



News

Hong Kong
Refugee Advice
Centre

Hello

Welcome to our December newsletter in which you can read about the extremely busy few months we've had at HKRAC:

- ➔ we've been planning our holiday party,
- ➔ you've been getting creative & raising money,
- ➔ UNHCR recognised two HKRAC clients,
- ➔ we hosted mental health training in Hong Kong,
- ➔ the Refugee Convention turned 60 years old,
- ➔ and we're planning our next refugee legal aid training in January!

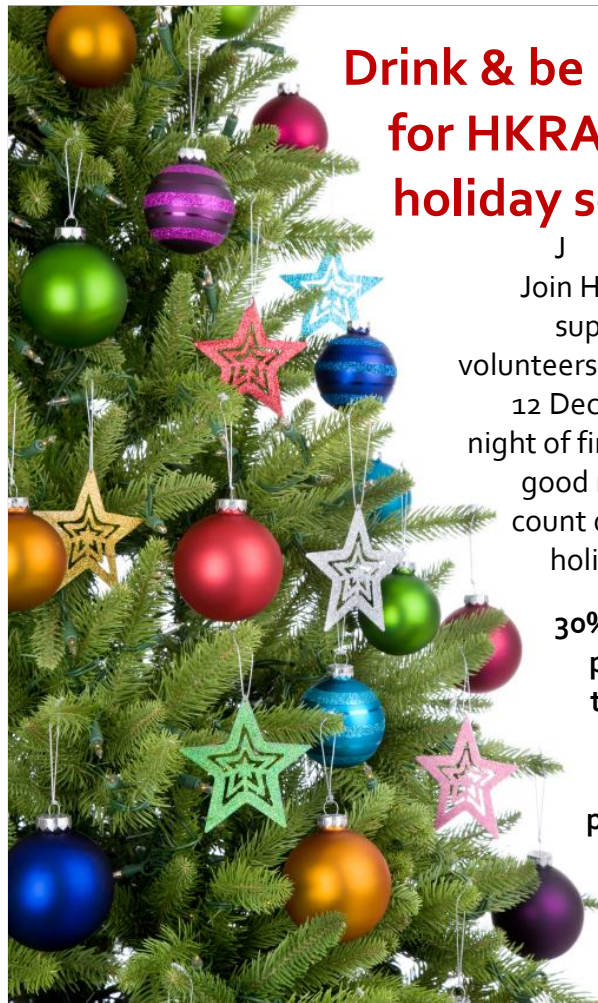
We hope you can join us next Monday night as we raise a toast to 2011 and look forward to another exciting and busy year ahead.

Happy holidays from all at HKRAC!

Since our September newsletter, UNHCR has recognised 2 HKRAC clients as refugees!

- ➔ On 13 October 2011, UNHCR recognised a Somali male. Teresa Chen, Paul Strecker, and Risen Tan of Shearman & Sterling, volunteer caseworker Wendy Kwan and Staff Attorney Angela Edman provided legal representation.
- ➔ On 19 October 2011, UNHCR recognised three Sri Lankan females and a dependent child represented by former Legal Director Christine Lin.

A big thank you to all our interpreters, pro bono lawyers, and volunteer caseworkers, without whom our assistance to our clients would not be possible!



Drink & be merry for HKRAC this holiday season

Join HKRAC staff, supporters and volunteers on Monday 12 December for a night of fine wine and good music as we count down to the holiday season.

30% of the bar profits from the evening will go to HKRAC so please bring friends & colleagues too!

The details...

When: Mon 12 December, 8pm til late

Where: Grappa's Cellar

Address: Jardine House, 1 Connaught Place, Central

A huge thank you goes to Grappa's Cellar for their generous donation.



Get creative & raise money for HKRAC

As the only charitable organisation dedicated to the provision of pro bono legal assistance to refugees in Hong Kong, donations from members of the public are crucial to enable us to continue providing our life-saving advice.

Here are few ideas on raising some much needed money for HKRAC. All money pledged will be used to protect and promote refugee rights in Hong Kong.

Hold a dress-down day in your office

With little effort, you could organise a dress down day in your office where colleagues are asked to give a small donation to dress down.

Law firm partner Latham & Watkins LLP recently held a dress down day in support of pro bono work and donations raised went to HKRAC. Thanks to all Latham & Watkins colleagues who contributed!



Drink tea and eat cake

Everyone loves tea and cake so why not make an event of it? Invite friends over for tea and

cake and ask for donations towards food and drink.

We can provide you with materials on HKRAC's work and donor forms if people are interested in donating on a regular basis.

Go on a scavenger hunt

HKRAC supporters Katherine & Andrew Chui organise a number of different activities for newcomers to Hong Kong through their group, the Tiger Monkey Experience.

In August they ran a Scavenger Hunt around key milestones in Kowloon and all money raised went to HKRAC.

For more information on the Tiger Money Experience, email Andrew and Katherine on info@tigermonkey.hk

What are you doing?

If you are planning on dressing down for us, drinking tea for us, eating for us, or doing anything else for us, please let us know so we can share your idea with other supporters.

Email ehalsall@hkrac.org with your ideas.

Give HKRAC donations as Christmas presents



HKRAC is now featured on Charitable Choice – a website through which people purchase charitable donations as gifts for friends and loved ones.

Gift cards are sent through the site with personalized messages and either you or the recipient can specify which charity you would like the money to go to.

So instead of giving another pair of socks this year, why not make your gift count and give gifts to HKRAC instead. 100% of all money pledged to HKRAC through the website will go directly to us.

For information on the Charitable Choice initiative visit: www.charitablechoice.org.hk

News from the team

Reflections from a casework volunteer

In September 2011, after spending four years practicing Intellectual Property law in New York, Kate Bissell moved to Hong Kong to volunteer as a full time caseworker at HKRAC.

Here she shares her thoughts and experiences working with HKRAC.

Given your background, why were you interested in coming to work for the Hong Kong Refugee Advice Centre?

I handled a pro bono asylum case while I was working at a commercial law firm and I discovered a real passion for this area of law. I began volunteering for a refugee legal aid clinic in New York and ultimately decided that I wanted to practice refugee and asylum law full-time.

What sort of work have you been involved in during your time here so far?

I've been involved in all aspects of claims before UNHCR - intake of new clients, drafting testimonies and legal submissions, assisting clients with appeals, preparing clients for UNHCR interviews, and attending interviews with them.

Have you come across any challenges in the role?

Every asylum case presents its own challenges, and there are inherent challenges to working in the non-profit world. That said, it's extremely gratifying to assist asylum seekers who would otherwise be without representation.

What have you enjoyed the most about your experience here?

I've really enjoyed working so closely with our clients, and experiencing the camaraderie in the HKRAC office. It's inspiring to work with people who are so dedicated to their work and so passionate about what they do.

Are you a law student or lawyer who wants to work with refugees?

Our next Refugee Legal Aid Training weekend is scheduled for **14-15 January 2012** and is being kindly hosted by Linklaters.

Training weekends are designed to provide an overview of international refugee law and to prepare casework volunteers to provide advice and representation to asylum seekers applying for refugee status at UNHCR in Hong Kong. All new casework volunteers are required to attend the training weekend, and to commit to 5-10 hours per week for a 6-month period. Some relevant experience and weekday daytime availability is an asset.

To apply, please e-mail your CV and Statement of Interest to sjones@hkrac.org by 16 December. Please include relevant experience, language skills, and Hong Kong immigration status.

Meet HKRAC's new Development Officer

Emily Halsall joined HKRAC in September 2011 as the new Development Officer.

Emily joins us from a campaigning background at numerous NGOs in the UK where she worked on a range of human rights issues including disability, homelessness and end-of-life care.

Over the next few months Emily may be in touch with you to find out how HKRAC can serve you better.

Emily would be happy to hear from you at:

Tel: 3109 7359

Email: ehalsall@hkrac.org

Reflections on the Refugee Convention as it turns 60

As the 1951 Refugee Convention turned 60 years old this year, Robyn Crowter and Rebecca Stulberg from our Hong Kong University Refugee Legal Assistance Clinic reflect on the background to this cornerstone of refugee protection and Hong Kong's history with refugees.

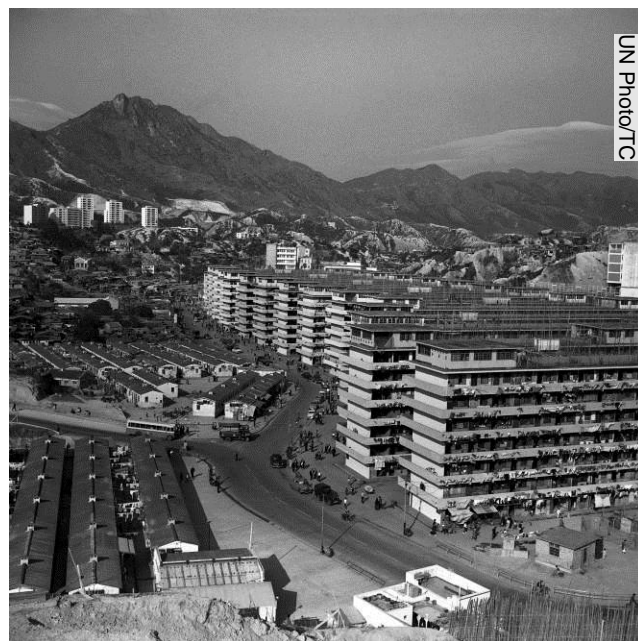
To date, 142 states worldwide have signed the 1951 Convention relating to the Status of Refugees and the 1967 Protocol. The Convention provides the legal definition of a refugee, the rights of a refugee, and the legal obligations of states to refugees. However, the Convention limited protection to people whose circumstances had come about before 1951 and was geographically limited to Europe. The 1967 Protocol removed the geographical and temporal restrictions from the Convention. However, neither the Convention nor the Protocol apply to Hong Kong. As this article will explain, Hong Kong's exclusion from the jurisdiction of these international instruments is not because Hong Kong has had no experience with asylum seekers.



UN Photo/ES

First twelve nations sign Refugee Convention, 1951

From 1945 to 1951, Hong Kong's population grew from 650,000 to 2.1 million people. Many of the migrants had left China for political reasons.



UN Photo/TC

Chinese refugees in Shek Kip Mei, Hong Kong, 1961

Another influx of migrants from China came to Hong Kong in 1962. This group fled the famine and instability that plagued China following the "Great Leap Forward". Half of the members of this group were arrested and deported back to China. The final large exodus from China was in the late 1970s. 160,000 people from China managed to evade border controls and reach the urban areas and claim Hong Kong residence.



UN Photo/John Isaac

Vietnamese refugees arriving in Hong Kong, 1979

Concurrently, Vietnamese people were starting to arrive by boat in Hong Kong. This group was referred to as the “boat people”. In 1979, over 80% of the 70,000 migrants from Vietnam were ethnically Chinese, and most were from North Vietnam. In 1980, the composition of “boat people” had changed, and 95% of the 7,000 migrants were ethnically Vietnamese and most were from South Vietnam.



UN Photo/Saw Lwin
Vietnamese refugees 1970s

Because it had failed to halt the influx of Chinese migrants, in 1980, Hong Kong abandoned the “touch base” policy (where Chinese immigrants who made it to urban areas without getting caught and found relatives could register and get Hong Kong identity cards) and started repatriating immigrants from China.



UN Photo/John Isaac
Vietnamese refugees in a refugee camp, 1970s

In 1982, a “closed camp” policy for Vietnamese immigrants was implemented. The policy kept Vietnamese boat people in camps as de facto prisoners until they could be resettled. In 1988-89 there was a renewed upsurge of Vietnamese

boat people arriving in Hong Kong, such that by the end of 1989, 55,000 people from Vietnam were held in camps in Hong Kong.

In June 1988, the government started screening migrants from Vietnam for refugee status. About 15% of the migrants were deemed genuine refugees. However, the officers in charge of screening were ill-prepared for their task and did not have sufficient time to devote to each case. At the end of 1989, the Hong Kong government decided to forcibly repatriate 51 Vietnamese to act as a deterrent to other Vietnamese planning on landing in Hong Kong. This move was widely condemned. The government’s later “voluntary repatriation” programme was more successful, with monetary incentives used to encourage voluntary return to Vietnam.

Today, Hong Kong still lacks a clear asylum policy and a fair and efficient refugee status determination procedure. These circumstances have been criticized by UN human rights treaty bodies. The Hong Kong government should take its international human rights obligations seriously and sign and ratify the 1951 Refugee Convention and 1967 Protocol.

Many thanks to Robyn and Rebecca for their time in writing this article for HKRAC.

Would you like to write an article for our newsletter?

We are looking for guest contributors to write articles for our bi-monthly newsletter.

You can suggest an article on anything refugee related and we can contact you with ideas on what to write. Articles should be between 400 and 700 words long, with photos if at all possible.

Please contact Emily at ehalsall@hkrac.org for more information.

Network news

HKRAC hosts Refugee Mental Health Training, attends Asian Refugee Legal Aid Network event, and East Asia Working Group of the Asia Pacific Refugee Rights Network.

HKRAC hosted a three-day refugee mental health training event attended by over 70 health practitioners and others working with refugees in November 2011.



This initiative aimed to build local capacity within each national community to identify and deal with mental health issues and to equip participants with the skills and sensitivity needed to work with traumatized persons and victims of torture.

Adrienne Carter, an expert on refugee mental health currently based in Kenya, conducted the training. She had previously facilitated similar trainings on behalf of Médecins Sans Frontières (MSF) in Kuala Lumpur in conjunction with UNHCR Malaysia. Linda McLagan, an arts psychotherapist from Canada, co-facilitated the training.

Refugee Mental Health Training participants

Participants were impressed with the trainers' experience and expertise, and also enjoyed the opportunity to network with colleagues in the region, compare practices and share experiences over the three days of training. Most importantly,

the training highlighted the need for more comprehensive psychosocial assistance for refugees in Hong Kong and in other East Asian countries, and provided a starting point for further discussions on the issues. Following the training, HKRAC is looking to collaborate more closely with other refugee serving organisations and experts to provide further targeted training to meet the psychosocial needs of both our clients and staff.

Many thanks go to the Taiwan Foundation for Democracy, the Canadian Consulate and the Japan Association for Refugees for their generous sponsorship of this training event.

The third and final Asian Refugee Legal Aid Network (ARLAN) meeting was held in Jakarta, Indonesia from September 20-22, followed by the first Indonesian refugee legal aid training from September 23-24. Stephanie Jones, Acting Legal Director, represented HKRAC.

ARLAN, conceived to build refugee legal aid capacity in Asia, brought together participants from Hong Kong, Indonesia, Japan, Korea, Malaysia, and Thailand. Discussion topics included national trainings, interpretation, online trainings (webinars), judicial engagement, legal developments around detention and *non-refoulement*, the situation of refugees in Indonesia, fundraising, and the future of ARLAN. Future plans involve additional national trainings, webinars, and possible incorporation of ARLAN into the Legal Aid and Advocacy Working Group

(LAAWG) of the Asia Pacific Refugee Rights Network (APRRN).

In September, HKRAC was invited to join an outreach trip organized by the East Asia Working Group of the Asia Pacific Refugee Rights Network (APRRN). Christal Chan, Interpreter and Outreach Officer, represented HKRAC.



Brian Barbour, Chair of the Working Group, was tasked to expand APRRN's East Asian network to include civil society representatives from Macau and Taiwan. In Macau, the APRRN delegation met with diverse refugee serving organisations such as the Macau Child Development Centre and the newly formed Association for Refugees' Welfare. In Taiwan, they met with the Taiwan Association for Human Rights and other concerned NGOs who have assisted refugees in the past. The delegation was also honored to have been invited by the National Immigration Agency of Taiwan to comment on a proposed Refugee Act.

Christal Chan, Interpretation and Outreach Officer, was also delighted to speak to a class of students at the Graduate Institute of Translation and Interpretation at the National Taiwan Normal University at the invitation of Dr. Tse Wei Chen. She presented on the refugee situation in Hong Kong and the important role that community interpreting plays in bridging the communication gap between the refugees and the organisations who serve them.

HKRAC co-organised the Asia Pacific Refugee Rights Network ("APRRN") East Asia Working Group Symposium and Refugee Mental Health Training in November.

The APRRN East-Asia Working held their yearly symposium on November 12 at the University of Hong Kong, bringing together over 120 participants who included UNHCR officers, social workers, lawyers, academics, students, volunteers and others working with refugees from Hong Kong, Japan, Korea, Macau, China and Taiwan. The diversity of professional and geographic backgrounds added to the dynamic discussions during the symposium, which provided an opportunity for engagement and open dialogue about refugee protection issues in each of the East Asian contexts.



East Asia Symposium for APRRN in Hong Kong

The overall theme was refugee protection and livelihoods with a focus on the important role of civil society in the East Asian region, set in the context of the 60th Anniversary Commemorations of the Refugee Convention and UNHCR. The full-day symposium, hosted by Hong Kong University, was divided into one keynote address and four panels exploring the multifaceted aspects of refugee protection in East Asia. Panelists provided insights into the legal and social challenges to refugee protection in their respective countries, and the day ended with a panel of refugees sharing their own perspectives and experiences in their host countries.

Thank you for your support!

We'd like to say a sincere thank you to all those who have recently made donations to HKRAC. The contributions of our supporters and partners enable HKRAC to continue providing life-saving aid and pledge to make every dollar count!

We would also like to thank **Dalareich Polot of HCIERD Web & IT Solutions** for all her hard work on our website.

A huge thanks to **John Jackson** for his voluntary consultancy on our development and operations strategies.

Thanks also to **Sangi Gurung** for translating our refugee self-help kits.

Thanks to **Kevin Chapman** and his team at **Freshfields** for their ongoing consultancy on our IT systems, and to **Ian Brodie of Pandora IT** for all his assistance when our internet went down!

Thank you also to **Jessica Park of Professional Wills Ltd** for including HKRAC on the charitable legacies section of their website.

Thanks also to the staff at **Vidler & Co Solicitors** for their immigration advice and assistance in applying for employment visas for HKRAC staff.

➔ Donations by cheque:

Please make cheques out to "Hong Kong Refugee Advice Centre Ltd", and mail to the following address:

10B Comfort Building,
86-88A Nathan Road, Tsim Sha Tsui
Hong Kong

➔ Donations by bank transfer:

HSBC account: 808-340434-838

➔ Further details on how you can donate to HKRAC can be found on our website at:

www.hkrac.org/how-you-can-help/donate

The logo for the Hong Kong Refugee Advice Centre is a white speech bubble with a red outline, set against an orange background. Inside the speech bubble, the text "Hong Kong Refugee Advice Centre" is written in red, with "Hong Kong" on the first line, "Refugee Advice" on the second line, and "Centre" on the third line.

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