

# An eyewitness to the bravery of asylum-seekers

By Tania Marcello



Tania Marcello poses in front of United States Capitol Building during her time with Human Rights First in Washington DC

Every time I hear an asylum seeker's story, I find myself admiring the person's bravery and reflecting on my own. Would I sing a song praising the Dalai Lama even though I might be beaten and thrown in jail? Would I endure the persecution that comes from simply being a member of a particular ethnic group? Would I do what I believed to be right or simply choose the path of least resistance? The asylum process in countries such as Australia and the US seems to overlook this courage and treat the vulnerable with deep skepticism. Everyday, during my time with the Refugee Protection Program at Human Rights First, I was given the chance to engage with people who had been subjected to horrific acts, fled everything that they ever knew and were greeted in the US with a complicated and arbitrary system, or even jail.

HRF's pro-bono program partners with top law firms in New York to provide free representation to asylum seekers at all stages of the asylum process. My main role was to be involved with the elaborate intake procedure. I would attend client interviews in which we would hear the person's entire life story and the persecution that they endured. Their stories were always heartbreaking, and often confronting. I would then draft a detailed report which would include extensive country conditions research. This was always very interesting work and allowed me to learn a lot about various countries ranging from Iraq to Tibet and Cameroon. One day I would be researching the treatment of Belorussian student activists and the next I would find myself looking for details on a protest that took place in Samarkand in 1992.

By being involved in cases that were at all stages of the asylum process, I learnt a great deal about the US asylum system and was interested to see how the process works without the tabloid fuelled public hatred for asylum seekers that we have in Australia.

In addition to being involved with intakes, I also worked on various other tasks including projects relating to the report on detention that HRF released in April entitled U.S. Detention of Asylum Seekers: Seeking Protection, Finding Prison. I also had the chance to visit an immigration detention centre in Elizabeth, New Jersey, where I found the conditions to be alarmingly prison-like. The detainees have to wear prison uniforms and have regular headcounts, and can only visit with their loved ones through a glass partition. It is hard to imagine why such conditions are necessary for a non criminal population.

I also spent time working at the Washington DC office of HRF, which is located directly across the road from the Capitol building and the Supreme Court! This gave me the opportunity to attend House and Senate committee hearings during my lunch break, one of which was chaired by John Kerry.

My time at HRF was always interesting, and I had the opportunity to work with some very dedicated and remarkable people. I was particularly lucky to be a part of HRF during the change in administration. It was thrilling to get email updates with inside information about the imminent closure of Guantanamo Bay, and I was excited to see that a coalition of former Generals that was brought together by HRF was standing behind Obama as he signed the executive orders. I also had the chance to learn about the operations side of an NGO by seeing the effect that the global financial crisis is having on organisations, particularly in New York. On the up side, the pro bono program has never had so much demand for work from unoccupied corporate lawyers!

My time at HRF was an immensely rewarding and enriching experience. I am very grateful to the Castan Centre and Monash Law School for this opportunity, and a big thanks to Erica Contini and Marius Smith for all of their support.