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## Securitized Forced Migrants: Navigating the Journeys of Tamil Maritime Forced Migrants

*you have to understand,  
that no one puts their children in a boat  
unless the water is safer than the land*  
—Warsan Shire, Somali-British poet

Forced migration is a global humanitarian tragedy that is often studied from a state-centric position privileging the role of institutional and state actors. My research examines forced migration from the ground up, premised on the narratives of forced migrants and their experiences fleeing their homelands, their journeys to seek safety and security, and their reception by state actors and systems upon their arrival. I use the arrival of Tamil maritime forced migrants aboard the *MV Ocean Lady* (2009) and *MV Sun Sea* (2010) onto the traditional territories of the Songhees First Nations (Victoria, British Columbia) as case studies to explore how such migrants navigate and experience laws and legal processes in their journeys to seek refuge.

The arrival of these two boats of Tamil refugees created a media and political firestorm in Canada. When the *MV Sun Sea* arrived, a group of alt-right, anti-immigration protesters held signs reading: “Tigers: don’t unpack, you’re going back” and “Send them back”. At the same time, indigenous elders from the Esquimalt First Nations held spiritual prayers welcoming the safe arrival of these newcomers into their traditional territories. While groups of refugee rights activists as far away as Toronto and Montréal, dropped banners that read, Welcome Tamil Migrants. These varied responses are expressions of distinct political and legal discourses around how forced migration should be governed in a white settler society.

Maritime forced migration rarely occurs in Canada, with only a handful of boats of asylum seekers arriving in Canada within the last century. The most controversial of these boat arrivals have been those who are racialized from non-European countries. The *Komagata Maru* (1914) was the first boat of migrants to be sent back to India after months’ long standoff. Decades later, the arrival of boats of Tamil refugees in 1986 and Sikh refugees in 1987 were met with harsh criticisms and calls to reform immigration policies perceived as being too lenient. More recently, in the summer of 1999, most of the Fujian asylum seekers aboard four different boats were deported to China after a hostile reception in Canada.

While boat arrivals of forced migrants are not a new modality, the spectacle created by such arrivals have elicited securitized reactions from state authorities, the popular media, and the general public within destination states. Similarly, the arrivals of the *MV Ocean Lady* and *MV Sun Sea* became a public spectacle and thrust them



A memorial tribute of the lives lost from the *MV Ocean Lady* and *MV Sun Sea*, August 2019. Harini Sivalingam photograph

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into the spotlight of political, legal and public scrutiny. Rather than utilizing a humanitarian framework to respond to their arrival, the political and legal approaches employed by the Canadian government, at the time, were centered around treating these refugee claimants as national security threats, terrorists, queue jumpers, public health threats, 'illegals', and human smugglers. In essence, they became what I call securitized forced migrants.

The core of my research data comes from analysis of in-depth interviews with the Tamil maritime forced migrants. The stories that they shared with me are powerful and moving testimonies of a system that has failed to live up to its promised humanitarian ideals. Story after story were tales of trauma, desperation, and resilience. Most carry with them deep-seated trauma having witnessed and experienced horrendous human rights violations, war crimes, crimes against humanity, and genocide during the three decade long armed conflict in Sri Lanka. Leaving the trauma of their homeland, including their loved ones, was a painful decision they made to ensure their safety. This is evident in the words of one of the Tamil forced migrant on why they were willing to put their lives in danger on a risky ocean voyage in a cargo ship across the Pacific Ocean:

*When they said we are going by ship, the Titanic came to my mind, but still, whether we were going to sink or survive, that's another issue, but it wasn't safe staying there [in Sri Lanka], we thought of leaving to save our lives.*

Despite the risks they took to seek refuge, when the Tamil maritime forced migrants arrived in Canada they themselves were seen as the danger. Perceived with suspicion these refugees were detained, locked up, and interrogated, many of them for lengthy periods of time. Families were separated, and children were detained. Once released from detention, most of the claimants waited in limbo for years for their first refugee hearing. One forced migrant described this process as being "stuck."

Getting unstuck was emotional and financially challenging for these Tamil forced migrants. Being seen and treated as securitized forced migrants hindered their access to justice throughout the process of making a refugee claim. Some of the barriers they faced included: mandatory and prolonged detention, family separation, aggressive interrogation by border officers, lack of access to legal information and advice, government opposition to their refugee claims, negative encounters with law enforcement and border officers, prolonged and delayed hearings, and delays in family reunification. It took years to overcome some of these legal obstacles.

Despite these legal hurdles the vast majority of the Tamil maritime forced migrants were eventually successful in their refugee claims, which is a testament to the strength of their stories of persecution by the Sri Lankan state. However, navigating through these legal processes had a negative impact on their mental health and the ability of some forced migrants to integrate and be fully settled into their new lives in Canada. Many of the Tamil maritime forced migrants still feel stuck as they continue to remain separated from their families left behind more than ten years later.

Through my research documenting the experiences of these Tamil maritime forced migrants, I hope to shed light on the need to advance and advocate for humanitarian approaches to law and policies on forced migration that are premised on human dignity, rather than securitized approaches that continue to criminalize and punish forced migrants for exercising their agency to seek refuge.