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Australian co-operation in South-East Asia: disaster or opportunity?

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Co-operation between states to protect refugees is lawful. The preamble of the Refugee Convention calls upon states to find ways to share responsibility toward refugees. It is perfectly right for Australia and other states to negotiate agreements among states that accept and live by the same obligations to refugees, so as to arrange more fairly distributed protection responsibilities.

However, in order for Australia to share responsibility:

- The state with which Australia proposes to share responsibility has to be a party to the 1951 Convention and its Protocol. It is not possible to share responsibility with a state which has no responsibilities under the Convention and is therefore not bound by anything.
- The 'receiving' state has to be accountable formally and must live up to the obligations which are being transferred to it. Refugee law is not concerned with abstract niceties but with the reality on the ground.

The problem for Australia is that it is virtually surrounded by states which have not ratified the 1951 Convention or do not have the capacity or willingness to abide by it. This poses a significant challenge for Australian governments wishing to share the responsibility for refugee protection with these states. Despite an indication from Indonesia 12 months ago that ratification was imminent, it is clear that Indonesia does not want to be vulnerable to responsibilities which emanate from the Convention. This therefore leaves only New Zealand, Korea and the Philippines, each of which has signed the Convention and has proven administrative capacity to abide by it, which Australia can consider for the sharing of responsibilities within the region.

The debate though should shift away from the notion of regional-sharing to global-sharing. As a global movement, the idea of responsibility on a global level makes more sense.

Governments cannot trade off offers of resettlement for their duties of protection. Deals should not be made with international law as international law exists as the bedrock. Australia may wish to show leadership by going beyond its responsibilities under international law but it cannot trade away its protection responsibilities.

DR SAVITRI TAYLOR

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In recent years the refugees in the Asia-Pacific region have originated from Iraq, Burma, Sri Lanka and in the case of Afghan refugees, Iran and Pakistan. Australia's approach to the plight of refugees has been one which reflects the desire for Australian control and border management which takes place far from Australia's shores. For example, the Department of Immigration and Citizenship (DIAC), the Australian Federal Police (AFP) and the Australian Defence Force (ADF) all have liaison officers in the Asia-Pacific region who focus on ensuring border protection for Australia outside Australian territory. This methodology ensures that the debate remains centred on 'border protection' as opposed to 'people protection'. It is imperative that the Australian government comprehends that in effect, a transit country becomes a settlement country which in many instances denies protection for the duration of the risk faced by refugees. In its quest to assure a rotating seat on the United Nation's Security Council, Australia needs to lead by example and assist bilaterally and multilaterally in the elimination of the insecurity endured by the many refugees in the Asia-Pacific region.

DR ELIZABETH BLOK

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Forced migration is a polarising issue and one which is very real for Australia and the rest of the Asia-Pacific region. In the case of Indonesia, asylum-seekers who are able to reach any of the 17,000 islands of the archipelago state confirm the country's porous transport system. The situation for asylum-seekers in Indonesia has improved over the last decade, although numerous problems remain. Whilst the Indonesian government has realised that the 1951 Convention is complex and has shied away from ratification, it has 'unofficially' recognised the principle of *refoulement*. This is encouraging, but for asylum-seekers the situation can be perilous. The temptation for Indonesian army and navy personnel who are poorly resourced and underpaid to engage in people smuggling is high, there is no real protection, no legal assistance and the accountability of the police force in particular in rural areas—often where asylum-seekers are detained—is almost non-existent. The role of the Office of United Nations High Commissioner for Refugees (UNHCR) has also changed since 2005, as it has mostly concentrated on the provision of housing and protection for those displaced due to natural disasters. For asylum-seekers, this has meant that they have virtually been ignored whilst languishing in detention. There is an opportunity here for Australia to build relationships with Indonesia, to support Indonesian non-government organisations (NGOs) and to assist UNHCR with its mandate in the asylum-seeker area.

Cultural Orientation for Refugees: A Five Day Course or Years of Learning?

ANNEROSE REINER

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Life in camps in countries of asylum is difficult for refugees as there is normally a lack of infrastructure and a hostile reception by a local population that itself endures the consequences of already depleted systems. Many refugee camps can house up to 40,000 displaced persons which makes for some deplorable conditions. The aim of the five day Australian Cultural Orientation (AUSCO) program in the camps is multidimensional and includes: the clarification of myths and inaccurate information; the creation of realistic expectations about life in Australia upon arrival; and the provision of initial information on healthcare and housing. The teaching resources and approaches involve brainstorming, formal teaching and group work, and the value for participants is that it increases their confidence and provides an insight as to what will take place on the journey to Australia. Those delivering the program face challenges ranging from the logistics of organising classes, to sourcing transport which will allow for participants to attend classes and then return to the camps over what are often poor road conditions. Normally, participants have experienced trauma and violence, have a low attention span and have a fear of unpredictable changes that might bring to an end hopes for resettlement. It would be useful to extend the program to participants once they are in Australia to minimise anxiety and cultural shock and to validate that settlement in a new country takes time. Whilst it is recognised that there is a limit to what participants can absorb and process, the program is one step in the early steps of orientation to Australia and the sowing of a seed which enhances settlement prospects.

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Studies of integration have revealed the term is viewed differently in various parts of the world. The Churchill Fellowship research included the following observations:

New Zealand: Priority for settlement is social integration, including the use of role models via employment opportunities and accredited training for volunteers.

United States (US): The achievement of high employment outcomes is the goal for refugees who are offered individually tailored settlement programs. The providers of these programs are highly accountable to the US government.

United Kingdom (UK): There is an emphasis on social inclusion via broader integration policies such as the 'Strategy Refugee Integration' program in London which recognises disadvantage and inequalities.

Canada: Specific services are provided for skilled refugees with mentoring programs which involve executives. Widespread support also exists for ethno-specific organisations.

Germany: The research focused on the city of Dresden where integration essentially means assimilation. This attitude engenders a high level of racism and discrimination which is condemned by the European Council on Refugees and Exiles.

Israel: Integration for young refugees occurs in schools and universities where they are offered one-on-one mentoring by fellow university students and opportunities are created that allow new settlers to connect with Israeli teenagers.

The study highlighted the need for both the public and private sectors to participate in the integration process of refugees, the need for positive leadership, affirmative action and that there is a clear delineation between settlement and settlement services which must be observed.

MARGARET NEIL

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It is widely known that the lack of knowledge of the English language for refugees is an indicator of social exclusion. The Hub at ACCES aims to enhance English literacy and social skills for newly arrived children and adults. It does this by providing services such as cross-cultural training and information sessions on Centrelink, housing and parenting. The Hub has also adopted a holistic approach to learning life skills such as budgeting, personal hygiene and nutrition. The Hub is viewed by new arrivals as a non-threatening environment for the introduction of English language courses and as a place which can help refugees overcome the isolation that can occur in early settlement. It is believed that better informed refugees become more independent when navigating the complexities of their new lives in Australia. An important component of the program is the integration of children into school, a program which aims to lower the level of anxiety when children separate from their parents and to address behavioural issues such as aggression and confusion. Professional development is offered to school staff and refugee community participation is encouraged in school events as it enhances the community's development. The program is essential and innovative and the need for funding is imperative so that the services provided by the Hub can still be enjoyed by families who are yet to arrive.