

# REFUGE

Edition: September 2012

Jesuit Refugee Service Indonesia

Accompany, Serve and Advocate the cause of forcibly displaced People

- \* Learning to Respect Life from Refugees' Experiences
- \* JRS' Training on Legal Advice for Asylum Seekers
- \* May The Seeds Flourish





# Learning to Respect Life from Refugees' Experiences

Farikha Ayu Octafianie

*“They teach me about the journey of life, which is not an easy one, and we should never give up. We may feel sad, but should never let our hopes gone away. We may feel hopeless, but we ought to keep fighting.”*

Farikha, an English Teacher for Refugees. Foto by Indro

I feel very happy getting an opportunity to teach English for the refugees staying at the refugee community centre at Sewon. There, I feel like I've just got a new family. I eat *Naan* and *Nakhud Lubia* and this is my first experience to consume Afghan food. I remember my first perception on Afghan people. This has been based on the information that the Afghan aren't good people and have a gender-biased tradition. This information has shaped my perception on them, the Afghans, and I've taken this perception to my first encounter with the refugees. It made me afraid of teaching them English.

Anyway, along with the course of time, I begin to understand that this was wrong. Yes, I find this still exists in one or two of the Afghan refugees, but clearly not in all of them. Among them, I find that they are actually respectful of women and their teachers. Even, one of the refugees whom I call “my father” has told me that he would never call me “daughter” whenever I'm conducting my duty as a teacher in the classroom. He says ‘it's impolite’. But I insist that he may still call me ‘daughter’ anytime, because in as well as outside the classroom there are no teacher and pupils. There are only sisters and brothers or children and parents. And he accepts all I've said to him, but he keeps calling me ‘teacher’ when other refugees or participants are also in the classroom. I do appreciate that.

In my first encounter, the refugee, whom I eventually call “my father”, has said that I have the resemblance of his daughter. That's why every time he sees me, he always remembers his daughter. On one occasion

he said that he would adopt me as his daughter, and that's why he would call me “daughter”.

From what I've mentioned, now I understand that I should not have just believed to whatever people have said about other people's negative aspects until I myself have seen the evidence. The lesson I've learned here is that I should never take stereotypes as a truth as they often give me wrong perceptions. I also learned an important lesson from their experiences, particularly their learning determination. Even though most of them are adults, some already elderly, but their will to learn is stronger than ours who are much younger. I do thank God for all I have gained from this new experience.

One day, after class, I remained sitting in the classroom with a number of refugees who told me a lot about the ongoing war in Afghanistan, their families and their first experience of arriving in Indonesia.

One of them says, one of the reasons he likes to stay here is that there's no war in Indonesia. According to him, the Afghan war and the Talibans have deprived him of his entire happiness. As a person born and raised as a Hazaran, to stay and live in Afghanistan only leaves one two options: to kill or to be killed. To continue life as a Hazaran in Afghanistan is simply not the right choice. Happiness will never ever approach their lives and their families again. That is what prompted him to decide to emigrate to Australia to discover a new and better life. Full of hope, he's left his country for Australia. He, however, had never thought of landing in Indonesia, getting arrested by Indonesian police and sent to a detention center.

Other refugees added to his story by saying that in the prison all their movements have been closely

watched by police. They are not allowed to use the telephone to speak with any people outside the prison. Because of this, when they want to talk with their relatives they have to go to the toilet to deceive the police. Some other refugees add *“sometimes we have to sleep rough on the floor without mats and pillows. When in prison we’ve never seen the sky above. So, we thank God for allowing us to be relocated to this place. Here we can watch the sky whenever we want.”*

Their stories about their experience touch my feelings. I almost cry at times when listening to all those stories about their bitter experiences. I can not imagine what I would be like if their plights strikes me. With burning hopes and high risks they left their families in Afghanistan and set for Australia. They, however, have never reached their final destination. Instead they got stranded in Indonesia. They were arrested by police and sent to an immigration detention center. And now they still don’t know whether they will be able to land in Australia or not. I am sure, and do feel, that this is the most difficult moment in their lives. Nevertheless, they continue to strive to improve their lives. Sometimes they become desperate, but they won’t give up. This does inspire me. They teach me about the uneasy but relentless life odyssey they have gone through. We may be sad, but should never surrender. We may lose hope, but must go on in our struggle.

On my way home from a teaching session, the words of one refugee keep echoing through my mind: *“I like to be here since I could see the sky whenever I want to. In prison, I couldn’t see the sky for almost 20 months. Now, I’m glad that I’m here.”* Just to be able to watch the sky – a very simple desire. But he is happy and thankful.

What one of the refugees has said makes me aware of the fact that there are many simple things in my life which I’ve missed to be grateful about. I often tend to focus on things I am facing and pay less attention to God’s graces like that chance to watch the sky. I feel ashamed. These words are truthful: “Never regret your life, because when you regret, someone else is desiring a life like yours.”

They have taught me a lot of things of life. I hope, the opportunity to be among them would help me carry on my future life in a better way.

## JRS’ Training on Legal Advice for Asylum Seekers

Sem Kevin Pospos



An asylum-seeker is someone who claims international protection as a refugee after leaving his or her home country because of a well-founded fear of persecution. In order to be granted international protection as refugee the asylum seeker has to prove that there is a reasonable possibility the suffering he or she is afraid of will happen to her or him upon return to their country in a process called *Refugee Status Determination* (RSD). This process aims to establish if an asylum seeker fulfills the criteria of the ‘refugee’ definition outlined in the United Nations Refugee Convention from 1951 and its protocol from 1967.

In the Indonesian context an eligibility officer from UNHCR will collect all the information provided by

the asylum seeker and make a decision on whether this person needs international protection or not. The burden to prove that there is a real threat awaiting the asylum seeker if returning to his or her home country lies with the asylum seeker themselves. He or she has to prove that her or his fear is real and justified. Not every asylum seeker has the capability to make a good written or oral statement supported by objective evidence and information. Sometimes asylum seekers do not really understand the criteria or procedures. There are language barriers, nervousness, trauma or shame about what happened in the past that make it difficult to tell what really goes on back home. In some cases this inability leads to a rejection of the asylum claim and the possibility to return to sometimes life threatening danger.

In order to ensure the threat to an individual asylum seeker is looked at properly the assistance of a trained legal adviser can be very important. This assistance can include information on criteria and processes, clarifying what has happened that led to the fear to return, writing a legal brief including recommendations to why this person needs protection and providing objective information on the situation in the country of origin of the asylum seeker.

Since 2010 UNHCR Indonesia started to welcome legal advice for asylum seekers, but unfortunately even nowadays the number of lawyers or paralegals able to provide quality legal advice are limited especially those willing to give free *pro bono* services. The role of legal advice is to enable the asylum seeker to make a truthful and detailed claim and so enable UNHCR to make the right decision according to UNHCR guidelines.

Being aware about the lack of *pro bono* legal representatives for asylum seekers, JRS Indonesia took initiative to hold a training for lawyers on refugee law and the UNHCR RSD process. The “*Training on Refugee Status Determination Process for Asylum Seeker’s pro bono Legal Representatives*” was held between 25th and 27th June 2012 in Jakarta. This training was attended by 16 participants from different organizations such as Yayasan Lembaga

Bantuan Hukum Indonesia (Indonesian Legal Aid Foundation), Lembaga Bantuan Hukum (Legal Aid foundation) Jakarta, Surabaya, and Pekanbaru, Human Rights Working Group, Mahkota Foundation Medan and some independent lawyers. We are lucky to be able to invite Nikola Errington an experienced legal officer from JRS Cambodia as trainer who could share her knowledge and best practices on how to assist asylum seekers during their asylum applications.

The aim of this training was to broaden, deepen and strengthen skills and knowledge of new and old members of Indonesia’s pro bono Legal Representative network. The training included knowledge on refugee law and ethics outlined in international instruments like the convention definition of refugees, the Nairobi Code and the Indonesia Bar Code. Skills on how to provide legal advice were practiced in role-plays, collecting testimonies, drafting of legal submissions and practice on conduct when attending an RSD Interview as legal representative. The training reaffirmed the commitment of the participants to provide advice and services for free and outlined next steps to be undertaken as a network. After the training the network has drafted procedures and guidelines for efficient and effective quality support to asylum seekers. It has also given itself a name, SUAKA, which in Indonesian language means ‘*Asylum*’.

## May The Seeds Flourish

Indro Suprobo

*“The asylum seekers detained at the Immigration Detention Center (Rudenim) in Bangil have a strong will and desire to reach the Promised Land to be able to enjoy freedom and start a new life. It’s for them that JRS is present at Pasuruan. We meet them, accompany them and listen to their stories. We learn to have hopes from them. We learn what it means to be strong from their struggle and determination despite the absence of certainty about when they will arrive in the Promised Land,”* said Fr. Maswan SJ in a Sunday mass sermon before the congregation of St Antonius Padua parish church, Pasuruan. The sermon was part of a range of activities conducted by Jesuit Refugee Service (JRS) to open up the community’s perception on the asylum seekers.



Learning about the Refugee experience in Indonesia via Film. Photo by Enggal

In July and August 2012 JRS made an effort to increase the people’s awareness on the presence of asylum seekers in Indonesia by introducing JRS work to the community and public. On 18 July 2012 JRS held a public awareness session with the teachers of Mgr. Soegijapranata SMAK and SMK (vocational schools) in Pasuruan. On 19 July 2012 met with the students of Mgr. Soegijapranata SMAK and SMK schools, and on 5 August 2012 with members of St. Antonius Padua parish, Pasuruan.



only for the issuance of refugee status verdicts ,” explains the coordinator of the JRS Team in Pasuruan while showing a photo of a group of detainees grasping the iron bars with their eyes full of hope.

“So, *what can we do?*” asked Untung, one of the Mgr. Soegijapranata SMK school teachers. “*Many things we can do for them. One of them is come and meet them. They are very happy whenever some people pay a visit to them,*” answered Taka Gani.

“*If I happen to meet a child like this, I may feel I’d like to adopt it,*” said Joana Irawati showing the face of an Unaccompanied Minor (UAM) printed on a glossy paper.

### With Teachers

A stack of photos of refugees and asylum seekers the JRS team members had put on a table was acting like a magnet that drew the teachers’ attention. They chose one of those pictures and then shared what they thought and felt about that picture with others.

“*It reminds me of my child at home,*” said Arita Mulyastuti, a classroom assistant, showing a photo of an eight-year old child from Syria who had to spend her childhood time along with adults at the Immigration Detention Center. “*I think of what if this happened to my own child. How would she be if she was in this situation,*” she said emotionally. Arita and other teachers couldn’t believe that close to them there were people who had been facing detention and separation from their loved ones on their search for a more secure and peaceful life.

The sharing and Question-Answer session between the teachers and the JRS team members made up a means to open up their picture about the life of asylum seekers. “*Men as household heads or eldest sons often become targets of the hardliners in Afghanistan. That’s why many families tend to send them first to flee and go away with the hope that after they have arrived in Australia they can apply for their families to be reunited,*” Taka Gani, a JRS National Program Officer explained.

More often, the condition as asylum seekers in a foreign country were harsh. They were arrested, sent to a detention center, behind bars, waiting for a decision on their status as refugees for a long and uncertain period, separated from their loved ones. “*Many of them had to wait and are still waiting for many years at the detention centers in this condition*

### With The Students

An almost similar atmosphere was present when Mgr. Soegijapranata SMAK and SMK school students learned about the life of asylum seekers from members of the JRS team .

“*We’ve chosen this picture because what Gulen (not a real name) is experiencing has touched us ,*” said Christian Dofiyanto, spokesperson for the XII IPS 2 group. This group had chosen a photo of Gullen’s graffiti on his room wall sketching his feelings. He is a detainee from Iran. What he wanted to express was a prayer longing for his mother, who ended up dying at the Trenggalek tragedy on 17 December 2011. “*My beauty Mom, you’re always in my heart and I always think about u. I love u Mom.*”

“*We want to know how Gulen is now. And when we can meet him, we want to give him consolation, love and attention to make him feel a bit better,*” added Christian. “*A mother is the most precious person in our life. Her struggle is irreplaceable in this world,*” he summed up.



Paulus Sudarsono, the X-1 SMAK Soegijapranata classroom assistant, was of the opinion that the event with JRS had been very useful in boosting the spirit of caring others among members of the present younger generation. *“I think, an event like this should be beneficial to develop awareness and humanity among the younger generation which tends to be selfish and indifferent due to the ‘play station viruses,’* he explained.

### With Parish Congregation

On another occasion, when introducing their work to members of the St. Antonius Padua, Pasuruan, parish, JRS shared their experiences with a diverse group of people. Around 70 people filled 16 rows of benches in church. They came from different backgrounds: teachers, nuns, mothers, civil servants, traders, students, retired servicemen, parish activists, young people, neighbourhood leaders, WKRI (Indonesian Catholic Women’s Organisation), Legio Maria, KTM (The Most Holy Trinity Community) and PDKK (Catholic Charismatic Prayer Fellowship). *“All members of the congregation must know that the Catholic Church has been conducting diverse services, and one of them is JRS with their services for the refugees,”* said Fr. Adam Suncoko, Pr.

The screening of the film ‘A Well Founded Fear’ and a series of photos of the refugees for the audience answered their curiosity. The life story of Muhammad Rizai and his friends, who had been deported from Australia, opened up their eyes on the struggle of the people excluded from their homeland.

*“The Hazarans are a minority tribe in Afghanistan and followers of Syiah Islam. In the eyes of the hardliners these two points are reasons to legalize the spilling of their blood,”* said Zainuddin. The reality of life experienced by the asylum seekers – with the persecution and discrimination they are facing – awakened the awareness of those present at the event.

The stories about challenges from a far away land become real and present for JRS when accompanying, caring for them and defending the rights of those who have been forced to flee. In facing such an enormous challenge, every human-being is called to always rely on the Lord’s power.

*“All difficulties we experience when providing services, cannot be answered only by our worldly efforts. When we encounter huge problems during our services, we are reminded of a message from Fr. Pedro Arupe SJ (founder of the JRS) to always pray and pray,”* said Fr. Maswan SJ.

The audience fell quiet, contemplating about the limits of worldly efforts and God’s power in life. Through the sharing of their experiences in how they have been accompanying, serving and defending the asylum seekers, JRS hopes to have sowed the seeds of awareness and empathy for those who have been forced to flee for their lives. May the seeds fall in fertile soil sprout and grow up to be manifestations of solidarity and compassion shared from more and more hearts.

## EDITORIAL

**Editorial Responsibility**  
Th. A. Maswan Susinto, SJ

**Editors**  
Lars Stenger  
Indro Suprobo

**Articles Submitted by**  
Farikha Ayu Octafianie  
Sem Kevin Pospos  
Indro Suprobo

**Translator**  
F. Prayoga

### JESUIT REFUGEE SERVICE INDONESIA

Gg. Cabe DP III No.9  
Puren, Pringwulung, Condong Catur  
Depok, Sleman  
Yogyakarta 55283  
INDONESIA

Phone/Fax: +62 274 517405  
email: indonesia@jrs.or.id  
website: www.jrs.or.id

*Your continued support make it possible  
for us to help the forcibly displaced peoples  
in Indonesia*

*If you want a donation  
please send it to:*

**Bank Name**  
Bank Central Asia Indonesia

**Bank Address**  
Jl. Jend. Sudirman Yogyakarta  
Indonesia

**Account Holder**  
Yayasan JRS Indonesia

**Account Type**  
Tahapan

**Account Number**  
037 333 2001

**Bank Code (If applicable)**  
#CENAIJA#

**Send your comments  
and suggestions to**  
refuge@jrs.or.id

