

Title: Policies Acted: The Effect of Pluralism and Policies on Eritrean Refugees

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Abstract: Eritrean refugees have been migrating to Ethiopia for approximately 7 years. By registering with UNHCR, they hope to have the opportunity for resettlement in a Western country. The process of time-case resettlement has been slow, leaving many Eritreans stranded in Ethiopia for up to six years; UNHCR policies are further confounded by US policies on terrorism and immigration quotas. UNCHR and the US government have just announced that a group resettlement to the US has been approved for the majority of residents of Shimelba refugee camp in the desert of Northern Ethiopia. In presenting a case study of the experiences and attitudes of encamped and urban Eritrean refugees in Ethiopia, I will illustrate the “front-end” of refugee resettlement and forced migration. The intersection of US policies on immigration, international institutions that monitor these processes, local political opposition groups that insert themselves into the resettlement process, and the experiences of individuals seeking resettlement to a third country must be explored to understand the effects these processes have on the overall Eritrean diaspora community, and on Eritrean identity and consciousness. I suggest that the upcoming group-resettlement of Shimelba residents to the US has triggered a shift in subjectivity among the camp members towards that of rights-bearing citizenship. By noting patterned articulations of human rights and an emergent rights consciousness, we see where UNHCR humanitarian policy fails by defining protection narrowly, even while engendering refugees' human rights awareness. I reexamine US policies that leave some refugees stranded, and Ethiopian government policies that short-circuit the human rights regime for refugees.

Paper: As a Masters Candidate at the University of Tennessee, I have been given incredible opportunities to work with Dr. Hepner on her continued research project, and was the recipient of a grant from the University to conduct summer fieldwork in Ethiopia. As you have heard, Dr. Hepner's work examines how the thirty-year nationalist war for independence from Ethiopia resulted in patterns of transnational governance and civil society in independent Eritrea and its global diaspora, and she has extended this research to investigate the processes of asylum and the Eritrean single party-state policies that

affect displacement. My current research continues this investigation of the relationship between forced migration and political consciousness and action in Eritrea and in exile. In particular, I am examining the ways in which the process of seeking resettlement in a relatively more coherent legal environment may lead many young Eritrean refugees to reconceptualize themselves as rights-bearing individuals and citizens, even when they do not fully understand the human rights instruments that are designed to help them find safe haven from persecution and torture in Eritrea.

If we are to approach the refugee regime and resettlement from a new position, we must be able to draw comparisons between different types of forced migration and how the processes of seeking resettlement can be disorienting, and have different complex legacies for different kinds of migrants.

It has become clear that there are differences in the ways asylum seekers and refugees experience the changes in subjectivity that result from displacement and resettlement. Through analysis of my data, I have determined that Eritrean refugees awaiting resettlement *have not* undergone a shift in consciousness. They can talk about their suffering, migration and encampment in experiential terms, but they seem unable to articulate these experiences in the human rights language that we have come to understand is crucial to asylum claims. I theorize that this difference is the result of UNHCR Ethiopia's policy of accepting Eritreans *prima facie*.

A brief understanding of the human rights crisis in Eritrea that has precipitated this mass exodus, especially of urban educated youth, is necessary to understand why we are seeing patterns that differ between asylum seekers arriving in Europe and the US and refugees awaiting resettlement in Ethiopia. In recent years, the Eritrean government has

become increasingly authoritarian and militaristic, leading many younger, educated people to flee the country by any means necessary. Inside Eritrea, the single-party state promotes and enforces exclusivist nationalism while discouraging citizens' engagement with the global context. Pervasive human rights abuses have invigorated struggles for autonomy and freedom within the historic transnational social field, and have worsened since the border war with Ethiopia. For Eritreans who have recently fled the country, it seems that the act of becoming a political refugee and applying for asylum in a new country shifts consciousness and activity within this transnational political community. I had theorized that these refugees, mainly educated urban youth from the Tigrinya ethnic group, were beginning to form a new consciousness concerning the human rights arena, and especially situated within the transnational social field of human rights work, and that with this emergent consciousness, they were experiencing a shift in subjectivity.

Through dozens of interviews, I found that the Eritrean refugees in urban and encamped situations in Ethiopia are not able to articulate human rights concepts. This is particularly disadvantageous for them, for as they go through the multi-leveled interview process for resettlement, they are unable to use certain kinds of key words. They do however, make extensive use of information networks, which they believe key them in to what a successful narrative “sounds like”, which kinds of experiences result in speedy resettlement, and what the process of navigating the UNHCR and US Immigration systems “should” look like.

These information networks mimic transnational governance networks that permeate Eritrea and exile, passing along information about migration routes, smugglers, and government police activity. The modes of information exchange that Eritrean youth

are utilizing originated with their parents' generation during the guerilla movement and the thirty year war for independence. This makes multiple layers of networks, enacted for at least three purposes: communication between guerilla cells during a long term war, migration information penetrating Eritrean borders, passing information that people must utilize in order to maximize safety while fleeing the dictatorship, and finally, the networks that share information about refugee resettlement, crafting narratives and interacting with UNHCR and the US Immigration offices. All three of these networks exchange information in clandestine ways, with actors telling each other about life in detention, activities of opposition groups in Ethiopia and abroad, and about the strategies which will get them through their interviews fastest.

I will focus here mostly on the exchange of information within Ethiopia and how this increasing knowledge has an impact upon the identities of refugees in both urban and encamped situ, and the two types of transnationalism through which they navigate. These 10,000 some odd people are living in an enforced liminality, waiting for a third party to recognize their need, for as Hannah Arendt said in 1951, refugees are the human rights recipient *par excellence*, yet aid for refugees and resettlement opportunities are strikingly under-offered, and will surely become increasingly so in this economic climate. Most of the men and women I spoke with feel as though they have lost all control over the choices of their lives, and are waiting to pass through the resettlement process before they can restore quality and control to their lives. Many of these men and women in their late 20s lamented the loss of youth, and expressed regret at not having been permitted to gain further education or start families.

Indeed, refugees in Ethiopia are not granted their human rights to freedom to work, or freedom of movement, both human rights contained in the Universal Declaration on Human Rights. In Ethiopia, as in many refugee receiving countries, resources are stretched thin, and have to cover citizens and refugees alike. The Ethiopian government agency that was created to manage the over 200,000 refugees in-country, the Association for Refugee and Returnee Affairs, or ARRA, can hardly manage all of the cases that come through its offices. And UNHCR is further unable to give individual attention to refugees. They have, though, secured a group resettlement to the US, in which nearly 6,000 refugees from Shimelba refugee camp will be processed for resettlement in the coming two years.

This unprecedented success has its share of complications, for refugees who make it through UNHCR selection criteria are still subject to the US policies on immigration, including policies about terrorist actors. In the post-9-11 policy realm, the US has put limits on who is permitted to claim asylum status or be resettled to the US. According to these new policies, any individual who raised arms against the state is considered to be a terrorist. It is here that the strategies of the Eritrean war for independence are still reverberating through the community that has fled to Ethiopia, and we see the intersection of the two transnationalisms. The first transnationalism, that of the legally pluralistic international refugee regime, is the sphere through which a refugee passes on his path through the resettlement process. The other transnationalism is comprised of the diasporic relations among Eritreans and the cross-border governance that has characterized the Eritrean global community for decades. Two main movements were formed during the struggle for Eritrean autonomy from Ethiopia. One, the EPLF, or

Eritrean People's Liberation Front, is credited with the victory, and has become the single party that has been ruling the nation-state since the only election, in 1991. This makes all members of the first political organization concerned with Eritrean independence, the Eritrean Liberation Front, or ELF, terrorists. "As the terrorism grounds broadened from active and former terrorists to representatives of terrorist organizations to members and supporters of terrorist organizations to those who may have endorsed or espoused terrorism at one time"¹ more and more refugees risk fitting the definitions of terrorist actors.

What this seems to mean for Shimelba residents is that all members of the ELF party, including those children who were taken to "revolution school" while their parents were fighting will be exempt from the group resettlement. How do the refugees view these policies that leave some of them stranded in the desert and curtail their human rights even when they are supposed to be protecting them? Many refugees on whom these policies will have grave effects feel that they have fought for too long. Thirty years of struggle, and four years of a border war, separated by just a few years of peace has taken a toll on an entire generation. One refugee I spoke with chose to leave a life of war in Eritrea and opened his own business, which the government seized because of his affiliation with the ELF as a child soldier. While in Eritrea he was coerced by an opposition group to join them – they offered him money, cars, fame. But he wanted a life outside politics, away from fighting, so he fled Eritrea, on what he believed was a suicide mission across the border, simply to get away from his past involvement in armed struggle. He however is not eligible for resettlement in such a political climate because he was trained by the ELF. He's not safe in Eritrea because of his status as an ELF

¹ Garcia, 2005 <http://www.ilw.com/immigdaily/news/2005,1027-terrorist.pdf>

member; he's not safe in Ethiopia, because the opposition groups routinely threaten him if he does not join their cause, and he can't be resettled because he was taken to war when he was only 6. And despite the fact that he's a poet and artist, he is not aware of the human rights laws that are designed to protect him from persecution.

Among the other Eritreans I met, I noted differing approaches to this type of policy. There has been a proliferation of transnational political organizations among the Eritrean community in Africa, the US and Europe. Many of these are political groups, opposing the Eritrean state government. These groups are spread across the diaspora, but a significant number of them are centered in Ethiopia, because it is a strategic location: there is an incredibly dense pool of potential participants in shiembba, should there be an uprising against the ruling party; further, the Ethiopian government overtly and covertly offers support to some of these opposition groups, for they have a common enemy: the Eritrean president, Isayas Afwerki. If we consider the opposition groups' confounding relations with the Ethiopian government to be both licit and illicit and complicated by geopolitics, we understand that there may be a desire for some of the opposition groups to keep their recruiting pool available. This explains the reports I got of threats by opposition group members towards unaffiliated individuals. Further, and more alarmingly, we see that members of the opposition parties are inserting themselves into the resettlement process. This insertion undermines the entire refugee regime. However, it illuminates the interesting elements of refugeehood that separate refugees from asylum seekers.

Asylum seekers arrive at the border of a receiving country of their own accord. Some Eritreans have come to the US on student visas, others have traveled north through

Mexico with Latin American economic migrants. The burden of proof is theirs: they must prove that they have a well founded fear of persecution, or they face deportation, which often amounts to *refoulment* at the hands of the US Immigration services. Their process is very individualized: each person recreates his case anew. The experience of seeking asylum seems to cause a shift in subjectivity and a consciousness towards that of a rights bearing citizen. Refugees who go through encampment in Ethiopia are not seen as individuals in the same ways that asylum seekers are. In Ethiopia, Eritreans are accepted *prima facie* by the Ethiopian government and UNHCR. This means that anyone who claims to be Eritrean is considered to be a refugee, in keeping with the tradition. No proof of nationality or persecution is required, and none will be required to enter the pool of resettlement-seekers. Truthfulness is expected however, and as refugees go through various rounds of interviews, they are expected to tell a fairly consistent story of the suffering that precipitated their flight. They are very experiential in their narratives. They can talk about the experiences of suffering, encampment, living under the radar in Ethiopia and at the mercy of the resettlement system, but they cannot talk about human rights.

It seems that it is the experience of being accepted *prima facie* leads to a depersonalization within the system. Upon crossing the border to Ethiopia, Eritrean refugees are lumped in with thousands of other refugees who have made the journey though the desert, and though they each have an individual case file, I observed that UNHCR staff members did not see each refugee as an individual. They have entered a world in which their personal experience does not define them. What does define them is that they are so much like the others. And this can be disorienting for them. Indeed,

these experiences do not signal a change in subjectivity toward that of a rights-bearing citizen, but an increasing frustration with a system that does not educate them about human rights and has stripped them of their agency. But I argue that this phase originates with being pushed through the refugee regime as one of many. They are subjected to the human rights arena, they are not active players who navigate their options in the same way that asylum seekers do.

This lack of agency is by no means crippling for all refugees. Many Eritreans do choose to leave Shimelba and arrive in the West in other ways. As many as 70-80 people are rumored to walk towards Sudan each week, hoping to cross the Libyan desert and the Mediterranean Sea and claim asylum in Italy, Germany, or the UK. It is interesting, though, to note that we see a distinct difference between the human rights consciousness of asylum seekers and refugees, and that we are beginning to trace that back to the experience of seeking safe haven: when one is accepted *prima facie*, a striking change in subjectivity is not precipitated, even though he is most in need of the human rights norms that he is unable to articulate; and when one does have to provide evidence of a well founded fear of persecution, he may gain an awareness of international legal system that he is using to his advantage. In some of Dr. Hepner's work, we also see an increased political involvement in advocacy that may result from the same processes.

In a unified theory of displacement, we must examine what it is that precipitates changes in subjectivity, how these changes differ across different types of flight, and what the experiences are that lead displaced peoples to latch on to the human rights arena as their own, as a forum within which they choose to fight. Shall we, as anthropologists be the ones educating them as to the rights guaranteed to them under international law?

Is that the job of organizations like UNHCR or IRC? Though UNHCR claims as its goals to educate and protect conflict refugees more than 10,000 refugees in Shimelba feel want of that human rights education. In the case of Eritrean refugees in Ethiopia, would a prior knowledge of human rights issues have changed the migration course, or would it have even changed the consciousness of participants who were lumped in with other prima facie refugees? And finally, exploring the root causes of migration and the effects displacement have on individuals and communities, we will be able to look at the social effects of migration and whether or not refugees feel that they have access to human rights during and after resettlement.