

NETWORK MEMBER: ASYLUM ACCESS



A Legal Empowerment Approach to the Global Refugee Crisis

Asylum Access directly empowers refugees to assert their legal rights to employment, free movement, financial access and equal protection under the law. It also advocates directly with governments to change laws so that refugees can move freely, work lawfully, provide for their families and contribute to their host societies.

Founded 2005

asylumaccess.org



Women's Empowerment Groups meet among Colombian refugees in Ecuador. Photo by Sandra ten Zitjhoff.

The Colombian Constitutional Court has ruled that conflict-related sexual violence is a crime perpetrated by all armed actors in the country – whether guerrilla groups, paramilitaries or State security forces. The court declared that it is 'an habitual, extensive, systematic and invisible practice' that has been used with impunity as a weapon of control during five decades of conflict.

Sexual violence is one of the reasons large numbers of Colombian women have fled to Ecuador as refugees – where they have often struggled to achieve refugee status and regularly face discrimination, abuse and exploitation.

"Upon arriving in Ecuador, refugee women must undergo a Refugee Status Determination process, an intimidating process in which they must recount their trauma and prove that it has been so severe

that they qualify for international protection," says Sally Sharrow of the refugee rights group Asylum Access. "The process can be re-victimizing, and many refugee women and girls fail to prove their claims because of shame or traumatization."

"Among our clients, we saw that the trauma and psychosocial problems that resulted from SGBV were detrimental to achieving status or to seeking work; and women lacked a strong support structure in the refugee community, many often fearing to seek out other Colombians. As a result, refugee women were dis-empowered to access their right to protection; subject to continued abuse; and unable to find sufficient work to support themselves and their families."

Though refugee women learned that they were entitled to equal compensation in the workplace,

the threat of losing a job could keep a woman for standing up for herself. Though women felt supported by their peers to report cases of abuse to the police, they couldn't force the police to help them.

Initially Asylum Access provided legal support to assist refugee women to achieve refugee status and address violations of their rights. It also employed community legal empowerment outreach so that refugees could understand their rights in Ecuador. This helped refugee women achieve refugee status, the essential first step in order to be able to work legally and access justice.

"After identifying the special needs of refugee women, Asylum Access Ecuador began to provide particular Women's Empowerment Groups, a space where refugee women could come together to provide mutual support, healing from trauma, and eventually to receive trainings on livelihoods skills that would help them to become self-sufficient," says Sally.

"We contacted local women's rights groups to provide relevant trainings and activities and began to build up a referral service to other organizations that could provide additional support."

The refugee women who joined these groups began to build their confidence, and invited friends and family to join, including some Ecuadorian women as well. Among the groups, certain refugee women began to stand out as leaders and received training as community advocates so they could reach more women in their communities and lead new initiatives.

As a result of the Women's Empowerment Groups, refugee women began to have the self-esteem and knowledge to become their own advocates. One woman told her peers about standing up to her employer when he tried to pay her less than her Ecuadorian co-workers. "I never would have done that before, but now I knew you all were behind me," she told them. In the city of Ibarra, another group which had focused especially on livelihoods

trainings in order to help women become more self-sufficient sought legal registration to begin cleaning and catering services; recently, they were hired by the City to cater a large event, providing income for the members.

Refugee women in the Women's Empowerment Groups even feel prepared to advocate on a national political stage: Recently, one woman, Lucy, testified before the Andean Parliament on the rights and needs of refugee women.

While most organizations have responded to the exploding refugee crisis with humanitarian aid, Asylum Access directly empowers refugees to assert their legal rights to employment, free movement, financial access and equal protection under the law. It also advocates directly with governments to change laws so that refugees can move freely, work lawfully, provide for their families and contribute to their host societies. The idea is to work put the law into the hands of refugees, giving them the tools to rebuild their lives themselves, so they no longer have to depend on aid.

It provides individualized legal information, advice and representation to help refugees obtain legal status and assert their rights in the workplace, at school, in hospitals and banks, and in detention centers. It also undertakes community legal empowerment, including Know Your Rights



Asylum Access has replicated its Women's Empowerment Groups from Ecuador in Tanzania.

trainings, Democratic Action Groups, and Women's Empowerment Groups.

The Women's Empowerment groups in Ecuador have proven so very successful that they are being replicated in Tanzania, and piloted in Panama. Other initiatives include training refugee leaders as grassroots paralegals and as legal interpreters

who work among their own communities.

Asylum Access also undertakes policy advocacy, for example, by campaigning to secure refugee rights in Ecuador's constitution. It also pursues strategic litigation and movement-building to increase the numbers who benefit from its rights-based approach.

Key Lessons

- 1 When refugees can enjoy their rights, they are able to meet their own needs in the way they choose; rather than depending on humanitarian handouts, which dictate even the most basic life choices, a rights-based approach gives refugees the power to control their own destinies and contribute to their new homes.
- 2 Local leadership is key. Transforming the human rights landscape for refugees can't be done by an outsider. Our country staff are local whenever possible, and even include several members who were refugees themselves.
- 3 It is essential to be willing to advocate for refugees' human rights, not just provide legal aid. Unlike most refugee assistance organizations that remain neutral, we deliberately engage governments to create rights-respecting policy frameworks: a critical component of a long-term, sustainable solution.
- 4 Our model is replicable across vastly different country contexts. We have used it to achieve unprecedented impact in Ecuador, Thailand, and Tanzania, and continue to test it as we launch new offices that serve as learning laboratories where we continually improve our tools and strategies.
- 5 The number of refugees worldwide is still growing, and opening a few new offices in additional countries is not enough. We need to create a critical mass of countries with strong refugee rights programs which are providing legal services to a large portion of the world's 16 million refugees, and advocating for strong refugee rights legislation and national leadership. We envision that by 2025, every country that hosts a significant refugee population will also host a viable refugee rights initiative. We are making this possible through the Refugee Rights Toolkit.