



Annual Report 2010

Asia Pacific Refugee Rights Network

The Cry of a Refugee

The high seas reckon
They want me to come
The high seas reckon
They want me to sing

I left all my hard earned gold
some 25 years ago, I put it
on the shelf which is now very old

I left my home near the beach
some 25 years ago, alas
it seems my homeland is out of reach

I left my mother under the coconut tree
some 25 years ago, I remember
and wonder if she is already free

I left my life behind in my home
some 25 years ago, alas
I cry because I feel it is a tomb

By Florina Benoit

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Message from the Chair and Deputy Chair

The Asia Pacific Refugee Rights Network was formed in 2008 by like-minded civil society groups to advance refugee rights in the Asia-Pacific region.

Since then APRRN has continued to grow and now has over 116 members coming from different countries across the Asia Pacific. APRRN members are diverse, comprising service providers, human rights advocacy groups, research, education and training institutions, law firms providing pro-bono legal aid, and refugee community-based organizations. Most APRRN members are national civil society groups working in their local contexts, lobbying their own governments for changes in legislation, policies and practices to better protect the rights of refugees.

As a Network, the success of APRRN depends on the well-tuned activities and ceaseless involvement of its members in operationalization its strategic action plans effectively. It has been incredible and inspiring to observe that the majority of the Network members have been firmly committed and proactively engaged to the noble cause of advancing the protection and promotion of the rights of refugees together over the past few years. I am also proud to enunciate that until this point APRRN remains one of the only Networks of its kind worldwide. Furthermore, APRRN has gained a good

reputation internationally. All this has contributed to a growing strength, courage and impact of the Network.

The highlight of the year was the 3rd Asia Pacific Consultation on Refugee Rights (APCRR3) from November 25-27, 2010 in Bangkok. Through this conference, APRRN members connected with each other, shared experiences and developed joint action plans. Throughout the year APRRN also continued to provide key support and advice to many APRRN members in their effort to effectively address individual country-specific concerns around safeguarding refugee rights.

In 2010, APRRN also coordinated and drafted joint statements such as a statement to the ASEAN Intergovernmental Commission on Human Rights (AICHR) to focus on the protection of refugees in Southeast Asia as an area of priority. APRRN also participated and facilitated many meetings and workshops with other NGOs and UN agencies on refugee rights. APRRN is now the refugee focal point in the SAPA Human Rights Working Group. In April 2010 a number of APRRN members were invited to a tripartite dialogue on Alternatives to Detention for Asylum Seekers and Refugees between the governments, UNHCR and NGOs in South Korea, Japan and Hong Kong. APRRN members helped to coordinate the participation of NGOs. As a result of the dialogue, the Japanese government announced that it would release juvenile detainees. These discussions pave way for future constructive dialogue on the treatment of refugees in East Asia.



Since the value of the Network also lies in its information and resource sharing, we have been assisting our members to be up-to-date about the most pressing issues in Asia Pacific and respond to them in unity. Through our website and other social media outlets such as a facebook page and mail lists we have provided new channels for members to access information and connect with each other.

We were elected as the new Chair and Deputy Chair of the Steering Committee for the period of 2010-12 in November 2010.

We are convinced that together with the Steering Committee members, the working groups, other APRRN members and the project staff, APRRN will continue to grow in 2011 and beyond towards fulfilling our common mission of making the Asia Pacific region a better place for refugees.

Dr. Pill Kyu Hwang, APRRN Chair

Dr. Gopal Krishna Siwakoti, APRRN Deputy Chair

About the Asia Pacific Refugee Rights Network

The Asia Pacific Refugee Rights Network (APRRN) comprises a network of civil society organizations and individuals committed to advancing the rights of refugees in the Asia Pacific Region through information sharing, mutual capacity building and joint advocacy.

APRRN was established in November 2008 and is an open network that welcomes the involvement of new members who subscribe to the following core principles of APRRN:

- Using a rights-based approach
- Applying humanitarian principles of nondiscrimination, impartiality, humanity, independence and accountability to affected populations
- Using a “Do no harm” approach
- Building solidarity amongst civil society actors in the Asia Pacific region
- Working responsibly and with respect, accountability and transparency with each other

Members are expected to uphold the rights of all persons, in particular refugees, stateless persons and forcibly displaced persons, as outlined in:

- The international refugee rights regime, which includes, *inter alia*, 1951 Convention Related to the Status of Refugees and its 1967 Protocol

- International human rights law
- International humanitarian law
- National and regional legislation
- International customary law

The Steering Committee of APRRN has been mandated to provide general guidance for the direction and structure of the Network. The Steering Committee is composed of elected representatives from the Geographical and Thematic Working Groups formed during APRRN’s annual consultations, as well as APRRN’s Host Organization and appointed representatives from refugee backgrounds as specified in APRRN’s Articles of Association.

The four geographical working groups are South Asia; Southeast Asia; East Asia; Australia and the Pacific. The four thematic working groups are Immigration Detention; Legal Aid and Advocacy; Women and Girls at Risk and Right to Health. The Host Organization of APRRN is the Asian Forum for Human Rights and Development (Forum Asia).

Steering Committee Members (2010- 2012)

The Steering Committee members have been elected at the APRRC3 for the period 2010-2012:

Chair

Pill Kyu Hwang
Korean Public Interest Lawyers' Group
(GONGGAM), Korea

Deputy Chair

Dr. Gopal Krishna Siwakoti
INHURED International, Nepal

Host Organization

Representative

Yap Swee Seng
Asian Forum for Human Rights and
Development (Forum Asia), Thailand

Nominated Representative

Marip Seng Bu
Kachin National Organisation, Japan

Working Group Representatives

South Asia:

Chair:
Florina Benoit
Organisation for Eelam Refugees
Rehabilitation (OfERR), India

Deputy Chair:
Khalid Shezad Mir

Pakistan International Human Rights
Organization (PIHRO), Pakistan

South East Asia

Chair:
Veerawit Tianchainan
Thai Committee for Refugees (TCR),
Thailand

Deputy Chair:
Vladimir Hernandez
Community and Family Services
International (CFSI), Philippines

East Asia

Chair:
Brian Barbour
Hong Kong Refugee Advice Centre
(HKRAC), Hong Kong

Deputy Chair:
Won-Geun Choi
NANCEN, Korea

Australia, New Zealand and the Pacific

Chair:
Tamara Domicelj
Oxfam Australia, Australia

Deputy Chair:
Kafeba Mundele
New Zealand National Refugee Network,
New Zealand

Immigration Detention Working Group

Chair:
Jong Chul Kim
Lawfirm Somyoung, Korea

Legal Aid Working Group

Chair:
Medhaphan Sundaradeja
Asylum Access, Thailand

Women and Girls at Risk working Group

Chair:
Efterpy Mitchell,
Centre for Refugee Research, University
of New South Wales, Australia

Right to Health Working Group

Chair
Ashok Xavier
OfERR, India

Non Voting Members

Non voting members are nominated by the Steering Committee in recognition of the services to the Network, their experience and expertise:

Alice Nah, The National Human Rights Society (HAKAM), Malaysia

James Thomson, Act for Peace, National Council of Churches in Australia, Australia

Grant Mitchell, International Detention Coalition, Australia

Elected Non-members

Deputy Chairs of the Thematic Working groups:

Immigration Detention Working Group

Grant Mitchell, International Detention Coalition, Australia

Legal Aid Working Group

Christine Lin, HKRAC, Hong Kong

Women and Girls at Risk Working Group

Valeria Racemoli, Asylum Access Thailand, Thailand

Right to Health Working Group

Rajendra Ghimire, PPR Nepal, Nepal

Advisors

Advisors are nominated by the Steering Committee for their expertise in specific fields. Advisors will interact with the Steering Committee and the Secretariat through the Chair and the Coordinator respectively:

Lakshan Dias, South Asian Network for Refugees, IDPs and Migrants (SANRIM), Sri Lanka

Amy Alexander, CHRO, Thailand

Chris Lewa, Arakan Project, Thailand

Martin Jones, Centre for Applied Human Rights, University of York, United Kingdom

Secretariat

Coordinator: Anoop Sukumaran

Making an impact

Asia Pacific is the site of some of the world's most acute and protracted refugee situations. Of the 10.5 million refugees estimated by UNHCR in 2010, Asia and Oceania hosted more than half of the world's refugees, 54 percent and 0.3% respectively. In addition to this, there are several million asylum-seekers, stateless persons and internally displaced persons (IDPs) in the region.

Only 26 of the 61 countries located in these two regions are state parties to the 1951 Convention Relating to the Status of Refugees (Refugee Convention) and/or its 1967 Protocol. The refusal of most states to accede to the basic elements of the international legal protection framework indicates their resistance to fulfilling their international obligations to refugees. This undermines the ability of refugees to obtain effective protection in host, transit and destination countries.

Many asylum seekers and refugees remain unregistered and therefore invisible to the international community. They are frequently subject to gross violations of their fundamental rights through arbitrary detention, exposure to

sex- and gender-based violence, the lack of access to basic healthcare, torture, the inability to access sustainable employment lawfully, and, most seriously, forcible return to countries (refoulement) in which they are likely to suffer persecution. The situation confronting refugees is made worse because of the resistance of most states in the Asia Pacific region to ratify other core human rights treaties and to create regional human rights enforcement mechanisms.

National civil society organizations are filling these gaps by playing an important role in refugee protection, advocacy and the provision of social welfare. Prior to the establishment of the Network, these groups worked in isolation in their own local contexts, with limited access to specialist training, technical resources, and key stakeholders related to refugee protection.

Since 2008, APRRN has grown to over 116 members from different countries across Asia-Pacific. With the high level of commitment and engagement of its members, the Network has gained tremendous momentum and is being recognized as the face of a movement. In the coming years it will continue to gain strength on the basis of the work of its members.

“APRRN provides vital information about the region and the evolving state of refugees in the Asia Pacific region”.

At the heart of APRRN is the belief that civil society has a vital role to play in advocating for the rights of refugees. By coming together, sharing experience and expertise, we hope to strengthen and build upon the work of each other.

Geographical Working Groups

Australia and the Pacific

A number of countries in this region are signatories to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, and have their own national systems for assessing asylum applications.

Australia and **New Zealand** also administer resettlement programmes, receiving approximately 6,000 and 750 refugees annually.

The Working Group has been monitoring developments in the sub-region, such as the Australian Government's intentions to establish a regional processing centre and develop a regional refugee protection framework.

The key challenge of this group however is, in partnership with other members of APRRN, to work towards multilateral approaches to strengthen durable solutions and effective protection in the region. The fair and humane processing of asylum claims and detention conditions also remains one of the major issues.

South Asia

The most critical issue for the South Asian region is the absence of legal frameworks for refugees, leaving them vulnerable in countries where they seek protection.

Afghan refugees continue to comprise the largest proportion of refugees worldwide. Ongoing violence and insecurity complicate the return of refugees.



In **Bangladesh** around 29,000 Rohingya refugees are housed in two official camps and an estimated 200,000 Rohingya refugees are scattered among the local population, 30,000 of which reside in two unofficial sites. New arrivals continue to come but are not given official status and do not have access to assistance. At the end of 2010, more than 500 unregistered Rohingya refugees remain in jail at risk of indefinite detention without access to refugee status and Burma refusing to re-admit them. In October 2010, the government also suspended the small resettlement programme in the official refugee camps. The problem seems to be intractable with no immediate solution in sight.

Conditions for Burmese refugees in **India** are also very poor and in the last 2-3 years there have been lots of problems between Burmese refugees and local communities in Delhi. There have been reports of incidents such as rape and violent attacks. Although the issue is brought to the attention of the local police there is no action taken by them. Attempts are being made by NGOs to get as much information as possible about Rohingyas who have entered from Bangladesh in North India. They don't have proper documents and consequently

many get arrested and detained. In addition to Burmese refugees, there are also Sri Lankan, Tibetan, Bangladeshi, Afghan, Pakistani, Somali and other refugee populations in India.

In South India, the **Sri Lankan** refugees have been living in refugee camps for the last 21 years. After the end of the violent conflict, the Government of India, the Government of Tamil Nadu, UNHCR and NGOs are working towards preparing and facilitating the refugees for return. Unless bilateral talks are successful the return of refugees to Sri Lanka will not be smooth. The citizenship issue and the problem of statelessness is being dealt by OfERR, a Sri Lankan NGO working in the refugee camps along with the Department of Rehabilitation and the Sri Lankan Deputy High Commission. The refugees are helped to obtain the various documents needed to get their citizenship. However, Tamil refugees do not want to return unless there is a durable solution to the problem in Sri Lanka.

Nepal hosts a large number of refugees including over 110,000 Bhutanese refugees and more than 30,000 Tibetan refugees. Since 2007, more than 50,00 Bhutanese refugees have been resettled in third countries such as the US. There are also urban refugees from Pakistan, Iraq, Somalia, Sri Lanka, Burma, Afghanistan and other countries. The government does not treat them as refugees or asylum seekers, but as illegal migrants. The political instability and frequent government changes in Nepal also hinder the process of finding durable solutions to the refugee problem. Nepal is yet to ratify the 1951 Refugee Convention and also lacks the enactment of a national



legislation to address the complex refugee scenario.

In **Pakistan** the humanitarian situation changed dramatically for the worse due to disastrous floods in 2010. Additionally Pakistan is still hosting 1.7 million registered Afghan refugees. Refugees who enter the country illegally are arrested and are getting charged with the relevant section under the Foreigners Act 1946 which states that they are “security threats”. Few initiatives are underway to improve the situation such as a smart card for Afghan refugees and a special Assistance Fund for refugees in urban and rural areas.

Even though civil war is over, abductions, killings, especially of displaced populations and the Tamil minority, continue in **Sri Lanka**. Issues of concern remain, such as over 100,000 refugees in India. Those coming back are facing issues of land rights and livelihood, housing etc. Some of them are under threat to detention. There are also around 1000-2000 asylum seekers in Sri Lanka from Pakistan, Afghanistan and some African countries and around 100 UNHCR accepted refugees without resettlement in third country.

There are many rejected cases, which live pathetic lives on the brinks of poverty, with no access to education and health care. UNHCR doesn't provide assistance to them and it is difficult for them to get support from Sri Lankan organizations.

Around 200,000- 300,000 Tamil asylum seekers from Sri Lanka living in various countries across the region are under the threat of repatriation and deportation due to the campaign of the Sri Lankan government and its allies, new UNHCR guidelines in July 2010 and bilateral agreements such as between the Sri Lankan and Swiss Government, to deport failed Sri Lankan asylum seekers even though the country conditions are not improved for their safe return.

East Asia

South Korea and Japan have signed the 1951 Refugee Convention and have domestic RSD procedures in place.

There have been some positive developments in **Japan**. As part of an agreement between the Ministry of Justice and the Bar Association of Japan, lawyers can now provide legal consultations in the detention centres. The Ministry of Justice has announced a six month target for all RSD examinations and also the extension of visas and permission to stay until the process is completed. A resettlement programme was also launched in September 2010.

In **South Korea** the Draft Bill of Act on the Status and Treatment of Refugees has been drafted and it is expected to be legislated sometime in 2011. South Korea now provides a limited work permit for

asylum seekers and other persons of concern. There have also been some improvements and developments in the RSD procedures.

According to UNHCR, there are 1112 pending asylum cases in **Hong Kong**. Hong Kong is ranked among the 15 largest UNHCR RSD operations in the world but RSD decisions can take up to 7 years. The recognition rate is 3% at first instance and less than 1% at final appeal. While asylum seekers are awaiting their decision they are not allowed to work and often struggle on the brinks of poverty with limited access to education, health care and other basic needs. There are some cases which are stuck in Hong Kong for over 5 years already.

Southeast Asia

Only two countries in this region have signed the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol in this region, namely Cambodia and the Philippines.

Thailand hosts 100,000 refugees from Burma and an additional unregistered 53,000 refugees in nine official refugee camps along the Thai-Burma border. At the end of November 2010 clashes between Burmese government troops and ethnic armies have resulted in a new influx of refugees. In addition there are a large number of unregistered refugees outside the camps who are at risk of arrest, deportation and detention. Furthermore, there is a sizeable urban refugee population as well as Rohingya refugees from Burma who are considered as stateless persons. They remain in detention in Bangkok and three sites in

Southern Thailand and similar to Bangladesh there is no immediate solution for them in sight.

Malaysia hosts 90,000 refugees, with the majority being from Burma as well. Similar to Thailand there is also a large unregistered refugee population. In **Indonesia** new arrivals of refugees increased significantly in 2010, many of them are coming from Afghanistan.

The lack of an international legal framework for the recognition of refugees amongst **ASEAN** countries has led to severe abuses of refugee rights across the region. Not only are they treated as illegal migrants and are therefore subject to arrest, prolonged detention and deportation, ASEAN States such as Thailand and Malaysia have also forcibly deported (*refouled*) some refugees. In Malaysia, some refugees have suffered from the brutal practice of judicial whipping. In addition to that refugees do not have access to basic rights such as education, health care and the right to livelihood.

Members of APRRN along with other civil society groups in the region have already expressed concern about the treatment of the Rohingya and Bangladeshi “boat people” in 2009, as well as the forcible deportation (*refoulement*) of the Uighurs from Cambodia and the Lao Hmong from Thailand at the beginning of 2010.

For the Southeast Asia Working Group engagement with the various ASEAN bodies and the AIHCR is seen as a priority and one of the focus areas.



Thematic Working Groups

Legal Aid and Advocacy Group

The **Legal Aid and Advocacy Group** aims to share jurisprudence on non-refoulement, detention, the right to work and the right to legal aid/right to counsel. The Network has a wealth of experience and expertise and can provide information and guidance for those who seek it such as legal aid providers. There already some refugee law courses available in the region and clinical programmes in Hong Kong have been proven to be successful. The group is also compiling training materials and will encourage sharing of already existing training materials and best practices.

Immigration and Detention Working Group

Across the region governments are making use of detention as a migration management tool. In countries such as Thailand and Malaysia conditions in detention centres are inhumane and alternatives to detention are yet to be explored. The key objective of **the Immigration Detention Working Group** is to achieve increased release from detention of vulnerable groups (including refugees, children, women at risk, elderly, torture and trauma survivors), by a better sharing of information, best practices, strategies and targeted advocacy, including government engagement. The group also aims to improve conditions, protection and access to justice by capacity building and strategies

on detention standards and monitoring of immigration detention and deportations aimed at improving conditions and protection concerns of detained refugees and stateless persons in the region.

Key actions identified were the development of regional and national detention action plans through sub-regional workshops, including both advocacy and capacity building initiatives, and a regional detention workshop later in the year.

Right to Health Working Group

The **Right to Health Working Group** addresses health issues of refugees and migrants including the provision of psychosocial care. Migratory populations are extremely vulnerable to health issues since they do not have access to appropriate health care and medicine in many hosting countries. Refugees are also at a great risk to suffer from mental problems such as Post Traumatic Stress Disorder, depression, anxiety etc. because of their traumatic experiences in their home country and the new challenges that they need to face in their host country. Women and children are particularly vulnerable and also face threats such as sexual and physical abuse. While there is growing acceptance of the problem, the extent of help available is inadequate. The main aim of the group is to publicize refugee health issues by documenting health practices and share best practices. The group also plans to develop country level reports and a list of key policy recommendations.

Women and Girls at Risk Working Group

The **Women and Girls at Risk Working Group** aims to actively engage non-profit organizations and refugee community-based organizations in the region to strengthen gender protection for irregular migrants, asylum seekers and refugees. Furthermore the group aims to promote concrete gender sensitive initiatives at the national and regional level. This should be achieved through information sharing (resources and training modules), enhancing the visibility of the voices of refugee women, developing advocacy plans, performing gender analysis of key documents and discussions and providing training and workshops on women's rights.



The 3rd Asia Pacific Consultation on Refugee Rights

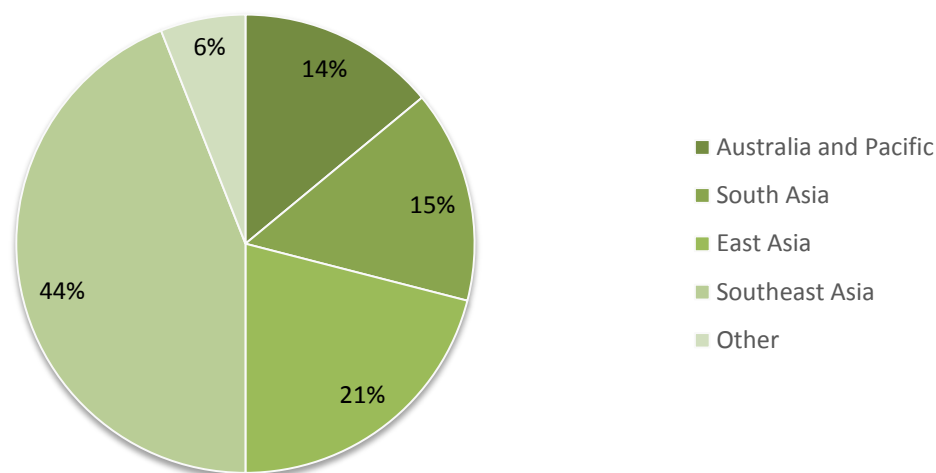
The 3rd Asia Pacific Consultation on Refugee Rights was held from November 25-27, 2010 in Bangkok at the Bangkok Rama Hotel. APCRR3 was attended by 117 participants from 22 countries, most of whom were members of national civil society groups.

The key outputs of APCRR3 included:

- Election of a new steering committee to serve for two years until APCRR3
- Action Plans for 2011-2013 for each of the geographical working groups and four thematic working groups

The theme of APCRR3 was “Strengthening local effectiveness together”. The theme reflects the evolution of the Network in a manner that enabled participants to reflect upon a variety of issues that are of critical importance.

Geographical breakdown of participants



There was greater representation from Southeast Asian countries compared to other sub-regions. This was due to the fact that APCRR3 was held in Bangkok, making it cheaper for APRRN members to travel to the conference venue.

The presentations and discussions were meant to enhance information sharing and to brainstorm about strategies for greater effectiveness at the policy level, implementation and service delivery.

This year sessions were conducted for the following themes:

- Building National Networks for Refugee Rights
- Fundraising effectively
- Working with UN agencies and other stakeholders on statelessness
- Working with UNHCR for urban refugees
- Dialogue session with refugees: perspectives on durable solutions
- Collaborating on 1951 Refugee Convention and 1961 Statelessness Convention anniversaries
- Refugees from Burma in the Asia Pacific Region
- Regional approaches to refugee protection

In addition, presentations and discussions were also held for the geographic and four thematic working groups.

APCRR3 gave APRRN members the opportunity to regroup, update each other on key issues and challenges and develop joint action plans.

Several important organizational decisions were also made by the Network at APCRR3, including:

1. The Network will move to meeting each two (2) years rather than annually, focusing instead on intensifying coordination at the sub-regional and thematic levels.
2. Elections for office bearers will therefore occur each two years.

Feedback and Evaluation:

APCRR3 has received good feedback from all participants. Many members stated that the consultation enabled them to share experiences and learn from each other. It also provided participants with a platform to disseminate information and discuss relevant issues.

“APCRR provided us with an extended platform to discuss and disseminate the issues we work on”.



“APCRR made us understand APRRN better and how strong it can be as a Network”.

Joint Advocacy

Joint statements

Throughout the year APRRN has coordinated various joint statements in order to respond to key issues in the region.

APRRN has drafted a joint statement in January 2010, which was endorsed by 69 organizations objecting to the forced deportations of the **Uighurs from Cambodia** and the **Lao Hmong from Thailand**.¹

In December 2009, the government of Cambodia forcibly repatriated 20 ethnic Uighur asylum seekers to China, before their claims for asylum had been fully examined. The forced repatriation occurred despite the protests of the international community, including the United Nations High Commissioner for Refugees (UNHCR), and civil society. Cambodia is a signatory to the 1951 Convention Relating to the Status of Refugees. Amnesty International has documented past cases of Uighur asylum seekers forcibly returned to China who were detained, reportedly tortured and, in some cases, sentenced to death and executed.

On December 28, 2009, the government of Thailand forcibly repatriated about **4,000 Lao Hmong** from Huay Nam Khao camp in Phetchabun, as well as **158 Lao Hmong** detained in the Nong Khai Immigration Detention Centre back to Laos. The 158 Lao

Hmong were recognized by UNHCR as being in need of international protection; they had already been accepted for resettlement by several countries but had been denied departure from Thailand. In recent years, forcibly repatriated Lao Hmong have been subject to disappearance, imprisonment, forced re-education, and physical and sexual assault.

In the statement the undersigned demanded that all governments in the Asia-Pacific region recognize the right to asylum and reaffirm the importance of the principle of *non-refoulement* of asylum seekers and refugees. Furthermore it was called on the relevant governments and all governments to abide by their obligations as a state party to the 1951 Convention Relating to the Status of Refugees, its 1967 Protocol, as well as the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In April 2010 APRRN released a joint statement condemning the **suspension of the processing of Sri Lankan and Afghan asylum seekers by the Australian Government**.²

During the suspension periods Afghan and Sri Lankan asylum seekers arriving by boat would be mandatorily detained. At the end of the three and six month suspension periods the government would “review” the situation, but would not commit to resuming processing at that time. Thus the

¹ The full statement can be found here: [Here](#)

² The full statement can be found here: [Here](#)

suspension (and mandatory detention) may continue indefinitely.

The Suspension Policy violates Australia's human rights obligations, and may inflict irreparable psychological harm upon Afghan and Sri Lankan asylum seekers – many of whom are likely to be refugees and survivors of torture and trauma. Australia is one of the signatories to the 1951 Refugee Convention therefore it was disappointing to see that the Australian government is sending a clear message that it does not respect the binding nature of its international human rights obligations towards asylum seekers and refugees. The statement which was signed by 47 members, urged the government to take a stand which upholds their international human rights obligations and respects principles of international solidarity and responsibility sharing.

Another joint statement released in March 2010 **appealed to the ASEAN Intergovernmental Commission on Human Rights (AICHR) to take into consideration the poor protection of the rights of refugees in this region.**³

The lack of an international legal framework for the recognition of refugees amongst ASEAN has led to severe abuses of refugee rights. Not only have they often been treated as migrants in an irregular situation and therefore subject to arrest, prolonged detention and deportation, ASEAN States have also forcibly deported (*refouled*) some refugee populations.

The statement which was signed by 47 organizations, expressed that the AICHR should use its mandate to facilitate the development of a regional solution for the protection of asylum seekers and refugees, which respects and protects their rights based on international human rights standards. It was called on ASEAN States to grant UNHCR full and unconditional access to asylum seekers, refugees, stateless and displaced persons within their borders and to uphold their international obligations towards refugees, in particular, the principle of *non-refoulement* in international customary law.

In addition APRRN coordinated the NGO Statement on Asia and the Pacific to the 44th Meeting of the Standing Committee of the Executive Committee of the High Commissioner's Programme in March 2009 Geneva, and provided substantive comments to for the same statement in March 2010.

³ The full statement can be found here: [Here](#)

Building strategic partnerships

APRRN aims to build strategic partnerships in order to create and reinforce opportunities for advocacy. Throughout the year the Network Coordinator and members organized and facilitated many meetings, presentations and workshops with a wide variety of government, non-governmental and UN agencies both within the region and internationally.

APRRN has been continuously engaging with regional bodies such as the **ASEAN** since the nature of the ASEAN makes this regional body critical in advocacy for the

region. In particular, APRRN has been engaged with a larger civil society body called the Solidarity for Asian People's Assembly (SAPA) and was present at **SAPA Task Force on ASEAN and Human Rights meeting**, followed by the **3rd Regional Consultation Meeting on ASEAN and Human Rights**. Finally, APRRN was nominated as the SAPA Human Rights Working Group Focal Point for Refugees. APRRN was also present at the **People's Forum** in Hanoi in September 2010 under the theme "Solidarity and Action for a People-Oriented ASEAN". The final statement of the APF included refugee rights as a key issue to be considered by the ASEAN. The statement was later presented to the Chair of the ASEAN.



The **ASEAN Intergovernmental Commission on Human Rights (AICHR)** was inaugurated in September 2009. APRRN along with ASEAN civil society groups has been actively involved in advocacy to make the body responsive to the protection needs of refugees and asylum seekers in the region. APRRN was involved in the drafting of the civil society proposal for AICHR's Rules of Procedure. It is hoped that the institution of the AICHR can be used as an effective tool to prevent abuses and develop mechanisms in the future.

In addition the APRRN Coordinator and two members were invited to the **UNHCR Regional Expert Roundtable on Good Practices for the Identification, Prevention and Reduction of Statelessness and the Protection of Stateless Persons** in South East Asia, held in Bangkok in October 2010. A report on the state of statelessness will be published after the Roundtable by UNESCO. APRRN realizes that it is crucial to engage and collaborate with the UNHCR on key issues in the region, but also question their role at the same time.

In 2010, at the **UNHCR Annual Consultations** in Geneva, APRRN facilitated meetings with **UNHCR Asia Bureau in Geneva** to help APRRN members raise key concerns on refugee protection in the region. The Network also organized a side meeting on Advocacy for the Rights of Refugees through Domestic Legislation at the 2010 UNHCR consultations, attended by more than 40 people, with speakers from INHURED International (Nepal), GONGAM (Korea) and USCRI (Thailand) sharing their

experiences in advocating for domestic refugee legislation in their countries.

Overall, APRRN has gained a solid and good reputation as one the key stakeholders in refugee rights advocacy in the Asia-Pacific region. It continues to welcome collaborative engagement with governments, institutions and civil society groups.

Networking & communicating effectively

The **website** has been updated frequently and is being viewed as a portal for information. The Secretariat has also launched a **Facebook** page in an attempt to harness the power of social networking. We have at present (April 2011) 186 members of the Facebook page and the vast majority of whom are not APRRN members. APRRN members have also been actively sharing information and resources through APRRN mailing lists. In addition we have helped members such as the Arakan Project and Health Equity Initiatives (HEI) who do not have internet presence to launch their advocacy reports.⁴

APRRN members have benefited from being on **mail lists** in various ways. The mail lists enables members to share information and resources as well as to

⁴ The Arakan Project Report can be downloaded here: [Here](#).
The HEI Report can be downloaded here: [Here](#)

connect to each other. In many cases members have shared information on their activities and recent happenings in their respective country. In addition members have also sought help from each other and asked for advice on different issues.

Strengthening the Network

APRRN members participated in the **Sub-regional Roundtable on Alternatives to Detention of Asylum Seekers and Refugees**, a tripartite meeting organized by the Korean government and UNHCR (April 26-27, 2010) in Seoul, involving the governments and civil society of Japan, South Korea and Hong Kong. As a result of this roundtable, the Japanese government announced the release of juvenile detainees.

Another milestone reached was the launch of the Asia Refugee Legal Aid Network (ARLAN) in Hong Kong in June 2010. ARLAN aims to enhance the provision of legal aid to refugees in Asia, support the establishment of pro bono networks of lawyers representing refugees, as well as to develop resources to be shared among legal aid providers in the region. It is a project launched in collaboration with Fahamu Trust and the Centre for Applied Human Rights, University of York, with the support from the US Institute for Peace.

Furthermore APRRN members organized and participated in an **East Asia Symposium** (April 2010) in Seoul, to build

awareness about refugee issues and to promote refugee protection in East Asia. APRRN, the Human Security Alliance and the Thai Committee for Refugees also conducted 2 workshops in August. The first was on the 24th of August entitled **“Learning Workshop on Statelessness in ASEAN Countries”** and the second workshop was entitled **“Learning Workshop on IDPs”** on August 29, 2010. The workshop addressed a range of issues and was attended by 45 participants from the region. It presented an opportunity to discuss the challenges and strategies to combat statelessness.

The APRRN Secretariat also participated and provided inputs as resource persons in several civil society Forums such as:

The **NGO-National Human Rights Institutions** consultation prior to the 15th Workshop on the Framework on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia Pacific Region in Bangkok (April 20, 2010).

The regional consultation **‘Decent Wage, Decent Work: Working Ourselves Out of Poverty’**, organized by Committee for Asian Women, highlighting issues of forced migration in the region (April 29, 2010).

Developing our team

Alice Nah has been a very inspiring leader of the Network. It was her vision, energy and perseverance that contributed to the founding of APRRN in 2008. Since then, the Network has grown in numbers, strength and impact. At APCRR3, Alice handed the position of Chair to Dr. Pill Kyu Hwang who has continued to enhance the Network's strategic direction.

Anoop Sukumaran took the position of Coordinator in February 2010. Anoop has proven himself invaluable to the Network and his focus and energy has helped drive forward the operational positioning and involvement of the Network. His efforts have enabled the Network to better coordinate and proactively participate in actions that advance the aims of the Network.



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- UNHCR

The Network would also like to extend their thanks towards the retired 2009-2010 Steering Committee who have provided strong leadership and direction in the development of the Network.

Finally we would like to thank all APRRN members for their commitment and participation towards achieving our mission.

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