

High lights

Student Fellowships Report

Samuel Pisar Travelling Fellowship
in Human Rights Report 2019

Emilie McDonnell, DPhil in Law Candidate

PART OF OUR ANNUAL HIGHLIGHTS 2019-2020





Jerusalem

OVERVIEW

I was awarded the 2019 Samuel Pisar Travelling Fellowship in Human Rights to enable me to intern with the Department of Legal Affairs (DLA) Headquarters at the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in East Jerusalem from July to October 2019.

Since visiting Israel and Palestine in 2017, I became interested in issues relating to and affecting Palestinian refugees and how international law can be used to protect and advance their human rights. I also became deeply interested in broader refugee, migrant and human rights issues in the region. This led me to apply to intern with UNRWA.

I am a current DPhil in Law Candidate at the University of Oxford Law Faculty, writing a thesis on 'Protecting the Right to Leave in an Era of Externalised Migration Control'. My research focuses on protecting the right to leave and related human rights of asylum seekers, refugees and other migrants when migration control is conducted extraterritorially and has been outsourced to states of origin and transit, private actors and international organisations.

INTERNING AT UNRWA

Spending the summer of 2019 interning with UNRWA's Department of Legal Affairs in East Jerusalem was immensely rewarding, worthwhile and challenging. This experience has benefited both my professional and academic pursuits, helping me form important connections and develop and hone my legal, academic and advocacy skills.

UNRWA is a relief and human development Agency, which provides assistance and protection for around 5 million registered Palestine refugees to help them achieve their full potential. Being part of the HQ legal team at UNRWA exposed me to a wide range of legal issues and political complexities.

During my internship, I undertook an array of tasks, predominantly relating to international law, but also those on general law and administrative justice, including working on administrative justice cases for the Agency and vetting against the UN and EU sanctions list. My main international law tasks involved a mix of individual case work, case-led and general research, working on Agency messaging and advocacy on protection and international law issues, and assisting with engagement with human rights and accountability mechanisms. This included reviewing and checking Agency protection briefs across our five areas of operation (Gaza, West Bank, Jordan, Lebanon and Syria), undertaking a research report on the registration of refugee descendants, researching detention standards and when a restriction can be categorised as a deprivation of liberty, examining how the issue of Palestine refugees came up in recent UN human rights sessions, examining the EU's engagement with human rights mechanisms and their effectiveness, developed legal responses to attacks on the Agency, and reviewed working documents and personnel directives, for example in relation to privileges and immunities of healthcare staff.

When working on the individual cases of Palestine refugees, I had the opportunity to delve into complex legal issues surrounding the mandates of the UNHCR and UNRWA, requests for asylum under the Refugee Convention, questions of citizenship and legal status, the definition of a 'refugee', as well as documentation issues for Palestinians.

CONTRIBUTIONS TO MY DPHIL AND PERSONAL DEVELOPMENT

Being exposed to a wide array of tasks and issues allowed me to develop and apply my knowledge of international law, in particular human rights and refugee law, to specific issues and cases in support of UNRWA's operations and protection work. This has made a significant contribution to my understanding and knowledge of the field and beyond. I was able to see how international law is applied in practice to protect and advance the human rights of Palestinian refugees and the beneficial interrelationship between academia, research and practice. It gave me lots of food for thought and insight into the role of international law, how to best advance the rights of individuals and vulnerable groups, and the tools we can use for this purpose as well as the limitations and political obstacles. Such political complexities and how they impact and shape responses and protection work in the region were at the forefront of my time in Jerusalem and at UNRWA.

Additionally, working at UNRWA provided me with invaluable practical legal experience at a UN Agency and allowed me to build meaningful connections and network with people in the field. This has provided me with an excellent platform to develop my career in the human rights and refugee field, which will be beneficial as I plan to work with an international organisation or NGO after the DPhil.

The internship was also highly relevant to my DPhil in Law and general interest in human rights and refugee issues. It exposed me to many legal issues relating to Palestinian refugees, including the human rights violations they are facing. My DPhil focuses a lot on freedom of movement and through the internship and my time in Jerusalem I was able to learn about the work being done to secure this right for Palestinians and associated obstacles. Living and working in Jerusalem meant that I could travel, on a personal basis, to other parts of Israel and Palestine to meet with organisations and individuals to hear about the work they are doing, the human rights situation in Palestine and for Palestinians, and the legal and policy strategies they are adopting to tackle systemic human rights violations and discrimination. This provided me with a lot of new knowledge and insights that has informed my work and research, including on the right of return, access to passports and the ability to exit Palestine and Israel, and general restrictions on movement for example due to checkpoints, forced relocations and the separation wall. Being able to speak to Palestinian refugees and Palestinians about their experiences of life in the Occupied Palestinian Territory, including East Jerusalem, as well as Palestinians living in Israel was extremely eye-opening and unforgettable.

Above all, the internship was intensive, beneficial and exciting. It helped me develop both my professional and academic skills, fostered my knowledge, and has complemented my DPhil in Law. I believe that I grew as a person, academic and lawyer and I plan to take all of the skills and knowledge I gained into a career in the refugee and human rights legal and policy spheres.

After completing the internship, my interest in this area and region only continued to grow and in March 2020, I attended a short course in Istanbul on Palestine Refugees and International Law run by the Refugee Studies Centre, University of Oxford. The course allowed me to apply my knowledge from the internship as well as build on it.

VALUE-ADD FOR UNRWA

I provided substantive support to the work of UNRWA's DLA, working closely with several Legal Officers. I took on a large workload during my three months and filled gaps as needed. Often, I had to be quick with turn-around and juggle several tasks and requests at once, which as above, allowed me to hone my skills and knowledge.

I was able to offer my legal skills as a qualified lawyer from Australia and demonstrable knowledge and experience in the human rights and refugee field to the team. I believe this was very beneficial because I was able to bring my experience and strong background in international law and law more generally to the table without needing too much extra training. I could apply and build on my previous work to tackle new tasks and issues before me.

I felt more like an employee than an intern, which was exactly what I wanted when applying for this placement. The trust and responsibility afforded to me made me feel like a real member of the DLA team. When the time came, I did not want to leave; I had thoroughly enjoyed the work, was learning more each day, and was part of an incredibly supportive, welcoming, dedicated and knowledgeable team. The connections and friendships I made are invaluable.

I hope that my small time at DLA made a lasting contribution to the protection of the human rights of Palestine refugees across the Agency's five fields of operation (Gaza, West Bank, Jordan, Lebanon and Syria) and to specific individuals, and I hope to work in this area again in the future.

Emilie McDonnell

