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IHRP Fellowship Final Report UNHCR Bangkok Kristen Kephalas

As I come to the end of my 15-week fellowship with the UNHCR in Bangkok, Thailand, I find it difficult to put into words how rewarding this experience has been. The work with has been diverse, challenging, and eye-opening. I have had the privilege of working alongside highly compassionate and intelligent individuals who have guided my learning and I feel that I have found lifelong friends and mentors here in Bangkok.

During my fellowship with UNHCR, I was given a wide array of tasks that have exposed me to both refugee status determination (RSD) and refugee protection (PRO). As a member of the RSD team, my primary focus was on tasks relating to assessing the claims of asylum seekers at both first instance and on appeal. My most time-consuming tasks were creating country of origin information (COI) reports. An eligibility officer (EO) would give me focused research questions and I would draft a report for them. These reports are then used as supporting external evidence when writing an assessment of a refugee claim. Since the Bangkok office serves the diverse urban refugee population of the city, my COI reports have covered issues in Vietnam, Cambodia, Iraq, Iran, Pakistan, Somalia, Sri Lanka, Uganda, Afghanistan, and Guinea. I have researched a variety of topics from Saddam Hussein's security apparatus to political persecution in Cambodia since the dissolution of the major government opposition party.

While the first portion of my summer was dedicated to COI reports and observing interviews, by the start of June I was given new responsibilities that got me away from my desk. One of my regular weekly tasks was notification counselling. I worked with an interpreter to deliver the results of asylum applications to the applicants themselves. This includes recognition, first-instance rejection, rejection on appeal, and rejection of re-opening. By doing notification counselling, I had to engage with people directly and maintain a balance of respect, professionalism, and compassion while delivering life-changing news.

I was also given the task of drafting notification letters for asylum seekers that outlined why the Office had come to a certain decision in their claim. I would read through the EO's assessments and write a letter clearly outlining the various points of the claim and the decision made on each. Reading a number of RSD assessments allowed me to familiarize myself with the 1951 Refugee Convention and to understand how it is applied to actual cases. Now, at the end of the summer, I have a much more refined understanding of what makes a refugee in the legal sense and the nuances of the 1951 Refugee Convention.

A highlight of my fellowship was the opportunity to do community and protection counselling at the Bangkok Refugee Centre (BRC), a partner of the UNHCR. The BRC is a community centre for Bangkok's persons of concern (PoC), offering counselling on personal issues, medical referrals and funding, education funding, and language lessons. Every Tuesday and Thursday, members of the RSD team are assigned to spend the day off-site working with refugees and asylum seekers on their day-to-day challenges. Some of the typical issues that people seek counselling for are getting their children into school, navigating their financial challenges, avoiding arrest, preparing for court hearings, and staying on top of the administrative

requirements of their asylum applications. Unlike notification counselling where I was strictly limited in what I could say, community and protection counselling allowed me to flex my problem-solving skills and to work collaboratively with PoCs to help them find solutions. The days I spent at the BRC felt very relevant to my legal training as the relationship was much more akin to client-counsel, rather than applicant-officer. Both notification counselling and community/protection counselling also helped hone my client skills as I have had to deal with a range of personalities, moods, and needs.

By the middle of my fellowship, one of my primary duties became writing credibility assessments for derivative status applicants. Derivative status (DS) is given to asylum seekers who have a close family relationship or a relationship of dependency on another asylum seeker or refugee. When someone has DS, they do not have their own claim, but are wholly subject to the refugee status (RS) applicant's claim. This means that whatever decisions are made on the RS applicant's case will apply to the DS applicant. In order to merge cases with someone who has already been granted refugee status, the DS applicant must go through an assessment process to determine that they are in fact economically, socially, and/or emotionally dependent on the RS applicant. This assessment is done to avoid fraud and coercion (i.e. faking a relationship to be granted refugee status or forcing someone to merge cases in order to maintain a relationship of dependency). I would interview the applicants who were assigned to me and then draft an assessment to determine if they had a genuine relationship of dependency or not. I made judgements about the credibility of the claimed relationship based on documentary and oral evidence provided by the applicants. I dealt with a number of relationship dynamics: spouses married for decades with children, newly-weds in their late-teens and early-twenties, arranged marriages, mothers-in-law and their children-in-law, and parent and minor children. The experience of interviewing and assessing the information I gathered pushed me to think critically and creatively. I learned how to interview and extract information through lines of questioning, a skill that I believe will come in handy in the legal field. I also gained a window into a myriad of family scenarios from a wide array of cultural backgrounds.

Throughout my fellowship, I have been privileged to gain a robust understanding of the UNHCR and its mandate. I have gotten to experience the process of determining who is a Convention refugee from start to end. I have seen the registration process, the first interview, the appeals, the rejections, and the re-openings. I have witnessed the challenges that asylum seekers and refugees face in Bangkok where they have no legal status. I have seen the limits of the UN, but I have also gotten to see my compassionate coworkers work creatively within the institution's framework in their effort to best serve the PoC population of Bangkok. I have been exposed to the social, political, and cultural circumstances of a number of countries. Ultimately, this fellowship has challenged me intellectually and provided me with new legal skills, but it has also allowed me to develop personally in a way I had not expected a legal fellowship would.