

Final Report: 2014 IHRP Summer Internship

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Overview

I spent three months as an intern in the statelessness unit at the Regional Office of the United Nations High Commission for Refugees in Dakar, Senegal. The office had roughly one hundred staff members however the statelessness unit was quite small and was comprised of myself, another intern, a junior protection officer, and a senior protection officer. The regional office oversees the protection of stateless persons and the prevention of statelessness in the 15 countries that comprise the Economic Community of West African States (ECOWAS) region.

Statelessness, or the absence of a determined nationality, affects 700,000 persons in West Africa. Statelessness is caused mainly due to deficient, discriminatory or conflicting nationality laws therefore I spent the first few weeks of the internship immersing myself in the nationality legislation of each country in the region. Since the region is comprised of former French, British, and Portuguese colonies and two countries that were deeply influenced by the United States, this provided a valuable glimpse into sometimes strikingly different legal structures and norms. Because it was a regional office, I also spent a lot of time early in the internship becoming familiar with the appropriate contact persons in each country office as well as the staff in Geneva.

Main Work Projects

Ministerial Conference

One of my main responsibilities was assisting with the preparation for a ministerial conference on statelessness that will be held in Cote D'Ivoire in October, 2014. The UNHCR is hosting the conference in partnership with ECOWAS. The primary objectives of the conference are a) to educate government and civil society leaders about statelessness; b) to share best practices on how to protect stateless populations and; c) to extract formal commitments from States to take concrete action to eliminate statelessness, including becoming signatories to the 1954 *Convention relating to the Status of Stateless Persons* and the 1961 *Convention on the Reduction of Statelessness*.

The tasks I was assigned leading up to the conference ranged from highly practical to legal and conceptual. The practical tasks included assisting with the agenda, identifying experts to lead working groups, budgeting, and ensuring that the appropriate government delegations intend to participate. The legal work involved assisting with the drafting a four page declaration that will (hopefully) be adopted by the assembled Ministers in October. The ministerial declaration sets out concrete steps States should take in order to protect stateless persons in the region and prevent new situations of statelessness from occurring. We had to be extremely precise in the wording of the document in order to increase the probability that the States would adopt the document while maximizing the level of commitment. I was also closely involved with the drafting of an UN interagency declaration which for the first time recognizes the distinct contributions that UNICEF, UNWomen, UNHCHR, and IOM could give towards the coordinated effort to eliminate statelessness in West Africa. Our partners were concerned with not promising

too much so we had to be as precise as possible in articulating how particular skills and resources were relevant to ensuring the right to a nationality.

Preparing for the conference provided an incredibly interesting introduction to legal drafting and I am so grateful to have had the chance to contribute to these two declarations. Assisting with organizing the conference also gave me a new appreciation for the politics of organizing a high level meeting. For example, for nearly two months it was uncertain whether the High Commissioner Antonio Guterres would be able to attend. Naturally, much depended on his presence. Not only would the Commissioner's presence make it easier to secure other high profile leaders and academics but would also greatly increase the media attention focused on the event. Fortunately my boss often included me in conference calls with staff in Geneva as these more sensitive or diplomatic meetings took place.

Communication

Communications work was another prominent theme in my day-to-day tasks. In comparison to refugees, statelessness remains a topic that is often misunderstood or outright ignored by the media, the general public and decision makers. Therefore, our unit constantly sought opportunities to tell the human story of statelessness. I created various google alerts in order to monitor the internet for relevant information. I then decimated this information through twitter and our blog in both English and French.

Two achievements that I am particularly proud of was the publication of a press release I wrote following The Gambia's accession to the 1954 and 1961 Statelessness Conventions. The second publication is a ten page public legal education document that explains the causes and consequences of statelessness in West Africa. The document will be distributed to participants at the upcoming ministerial conference.

I also contributed to more long term communication projects such as interviewing stateless persons, formerly stateless persons and persons at risk of statelessness in order to document their story through video, photographs and written reports. I found these interviews especially invigorating since a position at a regional office does not provide many other opportunities to bear witness to and learn from the concrete realities of living without a nationality.

Research Report

I spent a large portion of the latter half of my summer contributing to what will become a research report and short documentary film on the risk of statelessness faced by Senegal's "Talibe". The Talibe are young male children who attend Quranic boarding schools known as Daras. The children often come from rural areas or poorer neighbouring countries such as Guinea Bissau and Mauritania.

The use of the term Talibe is controversial since some of these schools are legitimate educational institutions that enjoy widespread support within the community while others are highly exploitative. In the worst case scenarios, the 'schools' are sustained by forcing the students to beg on the streets. The 'students' are frequently subject



to physical or emotional abuse if the strict quotas set by the ‘teachers’ are not met. Although the Talibe have been extensively studied by human rights activists¹, there is no existing scholarship on how the low level of birth registration and general lack of identification documents can expose the Talibe to a high risk of statelessness when they return to their home countries or communities. My colleagues and I conducted numerous interviews with teachers, social workers, police, and religious leaders to better understand the phenomenon. Unfortunately I left Senegal before the project was completed, however the research will eventually form the basis of a final report and short documentary film. The aim is that our work will result in better procedures for identifying when there is a lack of documentation so as to at least reduce one of the numerous obstacles these vulnerable children face.



Iron shackles used to punish Talibe who did not meet the quotas set by leaders of the Dara.

Test Litigation

Perhaps the most legal aspect of my internship was preliminary research to assess the feasibility of litigation in the ECOWAS Community Court of Justice.² Last year, the cessation clause was used and the vast majority of displaced Liberians ceased to enjoy the legal protection of refugee status. Following this development, the majority of displaced Liberians voluntarily returned to Liberia but some decided to integrate into the neighbouring countries where they resided during the intervening years. In order to legally integrate, the Liberians had to comply with local immigration procedures which invariably involve producing certain identity documents. With the technical and financial support of the UNHCR, the Liberian government conducted passport vetting missions across the region and provided the displaced with the opportunity to confirm their nationality. However, the group of one hundred so-called “red-coded” Liberians were denied passports and, as a result, are left in a very precarious position: without identification documents they cannot secure residency status in the country of asylum nor can they return to Liberia. The UNHCR Regional Office is thus considering partnering with an NGO to initiate litigation against the Liberian government in the ECOWAS Court of Community Justice for effectively denying these individuals their right to a nationality. To this end, I met with several colleagues in different country offices as well as with a lawyer in a local NGO to begin discussions on the feasibility of this project. In addition to these meetings, I extensively researched the unique court procedures as well as relevant case law.

Practical and Professional Challenges

¹ See for example a report conducted by Human Rights Watch available online at <http://www.hrw.org/africa/senegal>

² Information about the Community Court of of Justice is available online at <http://www.courtecowas.org/>

Professional Challenges

My internship posed several professional and practical challenges. The central professional challenge I faced is in relation to language and was thus self-induced since I was determined to use this summer to improve my French. Despite having attended a French immersion school from kindergarten to grade 12, I quickly learned that working in a professional work environment requires a wider and more refined vocabulary than my own. Fortunately, my colleagues were patient and my French language skills quickly progressed. Nevertheless, I recommend that anyone who is considering working in their second language take a language class in advance of their departure so that they can hit the ground running immediately upon arrival.

Working in an office with over one hundred staff members from countries across Africa and Western Europe exposed me to different management styles. My direct supervisor was very candid and direct and would clearly state when my work was or was not meeting expectations. At first I found it a bit difficult not to take the feedback too personally but over time I came to appreciate the clarity that this approach provides. Other colleagues were far less direct which meant that I had to ask numerous times in order to ensure that the work I was producing was correct and meeting the appropriate standards. This diverse exposure helped me think through how I work best and what kind of leader I would like to eventually become.

I am very glad that I was assigned to the statelessness unit. Although I knew very little about statelessness before arriving in Senegal, I quickly became fascinated by this area of law. And not only was the work interesting, there are considerable benefits of working in a smaller and therefore less hierarchical unit. I was given a lot of responsibility and was expected to complete diverse tasks. I also enjoyed extensive face time with my boss who is in charge of statelessness in all of West Africa.

Practical Challenges

I was pleasantly surprised at how secure I felt over the course of the internship. With the exception of some civil unrest in the southern region of Casamance, Senegal is a stable and peaceful country. The capital city of Dakar is bustling with arts and culture and the people are very open and tolerant. Although crime is reported to be on the rise as income inequality increases, I felt safe to explore and build a life for myself. Therefore the only practical challenge was how little support we were given from the UNHCR in securing appropriate housing. Vacancy rates are low, rents are high, and access to the internet remains relatively limited thus it is difficult to find housing prior to arriving without a contact on the ground. I recommend that anyone considering an internship in Dakar insist that a UNHCR staff person assist with finding accommodation.