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Links are marked in [blue](#).

The situation of refugees in the Russian Federation: some background for legal aid providers

Contributed by [Danielle Grigsby](#), MSW, International Social Work, Refugee & Forced Migration Affiliate, Feinstein International Centre. English translations of the Russian laws sourced herein can be found [online here](#).

The collapse of the Soviet Union ushered in a complex period in Russia's experience of migration. The movement of peoples once considered 'internal' was now treated as external. The sudden restricting of borders necessitated the creation of a system that was hastily cobbled together to manage the flow of people, whether economic migrants or refugees, from across the Commonwealth of Independent States (CIS). Russia's primary focus was the near abroad, primarily in relation to persons on the move residing in the CIS. Two pieces of legislation were established to deal with the movement of this group, who were seeking safety and stability within the Russian Federation:

- The 'Law on Refugees' which included specific provisions for CIS individuals not considered Russian citizens
- The 'Law on Forced Migration', which established a system of support for Russian nationals, formally Soviet or other CIS citizens, residing in regions of the CIS.

Notably, these two legal documents made no mention of, nor did they proffer any consideration for, the migration of peoples from outside the CIS to Russia, which was occurring even in 1991.

In 1993, however, Russia incorporated the right of political asylum into its Constitution, Article 63(1), drawing on the former-Soviet Constitutional precedent (Constitution of the USSR 1918, art. 21; 1936 & 1964, art. 129; & 1977 art. 38). The Constitution was Russia's only legal mention of the rights of refugees within its borders, though, again, it was written

specifically to deal with the influx of individuals from the CIS. Simultaneously in 1993, Russia became party to the UN's 1951 Refugee Convention and 1967 Protocol, further relinquishing a degree of sovereignty by accepting UNHCR oversight. These concessions were made in an effort to cope with the chaotic migratory flows of the countless individuals who had lost their citizenship with the fall of the Soviet Union. This too had precedent in the Soviet Union as the USSR had been party to the UNHCR's predecessor, the International Refugee Organization (IRO).

Over the next several years Russia was inundated with applications for asylum from those from the near abroad, seeking government support and assistance. Russia's poorly-articulated, largely unenforced policies allowed this immigrant flow but led to an escalation in social and cross-cultural tensions between the immigrants, refugees and host communities. Amnesty International and Memorial, a Russian Human Rights organisation, reported an escalation in xenophobic attacks and anti-immigrant sentiment during the late 1990s. Regardless, migrants and refugees, taking advantage of Russia's porous borders, continued to enter en masse, pulled by perceived regional prosperity, increased access to livelihoods and the geographic proximity to Europe.

The UNHCR estimates that there are now several hundred thousand non-CIS forced migrants in the Russian Federation, most congregating in the urban areas, mainly Moscow (UNHCR, 2010). This urban concentration fits within the general trend of urbanisation in Russia. The majority of the estimated 10 million documented and undocumented migrants in Russia have joined most of the Russian citizenry (73%, according to Russia's 2002 census) in gravitating toward cities.

A rise in xenophobia

In mid-1990s Russia, migration constituted one of the most dramatically contested policy issues. Due to lackadaisical implementation of its migration policy, porous borders and a thriving shadow economy, the country was experiencing an unprecedented influx of undocumented workers. A complex series of trafficking routes, shuttling workers to and through Russia, had been established. Immigrants were primarily from Afghanistan, accessing Russia through the Southern border. These migrants possessed cultural features similar to those of individuals from the highly contentious Caucasus region. This association, coupled with business owners' propensity to hire undocumented workers at lower wages, created an air of

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EGYPT: UNHCR [shuts](#) Cairo office after Sudanese refugees demand resettlement through protests; [refugees struggle](#) post-revolution

LIBYA: Bulgaria [evacuates Sudanese back to Sudan](#) potentially exposing refugees to *refoulement*

ASIA PACIFIC

CAMBODIA: Cambodia [urged to drop draft NGO law](#) that would undermine civil society

BANGLADESH: [New ID card policy](#) could hit Rohingya asylum-seekers

EAST TIMOR: Within one week East Timor PM [rejects](#) Australian detention centre, Gillard [insists](#), and is rejected again

MALAYSIA: Amnesty International (AI) Malaysia issues [statement](#) after a [blaze](#) in a refugee detention centre, where [conditions were already poor](#)

JAPAN: Information released for [refugees affected by the earthquake](#)

AUSTRALIA: Over half of [asylum refusals overturned on review](#)

MIDDLE EAST

ISRAEL: Eritrean refugees [unite for greater rights](#)

ISRAEL: U.S. human rights report [slams Israel's conduct toward asylum seekers](#)

EUROPE

UNHCR: Report that asylum-seeker [numbers nearly halved](#) in Europe and North America over the last decade raises questions about the increasing effectiveness of obstacles to accessing asylum procedures to claim asylum, the externalisation of procedures, and growing numbers of failed applicants

UNHCR: 400 [feared dead](#) after boats carrying Somalis, Ethiopians and Eritreans fleeing Libya go [missing](#) in Mediterranean

IRELAND: poorest [record](#) in the EU for granting asylum

ITALY/GERMANY: Germany and France threaten to [reinstate](#) border controls in the EU after Italy issues temporary residence permits for refugees fleeing Tunisia.

UK/ZIMBABWE: refugees threatened with deportation in the UK go [underground](#) as NGOs urge government to wait until after the elections

EU: Migreurope comments on [EU readmission agreements](#)

AMERICAS

Entirely adverse California 9th Circuit decision regarding LGBT asylum and Mexico [published](#)

instability, mistrust and general dislike between the Russian 'host' community and the enclaves of foreign, ethnic minorities.

Simultaneously fueling the rise in an undocumented shadow economy, Russia experienced extreme out-migration, which, coupled with a decrease in childbirth, has led to a negative growth rate; the population continues to decrease by approximately 700,000 people per year. The influx of immigrants, at 800,000–1,000,000 individuals per year, offsets the potentially crippling economic effects of this phenomenon. Unsurprisingly, the primary industries accessible to Russia's migrant population seek less-skilled labourers. Thus, while Russia experiences vacancies in its highly-skilled workforce it has a surplus of workers in its industrial services sector. This has created animosity between Russian nationals and immigrants, now competing for access to livelihoods.

The economic instability, out-migration and increase in labour competition of the 1990s brought with it extreme anxiety around the erosion of a national identity. Russian youth, unaccustomed to the presence of foreigners, who they perceived as threatening to Russian-ness, established a nationalist movement with extremist views, ideologies and racist tendencies (Shashkin: 2008, 2). A new fascism has prevailed in the face of the perceived threat to ethnocentrism. Over the past decade it has morphed into one of the world's largest, functioning fascist enclaves (ibid.). At the same time, the government remained slow in devising a system for regulating the migration of refugees from beyond the near abroad, failing to mitigate the cultural rise in xenophobia. The onset of the 1994 war in Chechnya increased fear of foreign-backed terrorist uprisings and a heightened increase of anti-immigrant sentiment. This posited a tipping-point, forcing the Government to create more strict regulatory measures governing the migration of foreign nationals into Russia.

Following the 1994 Chechnya war, Moscow finally revisited its policies in relation to applications for asylum, providing for individual claimants from outside the former-CIS. But the resulting 1997 Law on Refugees, which replaced the 1993 version, was enacted during this era of extreme anti-migrant, xenophobic fervor. Therefore, while bringing a change in policy, its timing, coupled with lack of political will, left the details of the revised Law on Refugees largely unimplemented. This lack of clarity on legal processes of asylum claims remains to this day.

In response to the increase in migrant-specific violence, the Russian government imposed a series of punitive policies aiming to halt the flow of undocumented workers, both refugees and economic migrants. These restrictions include employer fines, strict document checks and, seemingly, the incentivised promotion of deportation. Non-CIS migrants report being stopped by the police for random document screenings nearly each time they must venture outside (a right given to the police through the *propiska* laws, a set of restrictive laws, retained from the former communist state, that govern the movement and registration of all people in the Russian Federation). Police often penalise refugees and migrants while conducting these document checks, declaring aspects of documented refugees and immigrants papers as somehow false, or

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Kenyan refugees heard away from home: the inclusion of refugees in transitional justice processes

Contributed by *Bernadette Iyodu*, Senior Legal Officer/Coordinator of the Asylum and Durable Solutions Programme, Refugee Law Project, Faculty of Law, Makerere University.

This article aims at contributing to the vast transitional justice literature by using Kenya's Truth, Justice and Reconciliation Commission (TJRC) as a case study to illustrate the complex relationship between forced migration and transitional justice.

Kenya's 2007 national presidential elections were marked with violence resulting in loss of lives and widespread displacement. Consequently, a Truth, Justice and Reconciliation Commission (TJRC) was established with a view to [conduct investigations into the violence](#). On Thursday, 26th March, 2011, members of the TJRC led by Acting Chairperson Ms. Tecla Wanjala visited Kenyan refugees, living in Kiryandongo refugee settlement in north-western Uganda, who had been displaced by this violence. The visit fundamentally contributed to the development of transitional justice processes in the Great Lakes Region by practically facilitating the participation of refugees living in exile in the development of transnational justice mechanisms. It represents a step forward in developing and understanding the complex relationship between forced migration and transitional justice.¹

During the visit, Commission officials conducted interviews and discussions on how refugees can be included in the transitional justice processes about to kick off in Kenya, inviting the community to air out their grievances and offer suggestions. Concerns were voiced over the possibility that those who fled the election violence of 2007 would be automatically labelled as perpetrators upon their return, along with uncertainties over repossessing properties, including land; people also questioned whether they could enjoy security upon return.

The TJRC also in turn recorded refugees' testimonies to share with the rest of the country and for inclusion in the transitional justice processes. Participants' [willingness to speak on camera](#) about their experiences as refugees and fears associated with return are indicative of the importance attached to the transitional justice process by Kenyan refugees. It remains to be seen whether the refugees' views will be incorporated into the emerging Kenyan process and whether doing so will enable them obtain justice and eventually facilitate return for this population.

Background to the Kenyan refugee situation

The Kenyan refugees presently in Uganda arrived in the country between 2007 and 2008 as a result of the violence that erupted during the 2007 Kenyan presidential elections. Since it gained independence from Britain in 1963, Kenya had enjoyed a reputation of a relatively stable democracy within the East African region until the disputed 2007 presidential elections led to the worst ethnic unrest in Kenya [changing the status quo](#). It was the first time Kenya [generated significant numbers](#)

[of refugees](#) as well as IDPs, thus joining the ranks of other refugee generating countries in the Great Lakes region.

The Office of the United Nations High Commissioner for Refugees (UNHCR) in 2008 reported that over 12,000 Kenyan refugees had crossed into Uganda. Some of the Kenyan refugees returned spontaneously soon after arrival. Others, however, found themselves unable to return as long as the issues which contributed to their flight remained unresolved. As is usually the case with residual populations that remain after repatriation, individuals in this group cited a variety of individual and community concerns related to return. As refugees cannot be returned (*refouled*) to their country of origin under duress (1951 Convention, article 33(1)), such residual populations often remain in the country of asylum permanently or until they become convinced that conditions have improved sufficiently for them to be willing to risk going home. A demonstrated willingness on the part of the home country to engage in transitional justice processes, improve governance and otherwise aim to ensure that the original violence does not recur can be key to facilitating return. The refugee community consultations carried out in Kiryandongo refugee settlement camp can be viewed as an attempt to restore confidence among the refugees through demonstrating that the Kenyan state is genuine in its desire for an inclusive and just society.

Transitional justice: offering the hope of a durable solution for refugees

Societies with legacies of past human rights abuses and mass atrocity (including genocide and civil war) utilise transitional justice mechanisms as a means of building a democratic, just and peaceful future.² Transitional justice relies in part on international law to provide the legal frameworks necessary in order to hold states responsible for ensuring the halting of ongoing human rights abuses, investigating past crimes, identifying persons responsible for human rights violations,³ preventing future human rights abuses, preserving and enhancing peace, providing reparations to victims, and fostering individual and national reconciliation.⁴

The inclusion of all affected parties, and of victims in particular, in the planning and execution of any transitional justice process has increasingly been recognised as crucial to success, and has resulted in the increased popularity of quasi-judicial bodies such as truth and reconciliation commissions which provide greater opportunity for victim participation than formal legal processes. Including the voice of victims in the process is now recognised as a crucial component of justice and is held forth by some as conducive to psychological healing. By including voices in exile in the transitional justice processes, decision-makers can hope to increase the willingness to return among those who have been consulted by demonstrating the value they attach to the refugees as citizens and communicating acceptance. The psychological impact for forced migrants of feeling heard cannot be overemphasised.

To date, policy connections between transitional justice and forced migration have largely been limited to the internal displacement context. For example, the 2009 UN Framework on Durable Solutions states:

IDPs who have been victims of violations of international human rights or humanitarian law, including arbitrary displacement, must have full and non-discriminatory access to effective remedies and access to justice, including, where appropriate, access to existing transitional justice mechanisms, reparations and information on the causes of violations.

The UN Framework on Durable Solutions also holds that it is primarily responsible for addressing the needs of its displaced population with the assistance of humanitarian agencies and other international organisations. The same logic which has been used in the internal displacement context can easily be extended also to externally displaced refugee populations, particularly as similar factors are often at play in both internal and external displacement. In some conflicts, it may be a matter of mere chance whether the camp an individual flees to is located on one or the other side of an international border. For the refugees who fled the Kenyan election violence, the mere fact of having crossed an international border should not act as a hindrance to their accessing effective remedies including existing or prospective transitional justice mechanisms including reparations and the ability to speak publicly about the violence of which they have been victims.

In the Great Lakes Region a tendency has developed for countries to indiscriminately label those who flee across borders as the perpetrators of the violence. Indeed, there have been instances where perpetrators have found it easier to hide among *bona fide* refugees outside of their country's jurisdiction.⁵ Above all, however, this argument has provided a

convenient excuse for regimes unwilling to examine and address the often deeply rooted social and political problems that manifest in sporadic violence. With those who fled both conveniently absent and vilified by the authorities, former neighbours who remained in the country can benefit from their compatriots' inability to return by taking over their land and property. Once this happens, it becomes even more difficult for refugees to risk return. Moreover, return, also known as voluntary repatriation, is considered the preferred durable solution because it is the closest to restitution, theoretically placing the refugee in roughly the same position they were in prior to flight.

The Kenyan TRJC's decision to reflect the voices of those living in exile in the transitional justice process demonstrates a respect for the refugees' rights as Kenyan citizens, and also makes it easier for individuals to make informed decisions on whether to continue living in exile or return home in the near future. A majority of the refugees were excited to make contact with fellow countrymen involved in the reconciliation discussions, and commented that they have not, after all, been forgotten as they had feared. They described at length the refugee experience and expressed hope that they will be able to return home once their issues have been resolved by the TRJC and assurances of safety have been made for when they choose to return.

Although the true impact of this single consultation is not yet known, it nevertheless remains noteworthy that voices in exile have been included in transitional justice processes. In summary, through its groundbreaking decision to include

OPPORTUNITIES

Bursary for recent law graduates for work relevant to United Kingdom human rights law

The [Human Rights Lawyers Association](#) seeks applications from recent graduates of a law degree (undergraduate or postgraduate) for a bursary scheme to enable them to do work placements, internships, and volunteer or underpaid work that they would otherwise be unable to afford. Such work need not take place in the United Kingdom but must be relevant to United Kingdom human rights law. Full details and application forms are [online](#). The application **deadline is 8th May, 2011**.

Fellowships: public interest lawyers from Egypt, Jordan, Lebanon, Morocco, Palestine and Tunisia

In response to the dramatic changes taking place in the Middle East and North Africa, the [Global Network in Public Interest Law](#) (PILnet) seeks applications from public interest lawyers Egypt, Jordan, Lebanon, Morocco, Palestine and Tunisia to join its 10-month program of public interest advocacy training, starting August 2011 based in New York and Hungary. Further details and application forms are [online](#). The application **deadline is 9th May, 2011**.

Grants for programmes of assistance for survivors of contemporary forms of slavery

The [United Nations Voluntary Trust Fund on Contemporary Forms of Slavery](#), which has funded a Fahamu course on child soldiers for legal aid providers in Turkey and Cairo, allocates project grants (up to \$US15,000) for humanitarian, legal and financial assistance programmes to individuals whose human rights have been severely violated as a result of contemporary forms of slavery. Projects undertaken with the Fund's grants include medical, psychological, education and housing assistance, vocational training, income generation projects, rehabilitation centres and projects to identify and release bonded labourers. Further details and application forms, to be submitted by email, are [online](#). The application **deadline is 31st May, 2011**.

AMERA recruiting for internship programme in Egypt

[Africa and Middle East Refugee Assistance](#) (AMERA) seeks volunteer Psychological Counsellors, Psychosocial Interns, SGBV Interns and Unaccompanied Minors Interns. Internships are based in Cairo, Egypt, full-time for a minimum duration of 7.5 months and begin on 10th July, 2011 with two weeks of intensive training. Those interested should apply **immediately**. Full details are online [here](#).

refugee voices in its consultations, the Kenyan TRJC has effectively acknowledged and acted upon a little understood link between transitional justice and forced migration.

Conclusion

This gesture by the Kenyan TJRC can be summarised as 'leading by example'. Africa's history is marked by civil unrest resulting in gross human rights violations and massive population movements. Given these historical circumstances, it is crucial that transitional justice processes in the region be capable of addressing issues of refugee flight. The Kenyan TRJC has proved that it is possible to be living in exile and yet still be heard and included in the justice processes of one's country. Whether displaced internally or externally, those who flee violence deserve the right to participate as citizens in rebuilding, reshaping and transforming their country. More work is needed in the transitional justice field to determine the best ways in which victims forced into flight can be heard. In particular, explicit connections must be made between victims' right to restitution and refugees' right to return home in safety and dignity. With Kenya taking the lead and Uganda about to embark on its own transitional justice process aimed at addressing the legacy of the more than two-decade civil war between the Lord's Resistance Army and the Government of Uganda, the question remains: will our country, Uganda, take Kenya's example to heart and include the diaspora in its deliberations? •

¹ There have been previous studies conducted in this area analysing the relationship between refugees, internally displaced persons and transitional justice. For example some authors have argued that refugees, like internally displaced persons have a primary interest to be actively involved in processes that improve the conditions in their countries of origin. See Susan Harris Rimmer (2010) *Reconceiving refugees and internally displaced persons as transitional justice actors*.

² *The Encyclopedia of Genocide and War Crimes Against Humanity* (2004) vol.3 pp1045-1047.

³ The four Geneva Covenants and First Additional Protocol obliges states to investigate and charge those responsible for breach of international humanitarian law; see Covenant I, article 49; Covenant II, article 50; Covenant III, article 129; Covenant IV, article 146; Protocol I, article 85.

⁴ *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, General Assembly Resolution 60/147 of 16 December 2005; on the right to an effective remedy, see Convention for the Protection of Human Rights and Fundamental Freedoms, article 13 and African Charter on Human Peoples' Rights article 7; *The right to a remedy and reparation for victims of violations of international human rights and humanitarian law* - Note by the High Commissioner for Human Rights - E/CN.4/2003/63 – 27 December 2002

⁵ An example of situations where perpetrators have hidden amongst *bona fide* refugees is the case of the 1994 Rwanda genocide; perpetrators took advantage of mass victims and survivors of the genocide flights to neighbouring states seeking refuge and were granted *prima facie* refugee status. See International Refugee Rights Initiative & Refugee Law Project (2010) *A dangerous impasse: Rwandan refugees in Uganda*.

Refugees in the Russian Federation *continued from page 2*

racially profiling individuals to terrorise undocumented workers. Common penalties include severe fines, physical assault, abuse, jailing or deportation.

These policies and their blatant discriminatory implementation have served as vindication for the fascist movement's anti-immigrant campaigns. Now estimated to be nearly 30,000 strong, the neo-Nazi programme led anti-immigrant riots in Moscow in the latter part of 2010. Rioters chanted 'two-eight-two' at government officials, a call to repeal Russia's hate crime bill, Law 282. This anti-immigrant sentiment has received further momentum with the sporadic terrorist attacks on the Russian capital, most recently a bombing in Moscow's busiest airport on 24th January, 2011. These attacks, attributed largely to the Chechen separatist movement in the south of Russia, have been met by anti-immigrant, xenophobic sentiments throughout the general Russian public. Refugees, being largely indistinguishable from economic migrants, frequently fall victim to anti-immigrant fervor. These sentiments pose a significant threat to refugee service providers' abilities to sustain their services.

NGO intervention capacity

The current trend in Russia is to decentralise social welfare services, relegating care responsibilities to private sector industries. The Russian legal system provides no status to

private charities, which must fend for themselves in helping the increasingly large number of urban poor. Russian society generally distrusts charities, partly because such institutions did not exist either in Tsarist times or in the Soviet era, and partly because of the difficult economic conditions of the 1990s. Yet, simultaneously, the government is restricting the legal right these private organisations have to meet the needs of critically vulnerable populations, especially refugees.

In 2006 the Russian government passed Federal Law No. 7 FZ On Nonprofit Organizations (hereafter the NGO Law) that limits foreign humanitarian and human rights operations in Russia. This law was born out of fear of a Ukrainian-style 'Orange Revolution' in Russia, which the government believed was primarily funded by foreign aid organisations working in Ukraine. The NGO law created a difficult registration process, stipulating the barring from Russia of any NGO whose 'purpose and goals conflict with the Constitution or legislation of the Russian Federation' or if the purpose and goals of the NGO threaten 'sovereignty, political independence, territorial integrity, national unity, unique character, cultural heritage, or national interests of the Russian Federation.' As a result countless agencies have been forced to close for non-compliance. Others have taken their services 'underground' and continue to operate in Moscow on an ad hoc basis with varying strategies to avoid government attention.

The most glaring issues facing urban refugees in Moscow are the inhospitable legal standards to which they are subjected. As a result, the focus of Russia's few refugee advocacy agencies (primarily UNHCR and Memorial) is on securing the reform of these policies. UNHCR (2010) agrees with Silvestri and Techernishova (2009) that revising the Russian legal system is the foremost necessity. They also seek to gradually phase out 'direct material assistance to the most vulnerable asylum-seekers' and intend to 'hand this responsibility over to other actors by the end of 2011' (ibid. 2009, p. 11). Interviews conducted with UNHCR workers reveal that they aim to 'gradually reduce our direct activities and direct support to asylum-seekers . . . instead [to] empower our legal partners to professionally support individuals throughout the national procedure' (UNHCR interview, 2011). Thus, the emphasis of reform for Russia's forced migrants is solely based within the legal frame, making no mention of the social aspects of maintaining human security. There is no concerted effort to contribute to the survival of refugees in Moscow, as agencies continue to succumb to Moscow's unwelcoming policies. However, this does not mean that new refugees have ceased to arrive in Moscow, nor that those already there have departed. Refugees arrive daily, in 'psychologically' destabilised states and are in desperate need of an integrated service apparatus to assist them in navigating life in Moscow.

*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](#).*

Current policy and its shortcomings

The 1997 Law on Refugees openly diverges from the 1951 Refugee Convention as it provides no certain guarantee against *refoulement*; furthermore, the articles that seem to offer specific protection to refugees remain largely unimplemented. Research conducted in Moscow from June – August 2010 found the following problems:

- Unwelcoming RSD policies: Article 5.1 (7) of the 1997 Law on Refugees establishes a time frame of 24 hours upon arrival in Russia during which an asylum seeker must register a claim with the regional authority, or local Ministry of Interior office. A violation of the 24-hour time limit can serve as a basis for denial of asylum.
- Temporary Accommodation Centres (TACs): Article 5.1 (7) further states that asylum seekers, upon registering their claim, are to be sent directly to a TAC. This is often not implemented as TACs are commonly full, leaving the

asylum seeker to find accommodation for themselves, though they lack the legal authorisation (or a *propiska*, discussed below) to acquire housing.

- Locations of Temporary Accommodation Centres: TACs are located throughout the Russian Federation and at great distances from metropolitan areas. Transportation to and from a TAC and nearest metropolitan area is often costly and dangerous. In February 2004 three young Afghan refugees were traveling into Moscow from a TAC located north of the city on a commuter train. They were harassed by a group of young Russian men. Wanting to extricate themselves from the situation, they attempted to cross into the next train car. The Russian youth followed the refugees and, when they were in the closed compartment between the two cars, proceeded to stab them repeatedly, resulting in one death, two critically wounded and an entire refugee community traumatised (UNHCR, 2004). What's more, TAC locations provide limited access to work.
- Failure to regulate police-supported violence, seen to be targeting non-CIS refugees: 209 individuals of sub-Saharan African descent participated in a study of racially-motivated attacks in Moscow. This study was conducted by the Moscow Protestant Chaplaincy (unpublished 2009). Each of the individuals represented had been a victim of racially-motivated violence. 72 accounts of race-related violence, perpetrated against a total of 48 individuals (some individuals reported more than one act of violence, results included) were reported to the police with the following results:
 - Moreover, the police target non-CIS refugees in frequent document checks and fail—or refuse—to recognise the UNHCR's refugee registration documents. These documents do not equal refugee status in Russia, but they do allow for temporary residence, about which the police are either uninformed or purposefully ignorant. In addition, the police extort heavy fines for document violation, take the refugee to jail, or worse, place them in deportation proceedings. All refugees interviewed had been victims of police extortion, some as often as three times a day.
 - Lack of communication and coordination between Office of Internal Affairs and Federal Migration Services (FMS): If a refugee claim is denied by the FMS, asylum seekers are legally allowed the right of appeal either to the FMS or UNHCR, but a claim must be filed at the moment a negative RSD decision is made. If no appeal is filed, the refugee no longer possesses the right to remain in the Russian Federation. Their case is then transferred from the FMS to the Ministry of Internal Affairs who can either place them under formal deportation proceedings or grant them their right to temporary refugee status for humanitarian reasons—thus avoiding direct *refoulement*. Fortunately, or not, there exists little coordination between the two federal departments. Weak, non-enforced policies 1) allow many migrants who have been denied asylum to slip through the 'cracks' and remain in the country without permission and 2) allow refugees who are at risk of being *refouled* to be deported, in direct violation of international

law. Seven Afghan interviewees provided lists of names of their family members or friends who had been deported as a result of the Ministry of Internal Affairs' (MIA's) failure to recognise the FMS's temporary asylum permits for RSD proceedings.

- Lack of communication and coordination between federal and regional offices of the FMS: There are reports of asylum seekers being denied refugee status in one region, relocating and being granted status in another (all, outside policy bounds, further exemplifying the policy's chaotic implementation).
- Ill-articulated *propiska* policies in relation to forced migrants: *Propiska* is a set of restrictive laws that govern the movement and registration of all people in the Russian Federation. The *propiska* laws have been retained from the former communist state. Official Russian documentation is required to access the benefits of movement, work and residence in a new city. Without such documentation *propiska* laws restrict access to housing, work, hospitals, and so on. Refugees, who are commonly in Russia without proper documentation, must conduct their contractual dealings outside the bounds of *propiska*, increasing their vulnerability.
- Access to interpreters: Of 65 interviews conducted with non-CIS asylum seekers, 59 individuals were not offered an interpreter when they arrived at the FMS offices.

UNHCR Resettlement and/or Repatriation

- Access to UNHCR: In my interviews, refugees expressed their frustration with the location of the UNHCR and the cost and danger associated with travel to the office. They also discussed the difficult process of securing an interview with the UNHCR workers (often requiring advocacy from a social service provider and securing an interpreter beforehand), and the long backlog in interviews (refugees told of three- to four-month delays to secure an appointment). Refugees must first be rejected by the FMS before the UNHCR will hear their case, at this point on appeal, therefore, a prolonged wait for in-take appointments places refugees in an extremely vulnerable, extra-legal limbo.
- Understanding UNHCR services: Refugees—for the most part—do not understand the UNHCR, the services it provides and the standards for service selection that are used. Interviewees, when asked to explain UNHCR functions, provided very different, contradicting and never completely accurate descriptions of the agency. Moreover, refugees registered with the UNHCR are often unaware that they are not recognised as refugees in Russia and are in violation of *propiska* laws.
- Understanding of International Organization for Migration (IOM): The IOM is responsible for referrals for resettlement from UNHCR. Like the UNHCR, refugees do not understand its purpose, nor the role it plays in their resettlement.
- Understanding of resettlement procedures: Similar to the UNHCR and IOM, refugees fail to understand the general resettlement application process with occasional detrimental results. Refugees, not understanding the system, frequently self-apply for visas or refugee resettlement at their embassy

of choosing. This action has resulted in a summary denial of their case—due to improper documentation and lack of procedural adherence which leads the resettlement officer to assume the asylum seeker is falsifying information.

- Understanding of repatriation procedures: Refugees often do not know or understand the process involved in right of return. Lack of proper documentation within *propiska* exit standards can make repatriation a very difficult, if not impossible, task. For, included under *propiska*, individuals may not exit Russia without proper documentation indicating their right to be in Russia to begin with.

Safety and security

- Deportation: Due to irregular policy implementation refugees are frequently subjected to deportation. Refugees whose claims have been rejected by the FMS can then be granted Temporary Asylum Status (TAS, Law on Refugees Article 12.2(2)) by the Ministry of Internal Affairs (MIA). However, this status is often not recognised by officials within the FMS or the police force as one authorising the refugee's presence in Russia and the documents are subsequently rejected. Thus, refugees granted TAS are commonly treated as being without proper or recognisable documentation in violation of Russian Law. Under the 1997 Law on Refugees, individuals found in violation of any law (even *propiska*) are subject to immediate expulsion from the country, or immediate revocation of refugee status, even if it had previously been granted (Law on Refugees Article 5.1(1)). These conflicting policies are in direct violation of the guarantee of non-*refoulement*.

Perceived gaps in services provided by the refugee service providers

- Language-barriers: Refugees often do not speak Russian, the working language used by most service providers.
- Location/lack of offices: Refugees expressed frustration in the location of service offices or that many agencies do not have offices (a result of inhospitable Russian policy that makes it difficult for non-Russian organisations to secure safe office space or housing). The service providers make use of centralised cafes to provide direct-consultation services, or conduct infrequent home visits due to these visits' high travel-related cost due to most clients' prohibitive residential distance from town.
- Legal services: The Moscow-based human rights organisation, Memorial, acting on the results of the UN Conference on Forced Migration in 1996, has created a network of consultative service providers for refugees in Russia. As a result refugees have access to 40 legal centres throughout the Russian Federation. Those refugees who are aware of the availability of these services recognise the benefits of consulting them. However, the legal centres are understaffed, so refugees must endure long delays. Furthermore, most refugees fail to establish relationships of trust with their legal advocates. Additionally, UNHCR announced in 2010 that they would begin a gradual reduction in direct legal-advisory services to refugees instead

relying on Memorial's coalition of legal advocates to assist refugees in their appellate claims for asylum (Interview with Irina Conovali of the UNHCR 11th February, 2011).

- Lack of financial assistance: Refugees are largely aware of service provider's ability to provide some sort of financial assistance in other urban settings. Most providers in Moscow are unable to do so, instead offering irregular in-kind donations of warm clothing and foodstuffs. Therefore, the refugees cannot rely on any agency for support.
- Perceived favoritism: Moscow's refugee population tends to organise their lives by nationality. Ad-hoc service providers have sprung up in the midst of these communities led by former refugees—who have since received Russian citizenship—of the same nationality. There are also some Russian and foreign-funded aid groups. The former are said to be delivering preferential services to individuals within their own nationality. That benefits are available to refugees is resented by poor Russians and those who have migrated from the 'near abroad'. This resentment leads to more insecurity of the refugees.
- Detention: Refugees are unaware of their rights when detained by the police. Simple knowledge of rights does not guarantee their realisation. However, knowledge sharing of methods through which to secure access to counsel, contact with family and the ability to post bail is seriously needed.

As a result of the current law's shortcomings and subsequent lack of implementation, thousands of refugees have been left largely unrecognised, unassisted, unprotected and vulnerable in Russia's increasingly negative environment. While revisions to the law were made in 1998 and again in 2000, they were minor and served to rectify none of the policy gaps, nor did they make any substantial difference to the legislation itself. •

References

- ExCom of UNHCR. (2004). Country operations plan: Russian Federation No. COP / 2004 / RF). Geneva: UN Refugee Agency.
- Moscow Protestant Chaplaincy. (2009). Racially-motivated attacks and harassment in Moscow No. 1Q09 Statistics-1Q10 Statistics. Moscow: Moscow Protestant Chaplaincy, unpublished.
- Ruling of the Constitutional Court of the Russian Federation, 1 (2002). Available [online here](#).
- Shashkin, Alexander. (2008). Origins and development of racist skinheads in Moscow. From Street Gangs, Migration and Ethnicity, 94-111.
- Silvestri, A., & Tchernishova, O. (1998). The legal framework regulating asylum in the Russian Federation. *International Journal of Refugee Law*, 10(1), 184-198.
- Russian Federation Federal Law: On Amendments and Additions to the Law of the Russian Federation 'on Refugees', 284 (3 July 1997).
- UNHCR (2010) Country Operations Profile - Russian Federation, Moscow: UN Refugee Agency.

EVENTS & COURSES

Cairo short courses, June 2011: refugee law, psychosocial needs, irregular migration

The centre for Migration and Refugee Studies at the American University in Cairo seeks applications for three June short courses open to legal aid providers: Introduction to Refugee Law, 5th–9th June, taught by Parastou Hassouri; Meeting the Psychosocial Needs of Refugees, 12th–16th June, taught by Nancy Baron; and Understanding Irregular Migration, 19th–23th June, taught by Philip Marfleet. Tuition for each course is \$US500, and does not include accommodation or food. Further details and application forms are [online](#). The application **deadline is 5th May, 2011**.

Child soldiers: a one-day conference, 27th May, 2011, London, United Kingdom

A one-day conference, aimed at legal and therapeutic professionals who work with traumatised children (especially those forcibly recruited as child soldiers) in asylum proceedings, will explore the different roles and remit of lawyers and therapists in this process and the particular challenges facing practitioners. Full details are available [here](#).

Summer school on EU immigration and asylum law

The [Odysseus Summer School on Immigration and Asylum Policy of the European Union](#) will take place in Brussels from 4th–15th July, 2011. The course aims to provide its participants with a comprehensive understanding of the immigration and asylum policy of the EU from a legal point of view. Lessons are conducted by academic members of the [Odysseus Network](#) and will be in both English and French. Tuition fees are €600 (for students 25 or under), €700 (for NGOs and PhD students) and €800 (for those in full-time employment), excluding food and accommodation, and no assistance is available. The closing date for applications is **10th June, 2011**.

Summer school on the International Criminal Court, June 2011, Ireland

From 19th–23th June, 2011 the [Irish Centre for Human Rights \(ICHR\)](#) will hold its tenth annual summer school in Galway, Ireland, on the International Criminal Court. The course will cover the subject matter jurisdiction of the court (war crimes, crimes against humanity, genocide, and the crime of aggression), its procedures, defences, the political context in which it operates, and related questions of international criminal law. The course is suitable for legal scholars, practitioners, social scientists and students who wish to deepen their knowledge of the court. It costs €750 including accommodation, or €450 without; no scholarships or assistance are available. Non-EU participants who require visas are encouraged to make arrangements as early as possible; the ICHR can provide an invitation letter if needed. Further information is available [online](#) and by [email](#).

Commission finds Canada violated ADHR by returning refugee claimants to the US

In a case that has been in litigation for several years entitled *John Doe et al. v. Canada (Case 12.586)*, the Inter-American Commission considered a petition filed in 2003 by a consortium of organisations. The Commission ruled that Canada violated the American Declaration on Human Rights by summarily returning refugee claimants to the US, and failing to give individualised determination to refugee claimants.

The cases of three of these claimants were presented to the Commission: Canada sent them back to the US but did not seek assurances that they would be allowed to return to Canada for consideration of their refugee claims. Neither did it provide any individualised consideration of the likelihood of their being returned from the US to dangerous conditions in their countries of origin. The claimants were taken into custody in the US, held in an ordinary jail facility and then deported to their countries of origin. One of the claimants later managed to return to Canada directly from his home country Albania, after which he obtained refugee status.

The Commission found that Canada had violated its human rights obligations because it returned three refugee claimants

to the US through Canada's 'direct back' policy, without first providing individualised review of their asylum claims. The revised 'direct back' policy adopted in 2003 led to hundreds of asylum seekers in Canada being summarily sent back to the US. Many of them were jailed in the US, where discriminatory registration programmes had targeted many of the countries of origin of the claimants. The Commission also clarified governments' obligations with regard to refugees. With regard to applicants who arrive from a third country, the Commission clarified that 'before removing a refugee claimant to a third country, [a country] must conduct an individualised assessment of a refugee claimant's case, taking into account all the known facts of the claim in light of the third country's refugee laws.'

The ruling is significant for several reasons; in addition to being a critical recognition of the principle of non-*refoulement* under Article 33 of the Refugee Convention, it also has significant implications for the Safe Third Country Agreement (STCA) between Canada and the United States. Under the agreement, rejected refugee claimants are also returned to the US without the individualised assessments required by this decision. •

REQUESTS

Request for help locating family resettled in Norway

Barbara Harrell-Bond, Director of Fahamu Refugee Programme, is seeking information on how to locate a family that has been resettled to Norway after briefly being in exile in Sudan. A refugee, formerly a judge in his country of origin, has discovered that his divorced wife and children have been resettled to Norway without his knowledge. He is seeking to exercise his visiting rights provided in the divorce agreement, including the right of custody when the children became eight years old. The refugee is in possession of a passport. Please [email](#) with suggestions.

Seeking advice on affirmative application for US asylum case

FRLAN has received the following request from Derek N. White, Esq. in Colorado, USA, who can be contacted via [email](#): 'I have been practicing law for one year, all solo. I have some immigration experience, but I am now attempting my first asylum case, an affirmative application. Anyone out there willing to chat with me about affirmative applications and the more practical side of asylum cases. Would greatly appreciate some veteran advice.'

Request for Asian examples of alternatives to detention and release provisions – Malaysia especially

The [International Detention Coalition](#) (IDC) is researching alternatives to detention and release provisions currently in use in the Asian region, primarily with regards refugees and asylum seekers. If you have examples from the region, or details or knowledge of these mechanisms, please email IDC director [Grant Mitchell](#). In particular, any information on

Malaysia is appreciated. Since late 2009, it has been reported that individuals who have UNHCR registration documentation are generally released or not detained. If detained and identified by UNHCR they are subsequently released with no individual undertakings or other guarantees required. There is little public information to confirm this so the IDC seeks additional information or resources.

Request for resettlement acceptance numbers

The Refugee Committee from the First Baptist Church in Kingston, Ontario, Canada, asks, 'Does anyone know how to obtain the list that shows the maximum number of refugees that our government will allow to be accepted this year from each country?' Last year the group 'began to suspect very strongly that there must be some unpublished government directive that was limiting the sponsorship of sub-Saharan Africans, since very obvious refugees who were facing death were being refused on very flimsy grounds.' Newsletter readers with insights on this situation are asked to email Refugee Committee member [James Kennedy](#).

Request for contacts or information on displacement from agricultural land in Sudan, Uganda, DRC

For its annual report, which will focus on global food insecurity, [Christian Aid](#) seeks any information about refugees who have been displaced by the LRA/militia groups in southern Sudan, Uganda and DRC, and who have left large tracts of agricultural land unoccupied for fear of further attacks. Statistics about how much land has been left unoccupied and for how long and, ideally stories/quotes from local people on the ground would be particularly helpful. Please email Africa Editor [Emma Pomfret](#).

NEWS

Eritrean refugees under threat

Refugee legal aid providers need to be aware of UNHCR's new [Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Eritrea](#) and a new [COI report on Eritrea](#) from the United Kingdom. Eritrea, which ranks worse than North Korea in freedom of expression according to [Reporters without Borders](#), maintained a presence in exile of [nearly 225,000 people of concern to UNHCR](#) as of January 2010. More recently, Eritrean refugees have found themselves in increasingly [difficult and abusive positions in exile](#), as many recently left North Africa for a [Romanian emergency reception centre](#) and Egypt continues to [refuse to protect Eritreans taken hostage and tortured](#) on the Sinai Peninsula. Meanwhile, Refugee legal aid provider [ARDC](#) reports that [Eritrean refugees in Israel have begun protesting for better treatment](#) there.

ICRIR makes official complaint of Cyprus translator

The [International Coalition for the Rights of Iranian Refugees](#) has issued an [official complaint](#) to the UNHCR regarding an Iranian translator at the migration office in Cyprus. There is reason to believe that the translator has passed on confidential information of the Iranian asylum seekers to the Iranian Consulate, as well as allegations he has negatively influenced the outcome of the refugee status determination.

ICRIC has reported that several Iranian refugees detained in Cyprus have gone on hunger strike to protest their detention conditions, and in one case, in protest of the Cypriot authorities' decision to illegally place the detainee's young child in the custody of a local family. Some detainees are suffering from severe health conditions, some a direct result of detention: several have contracted Hepatitis C as a result of detention at the police station, one man swallowed 18 razor blades, while another man has suffered a heart attack. A wheelchair-bound 81-year-old Iranian woman whose asylum claim was rejected was also placed in detention.

The rejection of an asylum claim in Cyprus leads to a denial of virtually all basic human rights, including medical care and treatment in an emergency. According to ICRIR, for Iranian refugee Mrs. Rahimi, who suffers from diabetes and kidney failure, this means she may be denied lifesaving treatment. She and her husband were both denied refugee status. They are consequently denied the legal right to work and they have no means of generating income. It is practically impossible for them to meet the costs of Mrs. Rahimi's hospital and medical care and treatment. ICRIC is attempting to secure a lawyer in Cyprus who will re-open Mr. Rahimi's asylum case so he could access the basic medical benefits which are essential for the treatment of his wife's condition.

Namibia set to strip Angolans, Rwandans and Burundians of refugee status

African legal aid providers and legal aid providers dealing with African refugees should be aware that [Namibia is poised to strip over 6,000 Angolan refugees of their protection](#) when the UNHCR implements the cessation clause in the country later this year. The Namibian Minister for Home Affairs and Immigration demonstrated a surprising lack of consideration for refugees' fundamental protection concerns, suggesting that they refuse to return home because 'some have bought property like cars and could not return with them because they are right-hand driven' among other reasons. Angolans [continue to be concerned about their safety if returned](#), with only 50 voluntarily repatriating in the first ten months of last year. While SRLAN lists only one [legal aid provider in Namibia strictly dealing with refugees](#), others should be aware of the developments there so as to better serve refugees who may be forced out of that country. This news comes as [UNHCR and the governments of Botswana and Namibia meet to discuss the 'voluntary return' of Namibian refugees](#) currently in Botswana.

Systemic failures in RSD, riots, and new laws planned for 'unruly asylum seekers' in Australia

An estimated 100 asylum seekers rioted in a detention centre in Sydney. Riot police were called in and nine buildings were set on fire. Most of the detainees were mainly from Afghanistan and Iraqi Kurdistan, and many had previously been detained offshore in the Christmas Islands. The riot comes as overcrowding in detention centres has reached a critical point, leading to another riot in the Christmas Islands detention centre last month, and as the number of [suicides](#) and self-harm attempts have surged at detention centres across the country. The asylum seekers that rioted in Sydney are believed to have waited over a year in detention for their asylum claims to be processed, according to the [BBC](#).

Refugees are harmed and their rights are violated in the lengthy and flawed RSD process in Australia. Refugee lawyer David Manne, from the [Refugee and Immigration Legal Centre](#), has spoken out against the conditions of refugees, who are placed in detention for long periods of time due to flaws in the asylum determination system. Systemic failures in Australia's RSD system are illustrated by a 55% reversal of decisions on appeal (see [figures](#)). Despite this, a spokesperson for the Minister of Immigration claimed that refugee applications were made 'independently and on a case-by-case basis'.

Due to the wave of riots in recent months, the Australian government has announced [planned new laws to deal with 'unruly asylum seekers'](#). Under the plan, which has been strongly criticised by refugee rights activists, such 'unruly' detainees who are later recognised as refugees

P U B L I C A T I O N S

Good examples for legal aid fundraising

Fundraising for legal aid often requires client stories, organisation accomplishments, and examples of successful work – but too often we are unable to produce them. Barbara Harrell-Bond, head of the [Fahamu Refugee Programme](#), recommends a look at great examples of the kinds of testimonials funders look for in the [newsletter](#) of the [Florence Immigrant and Refugee Rights Project](#), a United States-based legal aid organisation. If your organisation has such anecdotes or reports that you wish to publicise, please submit them to the [FRLAN editors](#).

Iraqi Refugee Assistance Project

[IRAP](#) has published its first [Report to Supporters](#), which describes programming accomplishments, emphasises the need for continued focus on the Iraqi refugee crisis, and introduces the board as well as some of IRAP's clients. Prior to September 2010, IRAP existed as an all-volunteer initiative. Its total overhead budget was \$0, IRAP had no office, and no full-time staff. Since then, with the help of supporters, IRAP has become an international organisation and helped resettle more than 450 Iraqi refugees in life-threatening circumstances to safe third countries.

Online course on gender-based violence in emergencies

The United Nations Population Fund has released a [free, self-paced course](#) designed to develop field capacity for the management of gender-based violence programming. This [short video](#) introduces the course, which synthesises global best practices, and integrates videos, learning activities and quizzes. The full course can be accessed [here](#).

Report on UK immigration bail hearings

A 'view from the public gallery' [report](#) on immigration bail hearings in the UK was prepared by the Bail Observation Project, set up by the [Campaign to Close Campsfield](#) with [Bail for Immigration Detainees](#) support. After observing 115 immigration bail hearings, the report, 'Immigration Bail Hearings: A Travesty of Justice?', found that the unfairness and lack of due process of which there had previously only been anecdotal evidence was part of a systemic failure in UK immigration courts.

Updated UK COI materials

UK-based legal aid providers are advised that the UK Border Agency has moved all Country of Origin Information (COI) published in 2011 and onwards to the [this website](#), which also links to archived,

pre-2011 information. See also the [Southern Refugee Legal Aid Network's](#) page on [COI](#).

Morocco and Egypt detention profiles

The [Global Detention Project](#) has added two new country profiles to its website, outlining [Egypt](#) and [Morocco's](#) detention policies, infrastructures, and sites, including maps, links and references.

UNHCR recommendations on protection of people fleeing Libya

UN High Commissioner for Refugees has published '[Protection considerations with regard to people fleeing from Libya](#) - UNHCR's recommendations (as of 29^h March, 2011)'.

Asylum eligibility of trafficking and forced marriage survivors

The [World Organization for Human Rights USA](#) has released a new handbook, '[Guide to Establishing the Asylum Eligibility of Victims of Human Trafficking and Forced Marriage](#)' which may be useful for readers engaged in casework, although it is tailored to the US asylum system. We thank Emily Arnold-Fernandez of [Asylum Access](#) for bringing the guide to our attention.

Immigrants in detention in places of conflict, unrest and natural disaster

Recent international events, such as conflict in Libya, unrest in Egypt and natural disaster in Japan, have highlighted the vulnerability of people in immigration detention who rely on authorities for their basic needs and are often 'forgotten' during times of national crisis. The [International Detention Coalition](#) has released an international statement, available online [here](#), on the lack of access, independent monitoring and public reports on the situation for those in immigration detention in places of crisis and the need for urgent action by states and United Nations visiting bodies.

Model pledges on xenophobic violence

Readers who advocate on incidents of xenophobic violence against refugees may find useful a set of [model pledges on xenophobic and bias-motivated violence](#), prepared by [Human Rights First](#) (HRF) as part of its [Ten-Point-Plan for combating hate crimes](#), for use in urging states to pledge to take concrete steps to address these serious protection problems. HRF will also assist with adjusting specific recommendations to your states, asks for updates and feedback on the use of these pledges of any plans you may have for activities or advocacy around the events commemorating the Refugee Convention; please email HRF's [Eleanor Acer](#) or [Paul LeGendre](#).

PUBLICATIONS continued

Research on Colombian refugees in Panama and Ecuador

Refugee Council USA has published 'Living on the Edge: Columbian Refugees in Panama and Ecuador', based on in-country research on the approximately 500,000 Colombian refugees who have fled the nearly half-decade long conflict in their country.

Improving refugee protection in Malaysia

Malaysia has no written government policy on refugees, leaving them considered "illegal migrants", subject to arrest and detention, and in a precarious socio-economic situation. Refugees International has released a new report, [Malaysia: Invest in Solutions for Refugees](#), that outlines strategies to improve refugee rights in the country. The report recommends that the Government of Malaysia sets up a system of residence and work permits for refugees, and that the international community should mobilize additional funds for UNHCR and non-governmental agencies to leverage this opportunity to improve refugee rights.

NEWS & INFORMATION LINKS

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

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](#)

[israel](#): [hotline for migrant workers](#) [quarterly newsletter](#)

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

[e-list on preventing and reducing immigration detention](#)

[euromediterranean migration and asylum blog](#)

europa 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](#)

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