

**Tony Navaneelan**

**RE: IHRP Internship Final Report – UNHCR HQ, Geneva, Switzerland**

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This report is intended to provide you with an overview of the work I completed in my IHRP 2008 Summer Internship. At the outset, let me express my thanks to the IHRP for allowing me to participate in the internship programme – your support is very much appreciated. As you are aware, I completed an internship in Headquarters of the Office of the United Nations High Commissioners for Refugees (UNHCR) in Geneva, Switzerland. I worked under the supervision of an international lawyer named Anja Klug in the Protection Policy and Legal Advice Section (PPLA) of the Division for International Protection (DIPS). In short, DIPS is responsible for all protection-related matters (as opposed to, for example, human resources, supply management or government relations) which arise in the course of the UNHCR's involvement with 'persons of concern' (refugees, internally displaced persons, stateless persons). PPLA within DIPS is responsible the generation of the UNHCR's protection policies and in vetting all protection-related legal matters which arise in the UNHCR's global operations.

Over the course of the summer, I assisted Anja Klug with two of the main portfolios under her carriage: asylum-migration nexus and the issue of human trafficking. The asylum-migration nexus refers to the overlap and conceptual blurring between refugee-seekers and so-called 'economic' migrants. These two groups frequently move within the migration flows and have become increasingly difficult to segregate into mutually exclusive categories. Ms. Klug is developing the UNHCR's global policy response to this phenomenon. Known as the *10 Point Plan*, the response aims to advise governments on how they can maintain the integrity of their border and migration policies while also not *refouling* persons in need of international protection.

As part my internship this summer, I was able to draft two chapters of the UNHCR's Handbook on the 10 Point Plan, in particular, those relating to protection-sensitive entry systems and public information campaigns. When completed, the Handbook will be published by UNHCR and distributed to all field offices, governments in affected states and concerned members of the public. As well, I was closely involved in assisting Ms. Klug in organizing a regional conference on mixed migration and refugee protection in Sana'a, Yemen, in May 2008. The conference was attended by government officials from eight countries, including the Yemeni Minister of Foreign Affairs and the UN High Commissioner for Refugees. I was placed in charge of selecting and compiling the legal materials for the conference as well as assembling the conference dossier. Following the conference, I was tasked with editing the final

conference report, assembling post-conference documents and web-publishing the final product.

Ms. Klug afforded me a broader role on her second portfolio, that of human trafficking and international refugee protection. Ms. Klug recently took charge of this pressing issue area at the beginning of the summer and so has requested I complete the 'ground work' for the creation of a global UNHCR protection policy on the matter. As part of this, I compiled and edited a 450-page research compendium, containing all the international and regional legal instruments which govern the issue of human trafficking. The compendium will be published by the UNHCR at the end of the summer. As part of this project, I was also tasked with creating three new documents for the UNHCR including "The UNHCR Mandate and the Issue of Human Trafficking." The latter is an attempt to create a legal basis for the UNHCR's anti-trafficking operations and will frame the entry-point for DIPS' global policy on the issue. In addition to these activities, I was able to accompany Ms. Klug on inter-agency meetings on human trafficking. In particular, she involved me in the UNHCR's attempts to establish a joint working relationship with the International Organization for Migration to better coordinate our two agencies' work.

Lastly, the Chief of PPLA-DIPS also afforded me the exciting opportunity to provide a thorough review and critique of the section's major new policy paper – 'UNHCR and Urban Refugees.' This task occupied most of the final weeks at UNHCR and allowed me *carte blanche* discretion to really express my opinions and evaluation of the policy which had been in the pipeline for several years. It was a great opportunity to shape policy before it is finalized and offered an insightful window into an area of refugee protection that urbanization is quickly making the norm for UNHCR operations.

In terms of activities outside of work, there was a strong community of interns in Geneva, working at UNHCR, other UN agencies, NGOs and the Permanent Missions. The network organized weekly social events and weekend activities; this helped considerably in off-setting the alienation/anonymity that could otherwise arise from a highly multinational/multilingual working environment through which people are constantly rotating. On weekends, Geneva is also surrounded by several quite scenic small towns and vineyards that provide a welcome escape.

I would like to stress, however, that the cost of living in Geneva was extremely high and potentially prohibitive to someone conducting an internship here. As a quick example, a take-away coffee from a convenience store here is the equivalent of C\$4. Milk and sugar is another C\$1. A single load of laundry at a Laundromat is C\$11. The inflation in prices continues into more pressing areas like rent, transportation

and food, all of which greatly exceed the Canadian (or even European) norms. At these rates, I will, regrettably, be paying an extra C\$2000 just to complete my internship, in addition to the generous base funding I received from the IHRP.

In the short-term, I would definitely recommend providing Geneva-based interns with additional funding above the C\$5000 base. In the long-term, however, I think the program has to realistically re-evaluate the incentives and disincentives which prompt students to pursue human-rights/public interest professions as opposed to more lucrative areas of law. Amongst students like myself and other Geneva-based interns, many were placed in the unenviable position of choosing between a human rights internship in Geneva, with a net cost of C\$2000 after thirteen weeks, or a corporate law summer job in New York, with a net gain of \$36,800 after ten weeks (pre-tax). The difference amounts to nearly two years of tuition. While the rewards of human rights employment are not expected to be solely monetary, the personal and financial costs of pursuing a career in this field are also not expected to be so punishing. What is more concerning is that the dilemma faced by summer students in choosing between human rights or other law employment is not commensurate with that faced by actual lawyers in the profession. While disparity in remuneration persists after graduation, lawyers choosing between employment in either human rights or other areas of law are not faced with the dire options which confront law students: of either being paid *for* work or paying *to* work.

If the Faculty of Law and the IHRP are committed to an internship programme that provides experience in, and entry into, human rights law, the programme must strive to make summer employment in this field a more realistic and practical option for students. While increased funding for the IHRP is always desirable, it is not always possible. Barring the addition of new funding, I would recommend reducing the number of internships awarded each year and increasing the base funding for each to \$10,000. This would allow the IHRP to offer meaningful support to students to complete internships without incurring debt and (perhaps) have some savings at summer's end. I think this latter consideration should not be a taboo concern for the IHRP – we expect students interested in careers in human rights to be frugal, not bankrupt.

I would also recommend reserving the lion's share of internships (up to two-thirds) to students completing an internship in their second-year summer. The reasons for this are multiple. (1) As participation in the IHRP is concentrated more in the upper-years, second-year students are better placed than first-year students to demonstrate their actual involvement in the Programme and, thus, why they are deserving of an internship through it. (2) Unlike first year summer students, students completing their second year of law school are more likely to have made a clear commitment to

a career in human rights law and to have turned down alternative opportunities through OCIs and other recruitment schemes. They also have a more pressing need to demonstrate to articling employers their experience in human rights law than students entering their first year summer. As such, they should receive more targeted support from the Faculty to achieve this goal. (3) Lastly, this approach would also help avoid the trend in which students complete IHRP internships in their first summer but then move on to second-summer placements outside the field of international human rights, in particular on Bay Street and Wall Street. While exposing and enculturating corporate law students in human rights law is an important goal, surely this can be achieved in a manner that is less taxing on IHRP purse than an IHRP summer internship – and less consuming of the limited opportunities available to students interested in building careers directly in human rights.

The proposals I am making have valid counterarguments – no doubt from first year IHRP students and students interested in exposure to, but not a career in, human rights – and these should be voiced and considered. Nonetheless, I strongly urge you to give close consideration to the recommendations made in the preceding paragraphs in your ongoing efforts to strengthen the programme. That being said, let me express my thanks and appreciation to the IHRP for making my summer internship at the UNHCR possible. Rest assured, my comments made at the conclusion of this report were not intended to express dissatisfaction with the programme, but rather a keen engagement in improving it.