

## | INTERVIEW |

REFUGEES

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# "My focus is protection –

In an interview with REFUGEES, High Commissioner Ruud Lubbers

**REFUGEES: What attributes do you bring to this job?**

**RUUD LUBBERS:** My background includes business, politics, the NGO world and academia all which will be of value to UNHCR. For example, UNHCR is trying to form new partnerships with the business community to benefit refugees. I can be a bridge for that. UNHCR's work is carried out in a highly political environment and I will not hesitate to use my political experience and contacts to help refugees and to build a better organization. One of my main goals will be to strengthen our partnerships with NGOs. My academic focus was on globalization and governance which are of direct relevance to UNHCR.

**At the time of your selection, some media commented that you had no actual experience with refugees nor had you visited a camp.**

Refugees are not found only in camps or in the developing world. Asylum is a global issue, one I did deal with during my years in politics and government. I do have a lot to learn about UNHCR and refugees, but I do not come into this a total novice.

**How can you use your political experience?**

I recently saw the crisis in West Africa at first hand. As I watched UNHCR staff struggle in the field, I decided I had to try to do more than just pat them on the back and wish them luck, leaving the difficult solutions to others. So I devoted much time in Guinea, Sierra Leone and Liberia to enlisting support from regional leaders for the principles of safe access to and safe passage for tens of thousands of refugees stranded in southern Guinea. It remains a very dangerous and fragile situation there. But with Guinea's

support, UNHCR and its partners were able to resume aid to the stranded refugees within a week.

**What is your vision for UNHCR?**

I want to see UNHCR become a truly multilateral institution, actively supported and co-owned by a broad cross-section of the international community. Fifty years after UNHCR's founding, it is obvious that the refugee problem is not going to go away. Governments must be realistic. The nations of the world need an effective UNHCR, one that can fulfill its protection mandate, serve as a strong advocate for refugees and ensure that governments meet their obligations, under the 1951 Convention.

**Is UNHCR getting the broad support it needs?**

A number of countries do invest in UNHCR, but it's too limited. The international community has given my office

the mandate to protect and seek solutions for the world's refugees. Yet many members of that same international community take little or no responsibility for actually supporting our work. This is not acceptable. Right now, we are voluntarily funded by a relatively small coalition of the willing. The fact that a number of governments decide case by case, on a voluntary basis, when and what they will support, makes UNHCR much too vulnerable.

**So you want a more dependable, assured funding arrangement?**

Yes, we are asking for a modest but fair share. For the past two years, our budget has been about 20 percent underfunded. We are in the process of

identifying our core activities. We need assured support for these core functions. We also need additional capacity for specific, unpredictable situations, emergencies and crises. Many more countries must view this as a normal, long-term partnership with UNHCR in which we work together in finding solutions for refugees. After all, that is what they have asked us to do.

**Are you taking austerity measures, such as staff cuts?**

I practiced stringent austerity for many years in business and government. We need to practice that at UNHCR as well. A lean organization can be a strong organization. We've got to see what people are doing. Is it relevant? Does it have to be done by us? Let's concentrate on the core responsibilities which we are currently identifying. But it's not so simple as just saying we need to prioritize and cut. Where cuts are not acceptable, it's my responsibility to tell governments let's not be stupid.

**Are there overly high expectations on UNHCR?**

UNHCR is considered a can-do agency, an institution with an operational capacity to deliver in difficult situations. So when people see a humanitarian problem, they think UNHCR can do it all. They also seem to think we can do it for free. They just call and say you do it. Well, there is a limit to what we can do—someone has got to pay for it. So we need to tone down expectations while at the same time trying to increase funding and ownership of UNHCR.

**So should UNHCR do less?**

We don't want to get bigger and bigger. We will be there when refugees need us, but we also need to be realistic. We will do as much as possible within our core parameters but it is also obvious that there is a lot that can be done by others, outside UNHCR. We ensure international protection standards, for example.

*"We don't want to get bigger and bigger. We will be there when refugees need us, but we also need to be realistic."*

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# safeguarding and nurturing it"

outlines his vision for the future of the organization

But protection can also include physical assistance to refugees—the provision of basic, life-saving essentials. A lot of this can be done by NGOs. UNHCR will play a coordinating role, ensuring that the common effort to protect refugees as called for in our mandate is done in the best way possible.

#### What about the private sector?

Yes, partnering with others—NGOs and business—is the trend of the future. UNHCR and refugees have already received valuable financial and in-kind support from the private sector to meet specific needs in many parts of the world. But this is an area that needs to be developed further.

#### There has been a lot of talk about 'donor fatigue.' Has there been a basic change in attitude by the international community?

During the cold war, there was a political or ideological advantage in helping those fleeing the other side. Today, that ideological underpinning is no longer there. Today, the developed countries see victory in the cold war as proof of the superiority of democracy and free markets. Now we see compassion fatigue. There is no more ideological debate. They seem to be saying that they have proved their system of democracy and free markets is the best, but the growing imbalance between rich and poor is reflected in its most stark terms in the refugee problem.

#### Are internally displaced people (IDPs) a UNHCR responsibility?

They are the responsibility of the UN family and the international community. UNHCR has been involved in more than 30 IDP operations since the early 1970s, but always under specific criteria. For IDPs, we need to be invited in, with the consent of the United Nations and the country involved, and only if we have the

necessary resources. I will not say that UNHCR will care for all IDPs. I don't believe in that at all. If internally displaced people are in a serious situation, then the international community should work together to help them. The United Nations is currently working on a joint approach to helping IDPs and I support this.

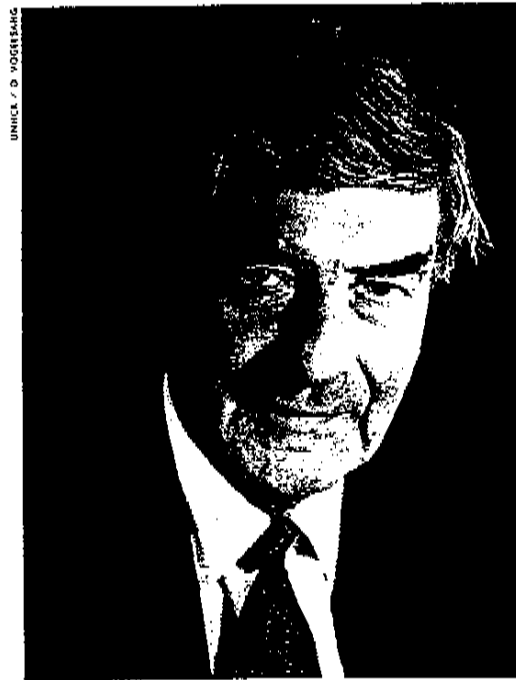
another over the past decade and its involvement in all of these humanitarian emergencies can divert emphasis from other, equally important protection needs. It is essential that protection be our core institutional task.

#### So you want to be less driven by crises?

Yes, that's correct. The refugee problem goes well beyond crises. We want to look beyond crises to causes and prevention and support for good governance. We need to find durable solutions. We need to build a UNHCR network that can partner with others to help developing countries strengthen their legal structures. It is a long-term political and preventive effort and it is extremely important.

#### You have been quite vocal about the lack of support from some countries, particularly EU member states.

Rich countries are being extremely short-sighted if they think they can keep asylum seekers from their borders by closing migration channels and continually tightening asylum policies, while at the same time refusing to support UNHCR's work to find solutions in regions of origin. It is in the best interests of the rich nations to help UNHCR in its work throughout the world. At the same time that they complain about increasing numbers of asylum seekers and illegal immigrants, the European Union's contributions to UNHCR have declined dramatically. There is a certain lack of rationality, political rationality, in this. UNHCR is going to do its best to work with the European Union. I have provided Mr. Prodi with an aide-mémoire outlining many areas where we have a shared interest in working together, ranging from institution-building in central and eastern Europe, to the ongoing Global Consultations process, to EU harmonization of asylum policy, to the problems posed by mixed migration and asylum issues. ■



#### Some critics say UNHCR's protection mandate has been diluted by over emphasis on emergency assistance and operational activities.

As High Commissioner, it is my responsibility to protect refugees. There will be no compromise on that. My focus is protection, safeguarding and nurturing it. But humanitarian assistance is also about protection. Sometimes, protection and assistance come together, to meet basic needs. We cannot turn our back on meeting immediate, life-saving needs in emergencies. That said, UNHCR has been heavily burdened by one crisis after

## Tongue-tied on truth

*Government claims that refugees threw their children into the ocean shocked voters during the Federal election campaign. More shocking has been proof this week that these actions didn't happen, as SAMANTHA MAIDEN reports from Canberra.*

**W**HEN HMAS Adelaide began shadowing an old Indonesian fishing boat on Saturday, October 6, the federal election campaign that would sweep Prime Minister John Howard back to power was just 24 hours old.

Early the next morning, inflatable boats were dispatched and warnings were ignored, including a note tied to a bottle that was tossed on the asylum seekers' boat. Seven nautical miles inside the Australian Contiguous Zone, a 23-round burst was fired into the water ahead of the vessel, as the asylum seekers huddled on board.

According to defence reports, they were "aggressive and for the first time in such sightings wearing life jackets". But what happened next, and the string of misinformation that followed, dogged the election campaign down to its final hours. Claims children were thrown overboard shocked Australia.

Questions over what really happened were denied and dismissed by the Government.

This week, an official investigation ordered by Mr Howard and conducted by a staffer in his own department found those allegations were untrue. Worse, a string of government and defence officials had known they were wrong but the public was not told.

Pictures released by Defence Minister Peter Reith that were said to prove children were thrown overboard in fact illustrated brave sailors rescuing asylum seekers after the boat sank. A video, said to support Mr Reith's claims that "it's an absolute fact, children were thrown overboard", was denied to the media and then released on the eve of the poll.

According to a report tabled in Parliament, this exchange occurred in Darwin on October 31 when Mr Reith was warned the allegations were untrue. Brigadier Silverstone: "Minister, the video does not show a child being thrown into the water." Mr Reith: "Well, we'd better not see the video then." These allegations are now central to claims Messrs

Howard, Reith and Immigration Minister Phillip Ruddock are complicit in a "dirty victory". It all began when Commander Norman Banks, commanding officer of HMAS Adelaide, told Northern Command of a "threat" to throw a child overboard. A child became "children", soon the whispers and differing accounts found their way to Mr Ruddock and within four hours it was front-page news. But, three days later, on October 10, a chronology was provided to the Department of Prime Minister and Cabinet that noted: "There is no indication children were thrown overboard."

Those that came to learn of doubts included Mr Reith's Senior Defence adviser, Mike Scrafton, his press secretary Ross Hampton, Assistant Secretary to Prime Minister and Cabinet Jane Halton, Defence Media Liaison Tim Bloomfield, Chief of Defence Forces Admiral Chris Barrie and head of defence PR Brigadier Gary Bornholdt.

By October 11, Mr Reith and some of his senior advisers were told the photos they released did not depict children being thrown overboard. According to Messrs Howard, Reith and Ruddock, they were not provided formal advice the allegations were untrue. It is a defence that will now be tested in Parliament and at Senate Estimates where officials will be grilled over who knew what and when. On top of the findings about what really happened on the Siev4 came further revelations this week that asylum seekers in the Woomera detention centre had not, as claimed by the State and Federal Government, sewn the lips of their children in protest at their treatment.

Four months after HMAS Adelaide first boarded Siev4, key players in the saga have since been promoted or awarded new jobs in the Howard administration. Ms Jane Halton, an assistant secretary in the department of Prime Minister and Cabinet who said children had been thrown overboard, has been awarded an Australia Day honour and promoted to head of the Health Department. Despite being told three days after the allegation first surfaced that there was "no indication" they were



true, she apparently did not pass this information to Mr Howard or her boss, Max Moore-Wilton. Chief-of-staff Peter Hendy and media adviser Ross Hampton work for Education Minister Brendan Nelson. Senior defence adviser Mike Scrafton is back at the Defence Department and strategic adviser Aldo Borgu is working for the new Defence Minister, Robert Hill.

The asylum-seekers themselves, still held on Manus Island while their immigration claims are processed, say they were gravely misrepresented. In a letter to the Prime Minister, they say:

"we here and from this place declare (sic) that nothing of this matter is true, it is not what really happened. The real thing is that: we asked some of our women and children to show themselves to the military boat who were surrounding us so that to move their feelings and sympathy (sic) towards us besides the dangerous situation we found ourselves in."

Advertiser 16/2/2002

# 19/2/2002 Advertiser

By Chief Political Reporter  
**PHILLIP COOREY**  
in Canberra

**CHILDREN** still may have been thrown into the sea from the Siev 4 in October, despite no evidence to support those claims, the Federal Government said yesterday.

Prime Minister John Howard said he was unconvinced children had not been thrown from a boat carrying asylum seekers.

He was backed by his departmental head, Max Moore-Wilton, who said the reports had established only that there was no documentary evidence.

"We don't know categorically whether children were thrown overboard or not," Mr Moore-Wilton told an Estimates Committee yesterday.

Mr Howard cited the dozens of photographs released at the weekend by Labor showing people in the water with the boat sinking in the background.

"That does not prove or disprove a claim that children were thrown overboard," he said.

"You could have a situation where people were thrown overboard but those photographs related to the next day."

Mr Howard's claims contradict the commanding officer of the HMAS Adelaide, Norman Banks, who told the inquiry into the incident that it was apparent to him no children were thrown into the water.

Three days after October 7, when the Government first made the children overboard claims, it released two photographs of children in the water to back the claims. It has since transpired

those photos were taken on October 8 - the day after the boat was intercepted - and while it was sinking.

Another five photographs which the Defence Department had at the time but did not release were made public yesterday by Defence Minister Robert Hill. Two of these clearly show people in the water as the boat sinks into the sea.

Mr Howard was embarrassed yesterday when it emerged his foreign affairs adviser, Miles Jordana, also was aware before the election that the overboard claims were incorrect.

Mr Jordana, however, told Mr Howard yesterday that he decided not to pass on the information "as those were simply un-

substantiated rumours". Mr Jordana was told of the doubts about the claims by "someone" in the office of then defence minister Peter Reith and "perhaps" Jane Halton.

Ms Halton, then working for Mr Howard's office, became aware of the doubts a month before the election but ignored them.

Labor also sought to discredit the report into the incident prepared by Jennifer Bryant of Mr Howard's office.

The report failed to mention Mr Jordana had phoned Ms Bryant on November 7, when the doubts first became public, seeking defence material.

● PAGE 16: Atchison's view

Children may still have been thrown: Prime Minister 19/2/2002

## FACTS and FICTIONS

### CHILDREN OVERBOARD

"Someone has looked at it and it is an absolute fact, children were thrown in the water."

PETER REITH, October 10, 2001

"Quite frankly, I don't want in this country, people who are prepared - if those reports are true - to throw their children overboard."

JOHN HOWARD, October 8, 2001

#### Fact:

"There is no evidence to support the advice to ministers that children were thrown into the water. The photographs of children in the water released to the media were taken during the rescue of passengers from Siev 4 after it sank."

REPORT tabled in Parliament, February 13

### PARENTS SEWED CHILDREN'S LIPS

"Reports indicate that in relation to two children's lips had been sewn together and this was not self-inflicted."

PHILLIP RUDDOCK, January 23, 2002

"Any adult who inflicts that sort of pain and suffering and treatment on a child I think is barbaric and totally unacceptable."

SA Human Services Minister DEAN BROWN, January 23, 2002

#### Fact:

"There was no evidence to confirm or deny these concerns."

Justice Minister CHRIS ELLISON, February 13

### BOAT HIJACKED

"It does show that way in which these people at times operate. It may well be that the vessel was hijacked as suggested."

Immigration Minister PHILIP RUDDOCK, October 28

#### Fact:

Asylum seeker boat found drifting a day later, the boat's captain remained on board and denied any hijacking.

THE ADVERTISER, October 29

### BOAT FIRE DEATHS ON EVE OF ELECTION

"I've been told the vessel was deliberately lit. What they are doing is disabling and sinking a vessel so it can't be towed into Indonesian waters."

JOHN HOWARD, November 9, AM

#### Fact:

"Certainly the Defence people have a view it might well have been deliberately lit, but presumably it could have been (from) trying to cut the fuel line on a hot engine. I don't know."

Immigration Minister PHILIP RUDDOCK, November 9, PM

### BOATPEOPLE ARE POTENTIAL TERRORISTS

"If you don't have good control over people movement then you are setting up potentially staging posts for extremist groups."

Defence Minister PETER REITH

#### Fact:

ASIO's annual report reveals only one asylum-seeker with links to terrorist group in the last year.

REPORT tabled February 13

16/2/2002 Advertiser

<http://users.senet.com.au/~netipr>

10 January 2002

## **Baby-Throwing Claim and Australian Strain of Racism**

**NB: Free to redistribute and reprint this Internet discussion as it is; or may use the contents with or without quoting the author. Background materials may be found on netipr website.-- U Ne Oo.**

Finally, the article in Sydney Morning Herald on 11 November 2001 shed some light on the extent to which Australian government has manipulated on the claims of Iraqi asylum-seekers had thrown babies overboard. Followings are the main points:

- At the 4 days stand-off between the Royal Australian Navy, the asylum-seekers' boat was in severe distress and had faced a near capsized situation several times. The asylum-seekers' boat finally sunk on 7-October-2001;
- During the stand-off, the Royal Australian Navy had fired 4 warning shots (artillery) which was followed by several bursts of automatic gunfire to frighten the asylum-seekers' boat to turn back;
- There is no evidence of all asylum-seekers onboard the boat were equipped with life-jackets. Some, if not all, life-jackets were to have been issued by the Royal Australian Navy;
- There has been no photographic evidence or witnesses on the claims of children were being thrown overboard by asylum-seekers '*specifically*' to be rescued by the Royal Australian Navy. There may have been instances of Iraqi asylum-seeker(s) with their children abandoning the boat on 5-October-2001;
- The Australian government had blocked journalists access to the Navy during the six weeks of the election campaign. This is the most compelling evidence of the government had fabricated the information and manipulated politically over the incident.

### **Cat and Mouse Games on High Sea**

One can appreciate the dangerous situation faced by the Iraqi asylum seekers just by looking at the size of boats. These are wooden boats with no more than 20-25 meters (50-60 ft) long, usually fitted with single-engined propellers. These boats are commonly used in Asia and the Pacific for villagers to commute through inland waterways or to travel around coastline. They are not designed for use in the open sea or to carry large numbers of people. In an open sea, such a small vessel could easily get into distress even by the ripples produced by movement of large freighters. In the case of the boat in question, it is the Royal Australian Navy frigate harassing the boat to turn its course. The level of distress to that boat can therefore be most frightening. We can give credence to the Iraqi boatpeople's statement (see SMH article on 11-Nov-2001) that their boat was about to be capsized on several occasion in its encounter with Royal Australian Navy.

### **Why not Having a Common Sense ?**

The investigative journalists of SMH are even more critical that the government cannot produce any evidence video/photograph or witness on which the babies were 'actually thrown' overboard by adults. To my view, it is totally understandable -- even the government could produce photo/video evidence -- if one think with common-sense about a procedure by which a person may abandon a sinking vessel together with his/her children). When leaving a sinking vessel, one must always try to swim away to escape the swirl. If the person has a child, he/she would have to throw the child first before himself/herself jumping into water to chase that child afterwards. If you have two children, you would certainly have no choice- just throw those little ones first. When the explanation over this incident can be THAT simple, why Australian politicians (or newspaper editors) are so blind to see this fact ? The answer simply is because of the Australian Strain of Racism.

### **Media Bullying and Public Apathy**

I am not entirely surprised that the Australian Immigration Minister, knowing what he is, has been telling the media on 7 October 2001 that the Iraqi boat people thrown their children overboard. We

neither can blame the newspapers, for being sensational at all time [the Adelaide's Advertiser is one of the worst among] for reporting this incident with huge headlines. However, what have me amazed (rather, alarmed) was that this un-substantiated and sensational claim over the boatpeople, which subsequently picked up by politicians, to become a 'viable' political issues within Australia.

As noted above, whilst the possible explanation for 'baby throwing incident' can be so simple, why didn't any newspapers editors or politicians to come up and diffuse the situation. Are these newspaper editors or Australian politicians lacked the necessary intellect to think rationally? Certainly not! The Australians are islanders who do in one way or others have knowledge of the sea and can easily comprehend the predicament of the asylum-seekers onboard that boat. Then why don't we see public objection about the government dehumanising of boatpeople? Or why any Australian politicians - except Senator Bob Brown of Tasmania -- stand up to oppose the government and media deliberately inflaming over this issue?

This phenomenon can be comprehend by looking at analogy of the 'primary school childrens'. The incident is like a group of schoolyard bullies taunting a lame-and-dumb schoolboy, which has been watched over by the rest of his classmates. These 220 Iraqi boatpeople, of course, in no way be able to rebut over what the Australian politicians have said about them. But the Australian public tolerating -- in certain quarters with some satisfaction -- about government and media vilifying the boatpeople is definitely not of the trademarks of a "civilized society".

### **Gossip-Rumour Culture in Politics**

Most disgraceful aspect over this incident, however, is the Prime Minister as well as Labour Opposition leader jumped into 'refugee-bashing' band wagon without checking the source or authenticity. The Immigration Minister has thrown a sensational claim about boatpeople. The Prime Minister seconded that claim without checking. According to SMH, "Howard, on the Alan Jones radio show next day, said: *"Quite frankly, Alan, I don't want in this country people who are prepared, if those reports are true, to throw their own children overboard. And that kind of emotional blackmail is very distressing."* Whether the Prime Minister was tempted to ferment prejudice over these Iraqi boatpeople is not in doubt. However, I'll be much more concerned about the gossip-rumour culture that has come into the Australian politics.

By gossip-rumour culture I means not only of a person saying bad things about the others from behind. I would also mean that one person try to socialise the other person by agreeing without checking the contents. Mass media, of course, often use this method of propagating rumours as a tool to generate public opinion. Ordinary people, too, may normally do this for socialising on trivial matters. However, making gossip and propagating rumours should be limited to ordinary people or mass media. It is astounding however that such gossip-rumours have been propagated out of the Highest public office in Australia. Sure, the 220 Iraqis cannot put a complaint, but it is unprofessional and dangerous to do gossip and rumour propagating.

### **Racism vs. Refugee Interests**

Over last few years, there have been increase in restriction of rights of refugees in Australia. Recent government's Border Protection legislation has been only one of the examples. The Australian government does racist scapegoating of boatpeople as a precursor to further restrict the rights of refugees. Australia is a signatory to the 1951 UN Convention Relating to Status of Refugees. But the Australian Constitution does not include the Bill of Rights or incorporate some other UN instruments that could protect the rights of refugees from being curtailed by the government legislative process. The rationale has been that the refugee advocates have to come long ways doing their work, firstly repelling the government's racist attacks against refugees.

Racism or racist attack against a minority group constitute violation of fundamental human rights. Discriminatory laws or practices targetted against any minority groups, regardless of sanctioned by democratically elected parliament, also constitute the violation of human rights. As such, the international community must condemn against degrading and dehumanising treatment of asylum seekers by the Australian politicians.

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