluntary repatriation movements. It was very important to train UNHCR staff "on the spot" and to train refugees involved in the different operations.

In other occasions, posted as the UNHCR representative in Nicaragua, Brazil, Costa Rica or Poland, the main challenge was to coordinate efforts made by different actors involved in the UNHCR mandate ("physical protection" as well as respect of civil, political, economic, social and cultural rights), to maintain a positive and permanent dialogue with authorities, NGOs, civil society and refugees, to support and coordinate UNHCR activities and to build a permanent and easy communication with UNHCR Headquarters (this is not always easy!). On some occasions these tasks were addressed to guarantee the reception, recognition and integration of refugees, in other occasions the tasks were undertaken in a voluntary repatriation context. Clearly, since one is constantly working under pressure and dealing with human beings in need of protection, the work is normally very challenging and stressful, but, due to these same reasons, these efforts are always rewarding. At the end of the day you have a very deep feeling of recognition and gratitude. There are so many things to learn in this passionate work!

