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Links are marked in [blue](#).

We are pleased to announce the new [Fahamu Refugee Legal Aid Newsletter blog](#). The blog will host all newsletter articles, have space for your comments and discussion, and allow newsletter content to be web-searchable. The blog joins the [newsletter's Facebook page](#) and the Southern Refugee Legal Aid [email list](#) and [website](#) as a family of access-points for information and networking about refugee legal aid. We warmly invite your feedback and comments.

-The Editorial Team

Looking Online for Legal Literature

Contributed by [Elisa Mason](#), creator of the [Forced Migration Current Awareness blog](#).

Tracking down the full text of law reviews can be challenging without access to fee-based databases like Lexis and Westlaw. This brief note describes some of the online resources available that provide alternative avenues for sourcing legal journal articles. The discussion is organised around several different tasks: 1) finding a specific journal; 2) locating an individual article; 3) monitoring authors; and 4) monitoring legal topics.

1. Finding a specific journal

Generally, the quickest method for locating a specific journal is simply to search for it online. However, not all journals have dedicated web sites; in addition, even those with a web presence may not make their tables of contents available online, or they may not do so in a timely fashion.

[Current Law Journal Content](#) presents a more reliable solution. You can use this service to conduct searches of the legal literature it has indexed, or you can browse its directory of international journals. Each title links to tables of contents contained in the index. From an individual contents list, you can link to the journal's main web page and to full-text content if it is available. RSS feeds are also provided for each journal title. Subscribe to these to receive alerts whenever new issues of a journal are posted.

2. Locating the text of an individual article

What if you browse through a journal of interest, identify an article that you would like to read, but discover that the full-text is not available online or only can be accessed upon payment? It is always worth searching on the article title anyway, since it may have been posted online in another form. Try Google [Scholar](#) first. The advantage of this search tool is that it provides a link to 'other versions' in your search results. Very often, these other versions are full-text, i.e., a working paper, a conference paper, or an archived version of the article that has been deposited in a digital repository.

If, despite your best efforts, you cannot locate the full-text of an article on the web, try a library! [WorldCat.org](#) is a library

catalogue with over 1.5 billion bibliographic records from libraries around the world. To see if a library near you carries the journal containing your article of interest, first search the journal title. Click on the result, then scroll down the page until you see 'Find a copy in the library'. Enter your location, i.e., either a U.S. zip code, a city or state, a province, or a country. A list of libraries will then be displayed. Most will be academic or national libraries, and each will have its own policies regarding access to the collection. For more information about individual libraries, find the relevant link in the WorldCat record.

3. Monitoring authors

Sometimes the best strategy for locating relevant content is to visit the web page of an author who you know focuses on specific issues of interest. An author's page will generally include a list of publications (often with links to full-text versions) as well as an indication of forthcoming articles. Increasingly, authors are also inviting visitors to view the papers and articles they have deposited within such digital repositories as the [Social Science Research Network](#) and the [bepress Legal Repository](#). These repositories were established to promote rapid and wide dissemination of research. Both house working papers and scholarly journal articles that focus on refugee issues (e.g., SSRN's [Immigration, Refugee & Citizenship Law eJournal](#)). Both services offer RSS feeds for individual authors, which you can subscribe to in order to be notified whenever that author deposits a new paper. For an example, see my [SSRN page](#) with its accompanying RSS feed.

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4. Monitoring legal topics via keywords

I often highlight law review articles in my current awareness [blog](#). In order to help readers track these more systematically, I now append the subject label 'law reviews' to each post that contains them. The advantage for readers is two-fold: First, you can view only those posts with law reviews by visiting the relevant [URL](#). And second, you can subscribe to the [RSS feed](#) for this subject label in order to be alerted to new posts with law review references in them.


To monitor specific refugee status determination issues, visit the SRLAN [Current Awareness Bibliography](#) and identify the issue of interest (e.g., apostasy/conversion, exclusion clauses, gang-based asylum claims, etc.). Notice that each issue has 1) an associated URL that will direct you to a browseable collection of bookmarked resources (many of which are law articles), and 2) an associated RSS feed, allowing you to be notified when new and relevant resources are added to the collection. •

Keeping up to date using RSS feeds

Once upon a time, researchers who wanted to keep up with frequently updated information on the web (news, publication titles, research developments, etc.) had to remember to regularly visit bookmarked sites of interest or register for e-mail alerts or newsletters (if these were available). Today, an XML file format called RSS ('Really Simple Syndication') simplifies this process dramatically by delivering 'headlines' to you directly so that you can peruse news and information in one central location. Content is distributed via RSS in the form of a feed that must be read by an application called a newsreader or news aggregator (more about this below).

Increasingly, content providers all across the web are beginning to offer RSS feeds of one kind or another. Who in the forced migration information community offers RSS feeds? Here are a few examples:

- Blogs: [RSDWatch](#)
- Information hubs: [Refworld](#)
- Journal sites: [International Journal of Refugee Law](#)
- News services: [IRIN](#)
- Web sites: [International Association of Refugee Law Judges](#)

To determine whether or not a web site has RSS feeds, just look for a reference to 'site feed', 'syndicated content', or an orange icon that either says RSS or XML on it or that looks like this: . In addition, if you use Internet Explorer or Mozilla's Firefox to browse the web and you visit a site that offers RSS, this icon will usually appear in a toolbar at the top of the browser.

You need to have a newsreader or aggregator to be able to view RSS content delivered via a feed. You can choose between a client-side reader (i.e., an application you download onto your computer) or a web-based reader. Some are free and some require payment. This [site](#) offers a fairly complete listing of the various options. [Google Reader](#) is one of the more popular free web-based readers. Often, newsreaders are made available through personalised portal providers like [My Yahoo!](#) or [Google](#).

To begin reading RSS content, simply copy and paste (or 'subscribe to') the URL for the RSS feed into the reader program you choose. I use Google Reader, which allows me to create folders so that I can organise the 200+ RSS feeds to which I am subscribed!

The Cessation Clause, Ugandan style

The following is an excerpt from a presentation by Professor Barbara Harrell-Bond at the Northwestern University Conference on Human Rights, 23rd January, 2011. The full text can be read on the [Fahamu Refugee Legal Aid blog](#).

I would like to describe in detail the ramifications of the Cessation Clause as it pertains to Rwandan refugees in Uganda. The Cessation Clause, Article 35 of the 1951 Refugee Convention (over which the UN High Commissioner for Refugees has supervisory authority), and which declares an end to refugee status is an anomaly given the exilic bias of the 1951 Convention. This exilic bias accords with apparent inclination of humans to return home and patterns of normative societal change. But despite the rhetoric of home being the best place, few refugees voluntarily repatriate and when they do, it is very much the exception that they are welcomed home. For the sake of time, bear with these generalisations; they are amply supported by research.

Announcing the Cessation Clause in Face of a Revolving Door?

From December 1999 until today, Tutsi Rwandan refugees, not just Hutu, have been seeking asylum in Uganda, many of them actually survivors of the genocide who have fallen out with Kagame. Notwithstanding, in 2003, the Ugandan country office of the UN High Commissioner for Refugees (UNHCR) and the governments of Rwanda and Uganda signed a tripartite agreement to repatriate back into Rwandan society the some 25,000 Hutu refugees living in Uganda. They only managed to repatriate 850, but many of these managed to return to Uganda almost immediately, with graphic accounts of their experiences — these ranged from being unable to reclaim land and property, being faced with accusations by Gacaca courts, and torture. Similar, but even less successful attempts were made by UNHCR and the Ugandan government to repatriate the Rwandans from the camps in 2004, 2005, and 2006.¹

In 2009, UNHCR and the government again renewed the arrangements for the repatriation of Rwandan refugees and set the deadline for closing the Rwandan refugee camps for July 2009. During the 6th Meeting of the Tripartite Commission on Repatriation

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of Rwandan refugees on 22nd April 2009, the Government of Uganda, the Government of Rwanda and UNHCR agreed to a number of resolutions, stating that ‘the retention of refugee status by present Rwandan refugees is no longer justifiable or necessary’. UNHCR and Uganda deemed that political conditions in Rwanda were safe for their return, despite the evidence to the contrary. The deadline for their repatriation, July 2009, was announced and then extended to 31st August.² In this Communiqué, the date for invocation of the Cessation Clause was set at the end of 2010.³

Although the government promised that repatriation would be voluntary, pressure on refugees to leave was considerable. Rwandans in camps had their land re-allocated to Congolese, their rations were reduced, and they were no longer able to access some social services.⁴ Less than one-third opted to return to Rwanda and many of these have since returned to Uganda with horrific accounts of the conditions that they met⁵. These included the experience of the Gacaca courts (the courts that are part of a system of community justice developed post genocide in Rwanda) or government bodies linked to it, reportedly being used by those seeking to settle personal grudges or as an instrument of government repression. They related incidents of ‘being tortured, imprisoned, being released due to lack of evidence and then rearrested, and of having family members killed’.⁶

And, during this same year, 2009, the High Commissioner for Refugees, António Guterres visited Kagame in Rwanda and then announced that

the government is set to join the United Nations High Commission for Refugees (UNHCR) to establish a roadmap that will see year 2010 end with the cessation clause in place. [. . .] The roadmap [. . .] will also involve several meetings between the UNHCR, the government and refugee host countries, to discuss progress before the cessation is declared and to explore ways of encouraging refugees to repatriate within the next two years.⁷

The Rwandan Community in Uganda wrote a petition, addressed to the Government of Uganda and the UNHCR concerning their fears of what would happen to those who could not go back to Rwanda in the light of the threatened declaration of cessation. It was signed by 694 refugees. UNHCR responded on 20th August 2009, stating that all repatriation to Rwanda is voluntary and they advised the Rwandese refugee community in Uganda that it was premature to raise issues as to why they could not return to Rwanda now and should await the invocation of the cessation clause, whereupon they could on an individual basis present reasons as to why they could not return to Rwanda.⁸

The Cessation Clause

The Cessation Clauses deal with two kinds of situations — one where an individual has demonstrated he is no longer in need of refugee protection — usually because s/he has ‘re-availed themselves of their country of origin’s protection’;⁹ the

second, where a particular refugee nationality is no longer in need of international protection because of the ‘ceased circumstances’ in their country of origin.¹⁰ States in the ‘north’ have only applied this latter form of the Cessation Clause to parts of the Former Soviet Union that became independent, but in the ‘south’ between 1973–2008 it has been applied 21 times, either for reasons of regime change or independence; in only five cases were the reasons described as the settlement of civil conflict.

Since 1991, with the renewed emphasis on repatriating unwanted populations of refugees, there have been attempts to clarify the law on ‘ceased circumstances,’ but Guy Goodwin-Gill has referred to the textual inadequacies of the ‘ceased circumstances’ Cessation Clause as ‘glaring and perverse’.¹¹ Many aspects pertaining to invoking the Cessation Clause are under debate. Hathaway described the change needed to justify a declaration of cessation as,

change [that] must be of substantial political significance in the sense that the power structure under which persecution was deemed a real possibility no longer exists. . . . [According to] Fitzpatrick [. . .] ‘such developments must be comprehensive in nature and scope’. [. . .] The Executive Committee stated [. . .] changes in the country must be ‘profound and enduring’. [. . .] Several factors were identified as markers of change[:] democratic elections, declaration of amnesties, repeal of oppressive laws and dismantling of former security services . . . evidence of respect for fundamental freedoms, access to courts, fair and open trials, and the rule of law generally [. . .] Besides political change, the economic sustainability of return for refugees including the ‘restoration of land and property rights’ and sufficient means of livelihood became issues to be addressed before cessation declarations were considered.¹²

An individual’s rights to be exempted from the Cessation Clause are equally difficult to define. Recall that the Convention only allowed one ‘who is able to invoke compelling reasons arising out of previous persecution’. It was only in 1992 that a second possible exception arose under the rubric of acquired rights. It was recommended that those,

with strong economic ties and/or family and social links in the country of asylum, particularly when all or most ties in the country of origin have been lost’ be [exempted. This] acknowledges the ‘significant difficulties inherent in having to break once again the social, cultural and professional ties, that by forced of circumstances the person has had to develop abroad’. [. . .] the Executive Committee made a similar recommendation, ‘so as to avoid hardship cases [. . .] states [should] seriously consider an appropriate status, preserving previously acquired rights [. . .] for those persons who cannot be expected to leave the country of asylum due to long stay.¹³

There is much more one could say about ascertaining that a fundamental change or ceased circumstances had been accomplished or that provisions for individual exemptions had been made, but I think that everyone will now understand the serious consequences of a premature declaration of the Cessation Clause and some, like me, will be left wondering

how UNHCR could have allowed itself to have become involved with the Cessation Clause at all vis-à-vis Rwanda at the present time.

Uganda Implements the Cessation Clause before Declaring It

On 23rd April, 2010 I visited Uganda to give a public lecture on the occasion of the celebration of the 10th Anniversary of my founding of the Refugee Law Project. At the celebration, I sat next to his Honour, the Minister for Relief and Disaster Preparedness and Refugees, Professor Tarsis Bagama Kabwegyere.¹⁴ In our conversation, he told me to the effect that ‘they were going to rid Uganda of all refugees beginning with the Rwandans’. In return, I promised that I would be working seriously against Uganda’s invocation of the Cessation Clause. I also asked him — rhetorically — why Uganda was allowing Rwandan security agents to run rampant throughout the country threatening and abducting refugees. In my speech, I reminded the audience that Professor Kabwegyere and his family had been refugees, and I emphasised the obligations of not only the Government of Uganda, but of all Ugandan citizens to protect the refugees who were in their country.

On 29th April, 2010 the press announced that another 1,300 Rwandans had arrived in Uganda seeking asylum.¹⁵ But on 12th-14th May, there was another meeting of the GoU, GoR, and UNHCR who issued a Joint Communiqué. Views expressed in the Communiqué included UNHCR’s frustration at the slow progress of repatriation, Rwanda’s willingness to receive all of its nationals back home, and Uganda’s concern over the large number of refugees it was receiving from neighbouring countries, and announcing that the status of Rwandan refugees in Uganda would cease when the Cessation Clause is invoked by December 2011. It did note that a mechanism will be put in place by the GoU, with the support of UNHCR, to address the cases of person with compelling reasons as to why they cannot return to Rwanda.

Not waiting until December 2011, in the middle of the night of 14th July, 2010, the Ugandan and Rwanda government police and military entered Nakivale and Kyaka II refugee camps in Uganda. As reported by Reuters (16th July, 2010), some 1,700 Rwandans were gathered together in Nakivale on the pretext that they were to be informed of the results of their refugee status claims, but then found themselves being herded into lorries at gunpoint and to be returned in Rwandan military lorries.

Panic broke out when police intervened, shots were fired and people were forced on to trucks and driven across the border in the middle of the night, she said. In another location [Kyaka II camp] people were called to a World Food Programme centre on the pretext of a distribution, then surrounded by police and armed men. Those who did not escape were forced on to trucks and many could not take personal belongings. Two men who jumped off trucks en route to Rwanda died, many children were separated from their parents, and several people not deported were injured, including six pregnant women.¹⁶

Refugees themselves embarked on investigating this outrage and wrote a report on these events. They found that instead of only two having died, 14 had lost their lives and their burial places could be accounted for. The causes of death, as reported by the refugees, included: being strangled by Rwandan officials, shot dead by the police, jumping off the truck, flattened by the crowd, being ‘disenwoomed’, and ‘genitals amputated by barbed wire’. They were able to name six cases where the families had been separated and four where children had been refouled without their parents and 39 cases where the children had been left behind. And, contrary to official reports, 17 recognised refugees were refouled. Hundreds of wounded and frightened refugees escaped into the bush.

I learned of these 14 June events the same day (notified by a refugee by email), and alerted UNHCR, Geneva. UNHCR Geneva, who sent a representative to Uganda, issued a statement two days later, deploring the event, saying it was ‘broadly aware of an agreement between the two governments to return asylum seekers who had failed to be recognised as refugees,’ but were not informed of the timing and the specific brutal nature of this operation. • *This paper continues, and can be read in full on the [Fahamu Refugee Legal Aid Newsletter blog](#).*

1. Reports of these events can be found on the [Refugee Law Project website](#).

2. [RWANDA-UGANDA: Repatriation deadline extended](#), accessed on 15 August 2010.

3. [Refugee Law Project Press Release on Rwandan Repatriation 15 May 2009](#), accessed on 15 August 2010.

4. *The International Refugee Rights Initiative, The Refugee Law Project, and Social Sciences Research Council, 2010, Dangerous Impasse: Rwandan Refugees in Uganda, Working Paper No. 4.*

5. [Refugee Law Project Press statement, Rwandan Refugees to lose their status by](#)

[December 2011: Is Rwanda safe for all its citizens to return?](#), accessed 15 August 2010.

6. *Ibid.*

7. *The New Times*, 3 November 2009

8. *Temporal, N, Letter*, 2009, 20 August (emphasis added).

9. Art. 1(C).

10. Art.35, 1951 Convention.

11. From Fitzpatrick, ‘The End of protection: Legal standards for cessation of refugee status and withdrawal of temporary protection’, *Georgetown Immigration Law Journal*, Vol. 13, 1998-1999, as quoted by Siddique, Yasmeeen, *Reviewing the Application of the Cessation Clause of the 1951 Convention Relating to the*

Status of Refugees in Africa, Masters in International Human Rights Law, University of Oxford, 2009.

12. As quoted by Siddique 2009:15-6.

13. As quoted by Siddique 2009:17-8

14. I know Professor Kabwegyere personally, having stayed with their family in 1986 when he was a lecturer in adult education at Makerere University.

15. Later it emerged that 98% of them had been rejected, although, legally each should still have had the right of appeal.

16. Anonymous, August, 2010, ‘Report on the Outcomes of the 14th July Refoulement of Rwandan Refugee Inakivale Refugee Camp.’

The International Coalition for the Rights of Iranian Refugees responds to the threat facing Iranian refugees in Iraq

We thank [Maria Rohaly](#), coordinator, *Mission Free Iran* and representative, *International Coalition for the Rights of Iranian Refugees*, for submitting the following letter.

The [International Coalition for the Rights of Iranian Refugees](#) (ICRIR) is a collection of small grassroots organisations that has done similar work to the Southern Refugee Legal Aid Network (SRLAN) in pooling information and resources so that we can best help asylum seekers. Unfortunately, all of us in the coalition are volunteer organisations, and only one has any funding to speak of. Nevertheless, we have managed to be successful in helping to stop deportations, in reversing asylum denials, and generally providing assistance and information to asylum seekers in need of that.

Each of the organisations inside the Coalition has its own workload, but when one of the organisations has a particular case that requires larger support from the whole Coalition, we take on the case and work on it together. The ICRIR also takes on the larger, macro- and/or systemic-issues that surpass any one asylum seeker's case. It is only through working at the macro-level, at the same time that we are helping people at the individual level, that we can hope to create the systemic changes that are required in order to ensure that the rights of refugees are upheld.

NEWS

ASIA

THAI-BURMA Border: European Commission considers aid [shift](#) to Karen camps
 INDONESIA: 130 Rohingya refugees from Burma found [drifting](#) off coast
 NEPAL: Nepal [refuses Sri Lankan political asylum seekers](#)

AFRICA

EGYPT: South Sudanese refugees [claim](#) Sudanese Embassy in Cairo unwilling to assist them since secession vote.
 RWANDA: UNHCR [cessation clause threatens status of 70,000 Rwandan refugees](#)
 IVORY COAST: [Nearly 450,000 refugees flee the country](#)
 KENYA: Canada [failing gay Ugandan asylum seekers](#) in Nairobi
 LIBERIA: Oxfam Liberia [demands world's attention to Liberian refugee crisis](#)

MIDDLE EAST

ISRAEL: African refugees hired to [build anti-migrant border fence](#)
 EGYPT: [Palestinian refugees fleeing Libya](#) blocked from entering Egypt
 IRAN: Kurdish asylum seeker extradited from Norway [imprisoned upon arrival](#)

AMERICAS

USA: Egyptian [granted asylum on grounds of homosexuality](#)
 USA: NYT on forensic [determination](#) of torture in asylum claims
 USA: Detention system criticised for [providing inadequate legal representation](#)
 CANADA: Concerns of [anti-refugee bias](#) in Canadian RSD, and ['inefficiency', 'callousness'](#) in refugee system
 CANADA: Refugee board rules [Tamil migrant not a security threat](#)
 JAMAICA: [Jamaica tops list of countries sending LGBTI asylum seekers](#) to USA

The situation for Iranian asylum seekers is dire everywhere, but they are under daily direct threat in Iraq. The Islamic Republic has a free hand in Kurdistan, and their representatives are visibly 'everywhere' according to reports from numerous unrelated Iranian asylum seekers.

Worse than that is the fact that UNHCR is completely dysfunctional in Iraq, despite all assurances to the contrary. Refugee after refugee reports having to give their first interviews using hand gestures because there is no one available to interpret from Farsi or even English (the staff speak Kurdish exclusively). This cannot be considered an asylum seeker's interview, and yet it is expected to be the basis on which refugee status is determined.

We have UNHCR-recognised Iranian asylum seekers being held in Iraqi prisons, one of which has an Islamic Republic consulate inside the prison and where staff of continually abuse the asylum seekers. I could go on, but suffice it to say that Iraq is a disaster for Iranian refugees, with enough blame to go around to UNHCR, the Kurdistan Regional Government (KRG), and others. We are in the middle of preparing a report on the situation for Iranian refugees there, and we hope that it will create enough pressure so as to force both UNHCR and the KRG to change their behaviour.

We also do a good deal of work in Turkey, and many of the members of the Coalition have worked on anti-deportation campaigns in various European countries as well as Japan. We welcome the opening of dialogue, and very much look forward to future communication. •

Asia Pacific Refugee Rights Network demands alternatives to detention in Thailand

The following report shows the exemplary efforts of the Asia Pacific Refugee Rights Network to take action on behalf of Pakistani refugees in Thailand – an example to other legal aid NGOs around the world. It is reprinted from the APRRN Newsletter.

In December 2010, Thai authorities conducted dawn raids at the residences of Refugees and Asylum seekers of Pakistani origin in Bangkok. Around 86 people were detained in the Bangkok Detention centre, which include women and children – some as young as six months old. The raids were targeted as it seemed that the authorities knew where the asylum seekers and refugees lived. In response to this event, APRRN produced the [Statement of concern on the detention of refugees and asylum seekers of Pakistani origin in Thailand](#) which was sent to Office of the Prime Minister, the National Human Rights Commission of Thailand, the Ministry of Foreign Affairs, the Immigration Bureau, the National Security Council and the Thailand representative to the ASEAN Intergovernmental Commission on Human Rights (AICHR).

APRRN did not receive any response for nearly three weeks after the submission, while the detainees languished in the detention centre, and so the organisation decided to follow up with the authorities demanding the release of the detainees. An APRRN delegation consisting of the Chair of the South East Asia Working Group (Veerawit Tianchainan), the Chair of the Legal Aid Working Group (Medhapan Sundaradeja), the APRRN Coordinator (Anoop Sukumaran) supported by Kakkanang Ghettalae (Asylum Access Thailand) and Rojjanin Tianchainan (Thai Committee for Refugees) met Dr. Amara Pongsapich, the Chair of the National Human Rights Commission of Thailand (NHRC). The NHRC took our concerns seriously and soon convened a sub-committee on detention of refugees. A NHRC delegation later visited the detention centre and held discussions with the detention centre officials and the UNHCR representative among others to find possibilities and solutions to the issue at hand as well as other refugee and asylum seeker detainees.

The NHRC intervention and the pressure that APRRN continued to exert on the Office of the Prime Minister yielded results. The Prime Minister's office then ordered the Ministry of Foreign Affairs to meet a delegation from APRRN. The MFA met with the APRRN delegation and expressed their opinions and heard the position of APRRN. APRRN was informed that the detention is willing to release the detainees on bail or guarantee from the UNHCR.

In all the discussions, APRRN underlined the need to release all refugees, asylum seekers and stateless persons from detention. APRRN also underlined that the authorities develop guidelines that prevents the detention of refugees and asylum seekers. APRRN has extended its help to the authorities to explore alternatives to detention in Thailand. APRRN will continue to work with the NHRC, UNHCR and other stakeholders to put in alternatives to detention that are in line with international standards.

APRRN has provided the government with some examples of alternatives in other countries which it could consider. In addition, APRRN members in Thailand are also developing a national legislation on Refugee Rights which may be introduced in the Thai Parliament in the near future. The activities of APRRN was well covered in the Thai media. The meeting with the NHRC was also a segment on the news in 2 TV channels (5 & 9). For some of the news reports featuring APRRN, please [click here](#). The statement was also referenced in many Twitter feeds, and on [Thairath.co.th](#), [Mcot.net](#), [Siamrath.co.th](#), [Impaqmsn.com](#), [Isnhotnews.com](#), and [Prachatai3.info](#). •

About APRRN

The Asia Pacific Refugee Rights Network (APRRN) advocates for the Rights of Refugees in the region, to ensure that the fundamental rights of refugees, asylum seekers and victims of forced migration are respected. It also serves to highlight violations of the rights of refugees, as well as develop mechanisms and strategies to address refugee situations. It advocates for countries to sign the 1951 Convention Relating to the Status of Refugees (Refugee Convention) and/or its 1967 Protocol. APRRN aims to engender an environment where refugees, asylum seekers and victims of forced migration are treated with dignity, enjoy fundamental rights and do not face discrimination, exploitation and uncertainty.

The Asia Pacific Region is the site of some of the world's most acute and protracted refugee situations. Of the 10.5 million refugees in the world estimated by UNHCR in 2008, Asia and Oceania hosted more than half of them – 54 percent and 0.3 percent respectively. In addition, there are several more 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 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 in which they are likely to suffer persecution (*refoulement*). 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.

In light of the challenges facing refugees in the Asia Pacific Region, civil society organisations and individuals from across the region agreed to establish the Asia Pacific Refugee Rights Network in November 2008. As a result of the first consultation the network has grown to more than 94 member organisations and 32 individuals.

Family reunification in Finland: Further tightening strict rules

Submitted by Anitta Kynsilehto, a researcher at the *Institute for Advanced Social Research, University of Tampere, Finland*.

The Finnish parliament's administrative committee has decided to review its family reunification policy.¹ Many political parties are hoping to capitalise on the heated migration debate in the legislative elections this month. In the current political climate, public opinion has become increasingly critical of the arrival and settlement of refugees in Finland. The move needs to be contextualised as one among many since the spring of 2010 by the mainstream parties to respond to mounting suspicion of asylum seekers in particular. The extreme right discourse is gaining increased support according to recent opinion polls.

Tightening the rules for family reunification would put the protection of the right to family life under severe risk. In response to the current political climate as it relates to refugees, the [Finnish Refugee Advice Centre](#), the principal non-governmental organisation offering legal aid for refugees, has issued a statement² on the risks of tightening the policy on family reunification in Finland. Rules are already very strict, constituting an obstacle to refugee integration for those already settled in Finland, who continue to live in uncertainly regarding their families. Tightening the policy would not bring economic savings, but rather would make the situation worse in the long run. The current coalition government has changed the application procedure so it is the family member residing abroad who must initiate the reunification process, instead of the person residing in Finland. This increases the risk of non-reunification, particularly for children seeking to be reunited with their parents. The practice may also increase the number of unaccompanied children seeking asylum in Finland, on whose claims a negative decision can be made less easily, potentially encouraging parents and other family members to wait and apply to be reunited with the child once in Finland. Given the dangerous journeys asylum seekers, including young children, have to undertake in order to arrive in Finland from Afghanistan, Iraq or Somalia (the countries which the majority of asylum seekers in Finland are fleeing from³), encouraging the inflow of unaccompanied minors is irresponsible and dangerous.

In the media, statistics are used to portray family reunification in a negative light - which suggest that the amount of applications in the queue, currently some nine thousand applications,⁴ refer to nine thousand individuals residing in Finland, and thus to several more thousands applying for family reunification from abroad. In reality the number refers to persons abroad waiting to be reunited with family members in Finland. The number therefore includes several families, each member of which has to apply individually.

The state of Finland no longer pays travel expenses for family members seeking reunification. Moreover, despite a provision in the law that provides that family reunification should be achieved within nine months, in practice reunification takes

several years from the moment of application. The law permits exceeding the nine month time-frame in 'extraordinary circumstances', but it currently seems that 'extraordinary circumstances' have become the status quo.

Unlike many other countries, Finland does not hold specific requirements concerning accommodation when starting the process of family reunification. An administrative committee's report announced that this will change, but did not specify whether recognised refugees would be exempted from this requirement as is the case in Sweden. Sweden requires suitable accommodation for everyone applying for family reunification who has resided in Sweden for less than four years, but refugees are exempted from this requirement.

The combined effects of structural racism in the labour market and the reluctance of private sector landlords to rent to non-Finnish nationals render it extremely difficult for refugees to rely on income other than the social security benefits and accommodation other than public housing. Although under the current legislation, persons who have been granted international or subsidiary protection are exempted from requirements regarding family provision, but this is a further aspect of current policy up for revision with the legislation. •

1. See e.g. Finnish Broadcasting Company YLE (2011) 'Committee Wants to Tighten Refugee Family Reunion Rules'. 9th February, 2011.

2. Finnish Refugee Advice Centre (2011) *Perheenyhdistämisen kiristämiseen ei ole järkeviä perusteita* [There are no sensible reasons to tighten the policy on family reunion]. Press release 9th February, 2011.

3. According to the statistics of the Finnish Immigration Service, in 2010 the largest groups of asylum-seekers were Iraqi and Somali nationals, yet with only some 500 applications for each nationality group. As for unaccompanied minors, the most came from Somalia (117 applications), Iraq (64) and Afghanistan (43) in 2010. For annual statistics, see Finnish Immigration Service: 'Statistics'.

4. In February 2011 there were some 5600 applications pending for Somali nationals only, plus some 4000 applications for other nationals. Finnish Immigration Service news, 21st February, 2011, 'Congestion in the applications for family reunification for Somalis'.

EVENTS

Conference: Fleeing Homophobia, 5th-6th September, 2011, the Netherlands

Amsterdam's Vrije University will host a two-day conference in September to share and discuss the consequences and findings of a comparative research project about LGBTI asylum in EU member states. Full details of the conference, including registration details, will be posted on its [website](#) in April.

Malaysia workshop on refugee legal aid

Kuala Lumpur, Malaysia is host to a four-day legal aid workshop, from 29th March to 1st April, organised by the Asian Refugee Legal Aid Network, a project to enhance the provision of legal aid to refugees in Asia, and the [Asia Pacific Refugee Rights Network](#).

Libyan crisis: refugees face detention, violence, but are stopped from fleeing

Contributed by Fahamu Refugee Legal Aid Newsletter co-editor Sara Gonzalez Devant.

According to UNHCR, 280,614 people had fled Libya by mid-March, including at least 151,324 to Tunisia, 117,991 to Egypt, 2,205 to Niger and 9,094 to Algeria. With violence escalating in the past weeks, UNHCR has issued [recommendations with regard to people fleeing Libya](#). Crossing the border out of Libya has been almost impossible for many Somalis and Eritreans. In Italy, the Council for Refugees has launched [an appeal for the humanitarian evacuation of 2,000 Eritrean refugees from Libya](#). There are also [reports of disappearances of Somalis in Tripoli and Benghazi](#), and of 500 Somalis having been targeted in rebel areas, suspected to be Gaddafi mercenaries. Human Rights First has issued a [background document on the obligations of neighbouring states and the EU](#), and international responsibilities in the context of the Libyan crisis (see box overleaf).

Many refugees and asylum seekers are being prevented from leaving Libya and many remain detained in eastern and western Libya. Eritreans, Ethiopians, Darfurians, Ivorians and Palestinians are stranded in Saloum border post with Egypt. [5000 foreign nationals, including refugees, were also stranded](#) in mid-March after being prevented from entering Egypt. Most of those stranded at Saloum were from Sudan and Bangladesh. They have called for the assistance of their governments and international organisations in leaving the country. Two men from Bangladesh have died attempting to flee, one of them after going on a hunger strike in protest for not being allowed to cross the border. He had no proof of identity and the Bangladeshi Embassy did not send a person to identify him. The second man died after contracting tuberculosis. The sanitation conditions at border camps, already very poor, are deteriorating. Those stranded there also face low night temperatures and inadequate shelter.

UNHCR reported [3,000 people crossing the Tunisian border daily, and 2,250 crossing into Egypt](#), although these rates are sure to increase with violence escalating beyond March. UNHCR has requested the Egyptian government to allow refugees and asylum seekers to enter Egypt and be given shelter away from the border until a solution is found. Over 16,000 people at the border camp in Tunisia are awaiting onwards transportation or other solutions. IOM-UNHCR are rolling out their humanitarian evacuation operation.

The migration-trade nexus

Migration is a key element of the EU-Libya trade relationship. Italy entered an agreement in 2009 which Italy hailed as the 'end of the refugee problem' in Europe. According to this, Libya ensured full cooperation in migration 'control', resulting in Italian coastguards policing the high seas, and returning boatloads of people to Libyan control. As the Italian journalist Gabriele del Grande uncovered, Libyan control entailed capturing refugees and migrants and placing them in containers in Libyan camps, where they are subjected to inhumane and degrading treatment, food shortages and rape. [The camps are funded by the EU taxpayer](#) as part of migration control initiatives. The EU is taking steps to ensuring the protection of refugees across the Union internally, through the embryonic Common European Asylum System (CEAS) set to become operational in 2012. But simultaneously it relies on a country that is not only not a signatory to the 1951 Convention, but also flaunts its disregard for human rights to stop migrants and refugees from reaching EU waters.

Continued overleaf.

REQUESTS

Request: Experts on violence against women in Nepal

The [Refugee Rights Clinic of Tel Aviv University](#) is seeking the help of experts on the subject of violence against women in Nepal. We are urgently seeking experts to either provide an opinion or point us to relevant sources on the effectiveness of protection against domestic violence in Nepal, especially in light of recent legislation seeking to combat violence against women, as well as attitudes towards women who have been the victims of rape, and how this potentially affects their position within the family and broader society. If you know of anyone willing and able to assist us, please [get in touch](#) for further details.

Request for donations: new Migrants' Law Project, London, United Kingdom

The [Migrants' Law Project](#) (MLP), which opened in the United Kingdom in January 2011, seeks donations to support its work. The MLP is a pilot legal and public legal education project, hosted by [Islington Law Centre](#), which aims to improve the rights of migrants, refugees and asylum seekers through the use of public law. The MLP provides legal advice and support to organisations working with migrants, refugees and asylum seekers and aims to enable those organisations, through advice and training, to negotiate more effectively with the government and other relevant public bodies. Where negotiation fails, the MLP will move to litigate on behalf of individuals and NGOs, to challenge unjust government policies that have a negative impact on migrants' rights. The MLP is primarily funded by donations and grants; donations can be arranged by contacting [Katie Commons](#) or online through the MLP's [fundraising page](#) for the Legal Sponsored Walk, a London fundraising event.

Continued from previous page.

The agreements with Libya and its neighbours have led to a dramatic decrease of migrants arriving by boat in Europe. This is why [for the EU, the uprisings in North Africa mean that these efficient border control systems are under threat](#). Italy's foreign minister Franco Frattini announced that he was expecting a [wave](#) of 200,000 to 300,000 immigrants making their way to Italy if Gaddafi fell. Instigated by Italy's alarm, the European Council held an emergency meeting to discuss the impending immigration influx as a result of unrest in Libya, and has bolstered Frontex Hermes 2011 to patrol the sea and 'assist with migration processing'. EU Commissioner Malmström stressed that neither EU states nor Frontex would push people in need of international protection back to Libya.

But amid the fears of large numbers of persons fleeing to Europe from North Africa, in mid-March Italy's Ministry of Interior prevented a ferry fleeing Libya from docking in Sicily to refuel. The Moroccan ferry was carrying 1,800 people, mainly Moroccan, who had [evacuated Libya as a result of the unrest](#). The ferry, which had been [hired by the Moroccan government to evacuate its nationals](#), refuelled in the high seas instead and continued on to Morocco. This did not prevent the story of the blocking of a ferry full of migrants from docking in Italy [making front page in the Padania daily newspaper](#), which is affiliated with the right-wing party Liga Norte.

Libya and the EU: a strategic partnership

From Europe Libya is seen as the floodbarrier preventing a 'massive influx' of migrants from entering the EU. Gaddafi has played on this notion to advance his favourable relationship with the EU and Italy in particular. In the *Journal du Dimanche* Gaddafi recently stated 'you will have immigration, thousands of people from Libya will invade Europe. There will be no one to stop them any more' (if he fell). Meanwhile the EU has adapted the commercial idea of a strategic partnership to define its relationship with its Mediterranean neighbour. Together with its natural resource endowment, migration control has allowed Libya to enter preferential trade deals with the European Union in recent years.

Although the EU decided to freeze the assets of the Libyan ruler and those of other senior Libyan officials after Gaddafi's regime violently cracked down on rebels in the beginning of

March, the freeze did not include the country's sovereign wealth fund or the Libyan Central Bank. The measure is difficult to enforce because [the personal assets of Gaddafi and his officials and the sovereign assets of the state are indistinguishable](#). Not surprisingly, the EU country with the greatest commercial ties with Libya is Italy. Italy has much to lose if Gaddafi is ousted from power: the country entered a friendship treaty in 2008 which prevents Italian bases from being used for military action against Libya. The treaty also includes a multi-billion dollar compensation plan for Italy's colonial occupation, to be paid over 25 years. Libyan sovereign investment entities have stakes in Italian companies, and Italian companies have won major infrastructure and energy contracts over the past years. •

[CIR, CIR launches an urgent appeal for the evacuation of Eritrean refugees in Tripoli](#)

[ECRE, ECRE calls on the EU to rescue sub-Saharan refugees trapped in Libya](#)

[ECRE, Appeal for Libya: NGOs call on European governments and the European Union to stand with them in helping people who are fleeing Libya](#)

[ECRE, Safe haven for people fleeing bloodshed in Libya](#)

[Asylum Aid, Asylum Aid responds to Libya crisis](#)

[ECRE, ECRE Interview with Christopher Hein](#)

[Euromed, Study on Migration and asylum in the Maghreb](#)

[European Commission, Statement by President Barroso on the situation in North Africa](#)

[Human Rights First, States' Obligations to Protect Refugees Fleeing Libya: Background](#)

[Hungarian Presidency, Keeping an eye on migration from the Southern Mediterranean](#)

[ICMC, Press Release](#)

[IRIN, Libya – Somalia: Stranded Somali migrants unsure where to turn](#)

[JRS, Eritrean Asylum Seekers Stranded in Libya Appeal for Help](#)

[OCHA, Factsheet](#)

[UNHCR, Protection considerations with regard to people fleeing from Libya – UNHCR's recommendations](#)

[UNHCR, UNHCR seeks mass evacuation for foreigners at Tunisia-Libya border](#)

[UNHCR, UNHCR steps up relief efforts as huge numbers flee Libya to Egypt and Tunisia](#)

OPPORTUNITIES

UNHCR's Policy Development and Evaluation Service Small Grants Program: an opportunity to highlight the need for legal aid

UNHCR's Policy Development and Evaluation Service (PDES) aims to encourage and enable original research and writing to be undertaken on refugee, displacement, migration and humanitarian issues and situations that are closely related to UNHCR's mandate and operational activities, through its 2011 Small Grants Program. The maximum amount payable under this program is \$7,500, for projects that can be completed within a maximum of six months and which result in the preparation of a 20-40 page paper that can be published in the PDES working paper series 'New Issues in Refugee Research'. To apply, submit (1) a one-page project proposal, (2) an indicative budget, (3) a CV and (4) a writing sample, by [email](#) with 'Small grant' in the subject line. Applications that do not conform to this format will not be considered. The application period closes on **31st May, 2011**.

NEWS & INFORMATION LINKS

southern refugee legal aid network [website](#) & [email list](#)

forced migration current awareness [blog](#)

[rsdwatch](#): information on unhcr's refugee decisions

kanere: kakuma refugee [free press](#)

UN palestinian rights division's [ngo action news](#)

refugees international [regional and issue-based e-updates](#)

international detention coalition [news and resources](#)

euromediterranean migration and asylum [blog](#)

european council on refugees and exiles [weekly bulletin](#)

news and developments on human rights in [forum-asia](#)

iraqi refugee [assistance project](#)

women's asylum news [monthly newsletter](#)

international association of [refugee law judges](#)

fahamu refugee legal aid newsletter: [past issues](#), [facebook](#), [blog](#)

NEWS

South African Refugee Amendment Bill receives endorsement

The Refugee Amendment Bill, which is expected to streamline the application process for those seeking asylum, [has received a majority endorsement from members of Parliament](#). The amendments will also allow for a child born to an asylum seeker to be registered in terms of the Births and Deaths Registration Act, provided the birth certificate is submitted at a Refugee Reception Office in order to have that child included as a dependent of the asylum seeker or refugee.

Amnesty International released Urgent Action in Ahmadiyya killings in Indonesia

The [Asia Pacific Refugee Rights Network](#) has underscored that legal aid providers should note that [Amnesty International](#) (AI) has raised the alarm over [killings in Indonesia of the Ahmadiyya minority community](#). According to the urgent action, 'over 1,000 people wielding rocks, machetes, swords and spears stormed the house of a leader from the Ahmadiyya minority faith ... on 6 February 2011. Several more Ahmadiyyas were wounded in the attack and two are reportedly missing'. Persecution of Ahmadiyya in Indonesia is on the rise, with AI reporting attacks and burning of Ahmadiyya places of worship and homes, at times leading to their displacement, 'fuelled by a 2008 joint ministerial decree forbidding the Ahmadiyya from promoting their activities'.

Netherlands ends detention of unaccompanied minors

Unaccompanied minors will no longer be held in justice department detention centers. Instead, the Dutch authorities will place them in temporary housing, under intensive supervision, through the central authority for asylum seekers, which will also act as their guardian. Later this year the government will also look into other alternatives for irregular migrant management. Immigration and Asylum Minister Leers has defended the idea that the interest of the child should outweigh the risk of absconding. Exceptions do exist, however, and those minors with a criminal history or investigation, whose removal is planned for within a two-week time period, who fail to report or leave the center without permission, or whose age is disputed will continue to be detained. [Read more here](#) (in Dutch), and the response from JRS [here](#).

PUBLICATIONS & RESOURCES

Regional working group: Detention of asylum-seekers and refugees in South East Asia

In Bangkok, Thailand on 29th and 30th November, 2010, the South East Asia Regional Consultation on Detention of Asylum-seekers and Refugees brought together participants from 12 civil society groups, four national human rights commissions, IOM, and UNHCR to discuss advocacy approaches on release, alternatives and improving detention conditions. The workshop aimed to begin the development of Detention Actions Plans for South East Asia, including specific action plans for Malaysia, Thailand, Indonesia, Philippines and Bangladesh. Later this year, progress reports on the workshop's action plan will follow, and similar consultations will be held in East Asia and South Asia. To join the Immigration Detention Working Group, please visit the [website](#).

NEWS continued

EUROPE

EUROPE: [FRONTEX releases 2011 plan](#), citing Greece/Turkey border as priority, while ECRE reports on [Dublin System flaws](#) and legal repercussions of returns to Greece

EUROPE: Call for Italy, EU to [stop forcible removal](#) of Tunisian migrants, share in resettlement of refugees from Libya

CYPRUS: Senior immigration police officer [arrested](#) for organised crime

ITALY: Refugees fleeing North Africa turmoil [arrive in Lampedusa](#)

CZECH REPUBLIC: [NGOs call for end to Phallometric Testing](#) in asylum determination

GREECE: [France suspends asylum seeker returns](#) to Greece

UK: Journalist demands [greater scrutiny of EU border force](#) to protect refugees

UK: Home Office introduces [new guidelines for the assessment of lesbian and gay asylum claims](#)

UK: Court ruling [threatens Zimbabwean asylum seekers](#)

FINLAND: Man who facilitated Chechen refugee entry [faces jail](#)

ITALY: Foreign Minister expects [200,000-300,000 refugees from Libya](#) if government falls

BELGIUM: Flemish Refugee Action [launches online platform for asylum lawyers](#)

Article: Unaccompanied asylum seeker children (UASC) and flaws in the UK system

Katia Bianchini, immigration lawyer at Turpin & Miller Solicitors, Oxford, UK has written 'Unaccompanied asylum-seeker children: flawed processes and protection gaps in the UK', [featured online in Forced Migration Review](#). The article highlights 'serious flaws in procedure' relating to UASC.

Report: arbitrary detention and asylum policy in Lebanon

[Frontiers Ruwad Association](#) has written a report on arbitrary detention and asylum policy in Lebanon entitled 'Taking Refuge in Arbitrary Detention'. The Executive Summary, available [here](#), not only reports on arbitrary detention and deportation of asylum seekers in Lebanon, as well as disregard for judicial authority, but also questions the legality of the detention centres themselves.

Online resource: Hathaway's *The rights of refugees under international law*

Parts of *The rights of refugees under international law*, James Hathaway's invaluable resource for defending the socio-economic rights of refugees and learning about the 1951 Convention, are available online as a Google e-book by following this [link](#).

ECRE Report: NGO Involvement in Resettlement

Legal aid providers involved in resettling refugees should take note of a [report](#) released last year by the [European Council on Refugees and Exiles \(ECRE\)](#), which 'provides concrete examples of where and how resettlement States can usefully involve NGOs in the resettlement process'. The report contains best practice information and could prove an invaluable resource.

Report: UNHCR's urban refugee policy in Kenya

UNHCR's Policy Development and Evaluation Service has published [Navigating Nairobi: A review of the implementation of UNHCR's urban refugee policy in Kenya's capital city](#), the first of a series of five, analysing the implementation of UNHCR's urban refugee policy in different cities. The report is written by Elizabeth Campbell (Refugees International), Jeff Crisp (UNHCR), and Esther Kiragu (UNHCR).

Asia Pacific Refugee Rights Network Consultation

The third Asia Pacific Consultation on Refugee Rights was held in Bangkok, Thailand, 25th-27th November, 2010, and was attended by 117 participants from 22 countries. The report from the conference is available in pdf [here](#), or can be downloaded from the APRRN [website](#).

*The Fahamu Refugee Legal Aid Newsletter is distributed in **Pambazuka News**, the authoritative pan-African electronic weekly newsletter and platform for social justice in Africa. With over 1000 contributors and more than 500,000 readers, Pambazuka News provides cutting edge commentary and in-depth analysis on politics and current affairs, development, human rights, refugees, gender issues and culture in Africa. Visit [online](#) or subscribe by [email](#).*

PUBLICATIONS & RESOURCES cont'd

Immigration Detention and Proportionality

The [Global Detention Project](#) has released a [working paper](#) which examines the principle of proportionality in respecting rights of non-citizens facing detention.

Oxford Monitor of Forced Migration

The Oxford Monitor of Forced Migration has [released its inaugural issue](#). The issue tackles a number of dimensions of forced migration, and includes articles relevant to legal aid providers, such as an article on [asylum support provisions in the UK's Draft Immigration Bill 2009](#), an article on [systematic bias against applicants in RSD](#) in the United Kingdom, and an article on [legal terminology regarding North Koreans](#).

New visibility requirement for social group asylum claims in the US

[Yale Law and Policy Review](#) has published an article entitled 'Social group asylum claims: A second look at the new visibility requirement' discussing the 'worrisome development in asylum law' that refugees in the United States persecuted because of their membership in a particular social group must now show that their group is 'socially visible' in the country from which they fled.

Reliable country information

Eurasylum's policy interview in March was with Khalid Koser, Chair of the UK Independent Advisory Group on Country Information (IAGCI) on the theme of current trends in the production of reliable and up-to-date country information, online [here](#).

Domestic violence asylum claims

'In search of guidance: An examination of past, present, and future adjudications of domestic violence asylum claims' from the Vanderbilt Law Review, tracks the development of and

inconsistencies in the adjudication of asylum claims based on domestic violence made in the United States.

Refugee protection in Morocco, Algeria, Tunisia and Libya

The Euro-Mediterranean Human Rights Network (EMHRN) has launched a new [report](#) analysing the legal and administrative regimes pertaining to migrants, asylum seekers and refugees in the four countries of the Maghreb (Morocco, Algeria, Tunisia and Libya), with a particular focus on rights protection. The study examines migrant flows through and to the Maghreb, the cooperation framework between the EU and these countries, and the impact of this cooperation on protection. The study analyses financing instruments in support of border control, and impacts on protection. It also examines the causes of rights violations and the steps taken by the authorities and civil society to remedy violations, and makes recommendations aimed at improving the situation.

UK Zimbabwe Country Guidance

The updated country guidance for Zimbabwe [replaces](#) the previous one of 2008. The guidance ends a five-year moratorium preventing the deportation of Zimbabwean asylum seekers. It finds that the risk of politically motivated violence has decreased significantly since 2008. The guidance also considers that where children have been resident for over seven years and are well-integrated into the educational system in the UK, it is an indicator that the welfare of the child favours regularisation of the status of mother and children. The return of Zimbabwean asylum seekers is considered premature by the [UK Refugee Council](#) (read their response [here](#)) and the [Zimbabwe Association](#). The country guidance's evaluation of the risk of political persecution also contradicts reports of a surge of intimidation of members and suspected supporters of the opposition (read more in our [January](#) issue).

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