

## Envisioning a Better World: Turning Refugee Rights into Reality



## **Envisioning a Better World**

Asylum Access was founded on the idea that refugees are not just people with needs, but also people with rights – and that by creating a world where refugees can enjoy all of their human rights, we are also developing a blueprint for the implementation of human rights in the daily lives of all people.

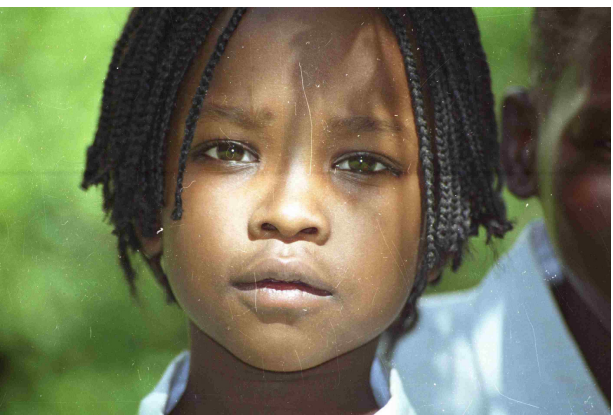
Human rights struggles have always started with a vision of a world that is different, and better, than the current reality. Dr. Martin Luther King envisioned a world without segregation, at a time when most people in the US had only ever seen separate schools for children of different races. Mahatma Gandhi envisioned a world where India was free from British rule, at a time when imperial European governments controlled much of the globe.

Asylum Access began with a vision of a world where refugees in any country of refuge, anywhere in the world, can enjoy their fundamental human rights to live safely, work, put children in school, travel freely, and access police protection, systems of justice, healthcare and social services. In 2007-2008, we started making that vision a reality.

## **About Asylum Access**

Asylum Access is a nonprofit organization dedicated to making refugee rights a reality in Africa, Asia and Latin America.

Asylum Access helps refugees get asylum – legal sanctuary – in the first countries to which they flee, in Africa, Asia and Latin America. Asylum Access also helps refugees to assert their other internationally-recognized human rights, such as the right to work, send children to school, and access local healthcare services. Instead of spending millions on endless humanitarian aid, Asylum Access helps refugees assert their human rights, so they can provide for their own needs and make choices about their lives.



Based on our experiences on the ground, Asylum Access uses strategic litigation, policy advocacy and community education to promote improved refugee policy at national and international levels. Asylum Access's policy work ensures that refugee rights on paper are implemented in practice. Asylum Access also educates the public on refugee rights and the importance of rights-based solutions. Our public education fosters an understanding of refugees not just as people with needs, but also as people with rights.

Asylum Access is the only US organization that provides direct, on-the-ground assistance in first countries of refuge to help refugees pursue their rights. Our work protects refugees from unlawful or unjust detention, deportation, torture and death, and helps them to begin rebuilding their lives in a new home, free from fear.





## Program Activities and Outcomes

Fiscal year 2007-2008 marked the first full year of Asylum Access operations. Having completed a highly-successful pilot project in the Western Cape region of South Africa in collaboration with the University of Cape Town Law Clinic, Asylum Access launched its first full-scale refugee rights offices overseas, in Quito, Ecuador and Bangkok, Thailand. In both locations, Asylum Access staff and volunteers provided direct legal information, advice and representation to refugees seeking recognition through Refugee Status Determination (RSD) proceedings, establishing their rights to what is commonly referred to as “asylum”. **From October 2007, when our Ecuador and Thailand offices opened, to June 2008, Asylum Access provided direct legal assistance to almost 1,000 refugees.**



In Ecuador, Asylum Access also successfully lobbied the National Constituent Assembly to include refugee rights in the new Ecuadorian Constitution, passed in referendum in September 2008. In preparation, we hosted a day-long conference with leaders from several refugee-led community organizations, helping them frame their requests and prepare a powerpoint presentation. Following this conference, Asylum Access-Ecuador director Michelle Arevalo-Carpenter led a delegation of refugee leaders to the Assembly, where

Asylum Access educated legislators on Ecuador’s obligations under international law and the refugee leaders presented a list of requests, mostly centered on the right to work. **As a result, for the first time ever, the Ecuadorian Constitution now contains prohibitions on employment discrimination on the basis of migratory status and nationality.**

**Also in Ecuador, Asylum Access pioneered the strategic litigation component of our work.**

Through litigation brought in conjunction with the University of San Francisco in Quito, we succeeded in changing the policy of the Directorate General of Refugees so that rejected asylum petitioners can access the evidence used in denying their claims, thus enabling them to more effectively appeal an erroneous decision. We also filed petitions with the Inter-American Commission on Human Rights, asking them to urge the Ecuadorian government to adequately protect refugees within its borders, many of whom continue to face persecution within Ecuador by agents of various Colombian armed factions.

As a global institution, Asylum Access continued its advocacy on international refugee rights issues, with a focus on improving due process in RSD proceedings conducted by UNHCR. UNHCR conducts RSD in over 50 countries worldwide, and decides the fate of nearly 100,000 refugees every year. Asylum Access’s watchdog website, RSDWatch.org, publishes reports and commentary on fairness in UNHCR RSD proceedings, including *No Margin for Error*, an annual evaluation of due process in RSD operations.



Together with a coalition of other refugee legal aid organizations predominantly located in Africa, Asia and Latin America, Asylum Access asked UNHCR to allow rejected applicants to access the evidence used in denying their claims. Asylum Access also continued a dialogue with UNHCR about ways to improve the independence of the RSD appeals process. Over the past several years, Asylum Access staff and board members have actively pushed UNHCR to implement these and other measures to improve fairness in RSD. **This advocacy appears to have paid off: Between 1999 and 2002, only 46 percent of refugee applicants were recognized, but in the past three years 81 percent were recognized.**

Within the US, Asylum Access also engaged in education and advocacy around refugee rights. Our biggest project involved analyzing the annual Human Rights Reports published by the US Department of State, which describe the human rights conditions in over 200 countries. After finding that few reports included substantive refugee rights beyond *non-refoulement* – the right not to be returned to a country where one faces persecution – we urged the State Department to revise its reporting instructions to mandate that report authors include information on whether a country respects refugees' rights to employment, education, access to health and social services, and other key rights. **In a welcome move, the State Department agreed to adopt virtually all of our recommendations.**



## Future Plans

In the 2008-2009 fiscal year, Asylum Access will expand its current operations in Ecuador and Thailand, and will add a third program location, in Kigoma, Tanzania. We will also continue to engage in global policy advocacy, and hope to build on our current successes by continuing to develop strong relationships with governments, the United Nations, and other NGOs.



Over our first five years, Asylum Access plans to launch six refugee rights offices in countries that have the potential to become models for refugee rights implementation in their respective regions. By demonstrating that respect for refugee rights can not only coexist with, but also increase, prosperity and growth, Asylum Access will lay the groundwork for global advancements to make human rights a daily reality for refugees everywhere.



## **A Glimpse of Success**

Asylum Access has helped hundreds of refugees in Ecuador and Thailand to seek asylum and assert other rights. Many of our clients are still in such danger that we cannot show their faces or even publish the details of their claims. Below, however, are a few clients who have agreed to let us tell their stories. Names and other identifying details have been changed to protect client security.

### **Joaquin**

When Joaquin was only 17, FARC agents came to his small Colombian village and instigated a brutal campaign against the people, including forcibly recruiting young men into their guerrilla army. Those who tried to resist were murdered. When FARC agents arrived at Joaquin's house, he barely managed to escape with his life. Although he had been lucky enough to get out of his hometown with his life and freedom, he soon found himself alone in a small town on the Ecuador border with no money, clothes, or friends.

Fearing that FARC agents would soon come looking for him, Joaquin crossed the border into Ecuador in 2004. Once in Ecuador, Joaquin searched for a job, but without legal documents no one would hire him. Further, he was arrested soon after his arrival for lack of documents. Instead of being reported to immigration officers, the police took all of his money and tossed him back out on the street.

After a few months of wandering the streets and trying to survive, a friend told Joaquin about the possibility of applying for refugee status. Joaquin, at just 17 years old, went down to the Refugee Office in Quito and applied for recognition. Still on the streets, and with no family, money, or documents, Joaquin found it extremely difficult to make all of the appointments associated with the solicitation process. When he missed an important interview, Joaquin's case was immediately closed and he was ordered to be deported from Ecuador. Upon hearing this, Joaquin thought he was out of options and hope.

Two years passed with Joaquin struggling to make ends meet while hiding from the authorities, unable to attain a proper job or enroll in school because he was undocumented. Then, in November of 2008, Joaquin found his way into Asylum Access Ecuador's office to seek our help. With the assistance of Refugee Legal Advocate Lindsay Jenkins, a graduate of American University School of Law, Joaquin successfully petitioned to have his case reopened. He was finally, after years of waiting, given identity documents which entitled him to work and remain in Ecuador pending the outcome of his case. Today, Joaquin is working closely with Asylum Access Ecuador to prepare himself for his upcoming interviews. For the first time in a long time, he is hopeful about his future.



**Joaquin, pictured with Asylum  
Access-Ecuador Director  
Karina Sarmiento**







**Alejandro, pictured with  
Asylum Access-Ecuador Legal  
Coordinator Ibeth Orellana**

### **Alejandro**

For years, Alejandro was a valued soldier in the Colombian Special Forces fighting against the FARC guerrillas. Following his retirement, Alejandro was persecuted and repeatedly attacked by the FARC. He lived in constant fear for his safety and the safety of his family.

One particularly brutal attack occurred when twelve armed men forced their way into his home and beat him severely. It was after this attack that Alejandro made the decision to flee the only home he has ever known and make his way to Ecuador in an attempt to protect himself. Unfortunately, he was forced to leave much of his family behind, and he has not been able to maintain contact with them. He misses his family and his old life in Colombia everyday, but feels that a return would mean death and so he struggles on in Ecuador.

Alejandro applied for refugee status earlier this year, but his case, which he presented himself with no legal assistance, was quickly denied. Following the denial, Alejandro was desperate and felt he had little chance of survival. Luckily, Alejandro came to Asylum Access Ecuador for help. He was assisted by Refugee Legal Advocate Linnha Gonzalez, a graduate of Florida State University Law School. With Linnha's help, Alejandro's case has now been reopened and he is once again hopeful that he will be given the opportunity to begin his life anew.

### **Juan and Maria**

When Juan and his wife Maria came to Asylum Access Ecuador, they were in desperate need of help. They had been in Ecuador for nearly a year, but due to problems with their refugee status, they were living on the streets with their two year-old daughter Maya.

They had made the difficult decision to flee their native Colombia after years of persecution by paramilitaries who targeted them because they refused to collaborate. They had tried moving within Colombia, but each time they moved the paramilitaries found them again and threatened them with death.

Unfortunately, life in Ecuador proved to be extremely difficult. They were denied recognition as refugees in their first instance and again in their appeal, both of which they had pursued with no legal assistance. Juan and Maria felt hopeless. What could they possibly do since it was too dangerous to return to Colombia, but it seemed they were out of options in Ecuador?

Another refugee who had received help from Asylum Access recommended that they seek our help. After reviewing the case, Refugee Legal Advocate Otis Landerholm, a law student at Golden Gate University Law School, discovered fundamental legal errors had been made. Otis successfully petitioned the Ecuadorian government to reopen the family's case and address these errors. In the meantime, the family received documents giving them temporary reprieve while their case is reopened and reviewed. Juan, Maria and little Maya are now looking forward to the future, as they finally have hope that they will be granted protection from those who seek to harm them and an opportunity to rebuild their lives.



**Juan and Maria, pictured with their  
two-year-old daughter Maya**



## Financials: Income and Expenses

	July 2007 to June 2008
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4 · Contributed support	
4010 · Indiv/business contribution	50228.56
4110 · Donated pro services - GAAP	2000.00
4230 · Foundation/trust grants	74,922.84
<b>Total 4 · Contributed support</b>	<b>127,151.40</b>
5 · Earned revenues	
5180 · Program service fees	400.00
<b>Total 5 · Earned revenues</b>	<b>400.00</b>
5800 · Special events	
5810 · Special events - non-gift rev	7,963.00
5820 · Special events - gift revenue	3,332.00
<b>Total 5800 · Special events</b>	<b>11,295.00</b>
<b>Total Income</b>	<b>138,846.40</b>
<b>Expense</b>	
4000 · Reconciliation Discrepancies	-0.01
6560 · Payroll Expenses	0
7200 · Salaries & related expenses	
7210 · Officers & directors salaries	35078.90
7220 · Salaries & wages - other	12,298.86
7240 · Employee benefits - not pension	0
7250 · Payroll taxes	606.01
7200 · Salaries & related expenses - Other	0.00
<b>Total 7200 · Salaries &amp; related expenses</b>	<b>47,983.77</b>
7000 · Grant and program expense	
7030 · Allocations to program offices	51471.00
<b>Total 7000 · Grant and program expense</b>	<b>51,471.00</b>
7500 · Other personnel expenses	
7510 · Fundraising fees	1,600.00
7540 · Professional fees - other	0
<b>Total 7500 · Other personnel expenses</b>	<b>1,600.00</b>
8100 · Non-personnel expenses	
8110 · Supplies	3171.59
8130 · Telephone & telecommunications	2747.59
8140 · Postage, shipping, delivery	463.13
8150 · Mailing services	91.00
8160 · Equip rental & maintenance	50.00
8170 · Printing & copying	2,474.81
8180 · Books, subscriptions, reference	229.44
8100 · Non-personnel expenses - Other	1322.48
<b>Total 8100 · Non-personnel expenses</b>	<b>10,550.04</b>
8200 · Occupancy expenses	
8210 · Rent, parking, other occupancy	2,250.00
<b>Total 8200 · Occupancy expenses</b>	<b>2,250.00</b>



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8300 · Travel & meetings expenses	
8310 · Travel	12624.62
8320 · Conference, convention, meeting	3,859.61
Total 8300 · Travel & meetings expenses	16,484.23
8500 · Misc expenses	
8520 · Insurance - non-employee	1,942.00
8530 · Membership dues - organization	192.00
8540 · Staff development	645
8590 · Other expenses	100
Total 8500 · Misc expenses	2,879.00
8600 · Business expenses	
8610 · Bad debt expense	1,000.00
8670 · Organizational (corp) expenses	20.00
Total 8600 · Business expenses	1,020.00
8700 · Bank Fees	
8710 · Transfer Fees/Currency convert	705.00
8720 · Merchant Fees	533.70
Total 8700 · Bank Fees	1,238.70
Total Expense	135,476.73
Net Ordinary Income	3,369.67
Net Income	3,369.67





## Basic Operations Budget

<b>Expenses</b>	<b>2008-2009</b>	<b>2009-2010</b>
<b>Salaries</b>		
Executive Director	40,000	50,000
Policy and Programs Director	0	50,000
Law Fellow	30,000	10,000
Bookkeeping Service	2,100	1,800
Administrative Assistant/Vol Coord	0	35,000
Development Professional	0	15,000
Project Director - Ecuador	20,417	20,417
Associate Project Director – Ecuador	2,750	2,750
Legal Services Coordinator – Ecuador	5,400	5,400
Mobile Clinics Coordinator – Ecuador	11,310	11,310
Administrative Asst/Accountant – Ecuador	5,988	5,988
Legal Services Director - Thailand	20,000	25,000
Policy Director – Thailand	0	32,000
Launch Director – Tanzania	6,500	2,000
Project Director – Tanzania	2,000	12,000
Project Coordinator – Tanzania	1,500	9,000
Stipends – Interpreters	2,400	7,500
Health Benefits and Payroll Taxes	12,778	14,483
<b>Total Salaries</b>	<b>163,143</b>	<b>309,648</b>
<b>Rent and Equipment</b>		
Rent & utilities - US HQ	11,000	11,000
Rent & utilities - Ecuador	9,000	9,000
Rent & utilities - Thailand	9,000	9,000
Rent & utilities - Tanzania	1,500	6,000
Mobile legal aid transport/lodging – Ec	20,500	25,000
Mobile legal aid transport/lodging – Tz	0	6,000
Computer/IT/other equipment – overseas	1,000	11,000
Computer/IT/other equipment – HQ	250	1,300
Insurance	1,100	4,000
<b>Rent and Equipment</b>	<b>53,350</b>	<b>82,300</b>
<b>Program Dev, Training &amp; Advocacy</b>		
Volunteer training/materials	630	1,000
Professional and board development	500	3,000
Professional org fees	1,500	2,500
Advocacy-related travel	7,500	17,500
<b>Total Program Dev, Training &amp; Advoc</b>	<b>10,130</b>	<b>24,000</b>
<b>Development, Communications &amp; Ofc</b>		
Supplies/post (all offices)	10,000	12,000
Development	5,000	10,000
Communications	6,000	12,000
Money transfer fees	1,350	1,500
<b>Total Devmt, Comm &amp; Ofc</b>	<b>22,350</b>	<b>35,500</b>
<b>Total Expenses</b>	<b>248,973</b>	<b>451,448</b>

## Key:

Shared Costs

Legal Aid Program

Policy Advocacy/Community Edu  
Program

Legal Aid/Policy Mixed Program

Fundraising



## **Special Thanks to Our Donors and Volunteers**

Asylum Access's program activities were made possible through the generosity of our donors and the hard work and dedication of our volunteers, in the US and abroad. Following is a list of those who have helped us make refugee rights a reality in 2007-2008.\*



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\*We make every effort to present a complete and accurate list of our donors and volunteers. If you notice an error, please let us know so we can correct it. We appreciate your help!



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