

## **Nomination to the Václav Havel Human Rights Prize (30/04/2015)**

Main sponsor putting forward the nomination: Etikkommissionen i Sverige

### **Description of the nominee's actions in the defence of human rights:**

Dear Secretary General, we would like to nominate Ms Anita D'Orazio for the Václav Havel Human Rights Prize 2015. Ms D'Orazio has defended human rights as a human rights activist, advocating for human rights of forced migrants, in particular rejected asylum seekers and undocumented migrants in Sweden, since the 1970's. Since the 1980's, she has founded a number (at least five) of sustainable organisations that work to safeguard the human rights for forced migrants in Sweden.

Throughout these decades, Ms D'Orazio has never been paid, but relied on voluntary donations. We are honoured that Ms D'Orazio herself is still actively involved as board member and volunteer in some of these organisations.

In establishing these organisations, the focus and the consistent and common denominator has been the protection of vulnerable persons and supporting and securing for them the universal rights such as the right to life, health and health care, the rights of the child, to judicial review and appeal, to a safe haven (including shelter), to rights under the Convention against Torture and to the rights for persons with disabilities as well as protection against trafficking.

It has now been 20 years since Ms D'Orazio and colleagues started Médecins du Monde (Mdm) Sweden (Läkare i Världen). Mdm Sweden is part of the Mdm international network. This network recognises that in most countries, people who have no residence permit live in utmost difficulty with their rights often disregarded. Thus access to healthcare and prevention that also strives "to guarantee compliance with international conventions that protect children and pregnant women, but also fundamental rights such as access to healthcare for all" ([www.medicinsdumonde.org/](http://www.medicinsdumonde.org/)) is promoted.

Ms D'Orazio is the founder of Mdm Sweden's Human Rights Group (in 1995). The service users that access the Human Rights Groups services are diverse; on average, the group provides health and human rights input to service users from about 60 different countries each year.

From the start of this health intervention, Ms D'Orazio has ensured the establishment of multidisciplinary set of volunteers to provide holistic, personalised and safe care, including health and social care professionals e.g., medical doctors, psychiatrists, nurses, midwives, lawyers (to provide legal advice), interpreters, psychologists, social workers, and other professionals specialising in relieving and managing symptoms of stress. This is an impressive multidisciplinary effort where professionals collaborate to meet diverse health and human rights needs in one place.

This person-centred care is in line with established guidance on how best to meet the needs of socially excluded and vulnerable populations. For example, to ensure that human rights are met and protected, that accountable and transparent legal systems are maintained, and non-discriminative practice is followed (p. 186 in Popay et al., 2008, Final Report to the WHO Commission on Social Determinants of Health From the Social Exclusion Knowledge Network; the United Nation's work on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover, 15 May 2013; Johansson Blight, K., D'Orazio, A., Hultcrantz, E., Søndergaard, H-P. (2014).

More recently (in 2009), Ms D'Orazio formed the network 'Etikkommissionen i Sverige' (the Ethics Commission in Sweden'), a network that specifically works to safeguard human rights in the asylum process. The network was officially registered as an organisation in 2011, and the multidisciplinary collaboration has been extended to include ethicists and philosophers, academics, and artists and cultural workers from a variety of fields. The purpose of the organisation has been to meet the observed need to increase the attention to human rights in the asylum process, to enhance evidence gathering on human rights violations taking place within the Swedish asylum process, and to enable the provision of evidence based human rights advocacy.

In practice, the building of these supportive structures works to protect the individual applicant's right to asylum and protection, and this is in line with European Union's strong engagement 'to promote and protect human rights, democracy and Rule of Law worldwide'.

In addition to this, Ms D'Orazio has engaged students and the general public in trying to understand the process of asylum and the potential risks of the denial of human rights in the process of assessment of asylum and protection. Throughout her career, she has communicated with students (medical, law, etc.), collaborated with cultural workers, and universities and arranged a number of Government hearings to engage in cross-party political dialogue with the Swedish parliament.

Finally, she has established good relations with media (radio, newspapers and TV), specifically with journalists who are engaging in sensitive reporting, and who understand the value of informing and promoting human rights.

### **Specific merits of the nominee**

Ms Anita D'Orazio is without question one of Sweden's most prominent human rights activists and advocates. This is evident for example through the several national awards she has received through the years. Since the end of the 1990's, Ms D'Orazio has specifically advocated for the human rights of children and of rejected asylum seekers who, due to traumatising life events and exceptional levels of stress, suffer from severe psychiatric impairments and disabilities (including suicide attempts and 'apathy'). Since this time, Ms D'Orazio has on a weekly basis met with and represented families (children, adults, elderly) in the judicial system and worked to ensure access to health care and specialist treatment, for example for persons suffering from severely poor health.

Despite the fact that she has passed her retirement age (Ms D'Orazio is now 78 years old), and the stress this work involves since the patients are often in very precarious life situations as well as due to the immigration-hostile political environment where the far right party were the third largest party in Sweden after the most recent election (2014), Ms D'Orazio has been part of initiating two inventories into legal case files that concern children and adult survivors of sexual violence and persecution. In this work, she has gathered evidence, communicated with the families concerned, kept in contact with lawyers and human rights advocates, acted as ombudsman herself negotiating with the Migration authorities to raise awareness about the legal concerns relating to these cases.

This conscientious and extensive work has resulted in several publications. Among them are two reports that raise awareness about the plight of these children and families who are amongst the most vulnerable families in Sweden today, but who, after official government assessment procedures, have been denied the protection that they need and to which they are entitled.

1) Ms D'Orazio is the co-author to 'Children without a voice', a report presented to the Swedish parliament through a hearing (1 Dec 2011) and submitted to Tribunal 12, <http://tribunal12.org/>. In May 2012, three reports were requested by the Norwegian Minister of Justice.

2) Ms D'Orazio is also the initiator and co-editor to a report regarding women, rape and persecution, by Freudenthal, D'Orazio and Jonsson (Eds).

Moreover, she has also provided legal guidance on the publication: 'Questioning fairness in Swedish asylum decisions', and through Etikkommissionen i Sverige facilitated a further study concerning the needed scrutiny and reflection on the deployment of commissioned medical doctors in the Swedish asylum process (available in the academic journal Public Health Ethics).

**SYSTEMATIC VIOLATIONS:** What the work since 2011 has laid bare is a systematic violation on a large and serious scale of the human rights, neglect and dehumanisation of vulnerable asylum seeking children and adults in Sweden who are from countries that are known to violate human rights e.g. Kazakhstan, Eritrea and Syria and/or members of minority groups (including Roma and Uighur) known to be persecuted in their countries of origin.

**CHANGE:** The knowledge of the experiences and human rights for patients with severe function loss is increasingly reaching the public domain. This work has successfully mobilised public opinion and had an direct impact on change in policy and law: e.g. through a new law regarding the Right to Health Care for undocumented migrants in Sweden (Socialdepartementet 2013:407) and new guidance for children with severely poor mental health (Socialstyrelsen, Envall, 2013).

**SUMMARY OF OUTSTANDING CONTRIBUTION:** Ms D'Orazio's unique knowledge and vast experience, deriving from about 40 years in this field, her capacity to build trust and collaborate and her understanding of the importance of supportive societal structures, as well as her outstanding advocacy for human rights for rejected asylum seekers, has made a real difference.

Ms D'Orazio has been instrumental in uncovering these systemic violations, in having enabled vital change in policy and law, and, critically, over a relatively short period of time. The impact of her work reaches beyond Sweden through the important human rights outcomes on the case work affecting persons from across the globe and through the necessary attention to, and the potential for, a humane impact on Swedish policies and for keeping these in line with internationally agreed Conventions and fundamental European values.

### **Supporting documents**

1. [http://eeas.europa.eu/human\\_rights/index\\_en.htm](http://eeas.europa.eu/human_rights/index_en.htm)

2. Johansson Blight, D'Orazio, Hultcrantz, Søndergaard (2014) 'The role of the health care services in the asylum process'. In 'Traumatised Refugees in the Nordic Countries' eds. G. Overland, E. Guribye and B. Lie. <http://www.cambridgescholars.com/nordic-work-with-traumatised-refugees>

3. 'Childen without a voice', available at: [http://etikkommissionenisverige.se/?page\\_id=155](http://etikkommissionenisverige.se/?page_id=155)

4. Freudenthal, D'Orazio, Jonsson (2014) 'They have taken my life but not killed me. A report in Swedish about women...' available at: [http://etikkommissionenisverige.se/?page\\_id=548](http://etikkommissionenisverige.se/?page_id=548)

5. On asylum assessment: due in print 2015, early version available online: [http://statecrime.org/state-crime-research/karin\\_johansson\\_blight/](http://statecrime.org/state-crime-research/karin_johansson_blight/)