

## Terms of Reference

### **COMMUNITY BASED PARALEGAL TRAINING: EMPOWER REFUGEE FOR ACCESS TO JUSTICE**

#### **A. Background**

Unstable global security condition makes people have to flee their own home. At least since 2015, there are two major refugee crises; European refugee crisis which dominated by those who are coming from Syria, and Andaman Sea refugee crisis which dominated by Rohingya ethnicity.<sup>1</sup>

This cause many other countries have gradually receiving refugees, and apparently, those countries are starting to close their border and tighten their resettlement policy. It even gets worse when the discourse of anti-immigrant and xenophobia arose, which makes resettlement opportunity decreased.

Countries which not open themselves to integrate refugee in their land, but open for refugee arrived, became the transit country. Such as Indonesia, Thailand, and Malaysia, which have to adapt to the current situation: decreased resettlement opportunity. This situation makes refugees have to stay longer in the transit country. Meaning that they have to stay longer increasing the time period of vulnerability since refugee are not guaranteed as other citizen or documented migrants.<sup>2</sup> One of the vulnerabilities is to exposed by the domestic law, which not all refugee understands how the legal system goes in the transit country. With this condition, refugee needs access to justice, to be empowered with the legal system.

Indonesia is a host for 13.997 refugees<sup>3</sup>, who came to seek a safe place from conflict and persecution in their home country. As the resettlement opportunity decreased and the transit period is getting longer, SUAKA experience the rising of a legal complaint submitted by refugees related to the domestic law. This means that there is a multiplier effect of the resettlement policies issued by other countries.

SUAKA sees that in this global situation, access to justice for refugee is important. Unfortunately, Indonesian legal providers with the knowledge of the refugee context available in Indonesia is limited. Yet, as the approach of SUAKA services is to empower refugee and the core activities of SUAKA are legal services -both direct or indirect, SUAKA is about to train refugee so they are able to legally defend themselves when there is only limited source available.

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<sup>1</sup> The Global Refugee Crisis, Region by Region. <https://www.nytimes.com/interactive/2015/06/09/world/migrants-global-refugee-crisis-mediterranean-ukraine-syria-rohingya-malaysia-iraq.html> - diakses 1 Juni 2019.

<sup>2</sup> Living in limbo: Indonesia's refugees face uncertain future <https://www.reuters.com/article/us-migration-indonesia-limbo/living-in-limbo-indonesias-refugees-face-uncertain-future-idUSKBN1H202U> – diakses 1 Juni 2019.

<sup>3</sup> Statistik bulanan UNHCR – Mei 2019.

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Therefore, we cordially invite the refugee community leaders to join the Community Based Paralegal Training: Empower Refugee for Access to Justice. SUAKA is hoping by having this training, refugee is empowered. And those who join the training can also be useful for the community and share the knowledge to the community member.

#### **B. The goal of the Training**

The training aimed to;

1. A forum to share information on the legal system in Indonesia,
2. Information exchange on how the legal system effecting the daily lives of refugee,
3. Empower refugee to be able to use the legal system in Indonesia.

#### **C. Participants**

There are several requirements for those who want to join the training. Please fill the form at SUAKA website [www.suaka.or.id](http://www.suaka.or.id) in order to submit your application to join the training. The participant selected to join the training will be announced through email registered.

Participants need to be the age of 21 years old, by the start of the training date 27th of July.

**Please note that this training is free of charge. The committee will provide you with transportation and accommodation.**

Registration schedule;

1. Submitting registration form: 2 – 7 July 2019
2. Selection of participants: 8 July 2019
3. Selected participants announcement: 9 July 2019

Follow this link for the registration form: <https://forms.gle/D6c81qzpQz14b9zX7>

#### **D. Facilitator and Source Person**

SUAKA legal service providers will be the facilitator of this training. With some of the learning, subjects will be delivered by special source person, as written in the agenda of the training.

#### **E. Date and Venue**

The training will be held in three consecutive days. Participants are expected to stay in the hotel during the training program, from the night before the training start until the day training ends. Accommodation notes will be provided separately for the selected participants.

Date of training : 27 – 29 July 2019  
Venue : Central Jakarta. *\*venue to be confirmed later*

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## F. Agenda

No	Time	Item	Source Person*
<b>Day 1</b>			
1	08.00 – 09.00	Participants registration	
2	09.00 – 09.15	Opening: 1. Tifa Foundation 2. Mr. Febi Yonesta – Chairman of SUAKA	
3	09.00 – 10.00	Introduction	
4	10.00 – 10.15	<i>Snack Break</i>	
5	10.0 – 12.00	<b>Subject #1: The Paralegal</b>	
6	12.00 – 13.00	<i>Lunch break</i>	
7	13.00 – 15.00	<b>Subject #2: Deportation and Immigration Violations</b> In the airport, immigration offices, immigration detention centre and right to work.	
8	15.00 – 15.15	<i>Snack Break</i>	
9	15.15 - 17.00	<b>Subject #3: Freedom of Movement</b> a. Reasons, causes and probabilities of detention, b. Procedure of detention/arrest, c. Forms of detention/arrest.	
<b>Day 2</b>			
10	09.00 – 09.30	<b>Day 1 review</b>	
11	09.30 – 10.15	<b>Subject #4: Social Cohesion_1</b> What is social cohesion	
12	10.15 – 10.30	<i>Snack Break</i>	
13	10.30 – 12.00	<b>Subject #4: Social Cohesion _2</b> Social cohesion in daily life	
14	12.00 – 13.00	<i>Lunch break</i>	
15	13.00 – 14.30	<b>Subject #5: Public Services</b> a. Processing legal identification card: passport, ID, Birth certificate/birth notes, b. Public Health Care Facilities.	
16	14.30 – 14.45	<i>Snack break</i>	
17	14.45 – 17.00	<b>Subject #6: Fair trial and judicial proceeding_1</b> Criminal offences (sexual violence, fraud, child protection, domestic violence, ill-treatment, theft, forgery).	
<b>Day 3</b>			
18	09.00 – 09.30	<b>Day 2 review</b>	
19	09.30 – 10.30	<b>Subject #6: Fair trial and judicial proceeding_2</b> Trial Procedure or mechanism.	
20	10.30 – 10.45	<i>Snack break</i>	
21	10.45 – 12.00	<b>Subject #7: Documentation_1</b> Type of documentation	
22	12.00 – 13.00	<i>Lunch break</i>	
23	13.00 – 14.30	<b>Subject #7: Documentation_2</b>	

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		a. Documenting skills b. Chronological writing	
24	14.30 – 14.45	<i>Snack break</i>	
25	14.45 – 16.00	<b>Subject #7: Documentation_3</b> a. Documenting skills b. Chronological writing	
26	16.00 – 16.15	<b>Post-test and evaluation</b>	
27	16.15 – 16.45	<b>Follow up plan</b>	
28	16.45 – 17.00	<b>Closing remarks</b> Mr. Febi Yonesta – Chairman of SUAKA	

*\* to be confirmed*

### G. Closing

For further information about the training, please contact Ms. Rizka Rachmah through email [secretariat@suaka.or.id](mailto:secretariat@suaka.or.id) with the subject "PARALEGAL TRAINING."

Thank you.

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