

Asia Pacific Refugee Rights Network

December 2011 Updates

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Message from Pill Kyu Hwang, Chair of the Asia Pacific Refugee Rights Network

2011 has been an eventful year for APRRN. The Network was able to conduct a range of activities and establish itself firmly as a key stakeholder on refugee rights in the region. This is indicative of a maturing and dynamic network. In the second half of 2011 APRRN pioneered initiatives in the region such as a Refugee Mental Health Training in Hong Kong, a short course on refugee law with the University of York and the Refugee and Statelessness Studies Programme at Mahidol University. In November 2011 APRRN and the International Detention Coalition also organized a successful workshop on immigration detention for 45 participants from across the region. In the same month APRRN also coordinated the East Asia Symposium under the theme "Beyond Asylum: Refugee Policy in Practice and How Refugees Experience it" and brought together over 100 people from Hong Kong, Korea, Japan and Taiwan. In addition to that we were able to hold consultations in three sub-regions: East Asia (November), Southeast Asia (September) and South Asia (April).

One of the highlights this year was also the release of 94 refugees and 2 asylum seekers from immigration detention in Bangkok in June 2011. APRRN coordinated the initial statement demanding the release of detained Ahmadi Pakistanis in Thailand in December 2010. Relevant stakeholders from the government recognized the statement and APRRN supported Thai civil society to take the lead. This was a historic development that has led to further

releases of refugees and asylum seekers from detention by other stakeholders. A task force of stakeholders has been established in Thailand which has presented the government with a concrete proposal for alternatives to detention.

The Australia-Malaysia refugee swap deal was one of the key areas of concern in 2011. APRRN released a joint statement on the deal in May 2011. In September 2011, APRRN produced a statement on a new approach to regional cooperation which took cognizance of the serious concern the Network has expressed towards the transfer to other states of asylum seekers who have entered Australia's territory or jurisdiction and thus engaged its international obligations. The statement also called on states to develop, in collaboration with civil society, a national action plan detailing the progressive steps they will take towards improving refugee protection standards and enhancing engagement with other states on protection issues. It also welcomed the establishment of the Regional Support Office (RSO) to advance the development of the Asia-Pacific Regional Cooperation Framework.

In 2011 the APRRN Secretariat also saw some positive changes. Julia Mayerhofer joined as Programme Officer in April 2011 and Haemin Park as an intern from July to December 2011. This increase in manpower has allowed APRRN to develop more concrete programmes and a range of new initiatives.

We are looking forward to 2012 where we will be able to further consolidate the Network and increase our impact. The highlight of 2012 will be the 4th Asia Pacific Consultation on Refugee Rights, which will be held in Seoul, Korea

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in August 2012. It is the first time that it will be held in East Asia and we hope that it will provide a great platform for sharing and developing joint action plans. We are also working on organizing the Refugee Mental Health Training in South Asia (Nepal) and Southeast Asia (Thailand). In the second half of 2012 we will run the short course on refugee law and the “Refugee and Statelessness Studies Programme” again and we will also see other training initiatives on immigration detention and legal aid. In addition to that the Women and Girls at Risk Working Group is also working on a three year project under the theme “Refugee/Migrant Women’s Dialogues”, with the first phase starting at the end of 2012.

At the end of this year, I want to express my sincere thanks to the other Steering Committee members, the APRRN Secretariat and of course all members for their continuous commitment towards APRRN. At this point I would also like to wish all of you Merry Christmas, A Happy New Year and hope to see you at the upcoming APCRR 4 in Seoul, Korea.

Pill Kyu Hwang
Chair of the Asia Pacific Refugee Rights Network

Asia Pacific Immigration Detention Working Group Regional Workshop

From November 24-25, 2011, the Asia Pacific Refugee Rights Network (APRRN) and the International Detention Coalition (IDC) held the Asia Pacific Immigration Detention Working Group Regional Workshop in Kuala Lumpur, Malaysia. 50 participants from different non-governmental organizations (NGOs) from 18 countries met to address the growing problem of immigration detention and the need for alternatives to detention in Asia Pacific region. Previously, a Southeast Asia Immigration Detention Workshop was held in December 2010 and a South Asia Immigration Detention Workshop was held in October 2011. The East Asia Immigration Detention Workshop is due to be held in January 2012.

Trainers for the workshop included IDC, Association for the Prevention of Torture (APT), Global Detention Project (GDP) and Foundation House.

Commissioner Mr. James Nayagam from SUHAKAM Malaysia (Human Rights Commission of Malaysia) delivered opening remarks and welcomed the regional cooperation and capacity-building opportunities for NGOs around the region. The Thai Committee for Refugees Foundation (TCR), Forum for Refugees Japan (FRJ) and ESCR-Asia discussed preventive monitoring, increasing the access and monitoring of places of detention, working in places of detention, interviewing people in detention and collecting data. Participants also shared positive developments on immigration detention in the region from Thailand, Japan and Indonesia and there have been interactive group discussions identifying challenges and opportunities of alternatives to detention, campaigning against detention of children and advocacy strategies. The workshop was concluded with developing country action plans. The workshop provided an excellent opportunity to share experiences among key stakeholders and further develop and implement action plans.

During the workshop, APRRN and IDC also released a regional press statement calling on governments to end the detention of children and commit to a number of detention pledges at the high level ministerial meeting in Geneva to celebrate the 60th anniversary of the Convention.

The full press statement can be downloaded at:
<http://refugeerightsasiapacific.org/2011/11/25/press-release-ngos-urge-asia-pacific-governments-to-end-the-immigration-detention-of-children/>



Participants discuss action plans during the Asia Pacific Immigration Detention Working Group Regional Workshop in Kuala Lumpur

Refugee Mental Health Training in Hong Kong

Mental health needs of refugees are often not being recognized as a priority and still poorly addressed. To respond to mental health needs specific skills, knowledge and experience are required – most national civil society organizations however lack exactly these and refugee mental health has been identified by APRRN members as one of the priority areas for further training. In an effort to address this gap, the APRRN East Asia Working Group and civil society organizations from across Asia held a 3-day Refugee Mental Health Training in Hong Kong from November 9-11, 2011. The objective was to build knowledge, skills and capacity among member organizations to respond more effectively to mental health issues among refugee communities.

We received an overwhelming response with over 100 applications for only 60 available spaces, based on that it was agreed to extend the training to 70 spaces. Majority of the participants came from service providers in Hong Kong while 30% were attending from other East Asian countries and India. Participants had a variety of different professional backgrounds including social workers, case-workers, lawyers, psychologists, counselors, volunteers, UNHCR officers and others working with refugees. The training was conducted by Ms. Linda McLagen and Ms. Adrienne Carter who are experts on refugee mental health and have had previously organized a similar training on behalf of Medicines Sans Frontiers (MSF).

The training was split over three days and covered sessions such as Sexual-and-Gender-Based Violence (SGBV), Depression, Anxiety, Post-Traumatic-Stress-Disorder, Somatisation, Suicidal Tendencies, Psychosis, Making Meaningful Referrals, Basic interventions with Children, Adolescents and their families, Clinical Assessment Interviewing, Expressive therapies (play, art, sandbox, etc.) and self-care. This training served the dual purpose of raising awareness for the refugee plight and equipping aid workers with the skills and sensitivity needed to work with traumatized persons. The training was the first of its kind in the Asia Pacific region coordinated by APRRN. Building on the momentum, APRRN hopes to replicate the Refugee Mental Health Training in Southeast Asia and South Asia in the coming year.



Participants during the Refugee Mental Health Training in Hong Kong

The East Asia Working Group Symposium in Hong Kong

The APRRN East Asia Working Group coordinated a sub-regional symposium on November 12 at the University of Hong Kong and brought together 120 representatives and civil society leaders from Hong Kong, Japan, Korea, Macau, China and Taiwan. The symposium was jointly organized by APRRN, civil society organizations in East Asia and UNHCR. This full-day symposium was open to the public and provided an opportunity for dialogue on refugee protection in each of the East Asia contexts. The variety of different professional and geographic backgrounds added to the dynamic discussion during the symposium.

The full-day symposium was divided into four different panels and one keynote address. In the keynote address section Giuseppe de Vincentiis from UNHCR presented on the general trends regarding refugees in Asia and durable solutions in the region. Ms. Ruby Puni from the Consulate General of Canada focused her presentation on the Canadian approach to refugee protection. Brian Barbour, the Chair of the APRRN East Asia Working Group, concluded by introducing the Asia Pacific Refugee Rights Network and how it is able to address the diverse needs of refugees in Asia through collaboration and joint advocacy.

Panel 1 on “Comparative practices – sharing innovative approaches and solutions to shared challenges” featured five speakers from Hong Kong, Korea, Japan, Macau and Taiwan.

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Innovative ideas and solutions to common challenges across the region were discussed. It was concluded that challenges across the region are largely similar and include: lack of social assistance, no right to work, long waiting times for RSD decisions and the need for policy review.

Panel 2 focused on “From Policy to Practice: How law and policy affect the refugee experience”. The panel highlighted key legislative and policy changes relating to refugees and provided an opportunity to discuss policy and its impact on refugee livelihoods. The panel also explored the changes in law and recent developments in Hong Kong and Korea. It also provided the opportunity to identify challenges and discuss specific solutions on how these challenges can be met. Peter Barnes and Mark Daly highlighted the recent development in Hong Kong and Stephanie Jones addressed some of the critical issues within the UNHCR RSD system. JC Kim, the Chair of APRRN Immigration Detention Working Group, presented on some of the challenges and latest developments in Korea.



The East Asia Symposium brought together over 100 representatives from civil society working on refugees in East Asia

The third panel was under the theme of “Social exclusion and refugee integration”. Different service providers from Hong Kong, Korea and Japan discussed on the practical needs and the consequences of living a life in limbo. Again it was found that refugees face similar issues in countries across the East Asia region: social exclusion, discrimination, lack of social assistance, language barriers, lack of basic needs (food, housing, medical services), lack of psychosocial support, detention. Service providers also struggle with a lack of capacity and an enormous demand.

The last panel “Nothing about us without us” gave the opportunity for 4 refugees from Japan, Hong Kong and Korea to share their experiences with regard to the risks and obstacles upon arriving in a ‘new country’, how they deal with the asylum seeking process and how they have been able to integrate in the host country.

The symposium was very successful in discussing refugee protection and livelihoods and in bringing civil society actors together to address the common issues/challenges refugees face in East Asia. The variety of different professional and geographic backgrounds added to the dynamic discussion during the symposium.

Update on statelessness issue

According to UNHCR, up to 12 million people in the world remain without citizenship. They are trapped in a legal limbo, often denied the most basic rights, including access to health care, education, housing and jobs. These people are stateless; not recognized as a national by any state under the 1954 Stateless Convention. They have no nationality or citizenship and are unprotected by national legislation. Because they cannot prove who they are or where they come from, stateless persons cannot own property, open a bank account, get married legally, or register the birth of a child. Some face long periods of detention.

APRRN possesses expertise accumulated through experience working in countries across the Asia Pacific region where there is no legal framework in place and where refugees, IDPs and stateless persons are subject to gross violations of their fundamental rights. Refugees and stateless persons share the difficulties arising from the lack of legal status and its impacts on their lives. The strong connection between the challenges refugees and statelessness are faced with puts the Network in a well-placed position to advocate for the rights of stateless people. APRRN has already started looking into engaging with statelessness in the following ways:

- In August 2011, APRRN launched the “Refugee and Statelessness Studies Programme” in cooperation with the Thai Committee for Refugees Foundation (TCR) and the Centre of Human Rights Studies and Social Development at Mahidol University, Thailand. This course was covered in 6 sessions and 1 session focused on statelessness in particular.

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• The APRRN Southeast Asia Working Group has been monitoring the protection of stateless persons closely and has discussed the issue during the APRRN Southeast Asia Consultation in September 2011. Engaging with the various ASEAN bodies such as the ASEAN Intergovernmental Commission on Human Rights (AICHR) and relevant country representatives to the AICHR on statelessness has been identified as a key approach. AICHR’s inclusion of work plan on statelessness as one of the priority areas is seen as an encouraging sign.

• The creation of a thematic Working Group on Statelessness has been discussed during the 3rd Asia Pacific Consultation on Refugee Rights (APCRR) held in Bangkok, November 2010 and the Southeast Asia Consultation held in Bangkok, September 2011. The establishment of the Statelessness Working Group will be confirmed in the 4th APCRR in 2012. Election of Chair and Vice Chair will be conducted during the Consultation. Members who are interested in being involved with the new Working Group should contact the APRRN Secretariat.

• During APCRR4 there will also be a separate side session on statelessness and in addition to that we also aim to organize much needed capacity building initiatives on the issue.

Updates from the ad-hoc working group on the Regional Cooperation Framework

An ad-hoc APRRN Working Group was formed to monitor and work on the Regional Cooperation Framework (RCF) under the Bali Process and the Australia-Malaysia refugee swap deal. On 16 September, 2011, the APRRN Secretariat and the Working Group published a statement on a new approach to regional cooperation on refugee protection calling on the governments in the Asia-Pacific region to develop, in collaboration with civil society, a national action plan detailing the progressive steps they will take towards improving refugee protection standards and enhancing engagement with other states on protection issues. The APRRN Secretariat also coordinated and drafted a joint statement on the Australia – Malaysia refugee swap agreement in May 2011.

It has been identified that the understanding of the RCF is still limited. This is due to the fact that the RCF has only been adopted this year and as such is a new development. In an effort to understand the RCF and the role that civil society can play within it, APRRN will conduct a research and compile available resources to be shared with our members working on the country levels and monitor developments around the RCF closely and consider coming up with joint statements and open letters if necessary. APRRN will also organize a half-day workshop/training session for members who are actively involved with the issue. The ad-hoc Working Group will take the lead and act as the focal point. With new developments on the RCF such as the establishment of a Regional Support Office for the RCF in Bangkok in 2012, APRRN believes critical engagement with the process will lead to protecting and promoting the rights of refugees.

The statement on a new approach to regional cooperation on refugee protection can be downloaded at: <http://refugeerightsasiapacific.org/2011/09/16/aprrn-statement-on-a-new-approach-to-regional-cooperation-on-refugee-protection/>

People’s SAARC

The vice-chair of APRRN, Dr. Gopal Krishna Siwakoti, attended the 17th SAARC summit, which was held on the Maldives in November 2011. The Peoples’ SAARC delegates also assembled in Maldives and has submitted the “Memorandum” to the 17th official SAARC Summit being held in Addu City through the office of the President of the Maldives.

The memorandum is a common aspiration primed by the representatives of various civil society organizations in the region who have created a parallel process called “Peoples’ SAARC”. The memorandum reflects the harsh reality in connection with the status of security, peace, justice, human rights, development, environment, refugees, migration, gender among others in South Asia region from peoples’ perspective. The memorandum calls upon the SAARC as a regional grouping and the members states to seize the opportunity towards engaging themselves in serious dialogues for envisioning a region fit for over one fifth of the world’s population, a majority of which is consistently denied of rights and deprived of basic standard of living.

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The full memorandum can be downloaded here: [Click](#)

The press release can be downloaded here: [Click](#)

4th Regional Consultation on ASEAN and human rights

The First Regional Consultation on ASEAN and Human Rights was held on 26-28 August 2007 in Kuala Lumpur and resulted in the creation of the Task Force on ASEAN and Human Rights (TF-AHR). The meeting produced the Kuala Lumpur Action Points (KLAP) as the basis for actions in 2007-2008. The objectives stated in the KLAP include: a) to hold ASEAN member states accountable to their international and domestic human rights obligations and b) To make the ASEAN Human Rights Mechanism more accountable and effective.

The Second Regional Consultation on ASEAN and Human Right was held on 7 – 8 August 2008 in Jakarta, Indonesia. The meeting resulted in the Jakarta Action Points (JAP), which:

- Reiterated our commitment to the objective of the TF-AHR to create an effective and transparent ASEAN human rights mechanism.
- Pledged to build and strengthen a human rights mechanism through the cooperation of civil society organizations in solidarity with victims for the common goal of realizing human rights promotion and protection mechanism in ASEAN.

The 3rd Regional Consultation on ASEAN and Human Rights was held on 17-18 September 2010 in Kuala Lumpur, Malaysia. The meeting was a continuous initiative of FORUM-ASIA and the Task Force on ASEAN and Human Rights (TF-AHR) to provide a space and a platform for civil society to reflect the past engagements with ASEAN, the challenges ahead and to devise new strategies and action plan for the strengthening of the ASEAN human rights mechanisms in 2011. Outputs of the consultation included a civil society statement to the 3rd AICHR meeting, a civil society plan for action on ASEAN advocacy at the national/regional levels and a plan of action for critical engagement with the ASEAN three pillars.

The 4th Regional Consultation was held in Bali from November 27-29, 2011 and the objectives of the meeting included:

- To provide a platform for all stakeholders to come together to dialogue and exchange views on the ASEAN Human Rights Declaration;
- To identify challenges and opportunities in enhancing the independence and effective of ASEAN regional human rights mechanism;
- To promote constructive dialogue and cooperation among all stakeholders in mainstreaming human rights in ASEAN.

APRRN was invited to the consultation as the focal point for refugees within the SAPA Task Force. In addition to that, APRRN was also able to present in a workshop on Day 2 on the protection challenges and ways forward in the Southeast Asia region. Some of the concerns regarding refugees and stateless persons have also been incorporated into the final statement, which be downloaded here: <http://www.forum-asia.org/?p=11769>

Staff development

We would like to extend our thanks and appreciation to Ms. Haemin Park for being the first APRRN intern at our Secretariat in Bangkok. Haemin has been with us from July to December 2011 and has been a great support as well as a very valuable team member. We are happy to know that Haemin will stay in Thailand and continue her work with refugees with one of the APRRN members, the Thai Committee for Refugees Foundation. We wish you all the best for the future Haemin!

Member news

Tenaganita on radio interview “refugees in Malaysia”
Katrina Maliamauv from Tenaganita spoke about the plight of refugees and asylum-seekers in Malaysia on the BFM radio on 6 October, 2011. Due to their undocumented status, refugees and asylum-seekers in Malaysia are denied of basic rights such as education and healthcare, live in dire conditions and face other severe rights violations. They are subject to arrest, detention and refoulement despite the fact that they possess registration cards provided by UNHCR. Women and girls are at risk of facing sexual abuse. Katrina highlighted that the situation in the Asia Pacific region got worse and the recent refugee swap deal between Malaysia and Australia is descriptive of the situation where we have a signatory to the 1951 Refugee Convention negating its obligations, denying the access to sanctuary to

the people who have suffered tremendous abuse. She proposed that the Malaysian government sign the 1951 Refugee Convention and other relevant human rights instruments and actually put it into practice by protecting and promoting rights of refugees. As one of the ASEAN members, the Malaysian government also needs to engage the Burmese government and address the root causes of refugee flight. She emphasized the importance of involving other actors such as NGOs in facilitating the process. You can listen to the interview at: <http://bfm.my/refugees-in-malaysia-6-october-2011.html>

Press statement - Malaysia

Members in Malaysia issued a press statement on “Concerns over immigration related developments that jeopardize the security of refugees and asylum seekers in Malaysia”. The full statement can be seen here: <http://refugeerightsasiapacific.org/2011/10/18/member-statement-press-statement-concerns-over-immigration-related-developments-that-jeopardize-the-security-of-refugees-and-asylum-seekers-in-malaysia/>

2011 Refugee Conference videos are online

The Centre for Refugee Research at the University of New South Wales organized a Refugee Conference in June 2011. Some of the videos have now been uploaded to YouTube and can be seen here: <http://www.youtube.com/user/UNSW#p/c/OBA1E43999E09EF8>

Announcement - Call for interns

The APRRN Secretariat is now looking for interns for 2012 for a period of 3-6 months. Responsibilities of the internship would include:

- Support APRRN Secretariat with external and internal communication: updating website, newsletters, managing social media, Google Groups, press releases and other publications
- Support APRRN Secretariat with writing funding proposals and reports
- Help to organize training and consultations on legal aid, immigration detention, refugee mental health, refugee law etc.
- Help to organize the 4th Asia Pacific Consultation on Refugee Rights in August 2012
- Research on assigned issues

Applicants should ideally have a background in social sciences, development studies, political science or law. Experience and knowledge on refugee issues in the Asia Pacific region will be an advantage. Please note that internships are unpaid.

Interested applicants should forward a motivation letter and CV to refugee.fa@gmail.com. Please send applications by January 15, 2011 and mention “Internship Application” in the subject line.

Upcoming activities

4th Asia Pacific Consultation on Refugee Rights:
Seoul, August 21-24, 2012

Other activities will be confirmed in the next newsletter.

More information

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**The APRRN Secretariat would like to
wish you Happy Holidays and a
Happy New Year 2012!!!**

