

Sam Siew

Final Internship Report: Protection Intern, United Nations High Commissioner for

Refugees (Geneva Headquarters)

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My final weeks as a protection intern at the United Nations High Commissioner for Refugees (Geneva Headquarters) went by as a blur, with little time for introspection. As the weeks since I left Geneva multiply, my experience has begun to coalesce into several themes which I know will stay with me throughout my career as a legal advocate.

Firstly, I was immersed in the latest developments in international refugee law, particularly those occurring in North America. I was an intern in the Regional Bureau for the Americas, which covers North and South America as well as the Caribbean. The Regional Bureau exists as a midpoint between Headquarters and the Field Offices. The Bureau is kept up-to-date on all developments in the Americas and acts as a liaison between the Office of the High Commissioner, the various departments at Headquarters and the field offices. Importantly, the Bureau helps to determine policy and strategy for the region, in consultation with the Office of the High Commissioner, and promotes coordination between the field offices with a view to ensuring an integrated protection strategy.

Some of my work included drafting “Gaps Analyses” of Ecuador and Venezuela (which identified inadequacies in the refugee protection frameworks of these countries.) I also drafted memos, contributed to legal research and participated in teleconferences on litigation strategy for UNHCR amicus briefs. A particular highlight was contributing to an amicus brief headed to the Supreme Court of the United States, concerning the availability of a duress defense to a U.S. bar

against refugee claimants who have been found to have persecuted others. The intervention in this significant case, if successful, could remove the bar to individuals seeking refugee status who, by no fault of their own, were coerced to participate in inhumane conduct (and whose reason for fleeing is often to escape participation in such conduct.)

In my final three weeks, I transferred to the Resettlement Service of the UNHCR, as my supervisor was relocated to that division and I joined her. This allowed me to experience the organization from a very different perspective. I worked on editing the Resettlement Learning Program (a training tool for UNHCR staff working in the area of resettlement) as well as perusing the minutes of regional meetings to compose a matrix of recommendations for the resettlement programs in South America. This was a departure from the intense legal drafting of my work in the Americas Bureau, and exposed me to the practical challenges of making resettlement programs work effectively. In addition, I had the opportunity to attend and take notes on the Annual Tripartite (Government, NGOs and UNHCR) Consultations on Resettlement.

Before I left the Americas Bureau, I was very satisfied to be able to complete a full working draft of the UNHCR's legal position paper on the US-Canada Safe Third Country Agreement. The drafting was accompanied by many cafeteria discussions with a high-level UNHCR staff member who gave invaluable feedback on not only the legal reasoning, but also the sensitive political and diplomatic dimensions of the position we needed to take. It was then that I experienced first-hand the complex interplay between legal reasoning and nuanced power politics that characterizes the field of international law.

Another key theme was the importance of NGO-style publicity to our work. I especially enjoyed helping with the festivities of World Refugee Day, which included setting up a refugee

tent in the large square outside the UN building and speaking to passer-bys about the work of the UNHCR. Yet I realized that the importance of publicity extended far beyond the occasional PR initiatives and permeated nearly every aspect of operations. In an organization entirely dependent on donor funding, this is to be expected until a different funding structure is designed. The UNHCR, and for that matter most UN humanitarian organizations, are accountable to the donors and not the refugees that are central to its mandate. Nevertheless, the relatively new concept of participatory assessments, in which the beneficiaries provide feedback and guidance to some programs, is an example of giving ownership back to refugees.

Finally, one of the most cherished aspects of my experience are memories of the people I have met and the stories I have heard. A case in point is my former supervisor, who was and is an excellent mentor and inspiration. Most of the staff members have lived on multiple continents in the span of a few years in service of the UNHCR, and have attained fluency in a dazzling array of languages. I have heard stories of living amid the squalor of refugee camps; of secret night-time descents into the Iraqi desert; of terrible institutional blunders but also uplifting successes. As I have learned from others' stories and from my own relatively short experience at the UNHCR, success in this field is rarely dramatic and headline-worthy, but subtle and gradual. Nevertheless, this does not detract from its potential to change the lives of many individuals for the better. It is a pity that such a phrase has become associated with triteness and naiveté. Despite the obstacles of vast bureaucracy and international power-politics, there are many individuals who truly believe in the power of international refugee law to change lives for the better. It is they who are the reason for the UNHCR's successes. I consider myself most privileged to have learned from them this summer.

- Sam Siew, September 2008

