



## *From the Editor*

When the IARLJ convened its conference in Wellington, New Zealand, in 2002, the number of persons of concern to UNHCR world-wide was estimated to be 20 million. By 2010, that figure had grown to 30 million. It has since doubled. To many of us engaged in determining, one on one, who comes within the protective net of the Convention on the Status of Refugees, such numbers are too vast to contemplate.

Ours is an extraordinary role. It embraces aspects of history, anthropology and psychology, understood through a legal framework. We conduct a conversation in a quiet room, perhaps with the help of an interpreter. The unspoken question is “why have you come here, to this place”. The undertaking embraces sensitive issues of suffering, the eliciting of biographical and contextual information, and difficult questions of credibility, as we struggle to understand the parameters of this person’s predicament.

Against that backdrop, we remind ourselves that the formation of the International Association of Refugee Law Judges was predicated in part upon the desirability

“... for judges and quasi-judicial decision makers in all parts of the world to associate so as to further exchanges and the dissemination of information on international law and practice as it relates to the status of refugees.”

(Constitution of the IARLJ)

From that parent body a number of offspring have emerged, including the Asia-Pacific Chapter. Many people have spent years developing relationships throughout the region that have led to this greatly expanded and potentially so much richer collaboration of people. On behalf of all of us who stand to benefit from those efforts, I extend sincere thanks.

On behalf of the Chapter committee, I extend our greetings. We have a newsletter! We hope it will become a mechanism for the exchange of information, for the development of ideas, for collaboration, or even just as a reminder that there are others out there, beyond our four walls, who also grapple with the privilege and responsibility our role entails. We look forward to your thoughts and your contributions.

**Andrew Molloy, editor**

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## **QUARTERLY UPDATE FROM THE CHAPTER COUNCIL**

The call in June for nominations for the new Council led to the formation of a Council without the need for voting. The new Council includes Martin Treadwell from New Zealand, who was elected President, Judge Seongsoo Kim from Korea and Judge Joy San Juan-Torres from the Philippines, elected Vice-Presidents, and Bridget Dingle from New Zealand, elected as Treasurer. Sean Baker from Australia is Secretary and Linda Kirk from Australia is Academic Advisor on the Council. The Council Members are Miki Arima from Japan, Judge Rolf

Driver, Sue Zelinka and Filip Gelev from Australia, and Andrew Molloy from New Zealand.

Since the elections in July, the Chapter Council has held two meetings (they are held monthly at present, given the amount of work to do). Skype has proved to have its challenges but is gradually being worked out.

Major items on the Council's agenda this quarter have been:

**1. Constitution**

Known as the 'Governance Document' in some of the other chapters, the Chapter's constitution is well-progressed. It has been drafted with an eye to consistency with those of the other Chapters. It is currently before the Council for ratification as a draft. It will then be put to the general membership for comment, before being adopted by the Council and finalised and ratified by the World Council. It is expected that that process will take another couple of months, given the need for consideration of feedback from members.

**2. Newsletter**

As will be evident, the first edition of the newsletter has been worked through, both in terms of current content and longer term aspirations. The Council very much welcomes your feedback and input.

**3. Professional Development Committee**

Planning is well underway for a permanent Professional Development Committee, initially comprising Bridget Dingle, Linda Kirk and Sean Baker. Judge Kim, Judge Torres and Miki Arima are currently looking into options for participation on the Committee from the more northern regions of our Chapter – an issue which is extremely important if we are to be relevant and of value to decision-makers from there.

**4. Protocol on Council Expenditure**

Also discussed by the Council has been the development of a Protocol to provide guidance for the expenditure of Chapter funds. We hope to be able to include this in detail in the next newsletter.

**5. And finally...**

Non-profit organisations depend heavily on the goodwill and time of members. If you can contribute in any way, please do give me a call or drop me an email. The next Council meeting is on 13 October 2016.

*Martin*

Martin Treadwell  
President, Asia Pacific Chapter  
[Martin.Treadwell@justice.govt.nz](mailto:Martin.Treadwell@justice.govt.nz)

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**RECENT JUDICIAL DECISIONS AND DEVELOPMENTS IN  
PROTECTION LAW IN THE REGION**

***Australia – The Case of the Malicious Agent***

In August the Federal Circuit Court of Australia, in a case called *BLH15 v Minister for Immigration & Anor* [2016] FCCA 1198 (1 August 2016), found that the review function of the former Refugee Review Tribunal had been "disabled" because of fraud. The applicant had sought protection as a refugee from Tonga on account of her

fear of her abusive former husband and her inability to obtain protection from the Tongan authorities. She had remarried in Australia but unfortunately also suffered abuse at the hands of her second husband. The applicant had appointed another person (related to her second husband) to receive documents on her behalf concerning the case before the Tribunal. The Tribunal invited the applicant to a hearing and sent it to her authorised recipient (as it was required to do under the Australian legislation). At that time the applicant had fled her home because of her second husband's abuse and was living in a women's refuge.

The Court found that the authorised recipient was unable to contact the applicant about the hearing but nevertheless told the Tribunal that the applicant knew about the hearing and would attend. When the applicant failed to appear the Tribunal dealt with the case in her absence and rejected her application. The Court found that the circumstances constituted a fraud both on the Tribunal and the applicant. The Tribunal was deliberately misinformed both of the applicant's knowledge of the scheduled hearing and her preparedness to attend it. The Tribunal was deliberately deprived of information about the applicant's circumstances known to the authorised recipient which materially bore upon the Tribunal's exercise of discretion. Likewise, the applicant was deprived of the opportunity either to attend the hearing or to seek an alternative hearing date.

Judge Rolf Driver,  
Sydney

### ***Japan – Significant decisions in refugee law from the Nagoya High Court***

In July 2016, the Nagoya High Court handed two notable decisions, both in favour of the applicant.

One decision, which found a Nepalese applicant to be a refugee, set forward an interpretation in case of persecution by non-state actors. The government's argument was that, in order for the applicant to be granted refugee status, "the persecutor must be either the state itself, or, if not, special circumstances are required such as that the state is aware of the persecution but is neglecting or encouraging the situation". The Court ruled that such special circumstances "should be interpreted to include not only situations in which the state is neglecting or encouraging persecution, but also circumstances in which the actor of persecution is publicly and widely repeating the act of persecution and the state is unable to stop it, and there is no reliable outlook for the state to be able to stop it".

The second decision found a Ugandan applicant to be a refugee, using COI sources such as US Department of State, UK Home Office, Canada's IRB and Amnesty International. While it has so far been rare for the Japanese government and courts to recognize refugee status based on political opinion where the applicant is not in a high-profile or leadership position, the ruling is noteworthy in finding that, given the country situation, the fact the applicant was not in a leadership position is no ground for refusing refugee status.

Miki Arima,  
Researcher, University of Tokyo and Kanagawa University; Refugee Examination Counsellor,  
Tokyo

### ***New Zealand – First 'human trafficking' conviction in New Zealand***

Faroz Ali, 46, is the first person in New Zealand to be convicted of human trafficking for running a scam exploiting Fijian workers. At the beginning of the trial, Ali, a Fijian national with New Zealand residency, pleaded guilty to 26 charges of helping people breach visa conditions and not paying employees the minimum wage. The 15 Fijian workers who fell victim were lured to New Zealand on the promise of \$900 per week picking fruit. They were enticed by advertisements in the *Fiji Sun* newspaper by travel agencies run by Ali's wife and her sister, touting high-paying employment in New Zealand. The victims sold family cows and borrowed thousands of dollars from their villages for the chance to work in high-paying jobs in New Zealand and give their families a better life.

This was the first trafficking case for the newly formed Serious Offences Unit. A lead investigator travelled to Fiji a number of times and said many of the exploited workers lived in primitive conditions; some were from villages with only one tap with running water.

Ali is currently awaiting sentencing. The maximum penalty in New Zealand for a human trafficking conviction is a prison sentence of 20 years' imprisonment and a \$500,000 fine, or both.

[www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=11710423](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11710423)

### ***Korea – The struggle to balance fairness and fast-track procedures***

Recently, the Ministry of Justice of Korea has publicized its plan to revise the 3-year-old Refugee Act, which was acclaimed as the first stand alone legislation for refugees among Asian countries. The principal aim of the revision is said to be restricting 'the widespread misuse of the procedure'. The MoJ believes that most of the refugee status applications are clearly unfounded and the refugee recognition procedure is misused so often just for the prolongation of illegal stay in Korea. The judiciary does not seem to have a much different perspective from the MoJ. While the number of cases filed in the Seoul Administrative Court is expected to exceed 2,000 this year, there has not been a decision which granted refugee status yet.

The MoJ has commissioned a research project which will suggest changes of system to block manifestly unfounded, falsely documented or failed/repeated refugee applications at an earlier stage with streamlined procedural guarantees. It is causing a serious concern among refugee advocacy groups who are critical that the Korean government and judiciary have such a narrow approach to refugee protection at the moment that no more restriction is necessary. The MoJ said that it would also suggest changes to improve the treatment of 'genuine refugees' and applicants at the airport. On 22 September, the Human Rights Commission of Korea advised the MoJ to enhance procedural guarantees to refugee applicants who are detained at the airport after denial of referral. The advice included giving written notice of denial and its reasons, information about the appeal procedure along with clarification of standards of treatment during the detention.

Judge Seongsoo-Kim,  
Seoul

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## **PROFESSIONAL DEVELOPMENT OPPORTUNITIES**

### **Upcoming Conferences**

A number of conferences on refugee and protection law are occurring in the near future. Readers may be interested in the following:

#### ***KALDOR Conference - "From refugee emergency to protracted exile: The role of 'time' in international protection"***

18 November 2016, UNSW Kensington Campus, Sydney

Opening keynote address: Jean-François Durieux (Senior Research Associate, Refugee Law Initiative at the School of Advanced Study, University of London and Research Associate at the Refugee Studies Centre, University of Oxford).

Closing keynote address: Professor François Crépeau (United Nations Special Rapporteur on the Human Rights of Migrants) (tbc).

**More details:** [www.kaldorcentre.unsw.edu.au/kaldor-centre-2016-conference-early-bird-registrations-now-open](http://www.kaldorcentre.unsw.edu.au/kaldor-centre-2016-conference-early-bird-registrations-now-open)

**IARLJ (in collaboration with the Centre for Human Rights, University of Pretoria and UNHCR) - “Access to Justice in Building Capacity in Advancing Refugee Protection in Africa in the context of the 1951 Convention and the 1969 OAU Convention.”**

Pretoria, South Africa, 24-28 October 2016

This is the Africa Chapter’s 10<sup>th</sup> Anniversary Commemorative Regional Conference. Noted speakers include:

- Justice Dunstan Mlambo (Judge President, Gauteng Division of the High Court of South Africa)
- Adv Pansy Thlakula: Chairperson of the African Commission for Human and Peoples’ Rights.
- Prof Chaloka Beyani: UN Special Rapporteur on the Human Rights of Internally Displaced Persons
- Justice Andrew Nyirenda: Chief Justice of Malawi
- Dr. Lucy Hovel: International Refugee Rights Initiative

More details: [www.iarlj.org/general/regional-chapters/african-chapter/435-10th-anniversary-commemorative-regional-conference-african-chapter](http://www.iarlj.org/general/regional-chapters/african-chapter/435-10th-anniversary-commemorative-regional-conference-african-chapter)

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**ANRIP conference - “Balancing efficiency and fair processes in protection determinations”**

Hong Kong SAR, 24-26 November 2016

Contact for more information: Ambrose Chiu [chiu@unhcr.org](mailto:chiu@unhcr.org)

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**Osaka University Symposium - “Refugee law in Asia”**

Osaka University, Japan, 16-17 February 2017

Contact for more information: Yukari Ando [yukari@hotmail.com](mailto:yukari@hotmail.com)

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**IARLJ 11th World Conference - (theme tba)**

Georgetown University, Washington DC, USA, 24 - 26 May 2017

More details shortly at: [www.iarlj.org](http://www.iarlj.org)

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## IN THE LIBRARY

***Human Rights and the Refugee Definition – Comparative Legal Practice and Theory***

**Ed. B Burson and D Cantor (Brill Nijhoff, 2016)**

This new text is a collection of essays re-visiting and progressing the debate on how human rights shape our understanding of who is a refugee. It includes a wide range of scholarly and practitioner perspectives in this difficult area. Notable contributors are Chapter members Linda Kirk and Bruce Burson and Australian academic Michelle Foster. The book covers such diverse topics as the internal protection alternative, gender persecution and socio-economic rights and is a welcome update on many challenging topics for decision-makers.

## COUNTRY INFORMATION UPDATE

*We aim to select a potpourri of the most interesting and relevant new items of COI each quarter; the focus of this section will therefore vary. Please let us know what special interests you have by emailing the editor.*

### Recent Reports

**International Crisis Group (ICG)**, 29 July 2016, [Myanmar's New Government: Finding Its Feet?](#)

Concludes that Myanmar's democratically-elected government "has set a positive initial tone and taken important steps to address the authoritarian legacy. Some of the remaining political detainees were quickly released, and several oppressive and outdated laws have been repealed or are being amended."

**UN General Assembly**, 27 July 2016, [Trafficking in women and girls](#)

Concludes that "Trafficking remains a serious human rights violation of which the majority of detected victims are women and girls. Almost every country is affected as a country of origin, transit or destination for victims."

**UNHCR**, August 2016, [Progress Report mid-2016. Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2019](#)

In 2014, UNHCR launched its 'Global Strategy - Beyond Detention 2014-2019', which aims to support Governments to end the detention of asylum-seekers and refugees. This report reviews the first two years of the Global Strategy's implementation and presents the progress achieved in 12 focus countries.

**UN Human Rights Council**, 4 August 2016, [Situation of human rights in Yemen](#)

Describes alleged violations and abuses of international human rights law and alleged violations of international humanitarian law, including attacks on the population in Yemen, the recruitment of children for their use in hostilities, and violations of freedom of expression.

**US Department of State**, August 2016, [International Religious Freedom Report for 2015](#)

This report notes that "Non-state actors such as [Islamic State] and Boko Haram continued to rank amongst the most egregious abusers of religious freedom in the world". Includes a global overview plus chapters on regions and on individual countries.

**In the media (a selection of recent press reports you may have missed...)**

**Al Jazeera**, 21 August 2016, [Ethiopia pledges probe into killing of protesters](#)

"The Ethiopian government has said it will launch an independent investigation into the killing of protesters by security forces during anti-government demonstrations but denied that police violence in the country is 'systematic'.... Ethiopia has previously dismissed a plea from the UN to allow international observers to investigate the killing of protesters by security forces." (includes a 3 min video and links to a longer video from the Al Jazeera programme *Inside Story*: [What is triggering Ethiopia's unrest?](#) (14 August, approx.24 min)

**Amos Chapple**, 25 August 2016, [War of Words over Ukraine 'Combat' Photo](#), Radio Free Europe Radio Liberty

"It could be one of the greatest war photographs ever taken – or a fake. A controversy is escalating in Ukraine over a photo that seems to capture the conflict with Russia-backed separatists in a single frame.... But a group of Ukrainian journalists is crying foul over the photo by Dmytro Muravskiy, of the Ukrainian Defense Ministry."

**J Weston Phippen**, 15 August 2016, [What's Happening in Pakistan's 'Most Complicated' Region?](#) *The Atlantic*. In early August, "a suicide bomber in Pakistan killed 70 people..., many of them lawyers, who had come to a hospital to mourn the death of a colleague. ISIS and a local Taliban faction both claimed credit for the attack in Quetta, the capital of Balochistan province, the scene of a longtime separatist rebellion."

**Usman Shahid**, 23 August 2016, [Balochistan: The Troubled Heart of the CPEC](#), *The Diplomat* "Long-standing violence in Pakistan's most impoverished province is given new impetus by modern geopolitics". The article discusses the "China-Pakistan Economic Corridor (CPEC), a series of projects that stands to connect the Asian giant to Central Asia and Europe".

**Shamil Shams**, 4 August 2016, [China launches regional alliance to combat Islamist militancy](#), *Deutsche Welle* "Afghanistan, Pakistan and Tajikistan have joined a security alliance headed by China. Concerned about an Islamist insurgency in its Xinjiang region and Afghanistan, Beijing is seeking to increase regional cooperation."

**Yiyi Lu**, 12 August 2016, [Pushing Politics: Why China is Supercharging Dissident Trials](#), *China Real Time [blog]*, *Wall Street Journal*

The author discusses why dissidents are now being charged with political crimes, and why trials are now being made public: "In the past, China's government has tended to restrict news reporting on dissident trials. This time was different: The cases were widely covered in state-controlled and commercial media."

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## CHAPTER ACTIVITIES

### The Seoul Conference – June 2016

The biggest event on the Chapter's calendar this year was the conference in Seoul. Attended by more than 100 people, the conference focused on the role of the Judiciary in protection law. Notable speakers included Justice Michael Kirby, now retired from the High Court of Australia, Professor Kohki Abe from Japan, Judge Michael Hoppe from Germany and Kwon O-Gon (former Justice of the ICTY).



*Judge San Juan-Torres, Judge Ha and Professor Abe*

many years.

It was also a delight to catch up with many IARLJ colleagues – including Judge Kim, President Katelijne Declercke, Past President Sebastiaan de Groot, Judge Rolf Driver and Rick Towle of UNHCR Malaysia – and it was wonderful to welcome many new members to the Chapter, including Judge San Juan-Torres and Filip

Gelev, both of whom have committed themselves to active roles on the Council.

Any good conference demands an interesting ‘tour’ for participants and Seoul provided one of the best – a tour to the De-Militarised Zone (“The DMZ”). It is, of course, an active war zone, with North and South Koreans facing off across the DMZ. Tour participants were taken down a North Korean infiltration tunnel, 100m underground – one of five discovered and shut down so far. The tunnel, carved through solid rock, is wide enough for three soldiers to run through it abreast. We were also taken up Hill 800 (better known as Bunker Hill), where the US and South Korean forces withstood a sustained assault by North Korean and Chinese troops in May 1951. From the top (a metre



*Yukari Ando, Sebastiaan De Groot and Judge Hoppe*



*A casualty of the Korean War – 1,020 bullet holes...*

lower than the hill had been *before* the battle, thanks to artillery fire), we were able to look across the DMZ to North Korea – a strange feeling to be gazing upon such a forbidden, and forbidding, landscape. Tensions were low enough for us to be permitted to take photographs, though this is not always the case. We visited a spotless, ‘ghost’ railway station, intended some years ago (in less tense times) for a railway link to Pyongyang. The link never eventuated and the huge, elaborate station sits poised for an event which may well never happen.

extraordinary efforts of Judge Kim, who worked tirelessly for years to gather judicial support. It also owed its success to the generosity of the Korean Judicial Research and Training Institute, whose wonderful facilities were made available to us and, of course, UNHCR. The enormous support we were given by the regional UNHCR offices (Seoul, Manila, Tokyo Kuala Lumpur and Hong Kong) was very much appreciated but two people require particular mention – Chae Hyun Young and Jane Williamson, in UNHCR Seoul, who seemed to have the skills of magicians. Special thanks also to Joy Ottaway and Anna Hwang, whose brilliant organisation of the conference registry was vital.

All conferences should end with an impromptu dinner, achieved by just turning up at successive restaurants until one is found which can take 16 people without a reservation (there’s always one, *somewhere*) – in Seoul it was, improbably, an Indian restaurant and a fitting way to bring down the curtain on a truly international event.



## THE CLOSING WORD

*A column for academics and jurists to explore a regional issue on any aspect of protection law. This week, Judge San Juan-Torres discusses recent positive developments in addressing statelessness in the Philippines.*

### **Reducing the Risk of Statelessness: A Synergy of Good Protection Practices in Southeast Asia (Philippines and Indonesia at a Glimpse)**

By Maria Josefina G. San Juan-Torres

Given its geographical location and archipelagic topography, Southeast Asia has been confronted by the issue of statelessness through the years. This condition was further complicated by the nexus between statelessness and migration which presented an additional challenge such that statelessness turned out to be the cause and effect of movement of people between countries with invisible maritime borders and proximity of the island coasts such as the Philippines and Indonesia.

Within the Philippine setting, major developments were undertaken to minimize if not prevent statelessness by not only introducing safeguards in the letter of the law but also in ensuring appropriate interpretation and application of the law. The government has taken bold initiatives to address the risk of statelessness in policy and practice through a review of its nationality-related decisions and assessment of its civil registration procedures.

Of great significance in Philippine case law is the recent decision rendered by the Supreme Court of the Philippines G.R. No. 221538 - *Rizalino David v Senate Electoral Tribunal & Mary Grace Poe Llamanzares* which upheld the decision of the Senate Electoral Tribunal declaring Senator Grace Poe as a natural-born citizen and qualified to run for public office.

In a press briefing<sup>1</sup> the spokesperson of the Supreme Court, Atty. Theodore Te , read a pertinent provision of the decision which illustrates the Philippines' effort to reduce statelessness by declaring the citizenship of a foundling. Thus the Supreme Court stated, "A foundling's misfortune in failing to identify the parents who abandoned them cannot be the foundation of a rule that reduces them to statelessness, or, at best, as inferior, second-class citizens who are not entitled to as much benefits and protection from the state as those who know their parents". It added that "sustaining this classification was not only inequitable but also dehumanizing as it condemned those who, from the very beginning of their lives, were abandoned to a life of desolation and deprivation".

In this case, Senator Grace Poe ran and lost in the May 2016 presidential elections. Questions on her citizenship hounded her throughout the campaign as she was born a "foundling", her biological parents being unknown to this day. The High Court relied on the presumption that all foundlings found in the Philippines are born to at least either a Filipino father or a Filipino mother (and are thus presumed to be natural-born, unless there is substantial proof otherwise). Thus, it states "concluding that foundlings are not natural-born Filipino citizens is tantamount to telling our foundling citizens that they can never be of service to the country in the highest possible capacities". It further stated "If that is not discrimination, we do not know what is".

As to policy and practice, promoting access to civil registration is another straightforward intergovernmental

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<sup>1</sup> Press briefing, 20 September 2016.

initiative taken by the Philippine government in cooperation with the Indonesian Government through the assistance of the United Nations High Commissioner for Refugees.

In terms of creating a comprehensive protection regime within the policy framework of civil registration, measures are on the way to address the needs of Persons of Indonesian Descent (who are at risk of being stateless) living in Southern Mindanao.

History shows that recorded migration of Indonesians to Southern Philippine shores dates back to the late 17th century. Socio-cultural similarities led to intermarriages and social integration within the ethnic communities of Mindanao thus reinforcing the transnational networking of communities lying in the southernmost coasts of Mindanao. Results of the mapping mission, which began as early as 2014, reveal that the descendants of these Indonesian migrants (Persons of Indonesian Descent or PIDs) currently reside in the provinces of North and South Cotabato, Sarangani, Sultan Kudarat, Davao del Norte and Davao del Sur.

The ambiguous status of an Indonesian whose ancestors resettled in Mindanao in the 1930s but who neither spoke the Indonesian language nor had been in contact with their Indonesian kin is common to most of the PIDS in the region. They maintain their identity as “Indonesians” but call Mindanao (Philippines) their home.

Indonesian law on citizenship poses a risk of reducing these PIDS into statelessness. The 1958 Law No 62 on the Citizenship of Indonesia provides that Indonesian citizenship would be lost upon failure to declare intention to retain citizenship within five years of living outside Indonesia. The 2006 Indonesian citizenship law retained the same rule but allowed reacquisition of Indonesian citizenship subject to the condition that reacquisition be done within three years from the promulgation of the 2006 law. Some of the PIDs failed to comply with this three-year grace period requirement.

Other grounds for loss of Indonesian citizenship are the possession of a travel document, foreign passport or non-Indonesian national identification card and participation in Philippine elections. Mapping results reveal that most of these PIDs possess Philippine government issued identity cards which are normally issued to Filipino citizens such health insurance cards (PhilHealth) and COMELEC voter’s identification cards. And, while the right to vote in Philippine elections is exclusive to Filipino citizens, some PIDS had registered and participated in elections.

For some who are able to produce some form of civil registration documents, seeming discrepancies in the entries of the civil registry make their citizenship or nationality status nebulous.

With very limited access to information on the rights and duties since most PIDs come from marginalized communities (ie, fisher folk), many of them failed to comply with the requirements under Indonesian citizenship laws, thus putting their nationality status in limbo. In effect, they are unable to enjoy basic human rights such as access to affordable health care, shelter and education, freedom of movement, and ownership of property.

In 2012, the Philippine and Indonesian governments entered into a joint commitment to fully address the problems of statelessness of PIDs. In support of the “#IBelong” campaign of the United Nations High Commissioner for Refugees, that aims to end statelessness, intergovernmental agencies spearheaded by the Philippines Department of Justice and its attached agencies (Bureau of Immigration, Public Attorney’s Office) and the Indonesian Consulate in Davao launched its registration process of the PIDs. Mapping-out surveys and information drives (infomercials) were jumpstarted to create the database of the affected individuals. These were initial efforts to identify these vulnerable persons, accord them the appropriate legal status, and eventually issue them with appropriate personal documentation. Briefly, the comprehensive mapping involved

a clear differentiation between stateless persons and those at risk of statelessness by establishing the profiles of those affected, identifying the underlying causes and protection concerns, assessing the role that different stakeholders can play in a response.

To date, based on the results of the mapping project, solutions feedback missions are underway since March 2016 putting in place other government agencies that can assist in providing durable solutions for PIDs such as the Philippine Statistics Authority (for administrative civil registration) and the Judiciary (for judicial civil registration, citizenship and naturalization proceedings).

Admittedly, statelessness remains a threat among ethnic and marginalized populations within the Southeast Asian region. An amalgam of historic, legal political and socio-economic circumstances in the region gave rise to the existence of population who cannot enjoy the legal bond of nationality within any state. This serves as a hindrance to the exercise of basic rights of the affected individuals and families. This creates significant hardship for families and interferes with the social fabric of the communities. This even strains inter-state diplomatic relations if problems spill over another's territorial borders.

By contrast, providing solutions to minimize if not prevent statelessness can avert forced displacement, curb social tension and reinforce human capital. These good practices in jurisprudence, policy and practice are undoubtedly impressive strides taken in the Southeast Asian region to address statelessness. Lessons learned are of great value to the region as well as to the global community.

While the stakeholders' responses to these initiatives have yet to be documented, a spotlight on these good practices clearly points the way forward to raise awareness of the plight of stateless persons within the region and to provide constructive ways to effectively address their needs. What an opportune time to focus on Southeast Asia.



*The view of North Korea from Bunker Hill – fittingly, very difficult to make out...!*