



Asylum Access: Transforming the Landscape for Refugees Worldwide



**Asylum Access Annual Report
Fiscal Year 2010-2011**



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TRANSFORMING REFUGEE ASSISTANCE WORLDWIDE

Of the 16 million refugees in the world, less than one percent find refuge in the global north (US, Canada, Europe). The vast majority remain in first countries of refuge – the first places they flee – within Africa, Asia or Latin America. There, most are relegated to internment camps or live precariously on urban margins. **The average time spent in a refugee camp is 17 years.**

Within first countries of refuge, refugees are almost never allowed to work, access secondary education, or take any steps to rebuild their lives. In theory, refugees should enjoy these rights. The 1951 Refugee Convention and its 1967 protocol, together ratified by 147 countries, give refugees the right to obtain asylum, seek employment, send their children to school, access local social services, and enjoy protection from discrimination in their first countries of refuge. In practice, however, many countries routinely violate these rights with total impunity.

Despite this disturbing reality, no other international organization directly empowers refugees in Africa, Asia, and Latin America, to assert their rights. Instead, the international community's traditional approach to refugee issues is to provide humanitarian handouts such as food, blankets, and tents. Unfortunately, however, this approach is not used only in addressing immediate emergency situations, but as the primary response to the long-term displacement of refugees.

Asylum Access was founded to change this.



ABOUT ASYLUM ACCESS

Asylum Access was founded to make refugee rights a reality. We give refugees the tools to assert their rights, so they can provide for themselves and rebuild their lives. Our innovative, sustainable approach makes legal advocates – locals, refugees, and other foreigners – available on the ground in Africa, Asia and Latin America to help refugees secure legal status, obtain work permits, enroll in school, access banks, and much more. We also advocate for broad changes in national, regional, and global laws and policies so refugees can enjoy their fundamental human rights in any country of refuge.

Asylum Access has piloted successful refugee rights operations in Ecuador, Thailand and Tanzania, where our work has directly impacted the ability of **over 700,000 refugees** to live safely, work, and send children to school to date. Our operations use five key tools to make refugee rights a reality: individualized legal counsel and representation, community legal empowerment, policy advocacy, strategic litigation, and movement-building. Together, these form a comprehensive, integrated and sustainable approach that can dramatically transform the lives of refugees within a first country of refuge.



PROGRAM ACTIVITIES AND OUTCOMES

This year marked the fourth full year of operations for Asylum Access. Building on past successes, our three offices in Ecuador, Thailand and Tanzania reached more refugees than ever before for the fourth consecutive year, vindicating a wider range of rights and bringing our services to regions beyond our offices in urban centers.

Asylum Access's Five Tools:



Individualized
Legal Aid



Community Legal
Empowerment



Policy
Advocacy



Strategic
Litigation



Global
Movement-Building

1. Individualized Legal Aid

Asylum Access offices in Ecuador, Tanzania and Thailand continue to provide grassroots legal assistance to refugees to enable them to assert their rights. This year, Asylum Access provided direct, legal information, advice and representation to 3,634 asylum seekers. Asylum Access offices abroad also began to develop greater capacity to provide legal services that address a wider range of rights violations.



Direct, individualized
legal counseling and
representation to
assist refugees
seeking to vindicate
their human rights.

Ecuador

In Quito, during our fourth full year of operations, Asylum Access Ecuador provided legal assistance to 1,464 refugees in Quito and throughout Ecuador. We also expanded our portfolio of legal services, through prison visits and increased gender-based violence services. In 2010, Asylum Access Ecuador began regular visits to bring direct legal assistance to dozens of refugees wrongly detained in immigration and criminal detention centers. Asylum Access Ecuador increased its focus on helping survivors of gender-based violence seek protection and justice for crimes perpetrated against them. We have provided specialized assistance to



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survivors of sexual and gender-based violence for the past two years, but to make our services even better, we hired a Legal Services Director with specific expertise in these issues at the end of the fiscal year. Asylum Access Ecuador also began providing labor mediation assistance for refugees together with a local labor lawyer, helping refugees confront their employers and recover unjustly withheld wages.

Thailand

Following the challenges of working during a period of turbulent political upheaval in the last fiscal year, Asylum Access Thailand resumed regular office operations this year. AAT provided direct, individualized counsel and representation to 597 asylum seekers this year.

Tanzania

Since Asylum Access Tanzania's move to Dar es Salaam in June 2010, we have focused on assisting the urban refugee population to assist basic rights in a challenging political environment. This year, Asylum Access Tanzania provided direct legal counsel and representation to 535 asylum-seekers. Asylum Access Tanzania is also assisting a community-initiated school for Congolese refugees to complete legal requirements for formal registration with the government.

2. Community Legal Empowerment

Community legal empowerment includes the provision of Know Your Rights workshops; training of Community Legal Advocates to provide basic legal advice, accompaniment, and referrals; and facilitation of community discussion and/or activism to address trends in human rights violations. This year, Asylum Access provided legal education to 1,266 refugees in Ecuador, Thailand, and for the first time, Tanzania, where we launched Know Your Rights training similar to that offered in our other offices.



Community legal empowerment to facilitate community discussion or activism to address trends in human rights violations.

Ecuador

Asylum Access Ecuador provided Know Your Rights workshops to 1,007 asylum seekers and refugees. We expanded our community legal education program by training refugees as volunteer Community Legal Advisors, equipping them to provide workshops to others in their communities across Ecuador's provinces. Following its first "Encuentro de



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Mujeres” (Convenings of Women) in November 2009, Asylum Access Ecuador continued to provide a safe space for refugee survivors of sexual and gender-based violence to confront their experiences and begin exploring ways to pursue justice. With the Norwegian Refugee Council, we offered Encuentros this year. Asylum Access also conducted nine workshops on sexual and gender-based violence for refugee women, nongovernment organizations and law students.



Survivors of gender-based violence at an Encuentros de Mujeres (“Convenings of Women”) workshop in Ecuador.

Thailand

Throughout this year, Asylum Access Thailand provided community legal education through the provision of “Know Your Rights” workshops to 59 refugees. Because our clients in Thailand speak more than 20 different languages, workshops were provided with the help of refugee interpreters. Asylum Access Thailand provided Know Your Rights workshops in Urdu, Vietnamese and Tamil and trained 15 refugees in professional legal interpretation techniques to enable them to interpret for others in their community.

Tanzania

Asylum Access Tanzania launched our community education program, providing Know Your Rights Workshops to 200 refugees. A partnership with Refugees United provided the resources to train refugees ambassadors who will bring community legal education training to refugee camps in the coming year.

3. Policy Advocacy

Policy advocacy refers to Asylum Access’s effort to effect changes in laws, policies or practices to better implement refugee human rights.

Ecuador

Following the introduction of an accelerated process where refugees denied legal status by low-level officials are unable to launch an



Policy advocacy to effect changes in laws, policies or practices to better implement refugee human rights.



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appeal, Asylum Access Ecuador focused on improving fairness and due process in refugee status determination procedures. We worked towards this through continued advocacy with government authorities.

To expand local protection networks, Asylum Access worked with government authorities to include refugee issues in local policies. As an active member of the Education and Migration Working Group, we ensured that refugee rights issues were included in the Protocol for Assisting Children and Adolescents in Human Mobility. Additionally, we made recommendations addressing the question of legal status for survivors of human trafficking for the proposal to reform the National Plan to Combat Trafficking.

Together with ongoing dialogue and trainings for local authorities, these efforts put refugee rights issues on the national agenda.

Thailand

In our first full year of implementing a policy advocacy strategy, Asylum Access Thailand focused on the unlawful detention of refugees following the crackdown on urban refugees living in Bangkok.



A Volunteer Legal Advocate speaks with a refugee client in Thailand.

We successfully advocated for the release of 96 Pakistani Ahmadi refugees from immigration detention in July 2011, the first mass release in the country's history. To work towards long-term policy change, Asylum Access Thailand is working with a local government task force to explore alternatives to detention.

In addition, Asylum Access Thailand also worked to combat xenophobia and discrimination through public education initiatives. We collaborated with the Lawyers Council of Thailand to produce an educational booklet about *non-refoulement*, a key principle of international law, for submission to Thai policymakers. Asylum Access Thailand also organized a training on refugee law for Thai lawyers in August 2010 and is spearheading regional advocacy efforts through the Asia Pacific Refugee Rights Network, where Country Director Medhapan Sundaradeja was elected Chair of the Steering Committee.

To ensure greater refugee rights protections in line with international law and human rights standards, we reviewed the standard procedures for



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working with survivors of sexual and gender-based violence with UNHCR and other NGOs. These strategies collectively transform local and regional attitudes towards refugees and their empowerment through a rights-based approach.

Tanzania

Asylum Access Tanzania's key priorities this year were improving the freedom of movement for refugees and securing their right to safe and lawful employment under Tanzanian law.

We successfully advocated with the Ministry of Home Affairs to grant peasant permits to a select group of urban refugees and began assisting refugees through the application process in late 2011. We are also working with UNHCR Tanzania to review refugee policies and ensure due process in the refugee status determination process.

To better understand the needs of urban refugees living in Dar es Salaam, Asylum Access Tanzania conducted a survey of urban refugees and produced a report titled *"No Place Called Home"*. As a result, we have quantitative and qualitative data on the myriad of human rights violations to support our advocacy to change Tanzania's encampment and refugee employment policies. An advance copy has been circulated among our partners for further analysis, with public release scheduled for the end of the year.

4. Strategic Litigation

Asylum Access utilizes strategic litigation to establish formal or informal precedents that improve respect for refugee rights by government or private actors.

Because it is often perceived as highly confrontational, strategic litigation is used selectively and often only after policy advocacy options have been exhausted. As effectiveness of this tool depends on openness to legal reform and strong rule of law, Asylum Access has only applied this tool in Ecuador.



Strategic litigation to establish formal or informal precedents that improve respect for refugee rights by government or private actors.



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Ecuador

Asylum Access Ecuador filed several landmark litigation cases. Asylum Access Ecuador appeared before the Constitutional Court to challenge a lower court's failure to address a refugee's right to reparations following 8 months of unlawful detention. Asylum Access presented its first *habeas data writ* demanding access to client information within the criminal system to ensure due process. We also litigated cases of gender-based violence as a result of police negligence, filed a case before Ecuador's Child Protection Services, and petitioned the Inter-American Commission of Human Rights for preventive measures with regard to due process violations in the refugee status determination process.

Thailand

Asylum Access Thailand is currently exploring litigation possibilities, but for strategic reasons has chosen to focus on more traditional policy advocacy as its primary tool for broad-based change this year.

Tanzania

Asylum Access Tanzania is currently exploring avenues for strategic litigation in Tanzanian courts and through regional mechanisms.

5. Global Policy Advocacy and Movement-Building

This year, Asylum Access continued advocacy in Washington, DC with the goal of leveraging US influence as a major donor government to move refugee-hosting countries toward improved implementation of refugee rights protections. This year, Asylum Access addressed particular concerns about refugees' high susceptibility to human trafficking in countries where refugees' rights to asylum and/or lawful employment are denied or restricted.

We sought changes to the Trafficking Victims Protection Act that would address this issue directly. Our amendments reached the House version of the bill, which was approved. A similar bill is currently pending in the Senate.

Asylum Access worked towards transforming the international approach to refugee assistance by bringing our rights-based empowerment model and



Global policy advocacy and movement-building to lay the foundation for the expansion of Asylum Access's model.



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successes to a global network of NGOs and international organizations. Asylum Access Global Leadership staff from Ecuador, Thailand, Tanzania and the US shared best practices and explored joint global advocacy opportunities at the convening on LGBTI refugee issues in Washington, DC in April 2010, and the UN Annual Consultations with NGOs in Geneva in July 2011. Asylum Access is also leading cooperation among refugee rights NGOs as the Chair of the Steering Committee of the Southern Refugee Legal Aid Network. Together, these efforts are spearheading a movement to include refugee rights as part of a sustainable long-lasting solution to protracted refugee displacement.

Asylum Access put refugees' right to work on the international agenda by launching a Right to Work Campaign on World Refugee Day 2011. Our report on the right to work in Ecuador and awareness-raising blog (www.refugeeworkrights.org) expands common understandings of refugees' right to safe and lawful employment as a key component of a comprehensive long-lasting solution for refugees.

Additionally, Asylum Access continued to build the refugee rights movement globally, developing a strategy and laying the foundation for the expansion of Asylum Access's model to three additional countries in the coming years. To enable refugee rights advocates to replicate our model of legal assistance, Asylum Access is developing a Refugee Rights Toolkit, an online "office in a box" and reference resource. A prototype of the Toolkit will be released at the end of 2011.

FUTURE PLANS

Asylum Access ultimately intends to make refugee human rights a daily reality for refugees in Africa, Asia and Latin America, and to create a replicable model other activists can use to make refugee rights a reality in every country around the world. By seeing refugees as people with rights, not just people with needs, Asylum Access believes we can create effective, sustainable solutions that put power and dignity back in the hands of refugees.

Asylum Access is currently planning the launch of three additional refugee rights offices in 2013-2014. 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.



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We are also developing a Refugee Rights Toolkit, an “office in a box” that will help refugee rights advocates around the world to customize the Asylum Access model to local contexts. A prototype is due to be released to select partners for testing at the end of 2011.

By scaling our operations to 6 local offices and enabling advocates to replicate the Asylum Access model through the Toolkit, we are growing a global movement of refugee rights advocacy.

EMPOWERING REFUGEES TO REBUILD THEIR LIVES

Asylum Access helped thousands of refugees in Ecuador, Tanzania 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.

A SURVIVOR’S HOPE RENEWED

“Oh my God! I don’t even know where to start. I have so much to thank Asylum Access Tanzania for. The trainings we have been receiving about our rights, the legal assistance my family and I received, and the biggest of all: I owe my family’s freedom to stay in Dar Es Salaam to Asylum Access. Now my family and I can live in peace, free from police harassment and arrest. May God repay you, Asylum Access Tanzania.”

- Miriam, a refugee from the Democratic Republic of Congo



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Miriam was a businesswoman and mother of five in the Democratic Republic of Congo. When war broke out, her husband, a local politician, was killed. Miriam, her mother, and her children fled on foot the same night.

“The Maimai surrounded our house and pushed the door in by force. When they entered, they caught my husband. They tied his hands behind his back and took all my clothes off in front of my children.

“Then one of the Maimai soldiers stabbed him in the neck with a knife. I cried to them, ‘Please don’t kill my husband! Please don’t kill him!’ They said if I didn’t want my husband to be killed, I should just open my legs ‘and we will have sex with you.’” She told them she would do anything to save her husband, but the soldiers killed him anyway. “We put the body of my husband in the house and we left the city and started running on foot.”

Miriam fled to Dar Es Salaam, but a new country didn’t mean safety for refugees from DR Congo. Miriam and her family were constantly at risk of arrest. Miriam was robbed. Her grandson was jeered at and insulted. “I had no place to claim any rights, since my family and I had no permit to stay in Dar Es Salaam.”

Then Miriam came to a Know Your Rights training at Asylum Access Tanzania. She returned for individual legal assistance, and Asylum Access eventually helped her family secure residency permits in Dar Es Salaam.



ALI’S STORY

Ali, raised in a Pakistani Muslim family, secretly converted to Christianity. “My family and I would go to Church for Sunday mass in secret,” he says. Soon, however, Ali’s beliefs were discovered.

“One day, Islamic fundamentalists armed with guns kidnapped me. They held me for hours. During this time they badly beat, kicked and punched me. They asked me many questions about my faith. They warned me not to adopt Christian thoughts. After that they threw me on the road. I tried to report the information to the police but they refused to take any legal action. Then I moved to another town.”



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Ali and his family moved twice within Pakistan, but the death threats followed them. Eventually, they knew they had to leave Pakistan for good. “We were compelled to exile for survival, with empty hands. We were strangers to everyone in Thailand. We had to present our matter in legal form to seek a proper legal remedy, but we were not able to seek legal consultation with empty hands.” When Ali found Asylum Access, he and his family could finally access the legal help they needed and obtain permission to remain in Thailand.

“Thank God we could reach AAT and get free legal aid. Lawyers and volunteer staff of AAT, working for human rights, received us with love and helping hands to assist us free of cost. May God bless all sponsors, lawyers, management staff, translators and all other volunteers working and supporting Asylum Access.”



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FINANCIALS

Income & Expense Summary July 1, 2010 to June 30, 2011

Revenue

Foundation and corporate grants	641,452
Individual donations	88,217
Interest income	536

TOTAL REVENUES **730,205**

Expenses

Salaries and related costs (benefits, taxes and personnel costs)	
- Legal Services	276,395
- Community Legal Education	40,780
- Policy Advocacy	54,373
- Strategic Litigation	13,593
- Movement-Building	22,655
- Fundraising	40,780
- Administration	4,531
<i>Total salaries and related costs</i>	<i>453,106</i>

Operations (rent, utilities, supplies, equipment)	
- Legal Services	58,413
- Community Legal Education	8,618
- Policy Advocacy	11,491
- Strategic Litigation	2,873
- Movement-Building	4,788
- Fundraising	8,618
- Administration	958
<i>Total operations</i>	<i>95,759</i>

Travel	
- Legal Services	41,203
- Community Legal Education	4,191
- Policy Advocacy	9,523
- Strategic Litigation	1,397
- Movement-Building	2,328
- Fundraising	4,191
- Administration	466
<i>Total travel</i>	<i>63,300</i>



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Global movement-building	
- Staff training and development	5,854
<i>Total global movement-building</i>	5,854
Global policy advocacy	
- Coalition memberships	3,630
<i>Total global policy advocacy</i>	3,630
Development (fundraising and marketing)	
- Printed materials	5,593
- Mailing	665
- Advertising	140
<i>Total development</i>	6,397
TOTAL EXPENSES	628,046
NET INCOME	102,159



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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 2010-2011.*

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