

POSITIVE PRACTICES IN REFUGEE PROTECTION IN THE ASIA-PACIFIC REGION

RESEARCH REPORT



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**Asia Pacific
Refugee Rights
Network**

The Asia Pacific Refugee Rights Network (APRRN) is an open and growing network consisting of more than 250 civil society organisations and individuals from 26 countries committed to advancing the rights of refugees in the Asia Pacific region. This is done through information sharing, mutual capacity building and joint advocacy. APRRN members are diverse, including service providers, human rights advocacy groups, research institutions, law firms providing pro-bono legal aid, refugee community-based organisations and refugees themselves. Almost all APRRN members are civil society groups working in their specific local contexts, lobbying their governments for changes in policies and legislation to protect the rights of refugees.

At the heart of APRRN's work is a desire for members and non-members alike to learn from each other and share information. It is hoped that this report, *'Positive Practices in Refugee Protection in the Asia-Pacific Region'* will continue this momentum within the refugee sphere.

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1. EXECUTIVE SUMMARY

This document, *“Positive Practices in Refugee Protection in the Asia Pacific Region”*, is a research project conducted by the Asia Pacific Refugee Rights Network (APRRN), and generously funded by its member organisation Act for Peace. As a network organisation spanning 26 countries across the Asia Pacific region and working on a range of thematic issues, APRRN’s members have been involved in and been the impetus for numerous positive practices in refugee protection. These positive practices represent some of the ways in which civil society has been able to provide better support to refugee communities and engage the United Nations High Commissioner for Refugees (UNHCR) and governments.

“Positive Practices in Refugee Protection in the Asia Pacific Region” comprises seventeen case studies highlighting positive achievements and actions towards increased refugee protection across the Asia Pacific region. APRRN’s Vision for Regional Protection¹ provides the conceptual paradigm for the research. The Vision² was drafted after extensive consultation with APRRN members and other stakeholders and is a broad high-level statement that sets out what APRRN thinks is achievable in the region within the next 10-20 years. The Vision is accompanied by a Plan of Action, as well as the Research Consultation Strategy (RCS) to structure and guide research, consultation and analysis. In combination, these three documents form APRRN’s Vision and Framework for Regional Protection (AVFRP). The positive practices from this research are grouped under the Vision’s six thematic areas, namely:

- a. freedom from violence, coercion, deprivation, exploitation and abuse;
- b. access to essential services and livelihoods;
- c. legal protection;
- d. access to durable solutions;
- e. the highest possible level of self-sufficiency;
- f. partnerships for a supportive operating environment.

This research attempts to identify positive practices in each of these six areas. APRRN consistently champions the notion that there is a wealth of positive practices, often led by small organisations at the national level. However, many of these positive practices are yet to be documented and compiled in a manner useful for advocacy. Thus, the objective of this project was to map positive practices in the region as they relate to the protection of refugee rights. These practices provide evidence of positive impacts that may be valuable for replication, scaling up and further study. By analysing positive practices ‘step-by-step’, strategies and tactics can be identified that can be applied in other countries or contexts. Whilst several case studies are ‘qualified’ successes, they can still be seen as useful learning opportunities and, where identified shortcomings can be addressed, as potential foundations for replication in other contexts. These positive practices can also be used as strong advocacy tools by civil society, in highlighting to governments in the region how refugees’ rights can be positively strengthened.

Research findings show that collaboration between different stakeholders such as governments, UN agencies, civil society and others, is crucial to advance refugee protection at the national and regional level. Tripartite models have shown to be successful by strengthening dialogue, acknowledging strengths and consensus building. Possible ways to enhance this collaboration include: the establishment of task forces and working groups, as well as holding roundtables on specific issues. As observed in the establishment of an Alternatives to Detention pilot project in Japan and legal representation in India, establishing pilot projects and identifying test cases can also be a useful tool when working with governments or UN agencies. These approaches are targeted at building trust and confidence amongst stakeholders with the expectation that programmes can be scaled up in the future. Furthermore, including more ‘neutral’ stakeholders such as academia and National Human Rights Commissions may present a key strategy in bringing stakeholders together towards achieving a common goal.

Effective national level advocacy is a result of consistent, persistent and long-term engagement with decision and policy makers. This requires a great amount of patience from civil society and is often the result of cumulative efforts by multiple actors. This is borne out in many of the examples in this report. Changes have not occurred over just a few months but rather over several years of contin-

¹ Asia Pacific Refugee Rights Network, ‘Asia Pacific Refugee Rights Network Vision for Regional Protection’, June 2014, accessed 27 July 2015, available at <<http://aprrn.info/the-asia-pacific-refugee-rights-network-s-vision-for-regional-protection-3/>>. Herein referred to as ‘The Vision’.

² The Explanatory Note for the Vision can be accessed at <www.aprrn.info>

uous engagement. The key challenge across the region is the lack of political will, and as such, this needs to be targeted effectively. National sensitisation trainings for government officials held in some countries have shown to be essential in building awareness and strengthening support for the refugee rights movement. For example, in Korea it was clearly shown that by identifying individual supporters with significant political influence, they might eventually become advocates and champions for refugee rights. Often however it is also about waiting for the right political opportunity to make issues heard more widely and push for change. Building the general public's awareness is also key to advancing refugee rights – only when citizens are convinced that refugee rights are of concern, then will politicians be encouraged to take action. Here, the strategic use of media can play a key role, as well as creative lobbying and campaign techniques.

This research also focused on national civil society networks and consortia in Nepal, Indonesia, Thailand and Pakistan as promising models for national level collaboration. The formation of these networks highlights how creating strong unified national voices can be a robust tool

for constructive engagement with governments, and enabling the effective sharing of information and resources at the national level.

When working and advocating with UNHCR, the research findings highlighted that a collaborative approach is generally more useful than confrontational engagement. Civil society should position itself as a partner that can help address problems through collaboration. Test cases and pilot programmes to build partnership and trust are a strong tactic in this regard. UNHCR can also foster this collaboration by engaging civil society actors as equal partners.

Finally, consultation with refugee communities should be considered a key component that contributed to the success of many case studies researched. Refugee voices and perspectives ought always to be sought and reflected throughout advocacy and programmatic activities, including planning and implementation. Most importantly, the dignity and agency of refugees is central and civil society must provide spaces for engagement and enable refugees to play more active roles. Such an approach will provide a greater likelihood that collaborative solutions can be achieved to strengthen refugee protection in the region.

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5th Asia Pacific Consultation on Refugee Rights (APCRR5), hosted by APRRN

2. BACKGROUND TO APRRN

The Asia Pacific Refugee Rights Network (APRRN) was established in 2008. It now comprises a network of over 250 civil society organisations and individuals in 26 countries committed to advancing the rights of refugees in the Asia Pacific region through joint advocacy, mutual capacity strengthening, resource/knowledge sharing and outreach. APRRN members are diverse, comprising service providers, human rights advocacy groups, research institutions, law firms providing pro-bono legal aid, refugee community-based organisations and refugees themselves.

APRRN undertakes advocacy in the region to ensure that the fundamental rights of refugees, asylum seekers, stateless persons and forced migrants are respected. It also highlights human rights violations and develops mechanisms and strategies to address refugee situations. APRRN advocates for countries to sign related international conventions as well as for the development of national legislation. The Network provides a platform to exchange experiences, share skills, magnify national concerns, and influence policy at the national, regional, and international levels. APRRN envisions being an effective force for the realisation of refugee rights through cooperation and collaboration among civil society organisations and other relevant stakeholders such as governments, regional formations/bodies, UN agencies and its diverse membership as outlined above.

APRRN members advocate and organise activities according to four geographic and five thematic working groups:

Geographical	Thematic
South Asia	Immigration Detention
South East Asia	Legal Aid and Advocacy
East Asia	Women and Girls at Risk
Australia, New Zealand and the Pacific	Right to Health
	Statelessness

In addition to APRRN's thematic and geographic working groups, advancing regional protection has also been identified as a key focus area for the years ahead. During the 4th Asia Pacific Consultation on Refugee Rights in 2012, APRRN members recommended developing an Asia-Pacific agenda for protection headed by a Sub-Committee on Regional Protection to advise and drive the process.

The recommendation was made during the session on Regional Cooperation on Mixed Migration in response to concerns that the region lacked a strong and coherent vision for regional protection. The APRRN Sub-Committee on Regional Protection (ASCRP) has since developed the draft of *APRRN's Vision for Regional Protection*.

Throughout this process the voices of APRRN's members have been amplified by projecting a unified, structured and agreed agenda and also by creating a platform for advocacy and opportunities for solutions-oriented dialogue with States, UNHCR and others. It further provides APRRN with a framework for advancing protection within the region and is designed to strengthen what the Network is already doing. The process is undoubtedly ambitious and forces civil society to think through many difficult issues. It also helps to identify where the interests of civil society and states converge, as well as potential entry points for engagement. The process of drafting the Vision was extensive to ensure consensus and ownership. For this purpose, APRRN has consulted via different means such as pre-drafting consultations with Steering Committee members and Working Group leadership, the UNHCR Consultations with NGOs, individual feedback from experts, national consultations in a range of countries, the Tokyo Symposium on Regional Protection in September 2013 among others.³ The next step is to develop the Plan of Action to achieve the Vision, as well as the Research Consultations Strategy (RCS) to structure and guide research, consultation and analysis. The purpose of the RCS, which is conceived as a living document, will be to help map and prioritise the key issues of interest to APRRN members and stakeholders in the region, while focusing on what is working in the region and how we can develop and expand the potential of such initiatives in formulating the Plan of Action. Together with the Vision, these documents will form APRRN's Vision and Framework for Regional Protection.

To advance APRRN's work on regional protection, the recommendation has been made to establish a permanent reference group on regional protection, consisting of both APRRN members and non members alike. The core group would be comprised of APRRN members only, while the larger group would be open to non-members. The reference group will be tasked with advancing the activities outlined above, which will be implemented with the support of the APRRN Secretariat.

³ Japan Association for Refugees, 'Report Outcomes: Towards the Development of a Regional Protection Framework', September 2013, accessed July 2015, available at <<http://aprrn.info/the-aprrn-consultations-and-symposium-towards-the-development-of-regional-protection-framework-2/>>

3. PROJECT PURPOSE AND SPECIFICS

Since APRRN's establishment, there have been a number of small successes and positive practices developed throughout the region. Positive practice sharing has been identified as one of the key activities of APRRN, usually occurring informally at APRRN meetings, through personal contacts or via APRRN's Google Groups. However, many positive practices are yet to be documented and compiled in a format that could be useful for advocacy purposes and sharing.

The aim of this project was to map positive practices in the region as they relate to the protection of refugee rights and is part of APRRN's work in advancing and implementing the Vision for Regional Protection. The identified positive practices represent ways that civil society has engaged UNHCR and governments while providing better support to refugee communities. These positive practices provide evidence of successes/impacts that may be valuable for replication, scaling up and further study. By analysing good practices step by step, strategies and tactics can be identified that can be applied in other countries or contexts. It is expected that this research can feed into APRRN's periodic working group consultations, and can help develop strategic plans that take into consideration the lessons learned from the positive practices. This research will help refugee rights practitioners to better understand the progress made so far and what gaps continue to exist. These positive practices are also intended to be used as advocacy tools – showing governments around the region how refugee rights have been positively advanced in their own countries and in other countries and contexts.

The results of this research are to be used for several distinct yet overlapping purposes:

1. To share positive practices amongst APRRN members that can be used to strengthen capacity in national contexts.
2. To identify possible advocacy strategies and tactics for tangible action plans to be developed at APRRN sub-regional consultations. Action plans can be more targeted and realistic.
3. To develop a database of 'experts' that can be shared amongst the membership for guidance and technical support.
4. To use the evidence garnered as an advocacy tool when consulting with governments on different elements of APRRN's Vision on Regional Protection. This will allow civil society to highlight what other countries are doing and suggest replication and/or scaling up.
5. To gather ideas for how civil society and APRRN members can better engage with UNHCR and national governments.

To gather the information, Evan Jones was appointed as a consultant to conduct the mapping from September to December 2014 and compile the final report in August 2015. APRRN's Programme Manager, Julia Mayerhofer provided supervision and co-authored the report. The APRRN intern, Amy Testa also assisted in the compilation of the report. Based on the sharing of good practices at APRRN trainings, events, through APRRN communication channels and informally, a number of APRRN members were asked to participate in this research. Each of the positive practices were collected using qualitative data through a mix of Skype interviews and written templates asking for specific information. Since the project is part of APRRN's work on regional protection, the positive practices have been grouped under the six areas of APRRN's Vision for Regional Protection.

The case studies below provide an insight into the actions of refugee rights practitioners across the Asia Pacific as they continue to strive for greater refugee protection. Each of the case studies provides a contextual introduction followed by strategies, challenges and the articulation of specific replicable and notable positive practices.



4. POSITIVE PRACTICES FROM ACROSS THE REGION

a. Freedom from Violence, Coercion, Deprivation, Exploitation and Abuse

a.1 CASE STUDY: Pilot Project on Alternatives to Detention – Tokyo, Japan

Historically, asylum seekers who arrived by plane, sought asylum and did not have an address in Japan, were denied entry and detained. Landing permission for temporary refuge or permission of provisional stay can only be granted to those persons with an address in Japan. Due to Japan's policy of indefinite mandatory detention, asylum seekers not granted entry permission tended to be detained for long periods of time, which in many instances caused serious mental and physical health issues. In addition, there are numerous difficulties for detained asylum seekers in progressing through the necessary asylum procedures. This will be outlined below.

Japan has made considerable progress on alternatives to detention (ATD) after experiencing serious incidents within detention facilities (including hunger strikes, suicide and self-harming). This has resulted in increased pressure from advocacy groups. Following participation in a regional roundtable hosted by the South Korean Government and UNHCR in April 2010, the Japanese Government decided to release children from detention and also introduce a policy to prevent the future detention of children.⁴ Several APRRN members participated in this event which focused exclusively on ATD and explored options for housing refugees, asylum seekers and irregular migrants within the community.

Japan has since reduced its overall detention numbers, developed working partnerships with local non-governmental organisations, and supported an ATD pilot project for vulnerable groups. This has in part been achieved through consultation, developing personal relationships and engaging with UNHCR and the Japanese Government. As an important political force, UNHCR in conjunction with domestic pressure, brought about change.

In 2012, the Japan Association for Refugees (JAR) and Forum for Refugees Japan (FRJ) started a pilot project on ATD. This project was funded entirely by FRJ and its members. Since 2012, the Ministry of Justice (MoJ) has referred nine cases under the pilot, resulting in some being recognised

as refugees. The pilot was extended until March 2014, for a maximum of 12 individuals. Of these 12, seven received temporary landing permission for refuge. Five others saw their case resolved within six months and were granted legal status (refugee or humanitarian protection). The average time for case resolution in Japan is three years, ergo, this was an outstanding result. Although the pilot officially ended in 2014, the programme has continued, and FRJ has received six case referrals since. The MoJ, Japanese Bar Association and FRJ authored a report for internal use and also released a brief summary its website ([www.http://frj.or.jp](http://frj.or.jp)). The ongoing project continues to be funded by FRJ.

Strategy

This pilot project was implemented to consider and assess the feasibility of ATD. The pilot was specifically aimed at those who claim asylum when arriving at Tokyo's Narita Airport. The pilot sought to secure accommodation for those who have been given temporary admittance and temporary residential visas through the support provided by NGOs. It also facilitated access to legal advice and other services to ensure the wellbeing of those seeking asylum. At the same time, the pilot explored the ways in which UNHCR, Government and NGOs can collaborate to implement such a programme.

Under the pilot, both FRJ and its member organisations provided social and legal assistance to asylum seekers who were released from detention. Until now only a small number of asylum seekers have been referred by the government, and referral criteria is unclear. In addition, whilst social assistance is available for individuals released from detention, processing often takes a considerable amount of time. As such, further advocacy and discussion is required with relevant government agencies to ensure that these issues are addressed.

Partnerships

The main groups involved in the advocacy efforts for an ATD pilot project in Japan were: UNHCR, the Japan Federation of Bar Associations (JFBA), FRJ and its member organisations. The tripartite meetings and working level meetings were attended by the MoJ, JFBA and FRJ. To further advocate for improvements in ATD in the future, civil society recognises the need to engage officials at other detention centres as well as medical experts. These partnerships and collegial working relationships were seen as essential to this ATD pilot project gaining traction.

⁴ International Detention Coalition, 'Captured Childhood: Introducing a new model to ensure the rights and liberty of refugee, asylum seeker and irregular migrant children affected by immigration detention', April 2011, accessed January 2015, available at <http://idcoalition.org/wp-content/uploads/2012/03/Captured_Childhood-report.pdf>

Lobbying and Campaigning

In initial planning for the ATD pilot project, FRJ recognised the critical need for discussions with the government. Unofficial meetings with government officers were held as frequently as possible and discussions and views were shared. In 2011 the Ministry of Justice were invited as speakers to a roundtable on ATD and symposium co-hosted with the International Detention Coalition (IDC). Civil society and the Japanese Government then agreed to start the programme by focusing on asylum seekers who sought asylum at the airport. As a result, based on provision of accommodation, some people were granted “landing permission for temporary refuge”, which had been rarely used before. This was a significant step forward in Japan.

Though the pilot project has officially ended, the Japanese Government agreed to continue this programme. Civil society considers this project to be a success because a new scheme has been created to avoid detention of asylum seekers at the port of entry. The project has also promoted dialogue between the government and civil society.

Challenges

There are many ongoing challenges which are actively being pursued by civil society in Japan. NGOs continue to advocate for the extension of the ATD pilot project to detention centers in addition to greater funding to sustain the programme.

At present, the ATD pilot project is only focused upon the release of asylum seekers who have sought asylum at the airport. Although an agreement has not been reached yet, FRJ considers the programme to be replicable to those currently in detention for any reason. FRJ is considering expanding the project to other international airports in Japan however the largest barrier at the moment is funding.

Since the number of beneficiaries is limited, no public funds have been received. However, in the absence of sustainable funding, the longevity of the programme cannot be guaranteed. Notwithstanding, advocacy is continuing for long-term implementation.

Examples of Good Practices

NGOs in Japan are currently **compiling good practices** and good results in ATDs in order to engage more stakeholders and highlighting the benefits of ATDs. In 2013, FRJ published a ‘proposal for refugee protection law’, which calls for legislating for ATD, and they intend to continue to work towards this aim.

The positive practices that have become evident in this project include the **creation of multi-layered discussion forums**, i.e. tripartite meetings between the MoJ, JFBA, and FRJ, formalised through an MoU, cooperation with international institutions such as UNHCR and IDC, and domestic networks of NGOs and lawyers to implement / share information on ATD.

The pilot project also established a **working group** that was quite useful. They had regular meetings which enabled all three parties to share and grasp the up-to-date information about the pilot. Initially, civil society stakeholders were nervous about these meetings, but the impression is that as time progressed, discussions became more frank and honest. In fact, these positive discussions led the MoJ to consider suggestions made by civil society organisations to improve the website and to provide posters and leaflets at airports and local immigration bureaus. The MoJ was also very expedient to deal with matters that were agreed. However, frequent changes of personnel in the MoJ, including two changes after the MoU was signed, created some disruption. It took some time for stakeholders to become accustomed to new ways of working after each personnel change.

No asylum seekers absconded from the pilot and it lessened asylum seekers’ physical and psychological stress and burden caused by detention. The **formalised pilot** made it possible for them to access lawyers, and as a result they were able to make a stronger case for their asylum claim, securing refugee recognition and protection.

Cooperation between civil society organisations and Bar Associations worked really well. If the meeting was bilateral in nature, it might have been difficult to continue. Notably however, the involvement of academic researchers did not work. FRJ had planned to conduct research on ATDs in Japan, however were unable to do so due to information disclosure issues.

Asylum

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a.2 CASE STUDY: Skills Training & Empowerment for Afghan Refugees – Khyber Pakhtunkhwa, Pakistan

The Lower Dir district of Khyber Pakhtunkhwa in Pakistan has hosted a large number of refugees from Afghanistan for many years. APRRN member 'Children and Women's Trust' (CWT) has been working with this group since 2005. Over that time there was a great need identified for access to local markets and new technologies for women and girls. The attainment of these skills and resources was seen as essential to increasing women's empowerment.

Strategy

In 2012, CWT established a vocational skills centre for Afghan women located in the Lower Dir district. Training in a variety of skills was made available, primarily as a means to appeal to and engage as many women as possible. This included: embroidery, rug making, painting and computer classes.

In the first three months of the project, CWT established links and contacts with local markets for women who did not have the social capital to do so on their own. Women were able to produce products either at home or at the training centre and, through the already established links, sell these at market.

To date, in excess of 1,200 Afghan women and girls have been trained in various skills including handicrafts, small business development, computer literacy and information technology. This is incredibly significant as at the commencement of the programme only 12 women received permission from their families to attend the courses. These women have developed a sense of empowerment and independence. This has allowed them to earn money, engage in greater levels of community life and, for many, even develop a livelihood in the formal sector. A number of women have since been hired by local schools as teachers.

Challenges

The biggest challenge experienced by CWT in the development of this practice were the cultural barriers of having programmes specifically targeted towards women's empowerment. In the Lower Dir district of Khyber Pakhtunkhwa, men are often very reticent to allow women to engage in such practices (including education), and do not allow women to engage in market trade. In more conservative circles, many women are not allowed to even

leave their place of domicile. As CWT had many years of experience in this locale, they were aware that such barriers would need to be approached with respect and a great deal of community engagement. CWT conducted meetings with community elders in addition to local government authorities prior to the launch of the project. By engaging stakeholders in the planning stages, a mutual respect and ownership of the project was formed.

After a series of beneficial meetings, CWT was given permission to develop the project, however, with a precondition that there must be a three-month trial period. After three months CWT were required to meet with stakeholders once again to discuss the results of the trial period.

During the initial three months, CWT maintained their open communication and advocacy with community elders and other influential Afghan men. This approach paid dividends. Before the conclusion of the three-month trial period, CWT received numerous requests for inclusion of IT and computer classes for Afghan girls.

A further supplementary challenge came from the local Pakistani community in the Lower Dir region of Khyber Pakhtunkhwa. Many in the local community were opposed to the presence of Afghans and were further opposed to any programmes that were seen to support them. However, as CWT has established strong roots with the local community, a series of local meetings ('jirga') were organised. At these meetings, Imams (religious leaders) were engaged to create awareness amongst the local population about the rights of Afghan refugees. These public events significantly helped to reduce the stigma and negativity associated with Afghan refugees.

Examples of Good Practices

There are a multitude of good practices as evidenced below:

- **Engagement with Stakeholders:** Most importantly, genuine and extensive consultation occurred prior to any programmes commencing. This allowed the community to be genuine contributors to the development of the project and allowed them to voice any concerns or questions they may have had. It created community buy-in and also provided a sense of joint ownership and dedication towards the goals of the programme.

- **Inclusion of Local Communities:** It is interesting to note that local women and younger girls were involved in the initial consultation and they were also encouraged to attend the trainings on offer. Despite the fact that the programme was not designed for the host community, the inclusion of this group allowed for a greater acceptance of the programme by local communities. Without such engagement it is likely that further tensions and negative ramifications may have ensued.
- **Responsive to Community Concerns:** As part of the consultation process, CWT was able to listen and incorporate feedback into their design process. This facilitated a mutual respect between stakeholders.
- **Collegiate relationships with government:** Engagement with local government authorities and a collaborative approach fostered respect and the development of mutual aims.



Skills training in Lower Dir district of Khyber Pakhtunkhwa hosted by Children and Women's Trust

b. Access to Essential Services and Livelihoods

b.1 CASE STUDY: 'Advocacy by Accompaniment' and Skills Matching – Delhi, India

India has not signed the *1951 UN Convention Relating to the Status of Refugees* (hereafter the 'Refugee Convention') nor is there any national refugee legislation. However, refugees and asylum-seekers in India have access to basic government services such as healthcare and education. In addition, they have access to the law-enforcement and justice systems. UNHCR and its partners work to facilitate access to justice by providing information and interpretation services. The majority of non-Sri Lankan refugees i.e. from Myanmar, Afghanistan and Somalia, reside in and around New Delhi, so they can have better access to UNHCR. However, as a population that lacks official legal status and access to the full gamut of social services, urban refugees often face numerous daily challenges.

Notably, since 2012 mandate refugees can apply for long-term residency visas and work permits. These are granted for one-year periods and can be renewed for up to five years. Prior to 2012, residency and work permits were only available to specific refugee ethnicities and for very short periods of time. This decision is a step forward for refugee protection but much more needs to be done to ensure equality and tangible benefits from this policy.

Many refugees work in the informal and cash economy in order to support themselves and their families. In New Delhi, 2 organisations work for the rights of refugees, particularly in relation to livelihoods and employment. Namely, the Socio and Legal Information Centre (SLIC) and BOSCO.

Social and Legal Information Centre

SLIC provides direct assistance to refugees who require support and assistance in relation to employment issues in New Delhi. When refugees encounter a problem with an employer e.g. they are not paid, are exploited or harassed – SLIC accompanies the refugee to resolve the issue with the employer. SLIC's involvement is primarily about assisting refugees suffering abuse in the workplace.

When an instance of non-payment is reported to SLIC, they intervene directly with the employer. In cases of sexual and gender based violence (SGBV) in the workplace, SLIC intervenes with the consent of the refugee and, if

necessary, approaches the police. When employers see that refugees are not alone, there is a higher likelihood of resolving the problem. Advocacy for the right to be treated decently and fairly in the workplace is integral, especially in a country such as India, where for a long period of time refugees have not had the formal right to work. Even now, only certain mandate refugees have the ability to obtain work permits and long-stay visas.

BOSCO DELHI

BOSCO is part of the International Network of Don Bosco Institutions. Their main focus is empowerment of young people and vulnerable communities through formal and non-formal vocational training and job placement. BOSCO is linked with the national placement driven skills development programmes in collaboration with the Government of India, and is part of 125 institutions in India catering to the skills and employability needs of youth.

BOSCO maintains a list of "safe employers" for refugees, facilitates work placement, and raises complaints with employers on behalf of refugees. The issue of raising complaints is an incredibly useful function offered by BOSCO. In the informal sector there are often no formal mechanisms for refugees to raise formal complaints with their employers.

In addition, BOSCO accompanies refugees to interviews that they may have with employers and, if/when a placement is made, visits the employer to ensure a safe workplace. BOSCO will often intervene if there are issues in the workplace, facilitate mediation, and will also help to 'sensitise' employers as to the experiences of refugees. Whilst this is not considered traditional advocacy, it has helped a significant number of refugees and has helped to change perceptions of some local employers.

Strategy

BOSCO is a UNHCR implementing partner and has been running programmes for urban refugees and asylum seekers in New Delhi under the mandate of UNHCR since 2001. They are currently implementing programmes in the fields of: education, child protection, health, psychosocial support, livelihoods and self-reliance, community mobilisation and peaceful coexistence with local communities, SGBV and women's empowerment.

BOSCO follows a comprehensive strategy for implementation of projects and aims to provide the target group a gainful and sustainable livelihood option. BOSCO's motto is 'accompaniment till accomplishment'. Traditional livelihood programmes are combined with current needs and are tailor-made to suit target groups. Some of the major pillars of the programmes include:

Skills and Vocational Training:

The objective of the skills and vocational training is to prepare refugees towards self-reliance by providing them with skills that help them to be employed. Preference is given to new arrivals. They are linked to job placement/business options. Some of the activities carried out for this purpose are: local language competencies (Hindi classes), English language, basic computer training, vocational training leading to job placement through sponsorship at other institutes, life skills training, communication skills, negotiation skills, conflict resolution and personality development.

Job Placement Programmes:

Under the placement programmes BOSCO organises various programmes to enable refugees to find meaningful employment. Some of the activities carried out under this component of the programme are: networking with potential employers, job readiness trainings, job placement facilitation: registration, assessment, preparing for interview, interview accompaniment and work orientation, post placement support and on the job training.

Income Generation Activities and Self-Employment:

Apart from vocational training and placement, BOSCO also facilitates various income generation activities and self-employment programmes. Through these programmes they support centre-based and home-based production of various marketable items. Some of the other components of the programmes are; small business grants, post business grant support, and supporting self-reliance initiatives.

Joint Advocacy:

SLIC and BOSCO conduct joint advocacy during conflict faced by refugees at their workplace. In such situations, BOSCO collaborates with SLIC for joint intervention or refers the case for necessary legal intervention.

SLIC have conducted successful interventions by directly visiting workplaces and discussing issues with employers. In cases of employers withholding wages, it is common for employers to assure the release of payment within a certain time period, however this often does not occur. After follow-up by SLIC, the employer generally releases the wages.

When cases of SGBV are reported in the workplace, the complainant is counselled and provided with various legal remedies. After taking the consent of the complainant, the matter is taken up for legal intervention. Since the perpetrator(s) is generally known in reported cases, the police successfully conduct investigations and take appropriate action against the offender(s).

One of the successes of BOSCO Delhi is the low attrition rate. BOSCO employees generally stay for long periods of time because of the work environment and culture. Every individual is given space and possibilities to grow into his/her full potential. Moreover, the programme includes jobs of all levels. Many are employed as office assistants and general helpers, whilst others have specific skills such as nurses, doctors, management experts and social work professionals.

Challenges

In Delhi, where UNHCR has a network of established implementing partners, the 'advocacy by accompaniment' approach has worked quite successfully. This was primarily a result of awareness raising and sensitisation training for police, lawyers and the community. However, in other parts of the country, the same awareness and sensitisation has not gained traction. Potentially, this is due to a largely uninformed and ignorant understanding of refugee issues and the UNHCR mandate by law enforcement agencies.

In addition, work permits/visas are not issued to all refugees and asylum seekers, and without this they are not legally allowed to work. This is a major challenge to assist refugees in attaining a dignified livelihood.

Examples of Good Practices

- **Community participation:** In all on-going programmes, the target groups are actively involved in designing and implementing the programmes;
- **Accompaniment:** Once a refugee is trained, BOSCO provides support and guidance until a refugee is 'comfortable' or attains self-reliance; and
- **Joint monitoring** conducted by BOSCO, refugee core groups and beneficiaries. Regular meetings are conducted to improve the jointly identified areas for focus. Joint monitoring systems have been established with UNHCR and the target group for regular monitoring and feedback. Each component is reviewed against the impact it creates. Monthly, quarterly, mid-year and yearly reports are prepared.

Over the years, BOSCO and SLIC have developed a clear understanding of each refugee community and their distinct cultures, strengths, potential issues and coping mechanisms. The strategy has helped to create behavioural change in the mindset of the broader refugee community and allowed many to experience gainful employment in India. On average, 2,500 refugees are assisted in the livelihood programme each year, which include trainings and placement.

“
When employers see that refugees are not alone, there is a higher likelihood of resolving a dispute.”

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c. Legal Protection

c.1. CASE STUDY: National Legislation (Law No. 11298, 2012 Refugee Act) – Seoul, Republic of Korea (South Korea)

South Korea's Refugee Act⁵ was the first independent piece of national legislation amongst an East Asian country, and thus it has significant implications for refugee protection in Asia. South Korea ratified the Refugee Convention in 1992. Prior to the enactment of the Refugee Act, refugees were subject to the *Immigration Control Act (1963)*. South Korea inserted additional clauses in the existing Immigration Control Act as a way of ratifying the Refugee Convention, following Japan's example. The government amended the Immigration Control Act several times, expanding regulations relating to refugee protection.

Prior to the enactment of the Refugee Act, refugees were treated the same as any other foreign national present in South Korea, despite their specific rights and needs for protection. This placed a policy emphasis on national security over the human rights protection of individuals.

In response to this situation, South Korean civil society actors (namely Advocates for Public Interest Law - APIL, DONGCHEON Public Interest Foundation, Korean Public Interest Lawyers Group GONGGAM, NANCEN, and Refuge pNan) came together with government officials from the Ministry of Justice, members of the National Human Rights Commission of Korea, the Seoul Bar Association, UNHCR Representation in Korea, and Congressman Woo-Yeo Hwang to advocate for the development and passage of independent legislation relating to refugees. The Refugee Act was passed during the South Korean National Assembly plenary session on 29 December 2011. The new law applies to both recognised refugees and asylum seekers. It enhances legal procedural formalities for the recognition of refugee status, and reflects the spirit of the Refugee Convention by protecting the human rights of refugees. For example, under the new law (at least in principle), asylum seekers can stay in South Korea with the legal status as an asylum seeker until their case is resolved. The law also ensures refugees receive the same treatment as Korean nationals in terms of public assistance, labour legislation, social security, and taxes, complying with South Korea's "Framework Act on Social Security" and "National Basic Living Security Act".

⁵ Republic of Korea: Law No. 11298 of 2012, Refugee Act [Republic of Korea], 1 July 2013, accessed July 2015, available at <www.refworld.org/docid/4fd5cd5a2.html>

Strategy

Partnerships

The partnerships formed during the development and passage of the Refugee Law were key to the overall strategy. In the drafting and lobbying of the Refugee Law, NGOs formed critical partnerships to ensure the Law's success. After the passage of the Refugee Act, NGOs continue to collaborate on monitoring the implementation of the law and other refugee related issues that need to be further addressed including, refugee status applications at the port of entry, resettlement and detention. This is to contribute to the realisation of better implementation of the enacted law.

In 2006, lawyers and advocates within Korea started to hold monthly meetings to attempt to create an independent refugee law and associated policies that would bring domestic legislation into line with its obligations under the Refugee Convention. The group included the National Human Rights Commission of Korea and UNHCR Representation in Korea, who provided key insights into the development of the lobbying strategy. The discussion involved policy research, comparative studies, and ad-hoc communications with the Ministry of Justice.

Along with advocacy by civil society, in 2006, the National Human Rights Commission of Korea made a policy recommendation on 'policy improvement relating to protection of human rights of refugees', emphasising the need for enacting a separate refugee law. UNHCR Representation in Korea also contributed by actively engaging in the discussions from the initial phase, encouraging the government to pass the law, and publishing official commentary on the draft law. UNHCR Representation in Korea also joined meetings between civil society and the Legislation-Judiciary Committee members.

In 2009, the Seoul Bar Association petitioned to legislate for a draft Refugee Law, and Congressman Woo-Yeo Hwang took a representative motion and proposed it to the National Assembly. The National Assembly finally passed the Law on the Status and Treatment of Refugees at the plenary session on 29 December 2011. Without these partnerships, the draft legislation would not have been able to progress through the required legislative processes.

Lobbying and Campaigning

NGOs focused on awareness raising through a number of volunteer, internship programmes. For instance, the Refu-

gee Studies Network in Korea is a group of young activists who meet on a monthly basis to share information and discuss aspects of refugee protection. The group organised a two-day Refugee Day campaign with representatives from the refugee community. One particularly interesting campaign strategy was a flash mob on Refugee Day. A few months before the passage of the draft law, civil society organised a flash mob where about 300 people gathered in front of the National Assembly and Seoul Station to push for the passage of the law, which had been pending since 2009.

Additionally, monthly meetings strengthened ties among civil society members while facilitating partnerships with UNHCR Representation in Korea and the National Human Rights Commission of Korea. Civil society actors were also active in using timely opportunities such as the 60th anniversary of the Refugee Convention in 2011 to push the South Korean Government into action. Civil society also facilitated active engagement of members of parliament and the parliament secretary. The parliament secretary was active in communicating with the Ministry of Justice.

Challenges

Prior to the passing of the Refugee Law, there were numerous last minute changes to the legislation. This left Korean civil society with many concerns and problems to solve. The new law is considerably different from what was originally proposed due to objections from the Ministry of Justice to the original proposal, in particular in relation to the possible abuse of Korea's refugee system. For example, many of the original proposals by civil society groups and parliamentarians to protect the economic and social rights of refugees and asylum seekers were diluted during the political negotiations prior to the adoption of the bill.

Changes included a referral procedure at the port of entry. According to the new law, when applicants make submissions at a port of entry, the Minister of Justice must decide within seven days whether to refer the applicant to the refugee status determination procedure. Grounds for non-referral are stipulated by Presidential Decree. There have been issues surrounding these grounds, which have lead to potential prolonged detention of refugee applicants who appeal after non-referral decisions.

Clauses on 'accelerated procedure' were also added at the last minute. Under the new Refugee Law, the Minister of Justice has the power to omit part of the determination procedure for a refugee status applicant who has concealed facts in an application through means that include, but are not limited to, the submission of false documents, who made application when the expiration of the sojourn period was imminent, or is an alien subject to forcible removal who applied for refugee status for the purpose of delaying the enforcement of the removal order.

Examples of Good Practices

- **Long-term lobbying:** the use of a 'multi-pronged' approach allowed for engagement with a wide range of stakeholders and greater awareness amongst decision making bodies;
- **NGO partnerships:** these were integral to the drafting and lobbying of the Refugee Law in addition to implementation and subsequent monitoring;
- **Collegiate relationships with government:** engagement and a non-adversarial approach to working with government allowed for multiple government agencies to engage on the issue and have key decision makers on side.

For More Information

For further information on Korea's Refugee Law and its development please contact the Advocates for Public Interest Law (APIL).

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c.2 CASE STUDY: Draft Refugee Bill – Kathmandu, Nepal

Due to a lack of national legislation related to refugee protection in Nepal, civil society organisations came together with academia, the media, and local politicians to draft legislation to extend protection to asylum seekers and refugees in 2008. Civil society actors began by forming a coalition of likeminded people who were interested in increasing the protection space for refugees and asylum seekers. This coalition then drafted the legislation as a group with input from various stakeholders such as political parties, the government, human rights activists, NGOs and the media. In response to the feedback received, the drafters tailored the legislation to fit the political and social context at the time. The legislation was then finalised and presented to high-level political leaders from different parties, the heads of ministries, and parliament. Although the bill has temporarily stalled due to the dissolution of parliament and other national factors, it demonstrates how collaboration can influence refugee rights at the national level.

Examples of Good Practices

Advocates in Nepal and other countries could consider the following points when drafting legislation and advocating at the national governmental level:

- **Sensitisation** was critical for the development of this bill. Many key stakeholders, such as government officials, politicians, and the media were not familiar with refugee rights issues and therefore had to be introduced to the main issues and relevant rights before

collaboration could occur. Importantly, sensitisation efforts focused on explaining to stakeholders why such a bill was necessary as part of the protection of human rights of refugees and asylum seekers in Nepal and as part of Nepal's international obligations.

- **External support** can provide drafters with guidance. In particular, a leading authority on international refugee law, Prof. James C. Hathaway, assisted with the development and drafting of this bill and provided technical expertise.
- **Collaboration** amongst various interested stakeholders is necessary to ensure that the final draft has the momentum necessary to move forward. There were many actors involved throughout all stages of this project and good communication and cooperation was crucial.
- Legislation may face numerous **unexpected challenges** due to changes in the political climate. For example, there appeared to be a liberal/progressive view in the government during the drafting and lobbying of the bill and such trends can greatly help the bill to progress through the different houses of parliament. On the other hand, ultra-nationalist and patriotic trends countered the positive forces and made passage challenging. Finally, the dissolution of the parliament, lack of willingness among political parties to prioritise refugee issues when faced with other higher priorities, and other national and international political factors ultimately prevented this bill from being passed.



Consultations on the Draft Refugee Bill, Kathmandu, Nepal

c.3 - CASE STUDY: Memorandum of Understanding (MoU) between Legal Aid Providers and UNHCR – Delhi, India

Ara Legal Initiative is India's first refugee law centre that provides legal aid and counseling to UNHCR mandate refugees. Ara is based in New Delhi where UNHCR's India country office is located. All UNHCR's activities, such as the refugee status determination (RSD) process, take place in New Delhi. However, there are no other organisations or individuals who provide similar legal aid services to refugees at the RSD stage, making Ara's work even more crucial in the promotion and protection of refugee rights in India.

In 2013, Ara worked closely with UNHCR to develop and implement a MoU that allows legal aid providers access to all RSD interviews when the client has given consent. Furthermore, it requires UNHCR to provide a detailed rejection letter for all cases irrespective of whether the asylum seeker is represented.

Implementation of this MoU opened the way for other legal aid providers in India to develop their own MoU with UNHCR and increase the number of service providers with access to RSD interviews. Currently, Ara is the only legal aid provider that has this relationship with UNHCR. Notably however, the MoU includes a standard template that allows any Indian trained lawyer (registered with the Indian Bar Association) to provide legal representation to asylum seekers as long as the lawyer enters into a separate MoU with UNHCR. Ara is exploring the possibility of drafting a joint report with UNHCR that will collate all the available economic and social schemes made available by the Indian Government to refugees in India. This report will identify which schemes are not currently available to refugees and may be a foundation for future advocacy.

As of September 2014, all of Ara's cases, except one closed case, have been successful. Furthermore, Ara has successfully reopened three cases and successfully appealed another.

Strategy

When Ara initially lobbied for the participation of lawyers in the asylum process, the UNHCR India office was not particularly receptive. In an attempt to garner support, Ara took a strategic and collaborative approach to working with UNHCR. Given that some of Ara's team members were former UNHCR staff, it was relatively easy to build re-

lationships and trust. Furthermore, the organisation used specific cases handled by it as examples to lobby for more transparency, accountability and fairness in the RSD process.

The process of developing a MoU was made significantly easier through the support provided by Brian Barbour. The APRRN Secretariat was able to connect Ara with Brian Barbour (Director, Protection and Assistance Unit, Japan Association for Refugees & Chair of APRRN's Legal Aid and Advocacy Working Group), in an effort to facilitate the sharing of experiences related to MoU development. The process proved extremely successful and allowed for good practices to be shared.

To highlight the clear need for legal representation, Ara started taking on vulnerable cases to reiterate the urgent need for such services in India. For example, Ara's first case was a Sudanese national who had an asylum claim, but he was unable to coherently articulate his case. His case had been rejected six times in 20 years. This case was used to illustrate the need for legal representation and the involvement of lawyers in the asylum interview, as many asylum-seekers lacked technical and legal knowledge to present their case effectively before UNHCR. Similarly, Ara's second case involved an Afghan woman who was a victim of SGBV but felt intimidated during her RSD interview to discuss her issues freely. She only discussed her concerns with her legal representatives after meeting with Ara several times. Thus, Ara used this case to highlight the fact that many women (especially from conservative societies) find it difficult to discuss their problems freely in an RSD interview, resulting in such cases being unsuccessful. The presence of legal representatives reduces the risk of this happening.

Challenges

The main challenge was to ensure that UNHCR looked at legal representation positively and understood that the presence of lawyers could reduce the work of RSD officers. Ara has been able to achieve this over time by providing high quality legal drafting and research work and working in a collaborative manner whilst at the same time not being confrontational.

Examples of Good Practices

Given that India is one of the few countries in the region which allow legal representation in RSD interviews, this case provides a good example for other countries in the region. It is hoped that this MoU will pave the way for other refugee lawyers (not just Ara) in India to represent cases before UNHCR. There is a high potential for other countries in the region to duplicate this practice. MoUs and Standard Operating Procedures (SOPs) solidify the agreement to allow legal representation and incorporate ethics and obligation for both sides. It also formalises the independence of the organisation from UNHCR.

Advocates in India and other countries should consider the following points when drafting MoUs with UNHCR:

- Take a **collaborative** approach with UNHCR and its implementing partners;
- Demonstrate the need for legal representation with specific examples and strategically chosen cases;
- Emphasise that adequate legal representation can help reduce the work of UNHCR Eligibility Officers (EO). In particular, country research can be tailored to suit UNHCR's guidelines and the EO's needs;
- Participate in **joint trainings** to help identify appropriate ways to tailor legal aid services to the UNHCR system/EO's needs;
- Ask for **regular feedback** from UNHCR on work submitted on **behalf of clients** to further identify ways to tailor legal aid services;
- Have **regular meetings** with refugee community representatives and seek input from the community on how to improve services;
- Facilitate **trainings for staff and interpreters** to ensure services are consistent and meet the standards established through the above processes.



The Ara Legal Initiative Team

c.4. CASE STUDY: Legal Aid Clinics / Partnerships with Universities – Hong Kong SAR

There are a substantial number of refugees in Hong Kong who are in need of protection and assistance from those with expertise, understanding, and an interest in refugee law. Although there has been a small group of interested and active individuals in Hong Kong for many years, there remains an overall lack of expertise, understanding, interest, or even awareness in refugee law and protection. Education and capacity strengthening of local lawyers was therefore identified as a critical part of the long-term solution in Hong Kong. This need for capacity strengthening is true for all jurisdictions.

Strategy

The initial connection with local universities began in 2009 and continues until now. The general strategy of this good practice was for students to be able to:

1. Explain the basic principles of international refugee law, including the refugee definition, and the refugee status determination (RSD) process in Hong Kong;
2. Interview a client in an ethical and effective manner;
3. Identify, research, and write up the legal and factual issues of a claim; and
4. Reflect critically and act on international law (including refugee law, human rights law, and domestic legislation), professional skills and ethics, the lawyer-client relationship, and the value of pro bono service.

The 'clinic model' adopted in Hong Kong had the clinic based at the NGO, with the NGO taking the lead, supervising the students, teaching the class at the University, receiving funding sufficient to employ the Clinical Director, and students coming from two different universities.

In addition, the strategy of the clinic was for it to be mutually beneficial for as many people as possible including:

- **Refugees:** Capacity building was included in programming to ensure a greater number of refugees receive critical legal assistance from highly competent lawyers in the future.
- **NGO partners:** This group was included to contribute

to a long-term strategy towards the development of expertise sufficient to engage in high quality and ethical representation to those in need, and better capacity for domestic refugee protection. Ideally they will also contribute adequate funding sufficient to employ the clinical director.

- **The University:** These institutions were among the first to have a full-service legal clinic in Asia, and among the first in Hong Kong (University of Hong Kong (HKU); and Chinese University of Hong Kong (CUHK)).
- **The Students:** Persons enrolled in the course received high quality, individualised instruction by qualified lawyers, developing practical skills in demand by employers; all while ethics, pro bono responsibilities, and human rights and refugee values are instilled in them. Those who went through the clinic will become the next generation of lawyers, decision-makers and policy-makers.

Challenges

- Some lawyers employed by the Hong Kong Refugee Advice Centre criticised that the legal clinics were not "client-focused" enough, and that clients could be better represented if resources were prioritised to casework led by experienced lawyers. It is important therefore that the **work of the clinic does not overflow onto other staff members**, and that it does not detract from ongoing casework. It is therefore ideal for university partners to employ a full-time clinical director who is solely responsible for the casework of the clinic.
- In the initial stages of the clinic, it was **run on a purely voluntary basis** to get 'buy-in' from the University. This was required so that university staff could see the value in the clinic. In the second year, the clinic was held again, this time with inadequate and token funding from the university. The university was not willing to fully fund the project until there was enough evidence of the realistic costs of the project. Only after this stage was an adequate funding commitment received from the University. Initially, this commitment can be a strain on the resources and capacity of the NGO, but after two intakes, the Hong Kong Refugee Advice Centre (HKRAC) was able to secure adequate sustainable funding on an ongoing basis.

- The **university wanted the clinic to take a significant number of students** from the outset. However, for the maximum benefit for all stakeholders, a clinic needs to maintain a low student to teacher ratio. This took a lot of convincing from the clinic.

- **Revision of Goals:** After a period of time, the clinic was revised to include an advocacy component. This ensured that the approach taken by staff and students was holistic and would be beneficial to all stakeholders.

Examples of Good Practices

- **Training:** Started with a 2-day intensive weekend training covering all relevant legal foundations and practical aspects of refugee representation including: International Refugee Law and International Human Rights; Refugee Status Determination Procedures; Working with Vulnerable Clients; Working with an Interpreter; Client Interviewing Skills; Ethics; Drafting a Client Testimony & a Legal Brief; and Providing Country of Origin Information & Legal Research.
- **Official University Course Components:** Ongoing training in the form of a class taught once per week i.e. through 12, two-hour modules over the course of a semester. This became a sustainable part of programming and has now been running for six years.
- **Practical component:** Including supervised casework, there were often more than 200 hours required to satisfy the course each semester. It included any of the following activities: advocacy projects; registration and intake of clients; country of origin and legal research; case assessment (preparing a formal assessment of an applicant's claim and making a recommendation as to representation and strategy; drafting a memorandum of law identifying and analysing a legal issue arising from one of the client intake interviews; drafting a client testimony; or preparing a legal brief.
- Students learn all of the practical aspects of legal representation, including ethics and values, that they can put into practice in their future careers. These individuals have the greatest potential to have an impact on the system in the long-term. It is important that an NGO does not recruit its entire staff from abroad, and do all of its casework in-house only without engaging with the national and local community. This does not contribute to the development of a refugee protection system in the long-term, and if for any reason that office later has to shut down, they have left the context exactly as they found it, rather than contributing to national and local ownership and capacity over time.

Other considerations:

- The clinic operated better as a 'Pass/Fail' course because the workload was heavy, and the focus was on results not academic tests.
- Expectations of students should be high (students should have to apply for the clinic like they are applying for a job, and should be competitively selected).
- Students were expected to have full attendance, prepare for all practical and course components ahead of time, and fully participate in all aspects of the clinic in order to pass.
- Clinics are not academic classes where there could be in excess of 30 students. Clinics are only manageable with fewer numbers. Ideally, a 6:1 supervisor to student ratio should be utilised.
- There are universities and law schools in every country of the world, and so clinical legal education should be possible everywhere, and if not, then initiation of at least a refugee law course, should be possible. Links between NGO service providers and universities is ideal as all benefit from the relationship.
- There were many significant achievements as a result of these clinics. Not only did students represent a number of clients who were subsequently granted refugee status, but most students also continued to volunteer either at the clinic or for other refugee-serving organisations.



Client interview at Justice Centre Hong Kong

d. Access to Durable Solutions

d.1 - CASE STUDY: Resettlement of Bhutanese Refugees – Kathmandu, Nepal

Since the mid-1990s, approximately 110,000 Bhutanese of Nepali origin (the Lhotshampa) have been living in seven refugee camps in eastern Nepal. This protracted refugee situation contributed to many losing hope of ever living a free and dignified life. In 2007, the resettlement drive of Bhutanese refugees living in camps in Nepal commenced. Since then, approximately 92,500 people have now been resettled and more than 100,000 individuals are expected to be resettled by 2017.⁶ This large-scale resettlement drive is evidence that, through multi-stakeholder collaboration, durable solutions can be found.

The decision to facilitate the resettlement of these particular refugees was the result of tireless advocacy, planning and perseverance by multiple stakeholders. These included; UNHCR, International Organisation for Migration (IOM), the Government of Nepal, refugee resettlement destination countries (Australia, Canada, Denmark, New Zealand, the Netherlands, Norway, the United Kingdom and USA), Bhutanese refugees themselves and Nepali human rights activists. UNHCR was the primary driver of the programme and liaised with refugee receiving countries to organise the resettlement of this particularly vulnerable group. This targeted, systematic use of media both within Nepal and internationally created support and momentum for the resettlement initiative programme.

Nevertheless some refugees have opted against being resettled to a third country. UNHCR has proposed a community integration plan to the Nepali Government, however this is yet to be agreed upon.

Examples of Good Practices

- **Genuine and meaningful consultation** with refugees is essential. UNHCR and IOM consulted with refugees in the camps on several occasions. This assisted with trust building and support from within the camp environment.
- The **use of the media** was crucial as it helped to build momentum and support. It has also been used to highlight successes and challenges post -resettlement.

- **Collaborative working relationships** should be forged with key UN staff. Different UN agencies worked together, which created higher levels of engagement with government and traction across various stakeholder groups.
- **International fora were utilised** effectively to push the issue e.g. through UNHCR and the Universal Periodic Review (UPR) Process. These have been utilised and proved to be effective and useful.

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Refugees departing for resettlement. Photo courtesy of the Bhutan News Service.

⁶ The United Nations High Commissioner for Refugees, 'Nepal Factsheet', September 2014, accessed February 2015, available at <<http://www.unhcr.org/50001f3c9.pdf>>

d.2 - CASE STUDY: Resettlement (Pilot Project) of Refugees from Myanmar – Tokyo, Japan

In 2008, the Liberal Democratic Party of Japan announced a three-year pilot project to resettle refugees from Myanmar who had been residing in Mae La refugee camp in Thailand. This was a significant step, as Japan was the first Asian country to join UNHCR's resettlement programme. Despite the very limited scope of the programme, it was an important example for other countries and a step towards greater responsibility sharing in the region. The first group of refugees arrived in Tokyo in September 2010.

In 2012 the Government extended the campsites for selection to include camp Noh Poe and Umpiem Mai for new refugees and their family members. Civil society advocated for the acceptance of single persons, but the suggestion wasn't adopted. After the final group of refugees arrived on 25 September 2014, Japan announced that they would accept urban refugees from Malaysia. Cabinet agreement was reached in 2014 to extend the programme based on the final report of the Resettlement Experts' Committee. Notably however, the word 'permanent' was not used, in relation to the future of the programme, possibly as an attempt to provide space for future policy shifts if necessary.

Strategy

The resettlement programme was primarily driven by the Japanese Government; in particular, by several key government officials. One such individual was the former Justice Minister, Mr Kunio Hatoyama. In addition, sustained and prolonged engagement by UNHCR (in particular the High Commissioner himself) assisted in accelerating its commencement. This no doubt influenced the decision of the Japanese Government to launch the resettlement programme. Saburo Takizawa, UNHCR's former Japan country representative also played a significant role in realising the launch of the resettlement programme.

Early indications suggest that most of the resettled families have settled well into Japan and have adapted themselves into Japanese society. Notwithstanding many initial challenges such as job changes, financial difficulties, health issues, linguistic challenges or family problems, most have shown incredible tenacity and resilience to overcome these challenges. These small steps have all led to greater social integration.

Challenges

One of the biggest challenges has been for NGOs to work in tandem as official partners in the resettlement programme. Bidding is open, but in reality, due to the high number of requirements regarding facilities and staff keeps them from bidding. In particular, since the bid programme is a combination of Japanese language courses for UNHCR mandate refugees and a six-month programme for resettlement refugees, few organisations can apply.

Examples of Good Practices

- **Engagement with Government:** NGOs created dialogue opportunities with the government, and two civil society representatives were selected to be members of the Resettlement Experts' Committee organised by the Cabinet Secretariat. In dialogue with the government, good practices and recent developments from other countries were highlighted. This allowed civil society to directly feed into the policy development process.
- **Collaboration:** NGOs worked collaboratively with UNHCR throughout all stages of the process and placed a particular emphasis on dialogue. Delegates from the Japanese Government and civil society also attended the Annual Tripartite Consultations on Resettlement (ATCR) held in Geneva each year. This highlights the collaborative nature of the relationship.
- NGOs and civil society in Japan have continued to try and **incorporate the voices of refugees into their planning and advocacy**. They are attempting to ensure that the government and other relevant stakeholders hear these voices.
- **Networking and cooperation:** NGOs and refugee community representatives discussed the issues with diverse stakeholders, including members of parliament to local government officials, employers and teachers. Based on this information, they provided their views to government and explored possible solutions. Resettlement programmes provide humanitarian assistance by providing governments with an opportunity to showcase their commitment to the international community. Collegiate NGO involvement is essential in the implementation of such a programme.

- **Constant Evaluation of Advocacy Priorities:** Current advocacy by civil society is focused on Japan accepting more refugees and also accepting refugees fleeing current conflicts, such as Syria.

In the Japanese context, one of the biggest catalysts was the political will of the Japanese Government. Resettlement is an opportunity for governments to show their commitment to humanitarian principles and also can be used as a form of diplomacy. NGOs can be a very important lever to help to stimulate this process.

For several years Japanese NGOs and civil society have exchanged good practices with Korean NGOs and civil society. While Korean NGOs and lawyers were advocating for and drafting the Korean Refugee Act (see c.1 National Legislation Korea), they had had the opportunity to visit Japan to exchange good practices. Through this exchange, Korean NGOs were able to gain a better understanding of Japan's resettlement programme. This was incorporated into Article 24 of the Korean Refugee Act. After the Refugee Act came into effect on 1 July 2013, the Korean Government began to work towards the development of a resettlement programme accordingly. On 3 April 2015, the Foreigner's

Policy Board of Korea decided to launch a 3-year pilot program to resettle up to 30 refugees from Myanmar who are temporarily living in Thailand or Malaysia. It is anticipated that the first group of refugees will be resettled in South Korea by the end of 2015.

For More Information:

Yukiko, A., 2010, Center of Documentation of Refugees and Migrants Staff, 'Short book: Resettlement pilot program for third-country refugees in Japan' accessed October 2014, available at <<http://cdr.c.u-tokyo.ac.jp/short-books/211010%20Resettlement%20pilot%20program%20for%20third-country%20refugees%20in%20Japan%20-%20Abe.pdf>>

Japan Government, 2014, Cabinet Secretariat, '第三国定住に関する有識者会議 報告書' accessed December 2014, available at <www.cas.go.jp/jp/seisaku/nanmin/yusikishakaigi/pdf/houkoku.pdf>

Japan Government, 2014, Cabinet Secretariat, accessed December 2014, available at <www.cas.go.jp/jp/seisaku/nanmin/130308kaisei.html>



Resettled refugees from the Thai-Burma border arrive at Tokyo Narita Airport in 2013. Photo courtesy of Kyodo News.

e. The Highest Possible Level of Self-Sufficiency

e.1 - CASE STUDY: National Consultations with Urban Refugees – Kathmandu, Nepal

Nepal currently hosts approximately 40,386 refugees; most of them originating from Bhutan and Tibet. Approximately 24,000 of these are refugees from Bhutan and located in the camps of Morang and Jhapa.⁷ There are also approximately 500 urban refugees from 11 different countries with most coming from Pakistan, Myanmar and Somalia. The lack of national asylum legislation remains one of the major challenges in Nepal.

In 2012, APRRN collaborated with member organisations in Thailand, India, Malaysia, and Nepal to conduct the “*Urban Refugees in Asia Pacific: Resiliency and Coping Strategies*” pilot study. This research aimed to amplify refugees’ voices to raise awareness about the particular challenges they face in harsh, challenging and often exploitative environments, by outlining several themes reflecting the distinct issues regarding surviving in urban settings.

Strategy

From 13-14 February 2014, APRRN, in cooperation with its members - INHURED International and PPR Nepal - hosted a national consultation in Kathmandu, Nepal. The consultation was attended by a total of 35 refugee and NGO participants. Refugee participants represented a wide array of perspectives from the Tibetan, Rohingya, Bhutanese, Pakistani, Iraqi and Somali communities in Nepal. UNHCR was intentionally not invited to be a part of this consultation. Due to the ‘power differential’, the presence of UNHCR may have prevented refugee participants from fully expressing their thoughts and ideas. The aim of the consultation was to bring refugees and civil representatives together, in a safe space that would facilitate dialogue.

The Nepal consultation strongly highlighted the resilience and coping strategies of urban refugees in Kathmandu. Through participatory techniques (role play, story boarding, power mapping/analysis and role reversals) refugees and NGOs were able to share their perceptions and strategies for better cooperation between the two. It also provided a platform to discuss how the preexisting capacity of refugee communities can be strengthened within this specific context.

The consultations identified some of the major challenges facing urban refugees in Kathmandu, namely: employment, documentation/ID cards, education, security, food, healthcare, livelihoods/finance and exit permits. Coping mechanisms utilised in response to these challenges included; religion, family, protesting, education, disguises, informal employment, flexibility, borrowing from other refugees, community support, remittances from abroad and language.

The consultation brought to the fore that greater cohesion is needed between refugees and NGOs to further support the coping strategies already being implemented by refugees. The consultations have led to a greater openness and information sharing between NGOs and urban refugees. Several follow-up informal consultations with community members have also been held.

Challenges

Whilst the consultation was a success, there are a number of challenges that need to be addressed. Firstly, the consultation dedicated just one session to discussing outcomes and next steps that participants could commit to, making it somewhat difficult for participants to not only identify but also commit to tangible follow-up steps. This challenge could be mitigated in future consultations by dedicating greater time for strategy development. Moreover, participants could be provided time on day one to discuss outcomes so that they could develop these ideas overnight.

Furthermore, due to time and resource constraints, there was no formal follow up mechanism to ensure that the commitments were actioned. It was left more to ad hoc and tacit agreement by individuals to follow up on the commitments. This may have worked better if there was a semi-formal follow-up mechanism.

Finally, and significantly, the consultation did not have any female refugee participants. Despite concerted efforts by the host organisation to secure female participation, this was unable to occur. This was due to child care responsibilities, unwillingness to travel and tensions within local refugee communities. In addition, due to the limited preparation for the consultation, the organisers had trouble building enough trust and rapport to have the women feel comfortable to attend. Should this be replicated in other settings, it is advised that these issues are addressed through an early planning process, including ensuring the

⁷ The United Nations High Commissioner for Refugees, ‘Nepal Factsheet’, September 2014, accessed February 2015, available at <<http://www.unhcr.org/50001f3c9.pdf>>

availability of childcare. It is essential that there is female representation in future consultations so that women also have an opportunity to raise concerns and contribute to the discussions and development of issues related to their wellbeing.

Examples of Good Practices

- Ensuring **'ownership and development'** of the consultation through national organisations and APRRN members;
- **A wide range of participatory methodologies were used** i.e. the participants were actively engaged in activities, drawing, discussion and role-play. This enabled facilitators to elicit better responses from refugees and NGOs alike and provided the expectation that everyone (who was able to attend) could participate equally in an informal and relaxed environment;
- The purpose of the consultation was to better understand and showcase the **agency and capacity of refugee communities**. This provided a different perspective from traditional consultations and ensured a shift away from problems and challenges. It generated optimism and enthusiasm about what was already being done and how this could be strengthened;
- **Shared values articulated:** the participants also agreed upon certain values related to refugee protection and committed to them;
- In terms of the methodology, it was imperative that the **NGO and refugee participants were divided for the majority of day one**. This allowed ideas to be shared in 'safe spaces' and also allowed issues to be identified without any external influences;
- Having the **refugees and NGOs 'switch' rooms** and critique each others understanding of their roles and experiences was invaluable. This highlighted the disconnect in common understanding, and the need to work more closely for the purpose of a common goal;
- A **role-play exercise** was utilised in this consultation (which had not previously been a part of the other consultations). This highlighted the lack of knowledge by refugees as to NGO's limitations, and of the NGO's lack of knowledge about the refugee experience;
- Refugees were provided a **stipend for travel** in addition to lunch and tea/coffee. This allowed refugees the space to attend without the pressure of missing out on any income generating activities they may have been able to attend otherwise;
- Having **refugee representatives from different countries of origin** was particularly effective. This ensured that the issues and coping strategies could be compared across all populations. It also ensured that the coping strategies identified were not specific to particular groups;
- Having **non-refugee participants from many different sectors not only NGOs** i.e. lawyers and academics. This highlighted the gaps in understanding across sectors and the need to work together more collaboratively. In addition, it brought different perspectives that all fed into the strategic planning and next steps.

“
*Refugees and non-governmental organisations
were brought together on an equal footing.*
”

e.2 - CASE STUDY: Refugee Self-Sufficiency and Resiliency – Hyderabad, India

The Somali refugee community in Hyderabad face a multitude of challenges including:

Difficulty Accessing Legal Documentation

Due to their refugee status, refugees often have trouble accessing the Foreigner Regional Registration Office (FRRO) in Hyderabad and in other parts of India. For the small number of refugees who do manage to access the FRRO, Residential Permits are difficult to obtain. Many community members have had their application for permits rejected without any explanation given.

Difficulty Obtaining Affordable Medication

Due to limited financial resources, it is difficult for community members to access appropriate medication. In addition, the majority of people do not have the correct legal documents required for accessing private clinics. As such, most are obligated to attend underfunded public clinics and hospitals. Specialist doctors are also extremely limited in these public hospitals and clinics.

Further issues include; difficulty renting secure properties and accessing appropriate education, harassment of women and difficulty integrating into the local community.

Strategy

This good practice was initially borne out of M's⁸ need to survive as a Somali refugee in India with limited resources and rights, in addition to helping those in his community deemed less fortunate than himself.

Having been a refugee in India for more than ten years, M developed and organised his coping strategies independently, often as a result of positive or negative experiences. From 2009-2011, he worked as a community health worker and also acted as an interpreter (Somali to English) for many years. He not only interpreted for his community, but for other African refugees who required assistance. His approach to developing economic opportunities was shaped by other community members, especially those with an in-depth knowledge of medical issues.

To derive an income stream to support himself and his community, M acted as an intermediary for bringing Somali nationals to India for medical treatment or education. Through a Somali agency, and in liaison with Indian embassies in neighboring African nations, M assisted with the local arrangements to enroll in education or register for treatment in hospitals. Payment for services was on a 10 % commission basis (inpatients only). Students were charged 10% of the cost of their university course payable by either Western Union or MoneyGram. This scope was then expanded to also assist all refugees, no matter their country of origin.

Surplus income not required for his day-to-day living and expenses, was contributed to a communal 'community kitty'. The money contributed to this 'kitty' has resulted in:

- Many in the Somali refugee community in India subsequently had the financial means necessary to obtain medications and private hospital treatment; and
- Many in the Somali refugee community in India now had access to education across the country.

Challenges

There were a number of challenges faced during the creation and implementation of this good practice. Quite significantly, M was at times subject to rumors and gossip from within the community. Without a full and proper understanding of his activities, an element of the community believed that his activities were for personal gain. Furthermore, a lack of liquid capital in addition to inadequate legal documentation has hindered M's attempts to pursue further entrepreneurial activities. Without such startup capital, he has primarily been restricted to his current 'tried and tested' business model.

A further barrier to creating a sustainable income stream and a reliable service were the challenges associated with receiving payment for services rendered e.g. hospitals require a local bank account into which deposit the 10% commission. However, due to being unable to acquire a bank account, funds were deposited to an agency and were subsequently transferred through Western Union / MoneyGram. This resulted in a loss due to transfer fees. In addition, as a health care facilitator, commissions would often be forgone if a patient / student decides to attend another facility or institution than the original one on their invitation letter. This issue occurs regularly and is a constant source of angst and contention.

⁸ Name not provided for privacy reasons

Examples of Good Practices

Collaborative Community Approach: M supports himself and his community in a multitude of ways including:

- Interpretation services
- Accompanying people to Indian hospitals
- Assistance with travel around India e.g. to reach UN-HCR Office in Delhi
- Return air travel to Somalia after student visa or medical visa expires

For students, assistance includes:

- Admittance to colleges and universities
- Occasional admittance to Junior College
- Facilitation of online applications for the FRRO Hyderabad (to register their student visa with local FRRO police within 14 days of arrival).

Utilisation of online communication mediums: Communication tools such as Skype, email and phone calls are used to communicate with people wishing to come to India on Medical Visas or Student Visas. This efficient use of communication with the Somali diaspora, within India and overseas is integral to the success of the business model.

Refugees in other countries may be able to develop similar business models to what is occurring in Hyderabad. However, detailed planning must occur to ensure that the business model is sustainable in that geographic context. The results of this good practice have touched many in the Somali community. It must be noted that there are no accurate records concerning the number of Somali nationals traveling to India for Medical Visas and Education Visas.

Whilst this practice highlights a degree of personal gain, it is significant to note the innovative ways M was able to create a level of self-sufficiency in a country that affords him no right to work. In addition, it shows how unified communities allow for greater support and access to services that may not otherwise be able to occur.

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Surplus income not required for day-to-day living and expenses was contributed to a ‘community kitty’.”

f. Partnerships for a Supportive Operating Environment (National consortia/networks)

f.1 - CASE STUDY: Bangkok Asylum Seeker & Refugee Assistance Network – Bangkok, Thailand

Urban refugees in Bangkok live in precarious conditions, with limited access to basic services and no right to formal employment. Moreover, there are significant barriers to healthcare and the constant threat of arrest for infraction of immigration law. In 2007 the number of urban refugees was approximately 2,000. Since then this number has grown to more than 9,000 and far exceeds UNHCR's capacity to provide adequate assistance.

Prior to the formation of BASRAN, a similar group met to discuss refugee issues. This was known as the URM (Urban Refugee Meeting). The URM consisted of the United Nations High Commissioner for Refugees (UNHCR), the Catholic Office for Emergency Relief and Refugees (COERR), the Bangkok Refugee Centre (BRC), Maryknoll (The U.S. Catholic Mission Movement), the Asian Muslim Action Network (AMAN), Boat People SOS (BPSOS), the Jesuit Refugee Service (JRS) and Asylum Access Thailand. Over time, it was discussed that there were a greater number of people assisting the urban refugee population than the attendees at this meeting and hence they should be included. It was agreed that there remain a core group that is now CURN - Core Urban Refugee Network (UNHCR, COERR/BRC, AAT, JRS and BPSOS) - and that they would form another wider, more open group.

Initial BASRAN meetings involved the main churches with programmes dedicated to assisting urban refugees, and UNHCR. This proved to be a valuable source of direct information to churches that were previously obtaining inaccurate information on UNHCR policy through refugees themselves. BASRAN allows stakeholders to not only verify information with UNHCR, but also provides UNHCR with a direct link to other agencies that work with urban refugees and who may have contact with asylum-seekers before UNHCR does.

Strategy

At its formation, the mission of BASRAN was to increase information sharing and awareness amongst refugee practitioners in Bangkok. Following from this, three sub-groups of BASRAN were formed to provide a more targeted focus on specific issues. These are the 'Health', 'Education' and

'Livelihoods' Working Groups.

The 'Health' and 'Education' Working Groups were formed in Q2 of 2014. More recently there has been a focus on livelihoods and hence a consultation on livelihoods was held. This consultation discussed the need to explore the ability to advise refugees who look for informal work opportunities. Moreover, the need for (1) data collection and conducting livelihood assessments, (2) advocacy, and (3) operational programmes was highlighted.

The structure of refugee assistance consortia in Bangkok is as follows. It is this structure that has contributed to BASRAN's success.

BASRAN: Has a broad 'full' meeting with three separate working groups (Health, Education, Livelihoods);

Core Urban Refugee Network: Is smaller than BASRAN and sits to the side. This group is comprised of UNHCR, BRC, AAT, JRS and BPSOS.

Legal Aid Meeting: Whilst this is not officially part of BASRAN, it broadly feeds in to the aims and work of BASRAN and CURN. This was established in 2012 and is comprised of UNHCR, AAT, JRS and BPSOS. This focuses specifically on RSD and feedback related to legal aid issues.

Challenges

- **Funding:** BASRAN itself has no independent funding or ongoing operating budget. It has been discussed by key BASRAN members to approach embassies and other clubs such as Rotary for financial support.
- **Common Understanding:** Due to the diverse and ever evolving membership, there has been some confusion by members in the past as to the purpose and direction of the group. The development of a Terms of Reference (TOR) has gone some way to mitigating this challenge.
- **Common Approaches:** There are two different approaches within members of BASRAN i.e. the traditional 'client-beneficiary' top down approach and the NGO 'dignity and sustainability approach'. This is a constant balancing act to ensure that members can fulfill their own organisational mandates.

- **Human Resources:** At present there are two primary individuals conducting the majority of the work and organisation. If either of these two happened to leave, then BASRAN may lose some momentum.
- **Time Constraints:** Most people involved in BASRAN are busy and do not have a great deal of extra time to devote to BASRAN.
- **Online Information Sharing:** This online database is primarily shared between faith-based organisations (as providers of assistance) to map what services and support are provided to asylum seekers and refugees. This covers things such as food, clothes, money and other material support. This tool is used to assist in the tracking of populations and to try and ensure equity in distribution of resources.

Examples of Good Practices

- **Inclusive and informal consortia:** The model works well and sees the coming together of like minds and people who share the same passion and allows for a diversity of voices to be heard. BASRAN meetings provide space for sharing general updates on the refugee situation in Bangkok and are intentionally unstructured to allow for the sharing of individual cases and experiences. This is a great source for information to ensure that services are targeted and not duplicated. The fluid nature of BASRAN allows people to devote as much time and energy as they wish and avoids people from being overloaded. In 2014, 'Terms of Reference' were developed to provide a broad structure for the group. They were presented to BASRAN members and were accepted. Over time the 'leadership' of BASRAN has deliberately taken a hands-off approach, allowing the group to grow and develop organically.
- **Shared Vision:** The basis for BASRAN has been that members are all assisting the same populations and are facing the same issues i.e. resource constraints and quantifying their assistance. In coming together, all BASRAN members saw the value in meeting and working together to share information, issues, concerns and tasks. This principle can be extended to other contexts and issues.
- **Specific Local Geographic Focus:** A network such as BASRAN can be replicated elsewhere but must be local. This sort of group works well purely because of its local setting. Should it have been outside of this context e.g. for all of Thailand, it would not have worked. It is responding to the needs in a particular and well-defined urban locale.
- **Open and diverse members:** The primary stakeholders involved in the formation, development and continued growth and development of BASRAN is extremely varied including; Bangkok Refugee Centre, UNHCR, Asylum Access Thailand, APRRN, faith-based organisations, the Jesuit Refugee Service, interested and active individuals in addition to representatives from international schools. Since the inception of BASRAN, members have grown and become more diverse. Whilst the larger BASRAN meetings do not include refugees, the Working Groups do include urban refugees residing in Bangkok.
- **Flexible and Responsive i.e. no specific deliverables or outputs:** This contributes to the success of the group as it allows energy to be focused towards the areas that has the most need. Moreover it allows members to be engaged as much or as little as they like. It must be noted that the BASRAN Working Groups (Health, Education and Livelihoods) do have deliverables and outputs as these are much more targeted and are trying to address specific issues. In addition, the Working Groups all report back to the larger BASRAN group so that cross-linkages and collaboration can occur.

f.2 – CASE STUDY: Suaka (Indonesian Civil Society Network for Refugee Rights Protection) – Jakarta, Indonesia

Suaka is a national civil society network that works for the protection and promotion of the human rights of refugees and asylum seekers in Indonesia. Suaka was formed through collaboration between key refugee rights actors in Indonesia, namely Jakarta Legal Aid Foundation (LBH Jakarta, Lembaga Bantuan Hukum Jakarta) and Human Rights Working Group (HRWG).

The nature of Indonesia's domestic legal framework means that asylum seekers and stateless people are treated as "illegal immigrants". They are subject to detention and face the possibility of deportation. In general, legal assistance is not provided, with many negative decisions resulting from asylum seekers not understanding the process they are subject to. Negative decisions also stem from language barriers, fear of speaking to authorities, and not knowing their rights and responsibilities as applicants for refugee status.

Prior to the formation of Suaka, there was no central or coordinated approach to refugee rights protection in Indonesia. Moreover, there was a noticeable gap in civil society capacity and capability on legal aid provision.

Suaka is comprised of individual and organisational members who volunteer their time and expertise for all Suaka's work, from strategic management and media activities, to providing legal advice and assistance to asylum seekers. Suaka organisational members include Suaka activities into their programmes whilst individual members contribute time and effort.

Strategy

After seeing the gaps in refugee protection, Suaka decided to focus upon three primary areas. This strategy was seen to provide the best possible chance of achieving positive tangible results.

Legal Aid Programme

- Provide legal aid services that empowers refugees and asylum seekers, in accordance with the *Nairobi Code: Model Rules of Ethics for Legal Advisors in Refugee Cases*, and within the capacity of Suaka members
- Increase the capacity of Suaka members to provide legal services

Public Awareness Programme

- Conduct targeted public awareness-raising activities to Indonesians on the situation of refugees and asylum seekers from a human rights perspective
- Increase the number of people who will cooperate and collaborate with Suaka for refugee advocacy in Indonesia and amplify Suaka's voice

Policy Advocacy Programme

- Collect information and analysis about refugee rights in Indonesia
- Share findings and recommendations with relevant stakeholders to promote the protection of refugee rights in Indonesia

The founders of Suaka saw the opportunities and benefits of having and developing a national refugee rights network. These included:

- Mainstreaming refugee rights into the domestic context – finding links and commonalities;
- Elevating issues when advocating to government on policy concerns;
- Filling gaps in capacity for civil society; and
- Sharing resources, expertise and experience.

Challenges

There have been many challenges for Suaka to gain traction and formalise itself as a national network. Some of these challenges include:

- Refugee rights protection is a contentious issue in Indonesia. In addition to religious radicalism, the argument oft heard in Indonesia is 'why do we have to help strangers?'
- The Government approach on many issues has been that of 'national security' not human rights. SUAKA is actively trying to change the discourse in this regard.
- SUAKA is a 100% volunteer organisation and has extremely limited funding. As such, it has been challenging working within such tight fiscal resources.
- Engagement with refugee communities has been ad-hoc and limited.

Examples of Good Practices

- **Building a coordinated and organised national civil society movement** dedicated to the promotion of refugee rights: This uniform voice is integral for countering arguments that refugees are not the responsibility or concern of local communities or the government.
- **Information sharing:** Sharing human rights issues and concerns with other civil society organisations (CSOs) and government agencies allows them to understand it as 'their issue'.
- **Collaboration and leadership:** As noted above, sharing information, collaboration and, if need be, taking ownership and leadership on issues, will create momentum and traction on issues.
- **Train and educate champions within government institutions:** By training government bodies and individuals, they will become the 'owners' of the cause and will be more likely to dedicate greater resources and effort to reaching the goals. Moreover, by making them specialists on rights based and humanitarian perspectives, they are more likely to factor this into their solutions.
- Suaka has ensured that it has **consistently met with government officials** to ensure that the issue remains on the political radar.
- **Engagement with Government:** Whilst time consuming and long-term, engaging with governments provides a wide array of advocacy opportunities. For Suaka, it has created linkages with the National Human Rights Commission, the ability to contribute to the development of Standard Operating Procedures, in addition to providing input to regional fora.



SUAKA Refugee Status Determination Training 2013

f.3 – CASE STUDY: Refugee Rights Network (RRN) – Islamabad, Pakistan

Despite Pakistan long having been ranked as one of the world's largest refugee hosting country, inside Pakistan there is no platform for refugees to safely raise their voice and collectively be part of decision making systems and development initiatives taken by the international community and governmental organisations. Recognising this need, the foundation for RRN Pakistan was created in order for the refugee population in Pakistan to be heard.

In April 2014, select APRRN members and other refugee rights practitioners from around the Asia Pacific region attended the 'Tehran Regional Symposium to Strengthen Refugees Protection'. To follow up from this meeting, APRRN held their periodic South Asia Working Group Meeting to discuss key challenges, ideas and strategies. As part of the strategic planning session, participants from Pakistan identified the need for a national consortia of refugee rights organisations to better address the challenges currently faced throughout the country. RRN Pakistan was formed, and their first meeting was held in Islamabad on 14 June 2014. The founding members of RRN Pakistan were: Society for Human Rights and Prisoners Aid (SHARP), Union Aid, Children and Women Trust, RightsNow Pakistan and Human Rights Alliance.

Strategy

RRN has six goals as part of its broader strategy, which are:

- a. To be an active platform for refugee rights organisations and to have strong influence in decision-making and policy development with the Pakistan Government;
- b. Operate as an 'umbrella' where refugees can share their problems, challenges and success stories with the international community whilst simultaneously taking part in the development of initiatives for them;
- c. To enable refugee women, the disabled, LGBTIs and children a louder say across Pakistan and the region for refugee protection as a recognised platform;
- d. To be a platform actively working on ensuring the protection of refugee rights;
- e. To be a platform to actively research, assess & survey policies, laws, and lives of refugees in Pakistan; and

- f. To promote refugee rights amongst a wide range of audiences.

RRN also endeavours to place a stronger emphasis upon engagement with local and international media organisations. Membership is open to journalists and media representatives as RRN-Pakistan recognises the significant role of media in highlighting the issues related to refugees. RRN-Pakistan plans to have a radio and TV campaign to raise the awareness of refugees.

RRN-Pakistan is fortunate to have a significant amount of support from the Pakistan Government as the Government recognises that there is a great need for a network like RRN. Not only will RRN assist in the betterment of refugee lives, but also highlight the role of government given that Pakistan is the world's second largest refugee hosting country. The Commissionerate of Afghan Refugees and the Ministry of States and Frontier Regions (SAFRON) have appreciated the efforts of establishing RRN and have ensured their full support and cooperation.

Challenges

- As RRN is in the initial stages of formation, until now funding has come from existing member resources. RRN has recently acquired an office in addition to a singular secretariat staff member. A major challenge will be to approach donors in the near future and **secure more funding** to guarantee RRN's longevity.
- The second challenge identified as part of the research is the ability **to engage all sectors of the refugee community**. Especially in a patriarchal society like Pakistan, women may not readily be able to come forward and share their concerns and ideas.
- The biggest challenge envisioned by RRN is the ability to **work closely with government bodies** on policy development, without compromising transparency.
- **Extending Membership:** An imminent focus of RRN is to ensure that the most vulnerable and underprivileged refugees become members, in addition to all organisations in Pakistan working on refugee rights. For this purpose RRN is planning to have open sessions with refugee communities, government agencies, UNHCR and the NGO community to discuss the roles of RRN.

- **Create and extend cross-border information sharing:** Especially in the context of the repatriation of Afghan refugees, cross-border collaboration will be key. This will allow strategies to be developed and advocacy with the respective Governments of these countries on policy levels to be uniform and cohesive.

Examples of Good Practices

- **Coordination and Cooperation with the Government:** One of the core objectives of RRN Pakistan is to strengthen and build the capacity of relevant government departments on refugee laws and rights. Through collegiality, civil society can assist the government to develop strong cross-border coordination and information sharing with counterpart agencies.
- RRN has strong links to the government as all founding members have longstanding links to relevant government departments. Prior to the establishment of RRN, founding members first approached the relevant government departments of Pakistan and proposed the idea. The government officials' response was welcoming as they recognised the need for a national forum for refugees in Pakistan. RRN noted that working with the government can be mutually beneficial for both civil society and the government. By promoting active engagement, interest will often be piqued and traction on advocacy issues will be developed.

- **Geographic Spread of Members:** A wider geographic spread provides great coverage to the refugees in all four provinces of Pakistan and allows overarching advocacy at the national level. Members' geographical presence across Pakistan also strengthens the representative character of the network and increases its potential to influence on the national and international level. As RRN is still in its infancy they have planned to have at least two face-to-face meetings per year where all members can have round table discussions and plan for the future.
- **Diversity of Members:** The network is also open to UN organisations, INGOs, local NGOs, CSOs and Community Based Organisations (CBOs) working for refugees and also universities and relevant research institutions. This broadens the spectrum for advocacy opportunities and assists in creating a greater plethora of diverse voices.



Official launch of Refugee Rights Network Pakistan, June 2015

f.4 – CASE STUDY: Refugee Protection & Legal Aid Network in Nepal – Kathmandu, Nepal

Nepal has provided asylum on humanitarian grounds to persons who seek refuge for many years, based on Nepal's traditions of respect for human rights. However, despite these strong humanitarian and human rights traditions, Nepal continues to lack solid protection mechanisms and legal frameworks for refugees. Refugees and asylum seekers who flee their country of origin because of threats to their life and liberty, should be provided protection according to the universally accepted human rights norms and principles. Refugees hold the right of not being expelled from the country of asylum to a country where they would face serious threats to their life or freedom. Although, Nepal has expressed its commitment towards respecting human rights by ratifying and acceding to many key international human rights instruments, Nepal has not signed the 1951 Refugee Convention and the human rights situation of refugees in Nepal remains inadequate.

Strategy

APRRN member PPR Nepal, along with other APRRN members, have been working to fill the gap in current assistance efforts undertaken by the host country, UNHCR, other international & local NGOs, by supporting them in their work and by endeavoring new initiatives which have not yet been pursued. In 2010 and 2013, the following two organisations were formed to help civil society work better together to uphold the rights of refugees. These are:

Refugee Watch Nepal (RefWaN)

RefWaN is a high-level committee consisting of leaders from different civil society organisations, NGOs, human rights activists, academics and lawyers. It is a committee of experts who have significant experience working in the field of human rights, specifically refugee rights and protection in Nepal and in the region. The committee was formed in 2010 with the view of collaborating, coordinating, and providing required suggestions and advice to the organisations working for refugee rights in Nepal. RefWaN aims to protect and promote refugee rights in Nepal through the implementation of various activities required in this field.

Refugee Legal Aid Lawyers' Network Nepal (RefLAN)

RefLAN is a network of lawyers who provide pro-bono legal aid to refugees. The network was created in 2013 and serves as a forum for exchange between lawyers, and aims to improve refugee legal aid services. RefLAN seeks to bring significant changes in the situation of refugee rights protection in Nepal through coordination, collaboration and cooperation among various actors. The major objectives of the network include advocating for refugee rights, carrying out research on critical refugee issues, providing free legal aid to refugees and asylum seekers, and detention monitoring.

Civil society leaders and lawyers were involved in the formation of both RefWaN and RefLAN. Mr Rajendra Ghimire, Chairperson of PPR Nepal, played a vital role in forming RefWaN in March 2010 in cooperation with senior human rights activist Prof. Kapil Shrestha (former Nepalese National Human Rights Commissioner). PPR Nepal has been serving as a secretariat for RefWaN since its inception.

Challenges

Refugee protection in Nepal is quite complex with refugees of various nationalities in different settings treated differently from one another. In addition, there are several key issues that must be addressed such as the need for national refugee legislation, the issue of 'exit-permit fines' and the need for local integration. These issues are all interlinked in some way, and therefore must be tackled in unison.

Examples of Good Practices

The creation of RefWaN and RefLAN has regenerated hope amongst refugee communities that civil society organisations are able to create advocacy spaces for strengthened refugee protection in Nepal. Some specific good practices include:

- **Information sharing:** Sharing information amongst civil society actors relating to protection concerns, joint programmes and priority issues, increases the ability to streamline advocacy efforts and better use resources. It also creates a unified and coherent voice that can be taken to high-level fora.

- **National consultations:** The consultations resulted from academic research on the coping strategies of urban refugees in Nepal. Bringing civil society and refugees together allowed myths to be dispelled, and a sense of partnership to be developed. Please see case study e.1 for more information on the Nepal national consultations.
- **Capacity building and capacity strengthening:** In recent times RefWaN and RefLAN have put most of their energies into conducting workshops, legal aid education and community awareness training. This concerted effort has led to a greater pool of people interested in the issues and generated more support for urban refugees.
- **Multi-stakeholder advocacy:** Both organisations have been involved in engaging as many stakeholders as possible into the refugee and asylum seeker protection discourse. Through meeting with governments, agencies and departments, such as the Department of Immigration and the National Unit for Coordination of Refugee Affairs, there has been some interest generated in the issue. Multi-stakeholder advocacy has also assisted to positively influence public opinion towards refugee protection.

For More Information:

Forum for Protection of People's Rights, Nepal, 2014, 'Refugee Protection and Legal Aid', accessed 11 October 2014, available at <<http://www.pprnepal.org.np/index.php/what-do-we-do/refugee-protection-and-legal-aid>>

“
RefLAN aims at bringing significant changes in the situation of refugee rights protection in Nepal through coordination, collaboration and cooperation among various actors.
”

f.5 – CASE STUDY: Consortia of Civil Society – Hyderabad, Pakistan

Human Rights Alliance (HRA) and RightsNow Pakistan (RNP) both operate in Sindh Province in southern Pakistan. Prior to the establishment of the consortia, both organisations were working for the same cause, with similar activities, similar target populations and with the same scant resources. This resulted in high investment and low impact services.

In 2013 HRA and RNP both recognised a gap in the provision of legal aid to refugees and asylum seekers, and the additional issue of lacking public awareness and support. It was decided that by 'joining forces', resources could be pooled and the potential for change much more substantive.

The formation of the consortia was the result of many months of discussion between HRA and RNP about how to work better together and how to achieve maximum change in Sindh Province. The idea to form a consortia was inspired by APRRN and through collaboration, members were able to achieve tangible changes. Support, guidance and technical support was provided by APRRN Secretariat staff in addition to other experts in the field such as Dr Gopal Krishna Siwakoti (APRRN Chair).

Strategy

The main strategy of the consortia was to make the provision of legal aid for refugee issues more efficient and streamlined in Sindh Province. The primary focus areas are:

- direct legal aid;
- advocacy;
- training;
- statelessness issues (to commence in 2016)

Successes

A key success of this strategy has been changing the attitudes of the general public and local community towards refugees. This has been a result of an increased understanding of the issues and challenges that refugees face. In addition, local human rights organisations, the media and law enforcement also have a more solid knowledge of the issues. Furthermore, the consortia has conducted sensitisation training with lawmakers and policy officials from across the province. This has assisted in slowly changing the attitudes of officials.

Challenges

- **Disagreements Regarding Strategy:** There have been numerous disagreements and points of contention since the consortia was established. Disagreements have not been over the goals of the consortia or the activities but rather the strategy of how these activities were to be carried out. On each occasion, there was discussion over the strategy until a consensus was reached. An open dialogue and mutual respect for each others' ideas was the primary reason this worked.
- **Funding:** The consortia wishes to start applying for larger joint grants. This will allow them to solidify their partnership and further strengthen their work. This will also allow them to hire a dedicated staff member for the consortia and hence build their membership. Since the partnership has become formalised through the signing of a MoU (and in place for more than one year), there will be joint-funding proposals submitted in the near future.

Examples of Good Practices

There were several 'good practices' identified in this case study that could be replicated or used as a foundation when developing future partnerships.

- **Signing an MoU:** This provided a structure and formalised the consortia. Moreover, it outlined agreed work, parameters and expectations.
- **Start small:** At present, the consortium only contains two organisations (HRA and RNP). There has been discussion about including more members in the consortia although it is yet to be decided exactly when this will occur. RNP and HRA are both registered as not-for-profit entities in Pakistan – notably however, the consortia is not officially registered. In the near future the registration of the consortia will be given greater consideration.
- **Sensitisation training held with local officials and the public:** There has been a degree of engagement with UNHCR, the Government and lawmakers; for example sensitisation activities, advocacy, and media campaigns. Further engagement is planned with the general public and also with stateless communities residing in Sindh Province.

- **Constant, flexible and open communication amongst consortia members:** Information sharing continues on an ad hoc yet regular basis. There are no set periodic dates for communication amongst members but communication channels are constantly kept open. Information exchange is very informal and happens in person, by telephone, Skype, SMS, social media and email.
- **Engaging refugee communities themselves:** Both HRA and RNP have made a conscious effort to ensure that their advocacy is not purely done on behalf of refugees. Both organisations ensure that refugee voices are front and centre in their advocacy.
- **Localised focus:** The idea of a consortia can be replicated in any geographic context. In this case, the consortia has been successful due to its localised nature. There is also a national consortia in Pakistan (Refugee Rights Network) but that is a more of a coordination body and focuses on national issues. The HRA/RNP consortium is attempting to change the public perception in Sindh Province and is working exclusively to make a change in this geographic context.

Before creating a consortium, the organisations involved must all have a compatible vision and goals. This consortium had been very lucky, as the Directors of both organisations had known each other for a substantial period of time and had a strong personal rapport. Thus they could create a relatively informal consortia and keep things flexible and responsive. They suggested engaging individuals who are part of other networks to provide assistance, guidance and technical support.



Community Workshop hosted by Human Rights Alliance (HRA)

f.6 – CASE STUDY: Government Engagement to host Regional Symposium to Strengthen Refugees Protection – Tehran, Iran

Over the past 35 years, the Islamic Republic of Iran has hosted more than four million Afghan and Iraqi asylum seekers and refugees, making it the third largest refugee hosting country in the world. Despite domestic economic, social and political obstacles, Iran has aimed to provide necessary services to meet the needs of refugees residing in the country.

Afghanistan is also one of the world's leading countries of origin of refugees, despite the political changes that have taken place since 2002. Furthermore, recent concerns over the lack of sustainable security in the country have made refugees and asylum seekers increasingly unwilling to return. This in turn may prompt a growing undocumented migration movement to neighboring countries, mainly Iran and Pakistan.

The First Regional Symposium of NGOs was held in Tehran in April 2013 and was attended by over 100 local and regional participants from Iran, Pakistan and Afghanistan. The main aim of the initial meeting was to provide a platform to explore existing environments and capacities in the region and build regional cooperation between participating NGOs. The primary issue discussed was the comprehensive protection of Afghan refugees, asylum seekers and returnees.

To consolidate this position and to take advantage of the changing internal political space, The Association for the Protection of Women and Children (HAMI) decided to host a second symposium. The second conference in April 2014 solicited a broader participation of partners from regional networks and international and non-governmental organisations active in refugee work in the Asia Pacific region. To strengthen regional and international relationships amongst refugee rights practitioners, HAMI partnered with APRRN to host the Second Tehran Regional Symposium. This included an extremely diverse range of actors including: HAMI, the Government of the Islamic Republic of Iran, UNHCR, other UN bodies, local NGOs, INGOs, civil society from outside Iran (Pakistan/Afghanistan and Southeast Asia), representatives from embassies in Iran and APRRN members.

Strategy

The 'International Symposium to Strengthen Refugee Protection' was convened with clearly defined strategic objectives. These were to:

- a. Enhance intensive and collaborative negotiation processes among NGOs and INGOs in the region engaged in the Solution Strategies for Afghan Refugees (SSAR);
- b. Have participants reflect on their organisation's activities, and be able to openly discuss challenges, risks and opportunities when working with refugees;
- c. Provide opportunities for local Iranian NGOs to benefit from international sources of knowledge, exchange good practices and varied professional experiences of other participants. Historically, the goals of Iranian NGOs and civil society have remained quite distinct from the national interests of the Iranian Government. As such, their ability to engage with the Government has been limited. The Symposium provided a unique opportunity to experience, engage and learn.
- d. Expand regional networking among professionals working specifically on issues related to Afghan refugees. The Symposium aimed to attract more attention and increase the knowledge of NGOs and civil communities currently active in the refugee field in regional countries and the international community. Moreover, the conference was a platform for further enhancing mutual interaction and more effective partnerships at the transnational level;
- e. Enable regional NGOs to benefit from professional networking experiences with prominent humanitarian networks i.e. the International Council of Voluntary Agencies (ICVA) & APRRN;
- f. Initiate a regional network of civil society actors, researchers and individuals working specifically on Afghan refugees and to promote the results of the SSAR;
- g. Move the responsibility for Afghan refugees in Iran from the national level to an international one. Along with fading international support for reconstruction and internal reform of Afghanistan, the issue of growing numbers of Afghan refugees and migrants moving to neighboring countries, such as Iran, seems to have been forgotten by donors and the international community. This results in the main political, social and

economic responsibility for Afghan refugees lying on the shoulders of Iran's fragile national economy. In this regard, it should be acknowledged that NGOs active in refugee work have the capacity of mediating accurate and constructive information in order to attract the world's attention to this issue and, accordingly, to the need of increasing international protection;

- h. Increase knowledge and capacity-strengthening of Iranian NGOs at the international level. Iranian NGOs in various specialised fields are least represented at the regional and international levels and, consequently, miss out on governing transnational flow of information and decision-making in areas related to their activities. The international meeting in Tehran thus provided an opportunity for Iranian NGOs to build closer regional and international relationships and develop partnerships outside of the country.

Challenges

International sanctions against Iran have led to decreased cooperation in regional and international levels to the execution of protection projects (especially for vulnerable refugees and migrants). This has been particularly trying for NGOs that have a key role in providing protection services for refugees in Iran. This has impacted upon the abilities and capacities of civil society organisations in Iran to link with the broader regional and international community.

Examples of Good Practices

- **Engaging actors on all levels in decision making** i.e. UN, Governments, national civil society, international civil society and academics. This symposium provided local and international NGOs, UN agencies and governmental bodies with the opportunity to discuss and debate the future programmes and policy regarding refugees and asylum seekers.
- Creating and **maintaining productive relationships and cooperation** with government agencies including the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Education, Ministry of Health, and the Deputy President for Women and Family Affairs. These relationships were further solidified through the meeting of overseas missions during trips to Geneva. The Government is the primary policy driver relating to refugee issues, especially refugees in urban contexts. Creating collegiate, collaborative and cooperative relationships increases opportunities for dialogue and

influence over policy parameters.

- **Being part of a regional network:** Networks of civil society actors such as APRRN help to amplify voices and provide a common platform for information sharing, mutual capacity strengthening and advocacy. Establishing relations with other local and international organisations is an ideal opportunity to share experiences and could potentially challenge the Iranian Government to compare its rules and laws against international standards.
- **Improving neighboring relationships:** The Symposium facilitated dialogue and interaction between Iranian civil society and civil society and governmental bodies inside Afghanistan.

Outcomes from the Symposium:

1. Strengthened relationships and cooperation between regional NGOs. This was the first time the Symposium was held in Iran in the presence of humanitarian actors and NGOs active in the field of refugee rights.
2. Local Iranian NGOs became more familiar with common experiences of NGOs in the region.
3. Increased networking between regional NGOs in Iran, Pakistan and Afghanistan.
4. Additional opportunities for advocacy with UN agencies based in Iran.
5. Increased knowledge acquired by HAMI, and greater collaboration with overseas NGOs to expand their regional and international relations.

Continuity of such meetings inside and outside of Iran would be very effective. In this regard, HAMI is ready to continue such sessions in Iran as well as to provide assistance for other countries including Pakistan and Afghanistan. The continuity of such activities could provide increased stability of legal and social assistance for refugees and asylum seekers in host countries.

Following the Symposium, HAMI organised a study tour for two groups from Afghanistan, which included members of the Afghan judiciary (2014) and Afghan journalists (2015). Needs assessments were conducted to determine the most useful participants to advise them of the lives of Afghan refugees in Iran. HAMI has further developed

effective relationships with CSOs in Afghanistan and has organised meetings during trips to Kabul with Afghan organisations who participated in the Tehran Symposium. Finally, HAMI has also held initial negotiations with civil society organisations about the potential for joint projects with Pakistan NGOs.

The full report from the Tehran Symposium can be accessed at: <http://aprrn.info/report-on-the-international-symposium-to-strengthen-refugee-protection-tehran-april-2014/pdf/Tehran%20Report.pdf>.



Panel session at International Symposium to Strengthen Refugees Protection, Tehran 2014. Photo courtesy of HAMI.

5. RECOMMENDATIONS AND NEXT STEPS

As a result of compiling positive practices across APRRN's geographic and thematic working groups, it is evident that there are many useful examples to be shared and built upon. Many of the positive practices provide a solid foundation upon which to strategise in other geographic and political contexts. It must be noted that these case studies have both positive elements and shortcomings, both which offer opportunities for learning. These positive examples constitute qualified successes, with scope for refinement and adaptation in other contexts. This research is also not intended to be an absolute and exhaustive compendium of positive practices, or even a complete list of all the positive impacts around the region. Rather it is a starting point for further consideration and advocacy. In reviewing and collating these positive practices, APRRN believes the following steps can be taken to further contribute to and heighten refugee protection in the Asia Pacific region:

Recommendations

Conduct further research on positive practices that have high potential for scaling up and replication in other contexts. This should be linked to the Research Consultations Strategy of APRRN's Vision for Regional Protection. It is suggested that academics in the field also contribute to this process. One particular focus of this research should be on Hong Kong, as it is one of the only countries in the region that has a refugee status determination process conducted by the government despite not having signed the Refugee Convention.

Utilise for Strategic Planning at APRRN's Geographic Working Group Consultations

Every two years APRRN holds Working Group Consultations for its geographic working groups. These consultations are designed for APRRN members to share their successes and challenges from the previous year and to develop action plans for the upcoming years. These documented positive practices could be used as models to assist in the development of more targeted advocacy strategies and action plans.

Advocacy with Governments

It is common practice for States in the region to follow the lead of neighbouring countries in regards to their economic, migratory and social policies. As a result, APRRN members and other refugee practitioners should utilise these positive practice models for targeted advocacy with identified states.

Develop APRRN Mentorship Programme

Each of the above-mentioned examples identify certain individuals and organisations involved in the development of the positive practices. It is recommended that APRRN develop a mentorship programme based on the experts identified through this research. It is suggested that APRRN members utilise the skills and knowledge available in the network to develop more efficient programmes and advocacy in their local contexts.

Database of Good Practices

It is recommended that this report be made accessible to as many individuals, practitioners, policy makers and civil society organisations as possible. By sharing positive practices, members can continue to explore how they could be used in their own advocacy.

Utilise Relevant Meetings and Regional/International Fora to Present Findings

It is recommended that APRRN members utilise appropriate meetings and fora to share these positive practices. By sharing these positive practices, civil society may be able to replicate and share ideas in their own local contexts. In addition, by praising the open approaches of some States, others may be willing to create further possible protection spaces for refugees.

ACRONYMS & ABBREVIATIONS

- APRRN** – Asia Pacific Refugee Rights Network
- ASCRP** – APRRN Sub-Committee on Regional Protection
- ATD** – Alternatives to Detention
- AVFRP** – APRRN’s Vision and Framework for Regional Protection
- CBO** – Community Based Organisation
- CSO** – Civil Society Organisation
- ICVA** – International Council of Voluntary Agencies
- IDC** – International Detention Coalition
- INGO** – International Non-Governmental Organisation
- IOM** – International Organisation for Migration
- MOU** – Memorandum of Understanding
- NGO** – Non-Governmental Organisation
- RCS** – Research and Consultations Strategy
- RSD** – Refugee Status Determination
- SGBV** – Sexual and Gender Based Violence
- SOP** – Standard Operating Procedures
- SSAR** – Solutions Strategy for Afghan Refugees
- UN** – United Nations
- UNHCR** – United Nations High Commissioner for Refugees

ACKNOWLEDGEMENTS

APRRN would like to thank the following member organisations that generously took the time to contribute examples and participate in this research. We are particularly grateful to the following organisations for their contributions.

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GONGGAM: hopenvision@naver.com

Human Rights Alliance: info@hra.org.pk

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Japan Association for Refugees: refugee@refugee.or.jp

Justice Centre Hong Kong (formerly the Hong Kong Refugee Advice Centre): www.justicecentre.org.hk

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