

# FAHAMU

## REFUGEE LEGAL AID NEWSLETTER

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A MONTHLY FORUM  
FOR NEWS AND  
REFLECTION ON THE  
PROVISION OF  
REFUGEE LEGAL AID

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Links are marked in [blue](#).

*We are pleased to welcome intern Darshini Yoganathan, from Asylum Access in Bangkok, to the newsletter's editorial team! This month's issue, which she helped create, covers July and August; next month we join our main distributor, [Pambazuka News](#), in a summer break. In the meanwhile, please do [email us](#) with submissions or feedback.*

*– The Editorial Team*

### The training and accreditation of immigration lawyers in the United Kingdom: a good practice case

*Katia Bianchini* contributes her observations on the qualifications and training of immigration lawyers in the United Kingdom. We ask readers to submit observations from their own jurisdictions about what is done to maintain high standards elsewhere. Please [contact us](#)!

Ensuring high-quality legal advice in the context of legal aid for refugees is still a challenge in many western countries. Basic standards of competence and ethics are essential for providing effective and responsible legal representation.<sup>1</sup> This is true especially in relation to legal aid services for asylum seekers.

Generally, legal aid fees are not competitive and these cases become *pro bono* activities for non-specialized lawyers. Legal professional bodies are in place to deal with issues such as competence and ethics, but the qualifications required from legal aid lawyers working with refugees vary from state to state. For instance, in Italy there is no requirement that legal aid lawyers have any experience or training in refugee law. Furthermore, an easy and accessible complaint mechanism is usually not in place for asylum seekers to express their dissatisfaction with the services received. Asylum seekers are particularly vulnerable due to traumatisation, isolation, language barriers, lack of support, no knowledge of the administrative and court practices of the country of refuge, and destitution. The outcome of their asylum case may mean the difference between finding safety and being returned to a country where they would face persecution. Often, they completely rely on their lawyers not only for the preparation of their case, but also to obtain information on other matters, such as benefits, health care, and community support organizations. One exception is United Kingdom (UK). The UK represents a good practice case as far as qualifications and training requirements of legal aid refugee lawyers.

In the UK, anyone practicing immigration law must be a solicitor, barrister or be registered with the Office of the Immigration Services Commissioner (OISC).<sup>2</sup> Furthermore, anyone performing publicly funded work in immigration must be accredited under the Law Society's Immigration and Asylum Accreditation Scheme (IAAS) through demonstrating a certain level of knowledge of asylum, immigration law, ethics and practical skills.<sup>3</sup> Specifically, there are three levels of accreditation and each of them specifies the type of legal aid work that a caseworker adviser can carry out. For instance, a caseworker must be at least Level Two Accredited to represent unaccompanied minor asylum seekers or to deal with appeals. Membership at Level 1, Level 2 and Level 3 to IAAS is initially for three years from the date of registration as a member, after which members must renew their membership for further terms of 5 years each.<sup>4</sup> The process for renewing the application is called re-accreditation. Re-accreditation is a way of assuring consumers that members of the Immigration and Asylum Accreditation Scheme always meet the requirements for membership.

Moreover, solicitors are required by the Law Society to undertake 16 training hours per year in their field of practice. At least 25 per cent of these hours must consist of participation in accredited training courses. To ensure the quality of accredited training offered to solicitors, the Solicitors Regulation Authority (SRA) operates an authorization scheme for training providers.<sup>5</sup> The SRA or the OISC deal with complaints and regulatory matters concerning the character, conduct, behaviour or inadequate service of those they regulate. If any complaint or regulatory matter concludes with an adviser being suspended or removed from their respective lists the adviser will be ineligible to perform publicly funded work under an LSC Immigration Contract until the adviser is reinstated or re-approved by the regulatory body.

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**CASE NOTE 1951 Refugee Convention and 1980 Hague Convention on Child Abduction: in conflict?**

*Contributed by Anne Staver, doctoral candidate in political science at the University of Toronto.*

In a case that has captured the attention of Canadian refugee advocates and local [media](#), (*A.M.R.I v K.E.R 2011 OCA 417*), the Court of Appeal for Ontario has addressed the potential conflict between the 1951 Refugee Convention and the [1980 Hague Convention on the Civil Aspects of International Child Abduction](#), and reaffirmed the fundamental importance of *non-refoulement*.

### **As Australia pushes refugee law's limits with asylum 'swap' plan, HRW suggests UNHCR will be 'complicit in torture' if it does not actively challenge the project**

Last month's newsletter discussed the Australian government's announced [plan to 'swap away'](#) asylum seekers ([FRLAN June 2011](#), p. 2). Despite [a move by the Australian parliament to defeat that plan](#) – an embarrassing challenge to the Gilliard government – the Prime Minister [has declared her determination to move forward with it](#). The plan, which would see Australia blocking arrivals by asylum-seekers and shipping them to Malaysia for refugee status determination, could receive challenges on a number of legal grounds. It will also jeopardize the lives of asylum seekers who deserve fair adjudication of their claims, but will not receive it in a country that has not signed the 1951 Convention relating to the Status of Refugees.

The agreement was reached in May 2011 between the Prime Ministers of Malaysia and Australia, but the details have not yet been released. The refugee swap will imply a selection of 4,000 refugees registered with UNHCR (out of the 100,000 residing in Malaysia) over a period of four years to be resettled in Australia. UNHCR in Malaysia will process 800 people who have been intercepted by the Australian authorities in their attempt to reach Australia.

Backtracking in recent days, Prime Minister Gilliard has declared that, contrary to [previous statements](#), Australia may exercise some [flexibility in its plan to deport unaccompanied asylum seeking children](#), although no commitment to protect unaccompanied minors from deportation has been made. Australia has already [committed to detaining unaccompanied asylum seeking minors](#).

Alarming, a [UNHCR spokesperson told \*The Australian Online\*](#) that 'it is not [UNHCR's] place to give a running commentary' on the progress of discussions surrounding the deal, effectively placing the most powerful public advocate for refugee rights in a self-silencing position. Human Rights Watch, meanwhile, has [appealed directly to the High Commissioner to help stop the deal](#) suggesting the organisation will be ['complicit in torture'](#) if it supports the deal, and drawing attention to very serious risks faced by asylum seekers in Malaysia, including caning, arbitrary arrest and detention, *refoulement*, and poor RSD procedures. Malaysia's [Lawyers for Liberty](#) has also [publicly condemned the plan](#), citing Malaysia's 'horrendous track record' and calling the country, consistently ranked as one of the world's worst place for refugees to live, 'infamous for its ill and brutal treatment of refugees and other undocumented migrants'.

*Continued overleaf.*

The case concerned Josette Rosenzweig Issasi, daughter of A.M.R.I and K.E.R. named in the case, a young Mexican girl who arrived in Canada in 2008. She obtained refugee status in Canada in May, 2010 on account of being abused by her mother. She lived in Canada with her aunt, who did not have legal custody, after the father's own refugee claim was refused and he moved to Norway. In July 2010, the mother initiated proceedings under the Hague Convention to have the girl returned to her custody in Mexico. Neither the girl, the father (who was in Norway), nor the aunt (who did not have legal custody) were represented at the Hague proceedings, where the mother sought to undermine the girl's refugee claim. In September, 2010, the lower court ruled that Josette should be returned to Mexico. She was [taken from school](#) a month later, without her aunt's knowledge and against her protestations that she was a Convention refugee.

The Appeals Court found that the lower court had erred seriously in the Hague proceedings by not considering the five exceptions to that Convention's mandatory return provisions, of which four were found to apply in the case: the girl had been in Canada for more than a year, she might be in grave danger upon return, she was mature enough that her objections should have been heard, and it was entirely unclear if the return would be in accordance with 'fundamental principles of the requested State relating to the protection of human rights' as it seemed to violate both the Canadian Charter and Canada's obligations under the Refugee Convention and the Convention on the Rights of the Child (CRC). Most importantly, the Court affirms that the fact of her refugee status meant that the Court would have to undertake a thorough risk assessment before ordering her return. Refugee status is affirmed as a clear indication that an exception should be made to the mandatory return provisions.

The importance of this case outside of the Canadian context is its insistence that *non-refoulement* obligations must be taken into account in interpreting the Hague Convention. It also emphasizes the child's right to be heard in accordance with the CRC art. 12(2).

The Court of Appeals ordered a new Hague hearing in May, 2011, and, after the girl had escaped from her mother's house in Mexico, her aunt managed to bring her back to Canada. Given the strong language of the ruling, it seems that her rights as a Convention Refugee are likely to be upheld this time. ●

*Australia refugee 'swap' plan continued*  
The [Malaysian Bar](#) holds the police, immigration authorities and *Ikatan Relawan Rakyat Malaysia* (RELA) members responsible for the harassment of refugees and asylum seekers in Malaysia. Malaysia has not established a framework for legally recognising the 100,000 refugees and asylum seekers currently in Malaysia.

The Malaysian Bar has also condemned the agreement due to the absence of legal safeguards for refugees and asylum seekers in terms of protection and fair treatment. In a press statement, the Bar Association rejects the double standards in giving preferential treatment (in terms of financial and other support) to the 800 persons sent by Australia to Malaysia when nearly 100,000 refugees and asylum seekers are neglected in Malaysia.

The UN High Commissioner for Human Rights has [challenged the legality of the deal](#), but Canberra has brushed off these concerns. Meanwhile, [Malaysia has expressed that it wants no reference to human rights in the deal](#), which is [nearing completion](#).

In an effort to raise greater awareness of the refugee experience in Australia, a [pioneering television series confronts the realities of refugee life](#) and the International Detention Coalition has [spoken out against detention in Australia](#), undermining governmental counter-arguments that detention works as a deterrent. ●

*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](#).*

### The invisible community: Egypt's Palestinians

We thank [Oroub el-Abed](#), author of this [policy brief](#) from *al-Shabaka*, for offering it for reprint in this month's newsletter.

Little has been written about Palestinians in Egypt. The few thousand who sought refuge in Egypt after the 1948 Nakba were not welcomed by King Farouq's government. However, with Gamal Abdel Nasser's rise to power, Palestinians came to be treated on par with citizens of Egypt, enjoying basic rights, employment in the public sector, and property rights. After 1978 they were denied the rights once afforded to them by the Egyptian state as well as their rights as refugees. In this policy brief, I examine the legal status of Palestinians in Egypt, including positive signs of change in the wake of the Egyptian revolution. I argue that the Egyptian government must do more in order to live up to its responsibilities to this 'invisible community,' whose numbers are unknown but who may be as many as 80,000.

#### Background

Roughly 15,500 Palestinians arrived in Egypt between 1948 and 1960.<sup>1</sup> Temporary camps were created to host the Palestinian influx as a result of the 1948 Nakba, in which Palestinians fled from or were expelled by Zionist militias during the creation of the state of Israel. Some sought sanctuary in Egypt for its proximity, others because of established social and professional networks. Following the military debacle of the 1948 Palestine War, Egypt's King Farouq did not welcome the Palestinian refugees. The three camps created in 1948 were dismantled within four years.<sup>2</sup> In addition, many Palestinians were returned to Gaza while it was under Egyptian administrative and military rule.<sup>3</sup> Those who remained in Egypt required an Egyptian guarantor to facilitate their stay, typically in the form of a business partner or a family connection.

Farouq's policies were overturned by the 1952 Free Officers Coup and President Gamal Abdel Nasser's Pan Arabist policies. After 1952, Palestinians living in Gaza were invited to Egypt to study, work and own property and were treated like Egyptian citizens. Under Nasser, children of Palestinians living in Egypt and in Gaza were able to enroll in public schools and benefit from discounted university fees. Later, this would also include employees and fighters with the Palestine Liberation Organization (PLO) and former Palestinian employees of Egyptian government bodies. After the June 1967 War and Israel's occupation of the rest of Palestine, Syria's Golan Heights, and the Sinai Peninsula, Palestinians living in Egypt were unable to return to Gaza. By 1969, Palestinians in Egypt numbered 33,000.

#### Protracted invisibility

Palestinians are dispersed throughout Egypt's major cities (Cairo, Sharqieh, Qalyubieh, Alexandria, Port Said, Ismailia, al-Arish, and Rafah).<sup>4</sup> With the exception of those living in al-Waily and Ain Shams in Cairo, al-Qanayat, Faqus, Abu Fadel and al-Arish are a few known communal groupings of Palestinians, Palestinians in Egypt have seldom lived in exclusively Palestinian communities. In most cases, they mixed with Egyptian society and interacted socially, professionally and culturally with Egyptians. Over time and due to intermarriage, it has become difficult to differentiate Palestinians from Egyptians. This has made it challenging for humanitarian and development intervention programs to assist the Palestinian community.

Most importantly, Egypt's constraining policies did not permit Palestinians to create their own local community bodies. Indeed, the two major Palestinian unions have had a political-administrative role, rather than a representative one. The Palestinian Labor Union is limited to registering Palestinians as wage laborers, taxi drivers or farmers so that they can secure renewal of their residency. Meanwhile, the Palestinian Women's Union conducts some cultural and charitable activities for a limited number of Palestinians in Egypt.

*Continued on p. 7*

## R E Q U E S T S

### **How to deal with repeated refugee resettlement rejections?**

Bangkok-based lawyer Lian Yong is working with Sri Lankan refugees in Bangkok who are repeatedly rejected by other countries for resettlement due to suspected LTTE connections. Yong asks that legal aid practitioners with similar experiences share any thoughts on possible solutions in assisting recognized refugees who are consistently rejected by third countries for resettlement, and would also like to know which countries are the most open to resettling refugees. Anyone with the requisite information can email [Lian Yong](#) directly.

### **Can Burundians access asylum in Zambia, Tanzania, Mozambique?**

If you work at a Zambia, Tanzania or Mozambique-based organisation and can give information about whether Burundians are currently permitted to lodge new asylum applications, or whether there are any barriers to asylum access, please email [Kaajal Ramjathan-Keogh](#) at [Lawyers for Human Rights \(LHR\)](#), Johannesburg. Such information will be useful for the case of a Burundian national that LHR is currently working on. The Burundian asylum seeker was not allowed to apply for asylum in South Africa on the basis that he should have applied for asylum instead in Zambia, Tanzania or Mozambique, countries that he had transited through previously. However, the asylum seeker states that Tanzania did not accept his claim for asylum because he was Burundian and he therefore made no further attempts in Zambia or Mozambique.

### **How might the legality of exiting a country impact asylum claims?**

Anyone with information on laws, policies, or cases, preferably based on Israeli or international laws, stating that leaving a country legally has little or no bearing on the legitimacy of an asylum seeker's claim, please email [Michelle Feldman](#) at the [Asylum Application Assistance \(AAA\) Project](#). This request pertains to the case of a client from Guinea-Conakry who is applying for asylum in Israel with the assistance of AAA. The client is now at the appeal

stage and was rejected on the basis that he left his country through legal means and could not have done so if he had indeed been a specific target of the authorities as he had claimed.

### **What are the United Kingdom's extraterritorial responsibilities regarding asylum?**

Nicoletta Charalambidou, a lawyer working on the cases of the British Bases refugees in Cyprus, seeks information and case law on the extraterritorial responsibility of the UK over its British Overseas Territories (BOTs) in relation to refugee or human rights matters under international and domestic law. The full judgment of the case, which is now at the appeal stage, can be obtained at this [website](#). Nicoletta also asks for opinions regarding whether resettlement or other durable solutions for refugees can be viewed as a right that is derived implicitly from the 1951 Refugee Convention. Anyone with the relevant information may email [Nicoletta](#) directly.

### **Help in India for Pakistani refugees recently released from detention?**

65 Pakistani nationals, recognized as refugees by the United Nations High Commissioner for Refugees, have been released from the Tihar Jail in India after a four year ordeal seeking asylum in India. Their resettlement applications are currently being processed and this may take up to a month. Anyone who is able to provide assistance with food, accommodation, and other living expenses for these refugees while they await resettlement or knows of anyone who would be able to help, please email [Sahana Basavapatna](#).

### **Interest in English-language version of *Atlas of migrants in Europe*?**

[Migreurop](#) seeks to assess the potential interest in an English-language version of its critical atlas of migrants in Europe. The first version of the book, *Atlas des migrants en Europe: Géographie critique des politiques migratoires* was published in French in autumn 2009. It raised awareness of the main aspects of European asylum and immigration policies, with particular attention to

detention centers and the exclusion of foreigners both in Europe and in Mediterranean countries; its 3000-print run sold out. The *Atlas* aims to render European policies on visas, policies on development aid, readmission agreements, transit camps, family entry and settlement more visible and accessible to the general public to who they are little known given the geographical scale of the phenomenon and attempts at concealment by European governments. In the second edition, cartographic documents will be updated, some maps will be replaced and new themes will be added, such as stateless people worldwide, biometric files, relations between the EU and Libya, the subcontracting of migration control to private companies (tending towards neo-liberal policies) and migrants in prison for undocumented stay. Migreurop is in contact with a publisher who would like to know the potential of an English version of the next *Atlas*, so if your organisation would be interested in buying one or more copies of the book, please email [Eva Ottavy](#).

### **Pro bono counsellors for trafficking survivors in Chicago, USA?**

The [Counter-Trafficking Program](#) at the [National Immigrant Justice Center \(NIJC\)](#) in Chicago, USA urgently seeks help serving human trafficking survivors with *pro bono* therapy and counselling. The programme only serves foreign-national survivors who, due to their lack of legal status, are waiting on their work authorization, and lack the funds to pay for counseling. Their lack of legal immigration status also disqualifies them from many low cost counseling programs. NIJC's current client needs include counselors with experience in areas including trauma, child abuse, domestic violence, torture, war crimes, and sexual abuse/assault, counseling for adults and minors, Spanish language counseling, and over-the phone counseling for clients without reliable forms of transportation. Counseling in various other languages is also needed. If you are interested in working with one of NIJC's clients, please contact their Service Coordination and Compliance Supervisor, [Katharine Egan](#).

*Training & accrediting immigration lawyers, continued from p. 1*

In addition to all the above, legal aid immigration practitioners can bid for and obtain contracts to provide legal services from the Legal Services Commission – LSC (the government agency administering legal aid) only if they can show that they can deliver good quality advice.<sup>6</sup> Good quality advice is constantly checked through a peer review system.<sup>7</sup> The peer review system is developed and managed by the [Institute of Advanced Legal Studies](#).<sup>8</sup> This organization is independent of the LSC. Peer reviewers are experienced legal aid practitioners. They assess a random sample of a provider's case files using a standard criteria and ratings system. Following this assessment, the reviewer makes an overall judgment about the provider's quality of advice and legal work. The overall quality of advice provided is assessed using a 1–5 rating. This system introduces competition among legal aid firms and encourages them to maintain their services up to good standards if they wish to work in this business.<sup>9</sup>

Asylum seekers' feedback is also relevant to assess quality advice and have a reality-check on the service that they have received. At the end of a case, they are given the possibility to provide feedback by completing a confidential questionnaire<sup>10</sup> that should be returned to the legal aid provider and which the LSC may audit and take into consideration when renewing contracts with law-firms.<sup>11</sup>

In summary, as availability of high-quality legal aid is an essential safeguard in the context of asylum procedures, it is important to introduce lawyers' minimum qualifications, training or experience requirements in countries that are still developing refugee law and legal aid. The UK model is based on an established structure of well-trained advisers on refugee law and represents a good practice case. A first step to ensure quality legal advice would be to set minimum qualifications and code of conduct requirements to perform different services, and have a register of professionals permitted to practice in this field. A second step would be to establish an accessible and straightforward complaints mechanism dealing with accountability of practitioners. •

<sup>1</sup> Kagan, M. (2006) 'Frontier Justice: Legal Aid and Refugees Status Determination in Egypt' *Journal of Refugee Studies* 19(1): 45- 67

<sup>2</sup> Office of the Immigration Services [website](#).

<sup>3</sup> Law Society, 'Immigration and Asylum'; Legal Services Commission 'Accreditation Scheme'.

<sup>4</sup> Law Society [website](#).

<sup>5</sup> Solicitors Regulation Authority, 'Continuing Professional Development'.

<sup>6</sup> Legal Services Commission [website](#).

<sup>7</sup> Legal Services Commission website, 'Improving your Quality'.

<sup>8</sup> Legal Services Commission, 'Peer Review'.

<sup>9</sup> It should be noted that at present the legal aid system in the United Kingdom is undergoing major cost-cuttings which are affecting the providers of legal services. However, the United Kingdom remains the country which is spending more on legal aid in total and greater amounts per capita than any other country. See European Commission for the Efficiency of Justice, 'European Judicial Systems' (2008).

<sup>10</sup> See sample of Feedback Questionnaire [online](#)

<sup>11</sup> Legal Services Commission, 'CLS/CDS Client Feedback Guide. A Guide to the Distribution, Collation and Analysis of Client Feedback Questionnaires'.

(All web links were current as of 4 February 2011.)

### **Context: despite legal aid strengths, UK's asylum practices deserve critical eye, legal challenge**

While the United Kingdom deserves praise for its training and accreditation of immigration legal aid professionals, and for ending the intrusive, unnecessary and scientifically unfounded practice of [using DNA evidence in determining asylum claims and ensuring 'credibility'](#), its use of privatised detention has continued to receive criticism. The security firm G4S, which runs three of the country's detention centres, received [over 700 complaints](#) in 2010. This report came on the heels of recent articles by the *Guardian*, stating that immigration detainees are [held for 'excessively long periods'](#) of up to three years (at a cost of £110 a night) in detention, and that a [Ugandan asylum seeker – branded with a hot iron for being lesbian – was slated for removal](#) to Uganda despite overwhelming country of origin evidence suggesting persecution upon arrival. The British 'fast track' asylum system, which allows for very little - if any - time to assemble evidence in support of an asylum claim [has recently been challenged by LGBT campaigners as unfairly disadvantaging individuals who claim on the basis of sexual orientation](#). Similarly, the removals process has raised concern in the case of [300 Tamils removed to Sri Lanka](#) despite overwhelming evidence of potential persecution. Demonstrating determination to continue detention and deportation practices in spite of legal questions, allegations of abuse, and reduced legal aid funding, the UK has just [opened a new detention center amid strong criticism](#), raising the potential number of simultaneous detainees in the UK to 3,400. On 20 June of this year, in dramatic protest of his own removal, a [Jamaican slashed his own throat](#) while being deported through London Gatwick airport. Passengers on the removal flight were offered counselling, however it is unclear what legal or emotional assistance the injured man received. •

## **REQUESTS continued**

### **Research help on regional cooperation and refugee protection in Asia-Pacific?**

[Dr. Savitri Taylor](#), Director of Research at Australia's La Trobe University School of Law, is undertaking research into how civil society might engage with governments and/or intergovernmental organisations, in order to ensure that operationalisation of the regional cooperation framework set out in the Bali Process Ministerial Meeting Co-Chairs' Statement, 30 March 2011, occurs in a way which actually promotes refugee protection. The research project is entitled 'A refugee protection framework for the Asia-Pacific region.' Readers who have copies of drafts of a Memorandum of Understanding between Australia and Malaysia, or internal UNHCR emails about the agreement, are asked to email Dr. Taylor; likewise anyone willing to assist with the project are encouraged to [email her](#).

## ANNOUNCEMENTS

### Vacancies at Africa and Middle East Refugee Assistance (AMERA)

AMERA, which provides refugees legal aid and psychosocial support in Cairo, Egypt, seeks applications for the positions of Arabic speaking volunteer legal advisor and a legal officer to do refugee status determination casework. Both positions entail the provision of representation to asylum seekers during their refugee status determination process before the United Nations High Commissioner for Refugees. For more information on the positions, due to start **10 July 2011**, please visit AMERA's [vacancies website](#).

### Call for postdoctoral fellowship applications

York University's [Centre for Refugee Studies](#) and the [Ontario Metropolis Centre](#), Canada, invite applications for a joint two-year postdoctoral fellowship to study the migration and settlement patterns of refugees and others with temporary visas. Proposed research topics should be complementary to the ongoing research at both centres. Applications should be sent to [Dr. Valerie Preston](#) by **8 July 2011**. Details are available [here](#).

### Call for participation of Asian experts on law and practice in respect of torture

REDRESS and the [Asian Human Rights Commission](#) (AHRC) are calling for applications for participation in a regional expert meeting on the application of the law with regards to torture in Hong Kong, 23-25 September 2011. This meeting is a part of the EU European Instrument for Democracy and Human Rights 'Reparation for Torture: Global Sharing of Expertise'. Practicing lawyers and civil society experts from countries in the Asian region are invited to apply and share their expertise in assisting torture survivors, the challenges they face and best practice solutions. Interested applicants should send a cover letter and CV to [Sergey Golubok](#) of REDRESS and [Basil Fernando](#) of AHRC by **10 July 2011**. For more information please visit the [meeting website](#). Any queries can be directed by email to [Sergey Golubok](#).

### Open Society human rights internship opportunity

The [Open Society Institute](#) is currently accepting applications for its Human Rights Internship, one of its [scholarship programmes](#). This internship is an opportunity to gain direct research experience while working to strengthen legal protections, including opportunities to partner with organizations that are involved in promoting the rights of refugees and migrants. There are up to ten internship positions; interns will be based in human rights organizations in Central and Eastern Europe and the former Soviet Union for six to twelve months, depending on the chosen area of research. Successful interns will receive a stipend. Applicants are required to contact potential hosting NGOs by **11 July 2011** and submit their final applications by **16 September**

**2011**. For further details about eligibility requirements and applications processes, please visit the [internship website](#).

### Vacancy: university lectureship in Refugee and Forced Migration Studies

The [Oxford Department of International Development \(ODID\)](#), United Kingdom, is calling for applications for a full time university lectureship position in Refugee and Forced Migration Studies. The successful candidate will be offered a non-tutorial fellowship at [Green Templeton College](#) and can start work from 1 October 2011. Applications must be submitted by 12:00pm UK time on **29 July 2011**. More details on the required qualifications, compensation and the application process can be found [online](#); please email the [Administrator](#) with any queries.

### Call for papers: conference on Palestinian refugees' generations and identity

The Forced Migration and Refugees Unit at the Ibrahim Abu-Lughod Institute of International Studies (IALIIS), Birzeit University, invites researchers to submit proposals for its annual conference, planned for mid-November, 2011 and dedicated to the theme, 'Palestinian refugees: different generations, one identity'. Abstracts of no more than 500 words should be submitted by **30 July 2011** to the [FMRU email address](#). For sub-themes, timetables and more information about the conference and the concept, visit the [IALIIS website](#).

### Call for contributions of visa stories

The [Centre for Colonial and Postcolonial Research](#) at the University of Kent, United Kingdom, is organizing a workshop on the movement of people across international borders. The Centre seeks contributions of personal experiences with the immigration process with regards to visas, entry requirements and applicable laws. This would be an excellent opportunity for asylum legal aid practitioners in the UK to share their experiences with the immigration system and to highlight the critical role that legal aid plays in assisting asylum claims within a restrictive immigration framework. Contributions should be no longer than 300 words and should be sent by **1 August 2011**. Full details are available online [here](#).

### Call for papers: protecting those accused of witchcraft

[Africans Unite Against Child Abuse](#) (AFRUCA) seeks paper submissions for its upcoming conference, *Witchcraft Branding, Spirit Possession and Safeguarding African Children*, to be held in London from 8 to 9 November 2011. This conference will focus on the abuses faced by African children labelled as witches or thought to be possessed by evil spirits, on what causes such labeling to take place and on how to improve protection. 300 word abstracts for paper submissions should be sent through email to [Prospera Tedam](#) or [Debbie Ariyo](#) by **5 August 2011**. For more information, please visit the conference [website](#).

## HEADLINES

### WORLD REFUGEE DAY

KOREA: [Flash mob dances for refugees](#), gaining media attention to refugee issues, Korean press criticises nation's refugee protection

INDIA: [Thousands of Chin refugees march on World Refugee Day in Delhi](#)

MALAYSIA: [Lawyers for Liberty marks World Refugee Day with condemnation of lack of change](#)

ISRAEL: [Police force cancellation of refugee day event](#)

NAMIBIA: [NamRights marks World Refugee Day with call for better protection](#)

### AFRICA

RWANDA: [Online film shows how cessation cause threatens security of Rwandan refugees](#)

ZAMBIA: [Government conflates asylum seekers with war criminals](#), vowing to return Rwandans

LIBERIA: [Refugees begin return in advance of possible cessation clause](#)

RWANDA: [A lack of legal justice in Gacaca courts?](#)

LIBERIA: [Ivorian refugees fear return](#)

SUDAN: [Amnesty International raises alarm over forcible return of Eritreans](#)

KENYA: [Dadaab facebook game, reported removed](#), still operational

### AMERICAS

ECUADOR: [Asylum Access launches 'Right to Work' campaign with Ecuador report](#)

USA: [IFEX report highlights journalists seeking asylum](#)

CANADA: [Anti-refugee legislation reintroduced under guise of 'combatting human smuggling'](#)

### ASIA-PACIFIC

KAZAKHSTAN: [courts illegally refouled 28 asylum seekers to Uzbekistan, where they are likely to be tortured](#)

INDIA: [Somali refugees protest before UNHCR](#)

THAILAND: [Dangerous legal environment for asylum seekers, police ignorance of refugee rights](#), says Bangkok Post

NEPAL: [Refugee Law expert James Hathaway discusses refugee law in Kathmandu](#)

PHILIPPINES: [Philippines ratifies 1954 Statelessness Convention](#)

THAILAND: [94 refugees, 2 asylum seekers released from Bangkok immigration detention](#)

### *Palestinians in Egypt, continued from p. 3*

Although Nasser's policies facilitated Palestinian integration in Egypt, naturalizing Palestinians was never an option in light of the Arab League's 1952 resolutions regarding the need to preserve Palestinian identity and restore their basic rights.<sup>5</sup> For example, Article 1 of the Arab League's Resolution 462 advised Arab governments to defer efforts to settle Palestinian refugees and called on the United Nations to implement the resolutions concerning their repatriation and compensation for damages and property losses. Article 2, recommended that the host countries endeavor to improve the refugees' living conditions and coordinate with UN Relief and Works Agency (UNRWA) to create work projects for Palestinians.<sup>6</sup> It also confirmed that these projects should not aim for the permanent settlement of Palestinians and should preserve their right of return and compensation for their losses. Article 3 required Arab governments to coordinate efforts for facilitating the travel of Palestinians and to cooperate in accommodating their temporary stay in host countries.<sup>7</sup>

### *Victimized by state politics*

Although Egypt played an important role in the birth of the PLO, the political tensions between the organization and the Egyptian government over the years have had negative consequences on Palestinians in the country. After the Camp David peace agreement between Egypt and Israel was signed and the assassination of Egyptian culture minister Yusif al-Sibai in Nicosia on 18 February 1978 by the renegade Abu Nidal (Sabri El-Banna) Organization, Palestinians suffered a significant reversal of the rights they hitherto enjoyed. At al-Sibai's funeral, then Egyptian Prime Minister Mustafa Riyad declared, 'No more Palestine after today.'<sup>8</sup>

From 1978 to 1982, all articles and regulations were changed and Palestinians were considered 'foreigners' by the state except for those with privileges such as those working for the PLO. Palestinians were also stripped of rights to reside in Egypt, with the exception of those who were married to an Egyptian, enrolled and paying fees at school or university, or had a contract in a private sector firm, or business or investments in the country.<sup>9</sup>

Free basic education stopped being an option for Palestinians who had to pay private school fees as well as university fees (to be paid in British pounds sterling).<sup>10</sup> Work in the private sector became a privilege, for those able to obtain a university education and able to compete for the 10 percent quota for foreigners of total workforce of any enterprise.<sup>11</sup> The informal sector of Egypt's economy accommodated the majority of Palestinians registered as farmers or wage laborers through the Palestinian Labor Union.<sup>12</sup> As registered laborers, Palestinians are also eligible for residency.

Travel was also constrained. To ensure re-entry into Egypt, Palestinians holding an Egyptian travel document who travelled or resided abroad were required to either return to Egypt every six months or provide the Egyptian authorities in advance with proof of employment or enrolment in an educational institution. In such cases, a one-year return visa could be granted.

Moreover, in times of aggravated political relations such as the 1991 Gulf War and the PLO's open support of Iraq, the Egyptian government imprisoned Palestinian activists with greater frequency. The Egyptian media also played a role in engendering the divide by portraying the Palestinians as responsible for their own tragedy. Palestinians in the media were labelled 'disloyal,' a charge that was emphasized after al-Sibai's assassination and renewed with every new political conflict.

**HEADLINES** *continued***EUROPE**

BULGARIA: [Detention center conditions exposed](#) in Al Jazeera report

CYPRUS: Cyprus may 'fast track' citizenship of asylum seekers in response to unmanageable numbers

AUSTRIA: Authorities threaten [removal of transgendered asylum seeker](#)

ITALY: Court of Justice of the European Union finds [Italy's detention of migrants illegal](#)

**MIDDLE EAST**

SAUDI ARABIA: Surge in [executions](#) in recent weeks

ISRAEL: [Deaf refugee held in custody two years for 'lack of cooperation'](#)

EGYPT: FRONTEX patrol [intercepts boat of people fleeing Egypt](#)

YEMEN: [More than 15,000](#) seek refuge from violence in Southern Yemen

TURKEY: [5 more detention centres](#) to be built, EU-funded

Furthermore, Emergency Law 162 of 1958 gave the authorities extensive powers to suspend basic liberties, including banning demonstrations and public meetings, arresting and detaining suspects without trial for prolonged periods, and using state security courts. Under the Emergency Law, the activities of Palestinians were also strictly regulated, sweeping arrests made, and surveillance sanctioned. Even the unions connected to the PLO, which were created with the express approval of the Egyptian state, were required to obtain permits whenever they hosted events. When such events were held, state security personnel were posted at the door and could often be seen taking notes throughout the gathering. This intrusive security atmosphere made Palestinians suspicious of each other, and afraid of being reported to the authorities, especially by other Palestinians.

In response, many Palestinians avoided revealing their origins to escape harassment. Contrary to Egypt's pledge to preserve Palestinian identity, the fact that many Palestinians feel compelled to hide their identity affected the construction of social networks and the sense of community within the country. When combined with a legal status that ensured Palestinians were kept in limbo, the aggressive monitoring by state security ensured that the Palestinian community lived in constant fear.

Marriage to an Egyptian, especially for young Palestinian men and women, has become a means of legalizing their stay in Egypt. However, in 2004, a revision to the Nationality Law guaranteed automatic Egyptian citizenship to all children of mixed Palestinian-Egyptian marriages born *after* the law was enacted.

*Conclusion*

There are signs that the post-Mubarak government has taken some action to improve the situation of Palestinians in Egypt. On 2 May 2011, the new Interior Minister Mansour el-Eisawei approved decision Number 1231, which amended the Nationality Law making it applicable to all children of Egyptian women (including those born before 2004).<sup>13</sup> The new decision, if implemented justly and fairly, will naturalize the majority of Palestinians whose fathers married Egyptian women in order to circumvent the impediments to legal residency imposed by the state since 1978. However, Egypt needs to do much more.

Due to the paucity of research on the Palestinians in Egypt, a study to determine the actual number of Palestinians in the country, their location, and their socioeconomic conditions is required.<sup>14</sup> Being dispersed, invisible, and often with vulnerable living conditions, little is still known about their needs and their demands.

The provision of services in Egypt by local and international donors has focused on serving Egyptian nationals. Except for health care provided by mosque-affiliated clinics to everyone, Palestinians have not been able to access humanitarian or development programs in areas where they live. Steps to include the few Palestinians in each geographic area in these services could have a significant impact on the lives of this under-served community. The agencies of the Egyptian government must be actively involved in identifying this small refugee community that constitutes a mere 0.1 percent of the country's population. This would enable targeted development projects to be implemented to include the Palestinian community.

Egypt, like some Arab host countries, promised to ensure basic rights for Palestinians in 1952 to preserve Palestinian identity and enable development. However, Palestinians living in Egypt became the victims of political differences between the PLO and the Egyptian government. Most importantly, the Egyptian government distorted its pledge to preserve Palestinian identity. Egypt must now honor its original pledge to ensure the basic rights of Palestinians are met, their residency rights are secured, and to help them fulfill their right of return.

However, if Egypt in the post-Mubarak era is still unwilling to guarantee the basic rights of Palestinians then it is incumbent on the United Nations High Commissioner for Refugees (UNHCR) in Egypt to provide protection and assistance to Palestinian refugees. These refugees, living outside UNRWA operation areas, are *ipso facto* entitled to the UNHCR's mandate and fall under its inclusive clause of article 1D of the 1951 refugee convention.<sup>15</sup>

The establishment of both basic rights and refugee rights would create an environment in which community-based organizations could flourish. Regional and international bodies would also be able to fund and support these organizations and shed light on this invisible community, help determine its needs, and realize its aspirations. ●

*The footnotes for this article may be found on pp. 12-13.*

### Thai civil society funds release of Ahmadi refugees from detention

94 Ahmadi refugees, many of them children, were freed from detention through the [Thai Committee for Refugees'](#) new Refugee Freedom Fund. The asylum seekers had been in detention for six months and were released on bail by the Fund, which also provides accommodation for asylum seekers in a residential building while awaiting resettlement. The [Asia Pacific Refugee Rights Network](#) stated to IRIN: 'This is the first time in Thailand that there is an alternative to detainment for refugees'. •

## ANNOUNCEMENTS continued

### Call for lawyers to participate in No Border Camp Bulgaria 2011

No Border Camp Bulgaria 2011 is an event that aims to address issues such as restrictions on freedom of movement for asylum seekers and migrants across the Bulgarian border, increasing militarization of the border and the criminalization and treatment of migrants and refugees in Bulgaria. Organizers of the camp seek the participation of both foreign and Bulgarian lawyers to organize workshops on refugee issues, inspecting detention camps, and to provide legal assistance where necessary. The camp is organized in conjunction with the 60th anniversary of the 1951 Refugee Convention and will take place from **25 to 29 August 2011**. For more information, please visit the [camp website](#). To apply or to make enquiries, please email the [organizing team](#).

### International Detention Coalition (IDC) regional detention workshops

The IDC is planning regional member and stakeholder detention workshops in Africa, the Middle East, Asia and the Americas in 2011, to undertake training and advocacy, and campaign and network development with IDC members and stakeholders. The workshops will allow relevant civil society groups across the region to explore regional legislation, policy and practice of immigration detention, detention alternatives, and the impact of detention on vulnerable people. Tentative dates and contact details for further information are as follows, by region: Southern and Eastern Africa: Johannesburg, South Africa, 11–14 July ([email](#)); MENA: Cairo, Egypt or Beirut, Lebanon — 27-30 September ([email](#)); Asia: Kuala Lumpur, Malaysia, 6–10 October ([email](#)); Americas: Mexico City, Mexico, 14–17 November ([email](#)).

### Call for papers: conference on refugees, asylum law, and expert testimony, 2012

In her article last month ([FRLAN June 2011](#), pp 1, 8-9), Professor Diana Jeater highlighted the importance of expert testimony in asylum cases. The conveners of the [2012 Conable Conference in International Studies](#) have issued a call for papers that explore new areas of research on the use of expertise in asylum claims and refugee status determination in the Global South. Papers should not have been previously published or approved for publication. One to two page proposal abstracts should be submitted with a CV by [email](#) by **1 September 2011**. For further details, please refer to the [conference website](#).

### Call for papers for 2012 London-City of Paradox conference

The [Centre for Research on Migration, Refugees and Belonging](#) at the University of East London will hold a conference titled *London: City of Paradox* from 3-5 April 2012 in conjunction with London's hosting of the 2012 Olympic Games. The Centre has issued a call for papers on one of six themes, including one titled 'race, racism, and the city' which refugee law practitioners might address by covering issues regarding seeking asylum in the UK and the integration of asylum seekers and refugees within the community. Queries and paper abstracts of 250-300 words should be sent to [Mary Sutton](#) by **1 October 2011**. Further information is online [here](#).

### Announcing the formation of the International Commission for Eritrean Refugees

In May 2011, dozens of advocates for the rights of Eritrean refugees came together to form the International Commission for Eritrean Refugees (ICER). ICER is a non-profit, non-political association that works on behalf of Eritrean refugees, asylum-seekers, displaced persons, victims of trafficking and victims of torture to advocate for their rights and protection. Adopting a rights-based approach, ICER's core activities include monitoring Eritrean refugee situations around the globe, research and information dissemination, legal and policy-related advocacy, legal aid and advice, and awareness-raising. ICER aims to coordinate the multiple organizations and individuals around the globe currently working independently to reduce the suffering of Eritrean refugees, including 120 regional sections in North America, Europe, Israel, Sudan, Ethiopia, Egypt, Saudi Arabia, and South Africa who will operate as regional sections. The organization's six executive members, a board of thirteen commissioners and members at large include Eritrean and non-Eritrean academics, researchers, lawyers, journalists, and community activists. The organization is currently seeking non-profit status and incorporation in Washington, DC, USA. For further information, please contact [Dr. Yebio Woldemariam](#), Chair.

### Turkey's open borders protect Syrian refugees

Turkey, a country that is not a signatory to the 1951 Refugee Convention, has seen an influx of Syrian refugees in recent weeks, following unrest in Syria. Turkey's Foreign Minister Ahmet Davutoglu has committed Turkey to an [open border policy](#) in the face of the humanitarian crisis and violent crackdown in Syria. But with numbers swelling over 10,000, Turkey has extended its reach, distributing aid across the border in Syria.

Over 10,000 Syrian refugees fleeing the violence have fled into Turkey, where pro-democracy protests were met with executions, mass arrests and torture. The refugee camps in Turkey are surrounded by barbed wire and [heavy security](#). Turkish security forces are also [preventing journalists' access](#) to refugees in the camps. Turkey is not a signatory to the 1967 Protocol; UNHCR is not involved in managing the crisis. The Syrian army is attempting to close off the border and prevent refugees from leaving Syria by setting up [checkpoints and arresting them](#) at border areas.

By mid-June, the death toll estimates were of over 1,100 people, but the situation is difficult to gauge due to a media blackout. With the intensifying crackdown, the death toll is climbing. Deraa

is one of the towns that has been besieged in order to prevent civilians from fleeing. The military is depriving civilians of food and medical care. The UN [High Commissioner for Human Rights](#) published a report to the Human Rights Council, citing 10,000 people detained, live ammunition used on unarmed civilians and mass graves.

We direct legal aid providers working on cases surrounding this issue to be in touch with the [Helsinki Citizens Assembly](#), a legal aid provider in Istanbul. •

### Refugees from North Africa face hardship with limited European response

The UN [High Commissioner has urged 'solidarity'](#) in response to North African asylum seekers, as refugees from the battle in Libya flee across the Mediterranean rather than [face dangerous conditions along Tunisian border](#). A number of NGOs have also demanded a [greater response to North African refugees](#), recognizing increasing need, and the New York Times has run an op-ed [highlighting migration from Libya](#). Meanwhile, French president Sarkozy has proposed ['giant camps' to hold North Africans](#) and the [UK has announced it will not participate in burden sharing](#). •

## PUBLICATIONS & RESOURCES

### Workshop on refugee protection in South Asia

[Refugee Watch Online](#) has published a report by Priyanca Mathur Velath on an important two-day workshop held in Delhi this March, ['Protection of refugees and stateless persons in India and her neighbors.'](#) The report details the participants, debates and topics discussed in the workshop's sessions, finding issues of state responsibility to be at the core of the future of protection.

### Refugee reception in Cape Town

A report on the Cape Town Refugee Reception Office was conducted by [People Against Suffering Oppression and Poverty](#). Studying the accessibility of the office to refugees in Maitland, it was found that between 28 March and 8 April 2011 as many as 1658 refugees had been turned away without receiving assistance. According to the [report](#), asylum-seekers were being denied every human right and, in the light of the amendments to the Immigration Act of 2002, undocumented immigrants could even receive jail terms. The report is available online [here](#).

### Nationality rights in Latvia

[Refugees International](#) has released a new field report titled 'Latvia: The Perilous State of Nationality Rights'. The report covers the issue of differing access to nationality rights in Latvia for minority groups. The category of 'non-citizens,' introduced in Latvia in the 1990s, continues to infringe on the citizenship rights available to minority Russian-speaking Latvians. The report, available [online here](#), discusses

contemporary problems with regards to this, and recommendations for the future.

### New online group: Women's Migration and Asylum Network

[Rights of Women \(ROW\)](#) has just started an e-group network entitled the 'Women's Migration and Asylum Network'. The network aims to influence policy and law in relation to female asylum seekers and refugees. Individuals from organizations working with asylum issues, statutory sector organizations, and those involved in immigration law and policy issues are welcome to join. Further information on the terms of reference for this group can be obtained at this [website](#), and those who wish to join the network may email [Catherine Briddick](#) with 'Join the Women's Migration and Asylum Network' in the subject line and your full name and organization/affiliation.

### New country of origin information on Sri Lanka

[Channel 4](#), a United Kingdom news channel, has released a documentary on alleged war crimes and crimes against humanity committed by both the Sri Lankan government forces and the secessionist rebels, the Tamil Tigers, during the final stages of the civil war in the country that came to an end in May 2009. The documentary, which can be accessed at this [website](#), is a useful resource for legal aid practitioners providing assistance to Sri Lankan asylum seekers with their asylum claims. Another relevant resource is the report recently released by the [International Crisis Group](#) titled 'India and Sri Lanka after the LTTE', available [here](#).

## Letter and petition for the continued protection of Rwandan refugees

We received this letter and petition about the impending [cessation clause](#) for Rwandan refugees (see film p. 7, this issue); the petition may be signed online [here](#).

*To whom it may concern, I apologise first and foremost for the inconvenience this may bring you. I am 28 years old, and a medical doctor. I am a Rwandese refugee and have been in Mozambique since 1996.*

*Earlier this year the UNHCR announced that there would be a cessation of refugee status for all Rwandese refugees, despite all our protestations and letters. They are still going ahead with it, even though most do not want to be repatriated to Rwanda. We, as the youth here in Maputo, have done everything in our power: we wrote protest letters and even went to the UNHCR to try and explain to them our well founded fears. However our efforts were in vain, even more so when some have been bought by the regime to infiltrate the refugee communities and divide in order to reign. Hence our community is not united at all, which makes things worse.*

*I wanted to know from you, is there any other law that can save us from this? Is there a way we can protest and be heard? Can one sue the UNHCR or the UN...to make them accountable for such decisions that put people's lives at risk? One day I want to go back to my homeland but on my own terms, not like this. Thanking you for your help.*

### *Preamble:*

We, Rwandan refugees and friends of Rwanda, request the United Nations High Commission for Refugees not to apply the cessation clause to Rwandan refugee protection status as it is currently exploring that option.

Conditions that sent many Rwandan citizens in exile are far from ceasing to exist and in some areas, have even become worse. Though the Rwandan refugee crisis has been cyclical since 1959, from the last massive exodus of Rwandans in 1994, the current government led by General Paul Kagame hasn't engaged in any substantive effort to set conditions that will encourage refugees to return home voluntarily but rather used tactics of coercion and subversion to get some refugees, primarily from the neighboring countries, to return while on the other hand it set new threatening actions and speeches that sent more people in exile.

Just as recent as 22 May 2011, according to the BBC Newsnight, the British Police in London gave a warning to two prominent Rwandan refugees that they had reliable sources confirming that the government of Rwanda was hunting them down and that their lives could be in danger. For many Rwandan refugees, this is rather a common practice by the Rwandan government in a number of neighboring countries.

On 13 April 2010, when presiding over the swearing in ceremony of high ranking military officers before the Parliament, President Kagame compared Rwandans who were fleeing the country to human waste being excreted. And he added 'Those who do well for the country [as well as] understanding the role they have, the country owns them...they live in it. But for the waste, the country throws them out. These are things that are automatic. If that is how it's supposed to be, so be it.'

### *Petition:*

We, the undersigned, call on the United Nations High Commission for Refugees to keep the Rwandan refugee protection status in place as there are many refugees whose lives are still threatened and can't safely return to their homeland. ●

## RESOURCES cont'd

### Asylum cases involving domestic violence

The *Minnesota Law Review* has just published 'Insufficient Government Protection: The Inescapable Element in Domestic Violence Asylum Cases,' a paper examining asylum cases involving domestic violence. It can be accessed at this [website](#).

### Think Africa Press: refugee special

Think Africa Press has officially launched its [refugee special](#) to commemorate the 11<sup>th</sup> World Refugee Day. Think Africa Press provides the public with access to an informed debate about forced migration that challenges the stereotype of the refugee as merely a burden on the economy of host states. The special issue features articles and interviews from leading academics both within and outside Africa, the United Nations High Commissioner for Refugees and prominent non-governmental organisations. Contact: [Rom Bhandari](#), Legal Editor, Think Africa Press.

### UNHCR 2010 trends report

UNHCR's compilation of global refugee and IDP trends for 2010 is now available online, both as a [full report](#) and as an [interactive version](#). UNHCR reports that 7 million refugees and IDPs were displaced by war and natural disasters at the end of 2010. This number, the highest in fifteen years, does not include the persons in need of protection fleeing violence in Libya and the Middle East. The number of refugees in protracted situations is also the highest in ten years. The total number of refugees was reported as 15.4 million, of which 10.55 million received assistance from UNHCR, and 27.5 million IDPs, of which 14.7 million were receiving assistance from UNHCR. Additionally, there were 12 million stateless people, 3.5 million of whom were identified by UNHCR. 7 million people were in protracted refugee situations of more than ten years, 840,000 people awaited refugee status, and 197,200 were returnees. 80 per cent of refugees were in developing countries.

## Refugees continue to face major crimes in Sinai, ill-treatment and detention in Israel

Absent effective legal accountability, the [torture of Eritrean refugees](#) continues in Sinai. Traffickers hold [hundreds for ransom](#), as they try to escape [arbitrary detention and abuse in Egypt](#) for the perceived security of Israel. Hostage takers are demanding tens of thousands of dollars for release. Abuse against refugees transiting the Sinai has long been rife, and rights groups have proclaimed the area 'a killing zone' as regards refugees. And more recently, [Physicians for Human Rights Israel](#) reported an increase in [female refugees requesting abortions from rape while in transit](#). Circumstances have become so bad that [IDF reserve soldiers have begun to refuse to return African migrants to the Egyptian side of the border](#), citing extreme abuse. The Egyptian authorities have generally dismissed the abuse and [local media rarely engage the topic with any depth](#) or criticism.

Refugees fare little better on the Israeli side of the border, where they are often rejected and deported or detained for extended periods in desert prisons. The [Hebrew Immigrant Aid Society](#), a critical contributor to training and monitoring the Israeli immigration system, has [just withdrawn its presence in Israel in protest of Israeli treatment of asylum seekers](#). The US Department of State has echoed criticism of Israeli treatment of asylum seekers, condemning a [lack of legal representation, lack of interpretation in judicial hearings, and extended detention](#).

In response, refugees in Israel have launched their own not-for-profit newspaper [The Refugee Voice](#), published in English, Arabic, Hebrew and Amharic and providing information, a means of expression, and a platform to enhance free speech. The Global Detention Project has issued an [updated detention profile of Egypt](#), expressing strong concern for its treatment of asylum seekers, Panos published [a photo essay](#) documenting refugee transit (and death) in the Sinai, and Channel 4 in the UK released [this documentary](#) on the subject. In conjunction with this year's World Refugee Day, Tel Aviv-based [African Refugee Development Center](#) has also released [a report](#) on the situation of refugees and the asylum process in Israel. ●

## RESOURCES cont'd

### Video: training the police on refugee issues in Uganda

The [Refugee Law Project](#) (RLP) has released an [online video](#) documenting a training on refugee issues for police instructors at the National Police Training School, Masindi. This training was crucial in making the Ugandan police force more aware of refugee rights, and in turn improving the protection of refugees in Uganda. The film is the first project by the RLP's video advocacy unit. Please email [Patrick Otim](#), video advocacy officer, for more information.

### Radio programme: the mistreatment of asylum seekers in Japan

America's *All Things Considered* radio programme has produced a segment titled 'Asylum Seekers In Japan Face Difficult Obstacles'. The programme, along with more information, is available at this [website](#). On a similar note, the [Foreign Correspondents' Club of Japan](#) held a [press conference](#) titled 'The Death of an Illegal Immigrant in Japan', investigating the suspicious death of a deportee at Narita International Airport.

### Detention of children in the United Kingdom

[Bail for Immigration Detainees \(BID\)](#) and [The Children's Society](#) have jointly released a new report titled 'Last resort or first resort? Immigration detention of children in the UK.' This report seeks to examine whether the immigration detention of children in the UK was carried out as a form of necessary immigration control only when all other options had been exhausted. An in depth analysis of the cases of 82 families with 143 children that were detained in 2009 forms the basis of the report. Apart from publishing key findings, the report also offers recommendations to address the shortcomings of the current system. Please visit the [report's website](#) for more details and direct any queries to [Sarah Campbell](#).

### Resource DVD by the Refugee Studies Centre, Oxford

The [Refugee Studies Centre, Oxford](#) (RSC) will release the most updated edition of its resource DVD in July 2011. This DVD will be made available free of cost and will contain all of RSC's publications to date, with over 1700 items covering 100 countries. Those interested in receiving a copy of this DVD may submit a request [online](#).

## FOOTNOTES FOR PALESTINIANS IN EGYPT, OROUB EL-ABED

<sup>1</sup> Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State* (New York: Columbia University Press, 1988): 46.

<sup>2</sup> In 1948, the Abbasieh district in central Cairo hosted many Palestinians from Jaffa. Later, with the increased numbers of Palestinian refugees, the Egyptian High Committee of Palestinian Immigrant Affairs, prepared what was called the 'city of refugees,' a temporary camp located in Qantara. A second camp, Mazaritta was located near Port Said.

<sup>3</sup> An armistice agreement between Egypt and Israel was signed in 1949.

<sup>4</sup> I identified the large presence of Palestinians in these cities while conducting field research in Egypt.

## NEWS &amp; INFORMATION LINKS

southern refugee legal aid network [website](#), [list-serv](#)

asia pacific refugee rights network

rsdwatch: information on unhcr's refugee decisions

kanere: kakuma refugee free press

international legal aid reformers' network

refugees international updates

international detention coalition [news](#), [resources](#)

euromediterranean migration and asylum [blog](#)

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

forced migration [current awareness blog](#)

iraqi refugee [assistance project](#)

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

international association of [refugee law judges](#)

this newsletter: [past issues](#), [facebook](#), [blog](#)

FOOTNOTES FOR PALESTINIANS IN EGYPT, OROUB EL-ABED, *continued*

<sup>5</sup> This was discussed and confirmed in Arab League resolutions in 1954 and made an official part of the Casablanca Protocol in 1965 which has been considered the official reference for Arab League countries on what may concern treating Palestinians in their countries.

<sup>6</sup> UNRWA has five field operations: in Jordan, Syria, Lebanon, West Bank and Gaza Strip. It provides assistance to Palestinian refugees including basic and vocational education, health care and hardship assistance for needy cases. It does not operate in Egypt.

<sup>7</sup> These statements were reiterated in Arab League resolutions in 1954 and Casablanca Protocol in 1965.

<sup>8</sup> Aaron David Miller, *Arab States and the Palestine Question: Between Ideology and Self-Interest* (New York: Praeger, 1986): 64.

<sup>9</sup> Article 27 of Law 137 enacted in 1981 stipulated that foreigners could not practice their professions without a permit from the Ministry of Labor and a valid residence permit. Adding to the difficulties, a quota for foreigners in the private sector was introduced. Article 4 (Law 25 of 1982) stipulated that foreigners could not exceed 10 percent of the total workforce in any enterprise so as not to compete with the national labor force.

<sup>10</sup> Palestinians with connections to the PLO, including the children of Egyptian mothers, widows, and divorcees, have been able to access discounted education and government services if they could prove their lineage.

<sup>11</sup> Article 4 of Law 25 enacted in 1982 stipulated that foreigners could not exceed 10 percent of the total

workforce in any enterprise so as not to compete with the national labor force (ratified in law 83).

<sup>12</sup> In my September 24 2001 interview with the late Adel Attiyah, then head of the PLO Labor Union, he described the very broad employment categories of some 12,000 workers and employees then registered with the Union. Of the 12,000, approximately 1,000 were seasonal workers, 2,000 were drivers (with commercial licenses), and 8,000 were skilled (trained) workers. Registered employees in the public sector (mainly with the AOGG) numbered under 1,000, of whom almost 60 percent were retired. An additional 30 percent of the public sector employees reportedly joined the Palestinian Authority in Gaza or the West Bank.

<sup>13</sup> <http://shabab.ahram.org.eg/Inner.aspx?ContentID=4845&typeid=14&year=2010...>, and <http://www.youm7.com/News.asp?NewsID=404069> (accessed May 4, 2011).

<sup>14</sup> Sari Hanafi, *Entre Deux Mondes: Les Hommes d'Affaires Palestiniens de la Diaspora et la Construction de l'Entité Palestinienne* (Cairo: Centre d'Etudes et de Documentations Economique, Juridique et Sociale, 1997); Abdul Qader Yassin, 'Palestinians in Egypt' [in Arabic] *Samed al-Iqtisadi Magazine* 18, 106 (1996); Abdul Qader Yassin, *Palestinians in Egypt* [in Arabic] (Ramallah, West Bank: Shaml, 1996); Oroub el-Abed, *Unprotected: Palestinians in Egypt since 1948* (Washington DC, Ottawa: Institute of Palestine Studies, International Development Research Centre, 2009).

<sup>15</sup> See the [revised note](#) on the Applicability of Article 1D of the 1951 Refugee Convention.

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