

# August Newsletter

Hong Kong  
Refugee Advice  
Centre

## **CONTENT**

- Development News
- World Refugee Day
- HKRAC Summer Reflection
- Farewells
- Refugee Lawyers Converge On Hong Kong
- Casework Update
- Training Weekend
- Vacancy Notice

## **Development News**

### Updates

- World Refugee Day: HKRAC celebrated World Refugee Day on Saturday 19<sup>th</sup> June at the Crossroads Foundation. 60 supporters participated in a Refugee Run simulation followed by lunch at Kangan Restaurant. The event was a big success in terms of awareness-raising and we would like to thank all those who took part. Thank you in particular to Mari Boman who helped to organize the event, and to Amy Lee and the Goldman Sachs Community TeamWorks program.
- Presentations: In June HKRAC spoke to the Immaculate Heart of Mary Church. Thank you to the Immaculate Heart congregation and to the church administrators for their generous support. We also presented to Hong Lok Yuen International School, the Independent Schools Foundation Academy, and King George V School. Our gratitude to the staff at all the schools for their help in arranging these presentations, and a massive thank you to the students at Hong Lok Yuen who raised money for HKRAC via their mufti day.
- Grants: HKRAC submitted additional grant proposals in the months of June and July. The proposals were for a refugee psycho-social project and for an advocacy and network coordination programme.
- HKRAC made a successful grant application to the Taiwan Foundation for Democracy. Our thanks to the TFD for its support!

Your continued support is crucial to us and we make the following commitment to you:

- **To spend your money wisely**

The money you donate will be used directly to protect refugees through legal services and advocacy.

- **To provide high-quality legal assistance for our clients**

We have achieved a success rate of over 50% in the asylum cases we have represented. This is five times the national average.

- **To continue speaking out against injustice**

Our campaign work has achieved a number of critical successes, including some of the recent changes to internal refugee status determination procedures in UNHCR Hong Kong.

- **To continue to help the most vulnerable**

Our focus is on the protection needs of the most vulnerable of the vulnerable, and we prioritize victims of torture or sexual-and-gender-based violence, unaccompanied children, female heads of households, and those with severe medical or security concerns for full representation.

## **World Refugee Day**

The annual World Refugee Day celebrations took place last month on the 20<sup>th</sup> June. HKRAC marked the occasion by holding a Refugee Run simulation in conjunction with Crossroads Foundation.

Participants met in Central on the morning of Saturday 19<sup>th</sup> July and were transported by coach to the Crossroads Foundation at the Gold Coast. On arrival, everyone was greeted by the Crossroads team and led to a briefing room where an introduction to the Crossroads Foundation and the Refugee Run was given.



The briefing



Peeking behind a tent

Following an explanation on how the Refugee Run simulation would be conducted, the participants were given the identities of Afghan rural villagers who, through no fault of their own, were caught in the midst of escalating conflict. These alternate identities ranged from young children, to unaccompanied women, to heads of households. Some had 'injuries' or illnesses, some had money, and others had 'property' that could be hocked. Women had to wear headscarves and were told that in their new culture, women were not allowed to talk to any men with whom they were not related. After getting ready and having a few moments to reflect upon their new characters, all the participants were led to another room. And the Refugee Run began.

*As we started walking, an alarm was sounded and villagers hurriedly herded us into the village town hall. People were crying desperately for us to hasten as the soldiers were coming, and before we knew it, we were running in panic into the town hall. There, the village headman urged us to sit as he told us the news: the neighboring villages had been attacked and soldiers were headed our way. As we huddled in the dark, armed men burst into the room with a sudden explosion of noise. People were grabbed and yanked up, and we stumbled through a field with long grasses and straw that concealed landmines.*

*We then arrived at a refugee camp where a brusque man threw pencils and forms at us to fill in. The words on the page were difficult to decipher and questions were confusing to simple villagers. One question was "What is your refugee claim?", and most of us simply did not know how to answer – all we knew was that the village had been attacked. After we helped one another to complete our forms we had a brief chance to try and find our family members. It was chaotic and crowded, so most of us were unable to locate others who shared our surnames.*



*Everyone then queued up to get into the relative safety of the refugee camp proper. Splitting into groups, we erected tents of canvas – tents that were meant to house groups of five or six but barely had enough room for two. The time spent at the camp was both monotonous and alarming. The guards shouted often and searched tents roughly, overturning bowls and plates when they suspected that weapons were being hidden. When night fell, talking was forbidden and some people were called up and searched by torchlight. The days were spent queuing up for simple food and for medical care that was basic and inadequate. A sufferer of Hepatitis was told that there was no treatment available and that she would just have to wear a mask and be isolated from everyone else. A woman who had been injured badly during the flight to the camp eventually died. Additionally, unless you quickly learnt to rush and barge to the front of the queues as soon as the morning inspections were over, you were unlikely to get to see a doctor. The guards also often helped themselves to ‘gifts’ - our watches, cash and wallets, and yet in front of celebrity VIP visitors, they would throw their arms around us in blatant displays of friendship and camaraderie.*

*More sinister still were the people who lurked around the edges of the camp, beckoning to young women and children to leave the camp. Sometimes, these sinister individuals were able to lure away those who were sick of the oppressive atmosphere by the promises of jobs.....yet sometimes women would just be kidnapped and taken away, not to return.*

Then suddenly, there was a loud announcement “This simulation is Over”, and the WRD participants took off their bandages and headscarves to gather around for a de-briefing session where everyone shared thoughts on their experiences. Some had felt scared, some had felt anxious and confused, and others had felt frustrated and powerless. All were left with a greater empathy for what fellow human beings suffer around the world today.

Everyone then boarded the bus to head for lunch at Kangan Restaurant in Jordan. There, HKRAC Executive Director Brian Barbour addressed the group briefly, and then the participants enjoyed a Nepalese-cuisine buffet and a chance to speak more fully to fellow refugee-rights supporters.

A massive thank you once again to Crossroads, and especially to all those who took part in the event and encouraged friends and family to participate.

## **HKRAC Summer Intern Reflections**

Two weeks ago, I had the opportunity to accompany a client to the UNHCR for his first-instance interview. As we walked out of the office at the conclusion of the interview, a smile emerged across my client's face and he gave me a thumbs-up, the universal sign for a job well done. Although we spoke different languages, his demeanor and facial expression assured me that some weight had finally been lifted as the interview came to a close. I knew that I would never fully empathize with the hardships he has faced in his life, but I definitely understood that he felt liberated by the chance to share his story.

This quick exchange at the UNHCR office sums up my experience at the Hong Kong Refugee Advice Centre this summer. This experience gave me the opportunity to have a positive impact on lives that are often defined by the negative. I was fortunate to represent some dynamic individuals with compelling stories. Foreign lands that I had previously only known from newspaper headlines or nightly news reports came to life through first-hand accounts. My two months at HKRAC passed by quickly, but the humility gained from these individuals will carry on far longer.

*Ari Cohen, HKRAC Legal Intern*

I entered this internship curious of the role I would play, wondering if I would be handed "real" work, or just be shunted to the side like many interns in other organizations. However I found myself welcomed as an equal: I was given real work to complete, received constructive criticism, was included in office conversation, and was overall treated like a person with competence. In the two years so far I've spent in university studying international development, I don't think I've learnt even half as much about refugee issues as I have in the two months I've had working at HKRAC. Being around a group of people who are very learned in this area has been an extremely valuable experience because textbook descriptions only take you so far - to really get a grasp of anything, you have to get your hands stuck in.

Working at HKRAC has drawn my interest into the legal side of international development issues, and I'm now looking at human rights law as a very real option for further studies.

The time I spent at HKRAC has also been one of personal growth. One of the most valuable insights I've gained this summer has been in truly grasping the importance of enjoying one's job - not a profound thought I realize, but the gravity of which has only recently dawned upon me: I'm now set on spending my time on something that I enjoy and believe in, so that I have the drive to be dedicated towards it. This drive is evident at HKRAC, where each staff member I've met is a dedicated warrior who believes in the organization's work and purpose, and consequently delivers accordingly.

*Rebecca Lee Martyn, HKRAC Development Intern*

## **Farewells**

Summer is at its height and will be drawing to a close soon. HKRAC is sad to bid farewell and good luck to the Summer Interns who will be leaving to return back home to the United States and to Canada. Ari, David, Estelle, Becky and Michael: Thanks for all your hard work; it has been a pleasure getting to know you all. Good luck for the future, and we hope that the skills and experience that you have gained working with HKRAC will be valuable as you pursue your chosen career paths. Remember to keep in touch!

A massive Thank You and Adieu also needs to be said to Development Committee member and volunteer caseworker Mari Boman for her years of dedicated work with HKRAC. The organization will not be the same without you.

Also thank you to Mimaalini Ramkumar and Maheshi Perera Peiris for their wonderful work as interpreters for HKRAC. We miss you and wish you both all the best.

## **Refugee Lawyers Converge on Hong Kong**

The Asia Refugee Legal Aid Network (“ARLAN”) launched in Hong Kong on 9-11 June 2010. The new network is designed to raise the bar on refugee rights in the region. Lawyers from 7 jurisdictions in Asia converged on Hong Kong to discuss challenges and opportunities and to commit to the development of local legal aid networks in their own jurisdictions.

ARLAN seeks to assist local NGOs develop national networks of *pro bono* lawyers to provide legal services to refugees in 7 Asian countries: China (including Hong Kong S.A.R.), Indonesia, Japan, Malaysia, South Korea, Sri Lanka and Thailand. ARLAN will connect these national networks, allowing them to develop and share best practices.

Hong Kong was chosen for the launch based on the success of HKRAC as a model for service provision. HKRAC has developed a successful *pro bono* network locally by enlisting the support of law firms and law faculties in Hong Kong. HKRAC has developed law firm partnerships with 5 firms: Freshfields Bruckhaus Deringer, Latham & Watkins LLP, Linklaters, Shearman & Sterling LLP, and Skadden, Arps, Slate, Meagher and Flom. HKRAC has enlisted incredible *pro bono* support from these firm’s lawyers. In addition, HKRAC’s new clinical programmes run jointly with the University of Hong Kong (HKU) and the Chinese University of Hong Kong were identified as innovative and replicable throughout the region. These law faculties are pioneering a new way of providing students with real life experience in practical legal skills, and helping to meet the demand for refugee legal assistance.

HKRAC law firm partners Linklaters and Shearman & Sterling hosted the three day launch and roundtable discussion. Upon formation of the regional network, ARLAN participants took the opportunity to share resources (precedent case law, casework templates, country research, and contacts for country experts), discuss challenges, and strategize about future local and regional network initiatives.

Following this launch, ARLAN will hold a second 4-5 day meeting and training during the Spring of 2011 in Kuala Lumpur, and a third meeting and training in early 2012 in Jakarta. The training held may focus on methods for the delivery of legal aid, strategic litigation, government advocacy, and/or alternatives to detention. Trainings will be held locally prior to the regional meeting at each location, this will allow regional actors to contribute to the trainings being held locally in Malaysia and Indonesia.

### **Casework Update**

Since June 2010, we have 11 new full representation clients. In addition, we have provided many other refugee claimants with customized legal advice.

- On June 21, 2010, an African client was recognized as a refugee. Thanks to Russell Bjorkman, Jing Lin, and Vincent Sze at Skadden Arps Meagher & Flom and volunteer caseworker Clare Man for their excellent representation on this case.
- On June 24, 2010, UNHCR recognized two South Asian clients as refugees. Many thanks to Janet Chow and Thai MacDonald at Freshfields Bruckhaus & Deringer and volunteer caseworker Jackie Ng for their excellent legal representation, and interpreters Alamelu Ramanathan and Mimaalini Ramkumar Vatsala.

### **2010 UNHCR Annual Consultations with NGOs and UNHCR-NGO Retreat on International Protection**

HKRAC Legal Director Christine Lin attended the UNHCR Annual Consultations with NGOs on 29 June – 1 July 2010 in Geneva, Switzerland. Following the Annual Consultations on 2 July 2010 was a one-day UNHCR-NGO Retreat on International Protection which HKRAC Executive Director Brian Barbour attended on invitation from UNHCR.

The theme of this year's Annual Consultations was "National Partnerships." On 29-30 June, both thematic and regional sessions were held at the International Conference Center Geneva. Thematic sessions included the following topics: "Making it work: From policy to practice in urban settings," "Partnerships: Strengthening partnerships at local-national level," "Promoting the rights and protection of stateless persons: Issues, challenges and ways forward," "Back to basics: Listening and acting on preventing sexual exploitation and abuse together," "Protecting all IDPs," "Working together: Strategies for protection of xenophobia, racism, intolerance and bias-motivated violence," and "A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women." Numerous side meetings on topics such as "Alternatives to detention," "UNHCR'S mandate status determination (RSD) procedures," and "Advocacy for the Rights of Refugees through Domestic Legislation," were also held. The Annual Consultations concluded on 1 July 2010 with a plenary session at the Palais des Nations and a closing address by Deputy High Commissioner for Refugees, Alex Aleinikoff.

On 2 July 2010, HKRAC was invited to attend a UNHCR-NGO retreat following the NGO Consultations. The retreat was informal, with a limited number of participants to enable in-depth discussion. It was led by the Director of the Department of International Protection, Volker Turk. The retreat discussed the 2011 60<sup>th</sup> Anniversary commemorations of the 1951 Refugee Convention and the founding of UNHCR, birth registration as an important protection tool and fundamental right for refugees, protection of stateless persons, and addressing the issues around detention of refugees. HKRAC's presence gave voice to the concerns of refugees in Hong Kong in a forum that allowed for open discussion of challenges and solutions. We would like to thank the local office of UNHCR for supporting our attendance at the retreat.

Prior to the Annual Consultations, Christine attended the Annual Planning Meetings of the International Detention Coalition (IDC), the Southern Refugee Legal Aid Network (SRLAN), and the Asia Pacific Refugee Rights Network (APPRN). HKRAC is a founding member of both SRLAN and APPRN.

While in Geneva, Christine and Brian had the opportunity to meet with key UNHCR representatives to further advocate on behalf of the refugee community in Hong Kong. Attendance at the Annual Consultations was an extremely valuable opportunity to strengthen HKRAC's relationships with members of SRLAN and APPRN, as well as to develop new relationships and network with NGOs globally that are concerned with refugee issues.

### **Training Weekend**

Our upcoming training session for new refugee caseworkers will be held on the **18-19 September 2010 at Latham & Watkins**. Many thanks to our law firm partner Latham & Watkins for hosting!

Caseworker training weekends are designed to prepare volunteers to represent asylum-seekers filing for refugee protection before the United Nations High Commissioner for Refugees in Hong Kong. Attendance is mandatory for all new casework volunteers as well as HKRAC's Legal Clinic students (Please note that we kindly request volunteers to commit 5-10 hours per week over a 6 month period).

To apply for a place in the training please email a CV and Statement of Interest to [info@hkrac.org](mailto:info@hkrac.org). Please include relevant language skills, experience and Hong Kong immigration status.

Our previous June 2010 training weekend was a massive success with over 30 participants from law firms, law schools, corporate entities and other NGOs.

Training sessions were conducted by both HKRAC staff and by guest speakers: the esteemed Director of Clinical Legal Education of Brooklyn Law School Professor Stacy Caplow; former member of the Refugee Review Tribunal in Australia Jack Hoysted; Katherine Lewis, Associate at the Law Office of Robert B. Jobe in San Francisco; and Associate Protection Officer of UNHCR Hong Kong Douglas DiSalvo.

## **Vacancy Notice**

### **Interpreters Wanted**

HKRAC is currently seeing interpreters who are fluent in English and Arabic, Dari, Ewe, Farsi, Lingala, Lugandan, Mongolian, Pashto, Punjabi, Sinhalese, Somali, Swahili, Tamil, or Urdu to assist with the intake of prospective clients and testimony taking of representation clients.

Interpreters must possess the following qualifications:

- Oral fluency in both English and the language of interpretation.
- Sensitivity towards working with asylum seekers and victims of trauma and torture.
- Ability to interpret in an impartial manner.
- Ability to maintain all interpretations confidential.
- Availability weekdays between 9:00 am – 6:00 pm.
- Proof of work authorization or permission to volunteer in Hong Kong.

### **What does interpretation for HKRAC involve?**

During the intake process, HKRAC caseworkers interview prospective clients to determine the nature of their refugee claim and if HKRAC can assist them. Interpreters may also assist caseworkers with taking the testimony of refugees HKRAC represents and preparing refugees for their interviews before UNHCR.

The interpreter's role is to facilitate communication between the caseworker and the refugee by translating word for word what each party says. Many refugees are victims of trauma and torture, and interpreters must be sensitive to working with this vulnerable population and translate in an impartial manner.

### **What is the time commitment for an interpreter?**

Interpretation is on an "as needed" basis. Generally, intakes last between 1-2 hours per session. HKRAC has drop-in hours for intakes on Wednesdays and Thursdays between 2:00-5:00 pm as well as other times by appointment. Caseworkers typically spend about 10-20 hours over a 9 week period interviewing a client through the assistance of an interpreter to complete a testimony. Interpreters may also help translate documents from the refugee's native language into English.

Interested parties should contact the HKRAC office at (852) 3109 7359 or email [clin@hkrac.org](mailto:clin@hkrac.org)

### Internship Opportunities

HKRAC is **looking for a casework intern to begin in January 2011**. The **casework intern should have a** strong interest in and commitment to human rights and excellent research, writing, and oral communication skills. The casework intern will conduct intake interviews with potential refugee clients and interview-based reports with extensive country research. Other responsibilities may include taking the testimony of a client; drafting legal submissions; providing self-representation advice; assisting staff with legal and factual research; helping to prepare for trainings, meetings, and other events.

The ideal candidate should have the following qualifications:

- ✓ Law student or Law graduate
- ✓ Demonstrated interest in human rights and refugee issues
- ✓ Excellent oral and written communication skills
- ✓ Excellent research skills
- ✓ Experience working with asylum seekers and victims of torture preferred but not required
- ✓ Fluency in Arabic, Dari, Ewe, French, Hindi, Lingala, Lugandan, Mongolian, Pashto, Punjabi, Sinhalese, Somali, Swahili, Tamil, Urdu or other languages preferred.

To apply, email statement of interest, CV, and legal writing sample to Christine Lin at [clin@hkrac.org](mailto:clin@hkrac.org) by 1 October 2010

HKRAC is also looking to hire a new **Development Intern**. Candidates should:

- ✓ Have a pro-active attitude and enjoy working autonomously
- ✓ Be sociable and enjoy working with a wide range of people
- ✓ Be keen to work on a range of development tasks from organizing events to conducting research to drafting grant proposals
- ✓ Be presentable and comfortable with public speaking
- ✓ Evidence an interest in refugee issues and human rights

Candidates with fluency in Cantonese and IT/Graphic Design skills will be favored.

Interested Development Internship candidates should submit a Cover Letter and their CVs to Laura Lee at [lee@hkrac.org](mailto:lee@hkrac.org)

### Other News

On other news, HKRAC is pleased to welcome Melissa Lit Mei Sum who will be joining us this month from Brunei as our new Accounts Officer. Also, our board chair, Kelley Loper has been published in the International Journal of Refugee Law. Her paper is entitled, "Human Rights, *Non-Refoulement*, and the Protection of Refugees in Hong Kong." Congratulations Kelley!