‘Preventing people from risking their lives at sea’: Forced migration and the securitization of asylum seekers in Australia

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Abstract
There has been a tremendous increase in the treatment of asylum seekers as security threats following the 9/11 attack. Australia represents an example of a country that perceives asylum seekers as a threat to the national sovereignty of the country, and this has further exacerbated a new dimension in the securitization of asylum seekers in the country. This securitization has culminated in a range of border security programmes, and Operation Sovereign Borders (OSB) represents the most recent of these. This article interrogates the OSB policy from the point of view of the rationale for its implementation. The article identifies that, contrary to the mission of the OSB, the detention of asylum seekers and the turn-back operations represent the variants of risks that asylum seekers are subjected to. The article therefore calls for a more accommodating approach in the treatment of asylum seekers in Australia.

Keywords
asylum seekers, Australia, detention, Operation Sovereign Borders, securitization

Introduction
There is no doubt that Australia is one of the destination countries for most asylum seekers from many parts of the world. In the late 1990s, migrants from South Asia and the Middle East constituted the majority of the people seeking asylum in Australia. However, from the year 2000 onwards, there has been a tremendous decrease in asylum seekers’ arrival to Australia due to the increasing...
implementation of border security programmes by the Australian government (Watkins, 2017: 959). One such programme is the recent Operation Sovereign Borders (OSB), instituted in September 2013 to combat maritime people smuggling and to protect Australian borders. This military-led operation makes it possible to turn back boats of people attempting to reach Australia by boat or to detain them in offshore facilities. It also involves disrupting and deterring people smuggling within the region (Kaldor Centre for International Refugee Law, 2020). It therefore contributes to the increasing securitization of asylum seekers in Australia.

A number of scholars have interrogated the securitization of asylum seekers in Australia from the point of view of how the detention centres violate the human rights of asylum seekers, especially the rights of vulnerable persons like children (see for example Gaudio and Philips, 2018; Nerthery and Holman, 2016); and on the other hand, from the point of view of how the Australian government itself is complicit in the crime of systematically denying refugees the right to seek asylum (see for example Missbach and Palmer, 2020; Watkins, 2017). As a point of departure, this article takes its lead from previous studies to examine the military-led operation (Operation Sovereign Borders, n.d.) and the detention policy for Australian asylum seekers from the point of view of the rationale for its implementation, which, as stated on OSB’s website, is partly to prevent people from risking their lives at sea. The article will therefore compare the extent to which the lives of these asylum seekers are being risked by turning back their boats or by detaining them in detention centres. With respect to OSB’s mission of saving lives at sea, the article will examine whether asylum seekers are really better off in their home countries. Contrary to the mission of OSB, the article will argue that asylum seekers who come to Australia via boat account for the poor masses who cannot afford air travel, and whose home countries are torn by wars and other disasters for which refugee status can be granted. Therefore, turning them back or detaining them under the guise of saving their lives at sea will do them more harm than good.

This article is structured as follows: I first highlight the literature on the securitization of asylum seekers around the world, while tracing this down to the specific case of asylum seekers in Australia. Following this is an overview of the OSB policy as well as discussions on how this policy could be said to have caused more harm than good which is contrary to what it purports to do. Finally, I point out the policy implications and conclude.

**Forced migration and the securitization of asylum seekers in Australia**

After the Second World War, South–North migration was conceived primarily as posing advantages for rebuilding the economy of war-torn Western nations. The connection between migration and security became more visible in recent times (Matthews, 2012: 36–37). In the light of this development, scholars have explored how security could be said to have links with migration. This is represented by the theory developed by Buzan and Waever, together with the adherents of the Copenhagen School, where security was seen as an activity consisting of a speech act which involves an actor who identifies a phenomenon as constituting a threat to a referent object (Gómez, 2019: 10; Matthews, 2012: 26). The 9/11 attack represents a phenomenal event that has contributed to the recent perception of asylum seekers as threats to societal identity and internal security. In the post 9/11 era, many countries have implemented various measures to check the inflow of refugees and asylum seekers. These measures include detention at borders, front-end security screening, deportation and safe third-country relocation (Chami et al., 2020: 4). For example, Greece denied Afghan refugees who came after September 11 the right to apply for asylum (Freitas, 2002: 36). While the securitization of asylum seekers in the US came in the
form of unprecedented immigration legislations and measures to combat terrorism, in the UK it came mostly in the form of anti-immigrant sentiments spurred by concerns other than terrorism – mostly the undesirability of illegal immigration and misuse of the welfare system (Seidman-Zager, 2010: 20). Australia is among the countries that have regarded asylum seekers as a security threat to the socio-political identity of the country.

Just like in the UK, the securitization of asylum seekers in Australia could be said to have been engineered by the perception of illegal migrants as threats to national sovereignty. Although successive governments in Australia have tried amending the 1958 Migration Act as part of a wider strategy to combat illegal maritime arrival, it could be said that the securitization of asylum seekers in Australia heightened with the introduction of the 1992 policy of mandatory immigration detention (Nerthery and Holman, 2016: 1019). The ‘Pacific Solution’ was introduced by Prime Minister John Howard following this policy. The ‘Solution’ involved border control strategies such as the detention of asylum seekers on Nauru Island and Papua New Guinea in exchange for increased Australian aid. However, the exercise was slowly wound back from 2005, and then officially closed by Labour Prime Minister Kevin Rudd in 2008. Due to the surge in unauthorized boat arrivals from 2009, a ‘no advantage principle’ was introduced and the ‘Pacific Solution’ was re-established, thereby making it impossible for asylum seekers who arrived by boat to have advantage over those who waited in camps (Nerthery and Holman, 2016: 1020).

Although asylum seekers were already highly securitized by the ‘Pacific Solution’, a more radical border regime was introduced by the Liberal government of Tony Abbott in September 2013 to further militarize asylum seekers arriving to Australia by boat. In this Liberal government, the Australian Immigration Department initially changed to the Immigration and Border Protection Department, before eventually becoming the Australian Border Force; and almost a quarter of senior executives were replaced by uniformed officers headed by a three-star general.

The Abbott government therefore gave birth to the recent OSB which took a more military coloration towards tackling illegal maritime arrivals (Caluya, 2019: 968–969). OSB:

- encompasses the militarisation of border control (including the interception and turning back of boats), institutional changes to the administration of asylum policy, the re-introduction of temporary protection visas and expanding the capacity to process and detain asylum seekers within offshore detention centres on Nauru and Manus Island. (Nerthery and Holman, 2016: 1021)

In what follows, I further detail OSB in the light of its rationale which is partly to save lives at sea.

**Refugee intake and Operation Sovereign Borders**

Before delving into OSB, I would like to give an overview of the scope with which Australia takes in refugees. The onshore protection and offshore resettlement programmes constitute the two variants of programmes under Australia’s Refugee and Humanitarian Program. The onshore protection programme is reserved for asylum seekers who came to Australia via visa pathways such as student or tourist visas. This programme allows these asylum seekers to apply for a permanent protection visa that can enable them to live and work in Australia as permanent residents. Unfortunately, people who came to Australia via boat or without a valid visa have been excluded from this programme since 2013.

On the other hand, the offshore resettlement programme comprises the Refugee, Special Humanitarian and Community Support programmes. First, the Refugee division is for people
who have been identified by the UNHCR as refugees and then referred to Australia for resettlement. The Special Humanitarian programme refers to people who, due to instances of discrimination in their home country, have been proposed for a visa to Australia by an organization or person in Australia such as a family member. And lastly, the Community Support programme started in July 2017 and involves resettling 1000 refugees a year with support from businesses, individuals and community groups (Kaldor Centre for International Refugee Law, 2020).

From the above, we can see that unless an asylum seeker has a valid visa or is identified by an authorized organization or individual such as a family member, Australia does not make any provision for accepting them. Instead, Australia has set up various systems to securitize the inflow of refugees since the border regime. OSB represents one of the many securitization systems to police refugees and asylum seekers out of Australia.

**Operation Sovereign Borders and the ‘saving lives at sea’ mantra**

As stated earlier, OSB was introduced by the Abbott government in September 2013 to combat maritime people smuggling and to protect Australian borders. On the home page of the OSB website, the Australian government states clearly OSB’s mission: ‘protecting Australia’s borders, combating people smuggling in our region, and preventing people from risking their lives at sea’. However, it has become interesting how OSB has taken up its mission at the expense of people’s safety which it claims to protect. OSB makes it necessary to turn back boats of people attempting to reach Australia or to detain them in offshore facilities located in Nauru Island or Papua New Guinea. It also involves disrupting and deterring people smuggling within the region. According to the 2020 report *Forgotten Children* by the Kaldor Centre for International Refugee Law (2020), Australia has returned 873 people from 38 people-smuggling ventures to their country of origin since the implementation of OSB in 2013.

Studies have reported that despite the Australian government’s efforts to restrict information regarding offshore detention centres, the *Forgotten Children* report and the Senate inquiry in Nauru especially provide important insights into the human rights abuses in detention centres. These investigations relay the level of neglect and abuse of asylum seekers that inhabit the detention centres. According to Nethery and Holman (2016: 1031–1032), the Senate inquiry in Nauru reports that the detention centres were built with limited ventilation. Also, the toilet facilities do not promote good hygiene, and this explains why most women and children starve to dehydration in order to avoid using the toilets. In addition, there is little privacy between families in the centres. Several cases of attempted suicide and negligible death were also recorded within the periods that the investigations covered. Many children were recorded to be victims of self-harm, and this draws our attention to the effect of the detention centres on vulnerable persons like children.

On this issue, Gaudio and Philips (2018: 13–18) submit that Australia publishes the records of children in detention; however, evidence on the condition of detention show that the situation is unfavourable to children. First, children are kept in unhygienic environments and are sometimes kept together with criminals, and this affects their mental health. The authors also explain that children in detention facilities are denied vital basic services including education. Where such facilities have been provided, either they are in short supply or they are inadequate to meet the children’s needs. Even in the face of these abuses, workers in the detention centres are prohibited by law from disclosing information about the conditions at the facilities. Defaulters of this law face two years’ imprisonment.
Apart from detaining asylum seekers who arrive via unauthorized boats, OSB also involves systematically denying refugees the right to seek asylum in Australia by preventing them from embarking on the journey to Australia in the first place using frightening messages and adverts. The Overseas Private Investment Corporation’s (OPIC) messages represent an attempt at this because they are fashioned to demonize irregular migration as an economically motivated venture doomed to fail. The messages try to frighten potential migrants in many ways, such as assuring them that irregular migration to Australia is a mismanagement of family money and is a ticket to another country such as Papua New Guinea or Nauru Island. The OPIC adverts also target diaspora communities by informing them of the financial, physical and health risks of irregular migration to Australia. According to Watkins (2017: 293–294), despite people smugglers’ attempts to ensure many successful arrivals since the Australian government started policing refugees, the government has repeatedly presented them as thieves. In fact, the OPIC messages depict a journey to Australia by boat as full of risks, death and tragedy. While this is partly true, Watkins (2017: 294) notes that since 1990, there has been over 40,000 arrivals, with only 1000 people drowning. And this is nothing compared to the situation in war-torn South-East Asia and the Middle East which are mostly the areas of origin of these asylum seekers. The author concludes that everything about OPICs is to scare irregular migrants away from Australia; no wonder they contain so many messages showing that irregular migrants will be captured upon entry and sent to some hell-like prison camps before they are processed.

In addition to detaining asylum seekers and deterring them from embarking on the journey to Australia, the OSB policy involves turning the boats of asylum seekers back to their last country of departure. Sometimes the Australian government has even gone to the extent of paying people smugglers to turn back their boats, and the Andika case represents an instance where this scenario occurred. Missbach and Palmer (2020: 201) have argued that Australia’s attempt to pay smugglers to turn back their boats to Indonesia represents one instance of abuse that can be recognized as state crime. The action goes against the spirit of the law in international relations because it denies refugees the right to seek asylum in their potential host country.

Generally, it has been pointed out that the measures that irregular migrants in Australia are subjected to impact heavily on their mental health. The UNHCR (n.d.) summarizes these measures as follows:

Waiting up to four years to be granted permission by the Government to apply for protection. The inability to apply for permanent residency. The removal of free legal assistance (with only limited exceptions). The imposition of an accelerated (fast track) determination process without adequate procedural safeguards. The indefinite inability to reunite with immediate family members.

According to the UNHCR, these measures affect nearly 30,000 people, and they have been labelled by the Australian government as the ‘legacy caseload’. Coupled with other abuses, these measures have made asylum seekers suffer a wide range of impacts such as post-traumatic stress disorder.

**Discussions**

As a tool for securitizing asylum seekers in Australia, the OSB policy raises a lot of questions. In this article, however, our point of analysis is on the rationale for such a policy. Although the July 2013 coalition’s OSB campaign stated that the reason for the OSB policy was to combat people
smuggling and to protect Australian borders, the home page of the OSB website adds in addition that the OSB was designed to prevent people from risking their lives at sea. However, we have seen from the detention centres how OSB risks people’s lives in detention centres and turn-back operations.

First, we can correctly assert that the numerous human rights abuses and instances of neglect in detention centres represent an important aspect of risk that asylum seekers are being subjected to in Australia. This is true especially as the condition of the centres has been described as deplorable to the extent of preventing asylum seekers from using the toilet, thereby posing a risk to their health. In fact, as Nerthery and Holman (2016: 1032) comment, some asylum seekers detained in the centres have been victims of self-harm, attempted suicide and negligible death. We do not need to look far to understand that these incidences were as a result of the frustrations the asylum seekers suffered in the detention centres. What has become of paramount concern, however, is the rate at which these ‘risks’ affect vulnerable persons like children. As mentioned, children are sometimes kept together with criminals, and this affects their mental health. This brings us to revisit the rationale for OSB which pretends to save people’s lives at sea. We may ask if saving lives at sea is worth detaining children alongside criminals. Is there any circumstance where detaining children can be justified? It is unfortunate to see that the Australian border regime answered these questions in the affirmative. Although the Migration Act (1958) provides that a minor shall be detained only as a last resort, the Australian border regime sees the child asylum seeker not primarily as a child but as a detainable subject. This implies that the detention of child asylum seekers in Australia is an intentional state policy, hence the prohibition on workers releasing information about the condition of detention centres.

Another aspect of ‘risk’ that is worth interrogating in the OSB policy is the systematic denial of the right to seek asylum. This is exemplified by the deterrence messages and turn-back operations of OSB. For instance, the OPIC adverts try to scare irregular migrants away from Australia by presenting messages showing that irregular migrants will be captured upon entry and sent to hell-like camps. Interestingly, the Australian OPIC coordinators collect much data to inform the structuring of their messages in order to achieve the desired effect. While doing this, they try to determine the size and location of the groups likely to migrate via boat, as well as their motivations and the appropriate communication channels to reach them. They also determine the key messages to deliver, as well as potential methods for effectively evaluating the campaign (ACBPS, 2009). With these, the OPICs dissuade potential migrants from seeking asylum in Australia. The same is achieved with the more direct action of turning back the boats of asylum seekers. The numerous turn-back operations to Indonesia represent instances of this action (Chia et al., 2014: 36; Missbach, 2015: 47). However, what remains questionable is whether these turn-back operations can be justified in the face of the right to seek asylum. Going by international legal frameworks such as the 1951 Convention, we can easily say that refugees have the right to seek asylum in their choice country and that turn-back operations are not justified. However, I would like us to move from the area of legal frameworks to practical reality. In that regard, we shall investigate the situation in the countries of origin of asylum seekers in Australia.

According to Settlement Services International (n.d.), nationals of Iraq top the list of refugees in Australia that were granted visa offshore from 2018 to 2019. There were 7095 refugees from Iraq, followed by Congo (DRC) (2114), Myanmar (1995), Syria (1836), Afghanistan (1323), Ethiopia (635), Eritrea (555), Iran (367), Bhutan (254) and Tibet (189).
First, we can agree that Iraq has a long history of social unrest and population displacement dating back to the early 1990s. The World Health Organization (2014: 11) provides valuable insights into the causes and impacts of the recent humanitarian crisis in Iraq. According to WHO, the recent displacement of more than 1.8 million people in Iraq could be attributed to the conflict by the Islamic State of Iraq and the Levant (ISIL) as well as the Anbar crisis. Although numerous numbers of formal and informal IDP camps have been formed, displaced persons continue to live in public spaces and uncompleted buildings. In addition, the UNHCR notes that over 260,000 Iraqis are taking refuge in other countries. A similar thing can be said of Congo (DRC), where attacks by the Allied Democratic Forces (ADF) keep displacing more people, thereby bringing the number of displaced persons in the country to over 2.6 million since 2019 (Relief Web, 2019). In Myanmar, we have the Rohingya refugees that have fled discrimination and violence for many years. In fact, the UNHCR (2021: 2) reports that by 2020 there were 1.9 million people of concern to the Commission from Myanmar, and 1.6 million alone are the Rohingyas who already suffer statelessness caused by the discriminatory citizenship policy of their country. Also, the Syrian conflict has forced up to 12 million people, which is half of the country’s population, to flee their homes since 2011, thereby making it the biggest displacement crisis of the century (Relief Web, 2021). The situation is not very different in the other countries. For instance, CCCM Cluster (n.d.) reports that ‘Afghanistan is affected by insecurity, infrastructure decay, and economic stagnation caused by decades of conflict, recurring natural hazards, and protracted and multiple displacement’; in fact, the Taliban conflict displaced over 300,000 people in the country in 2020.

With these humanitarian crises, therefore, we can correctly submit that it is inhuman to turn back the boats of people who already suffer abuses and displacements in their home country. This is even complicated by the economic condition of those asylum seekers. As the Afghan case suggests, the economic situation of asylum seekers who came to Australia by boat is often deplorable; and attention should be focused on these factors in order to accommodate them.

**Policy implications**

Evidence from our study suggests that the Australian border regime is going the wrong way by deterring people from seeking asylum in Australia under the pretence of saving their lives at sea. We suggest therefore that the Australian government should commit to their mandate of truly saving people’s lives by abolishing the detention policy and the turn-back operations. A more accommodating approach can be used to replace this, such as using front-end security screening to check asylum seekers upon arrival to Australia, and also speeding up the processing of the asylum seekers. To reduce the number of illegal migrants in Australia, the Australian government should also consider increasing the number of refugees it resettles each year. For instance, despite the huge economy of Australia, the Australian government resettled only 23,002 out of 1.65 million people (1.3%) who had their refugee status recognized globally in 2018 (Refugee Council of Australia, 2019: 2). Just as the OPIC coordinators try to identify locations and people liable to migrate to Australia with boats, the Australian government should try to resettle these refugees officially thereby preventing them from risking their lives at sea. However, it is understandable that the capacity of the Australian government will be overwhelmed if it tries to resettle all the refugees ready to come to Australia; in this case, the OPIC adverts may be useful in re-directing some refugees to seek asylum elsewhere. But this should not be done in a way to demonize the journey to Australia as full of dangers and death which will consequently scare most asylum seekers away;
instead, the OPIC adverts should be structured in a way to show that the Australian government is committed to resettling refugees in Australia, but it does not tolerate unauthorized migration to Australia.

Conclusion

Australia is one of the countries that have considered the inflow of refugees as a threat to their socio-political identity. Although Australia has been the destination country for refugees from many parts of the world for a long time, the recent perception of refugees as threats to the national sovereignty has further exacerbated a new dimension in the securitization of refugees and asylum seekers in the country. This dimension of the securitization of asylum seekers in Australia has come mostly in the form of border security programmes. The recent OSB instituted in September 2013 by the Abbott government represents an instance of these programmes. This military-led operation makes it possible to turn back people attempting to reach Australia by boat or to detain them in offshore facilities. It also involves disrupting and deterring people smuggling within the region. What has become worrying about this policy is that it claims to prevent people from risking their lives at sea. However, evidence suggests that it has rather risked people’s lives in detention centres and turn-back operations. This article therefore suggests that the Australian government should abolish detaining asylum seekers in detention facilities or turning back their boats; instead, it should increase the number of refugees it resettles each year in order to lessen the number of illegal migrants in the country. This can be done especially by targeting refugees who are domiciled in the areas where people are likely to migrate to Australia by boat.

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