

## Terms of Reference

### **Refugee Community-Based Paralegal Training Batch 2: Advancing Refugee's Legal Knowledge towards Inclusive Indonesian Society**

#### **Background**

Asylum seeker and refugee (ASR) are known to be one of the most marginalized groups in every part of the world. They have fled from their home countries due to persecution, seeking safer life. However, in practice, many ASR are not welcomed in various countries due to the rise of global extreme nationalism and irrational security regulation. This condition is further worsened in transit countries, meaning the countries who are not signatory to Refugee Convention and its Protocol, such as Indonesia.

As a host for 13.612 ASR,<sup>1</sup> Indonesia has put a considerable amount of attention to ASR. In 2016, President Joko Widodo enforced Presidential Regulation 125/2016 on The Handling of Foreign Refugees. This marked the first legal recognition for ASR in Indonesia. However, said regulation does not cover the protection of rights for ASR in Indonesia, thus creating legal gaps on fulfilment of rights of ASR while in Indonesia.

While living in limbo, ASR in Indonesia have a small chance of being resettled with an average waiting period of 8 years or even more due to increasing trend of xenophobia and anti-immigrant policies applied in various countries. This condition is heightened with the fact that Covid-19 has started to spread worldwide since 2019. The amount of resettlement in third countries are decreasing due to health factors of migration during pandemic, which also affected the resettlement acceptance of ASR from Indonesia.

The long waiting period with minimum fulfilment of rights are several factors that led to legal problems faced by ASR in Indonesia. In 2019, SUAKA received a total of 24 cases, the majority of which are related to domestic case (non-Refugee Status Determination (RSD) case). From January to August 2020, SUAKA has received 41 cases, 40 of which are related to domestic case. This shows an increased pattern of potential domestic cases faced by refugees in Indonesia.

While SUAKA has been actively advocating cases and policies on refugee rights protection in Indonesia, SUAKA also sees the importance of empowering refugee community with legal knowledge and skills to help them protect and advocate for their own community as there is no other person who understands their own community better than they do.

In 2019, SUAKA has started to train 23 ASR from various refugee communities in Indonesia to be a paralegal in order to broaden access to justice for refugee communities in Indonesia. The paralegals are expected to be able to advocate for ASR communities, transfer the legal knowledge that they get from SUAKA's training and help solve problems arising from their communities. SUAKA also expects the paralegals to collaborate with SUAKA in handling cases, conducting capacity building, building network and advocating policies. Due to the limited access of legal aid for ASR Indonesia, paralegals will become key actors in broadening the access to justice.

In November 2020, SUAKA will conduct **"Refugee Community-Based Paralegal Training Batch 2: Advancing Refugee's Legal Knowledge towards Inclusive Indonesian Society"**.

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<sup>1</sup> UNHCR Indonesia, *Monthly Statistical Report: August 2020*, 2020.

#### **Secretariat:**

YLBHI – YLBHI Building, 3<sup>rd</sup> fl.

Jl. Diponegoro No. 74 Gondangdia, Menteng, Jakarta Pusat 10350, Indonesia

Phone: +6221 3929840. Fax: +6221 31930140

**We seek committed ASR community leaders who want to serve their community to join this training. The participants of this training will not only gain information for their own benefit, but further spread the information to their respective communities, resulting in bigger impact for ASR in Indonesia. As a form of sustainability, the trained participants will conduct their duty as paralegals and collaborate with SUAKA in helping their communities.**

Therefore, we cordially invite committed refugee community member who has leadership quality who want to serve their community to join the Community-Based Paralegal Training: Advancing Refugee's Legal Knowledge towards Inclusive Indonesian Society.

### **Objectives**

The training is aimed to:

1. Provide information to the participants on law and legal system in Indonesia;
2. Create a forum to share information on law and legal system in Indonesia;
3. Conduct information exchange on how law and legal system affect daily lives of ASR in Indonesia;
4. Empower the participants to understand law and legal system in Indonesia;
5. Provide information on how the participants can help their communities as trained paralegal;
6. Create post-training activities to ensure sustainability of the program.

### **Output**

The expected output from this training are:

1. Information on law and legal system in Indonesia is provided to the participants;
2. A forum to share information on law and legal system in Indonesia is created;
3. Information exchange on how law and legal system affect daily lives of ASR in Indonesia is conducted;
4. Participants are empowered and understood the law and legal system in Indonesia;
5. Information on how the participants can help their communities as trained paralegal is provided;
6. Post-training activities are created in order to ensure the sustainability of the program.

### **Participants**

In this Community-Based Paralegal Training Batch 2, we will admit a maximum of 15 participants. They will be selected by SUAKA in accordance to the indicators that we establish. Applications will be read thoroughly and have in-depth discussion on each application submitted to SUAKA.

SUAKA will ensure the diversity of background, representation of each community, gender balance and other relevant components in the selection process. SUAKA seeks people who are motivated to not only increase their own knowledge, but also make use of the gained information for their community.

This training is free of charge.

Please fill the registration link here: <https://bit.ly/reg-refparalegal2>

The deadline of registration is on 14 November 2020. Submission after the mentioned date will not be considered.

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### **Pre-event Preparation**

The training will be conducted in face-to-face session, under the consideration that paralegal will gain better learning experience through offline activity. In preparing the event, SUAKA considers the pandemic condition very seriously.

Participants, facilitators, and committee must take all preventive actions adhering to the health protocol to ensure that virus spread will not happen due to the activities. Covid-19 test cost for participants, facilitators, and committee will be borne by SUAKA.

### **Date and Venue**

The training will be held in four consecutive days. Participants are expected to stay in the accommodation provided by SUAKA during the full length of the training program, from the night before the training start until the day training ends. Information regarding accommodation will be provided separately for the selected participants.

Date of training : 20 – 23 November 2020

### **Facilitator and Source Person**

SUAKA will invite experts and knowledgeable speakers in this training. Please refer to the paralegal module subjects below. The session will be conducted in English.

### **Paralegal Module Subjects**

The training will cover the following thematic areas

1. Introduction to Community-Based Paralegal
2. Deportation and Immigration Violations
3. Freedom of Movement
4. Public Services
5. Fair trial and judicial proceeding
6. Social Cohesion
7. Incident Documentation/Reporting

### **Closing**

For further information about the training, please contact Julio Achmadi and Desy Rahmawati Aziz through [julio@suaka.or.id](mailto:julio@suaka.or.id) and [desy@suaka.or.id](mailto:desy@suaka.or.id) with the subject of "PARALEGAL TRAINING BATCH 2".

Thank you and register yourselves!

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