REFUGEE ALTERNATIVES 2018:
Improving policy, practice and public support

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Foreword

The Refugee Council of Australia and Melbourne Social Equity Institute are proud to share the outcomes of the second annual conference *Refugee Alternatives: Improving Policy, Practice and Public support*, held on 13th-14th February 2018. The two-day conference, hosted by the University of Melbourne, brought together a broad range of expertise from across the country and globally to cover topics of displacement, protection, cooperation, wellbeing, resilience, education, advocacy and unity.

The conference is built on the previous year’s premise that lived experience is the foundation of better policy development, and that refugee and asylum seeker voices should drive policy design, content, and delivery. The 59 speakers and moderators—53% of whom experienced seeking asylum, living as a refugee or as a stateless person—were joined by 450 attendees from refugee backgrounds, academia, service provision, advocacy, policymaking and other engaged individuals.

The conference’s goal of seeking alternatives was explored through 15 diverse sessions on a broad range of themes, each hoping to conclude with purposeful and actionable strategies and recommendations at the global, regional or national levels. The 2018 conference also saw a new focus at the local level, and included specific recommendations for local governments and civil society organisations. An overview of these themes and recommendations can be found below. A session-by-session recap of the conference, including all its emerging ideas and policy recommendations, is available in the Full Conference Report at: www.refugeealternatives.org.au.

Hosts

**Refugee Council of Australia**

The Refugee Council of Australia (RCOA) is the national umbrella body for refugees and the organisations and individuals who support them. With more than 200 organisational members and thousands more individual members and supporters, RCOA’s work centres around the key areas of research and policy analysis, advocacy and representation (of member, refugee and asylum seeker issues) and community education and awareness. In addition, RCOA seeks support for specific projects that directly relate to its objectives and enhance capacity to serve the refugee community.

**Melbourne Social Equity Institute**

The Melbourne Social Equity Institute (MSEI) supports interdisciplinary research on social equity issues across the full spectrum of life including health, law, education, housing, culture, work and transport. The Institute brings together researchers from across the University of Melbourne in partnership with external organisations to identify unjust or unfair practices that lead to social inequity and works towards finding ways to ameliorate disadvantage. For more information visit www.socialequity.unimelb.edu.au.
Executive summary

Themes
Discussions at the conference brought up several themes that transcended individual sessions or sets of recommendations. These themes were repeated by different participants across diverse sessions and contexts. Some themes further developed ideas expressed at the 2017 conference, while others were emerging ideas from this year’s work. The conference outcomes are grounded in these themes.

The need for an intersectional approach
The conference opened and closed with calls for an intersectional approach to our work. Refugees and people seeking asylum are not a homogenous group – there are intersections between identities and needs depending on migration status, and specific needs as members of the LGBTI community; an older citizen; people with disabilities; and as people from varying religions, backgrounds, and nations. Without recognition of these intersections, communities will continue to be misrecognised, silenced, and denied essential services and protections.

The harms of securitisation of migration
There was widespread recognition that general discourse around migration, and refugees and people seeking asylum in particular, has continued to harden. Many speakers discussed the ongoing shift in emphasis from multiculturalism and ethnic affairs to border control, home affairs, and security. Governments create suspicion and division for political expediency, exploiting security issues such as trafficking and terrorism to justify more punitive border security. Some elements of the media spread misinformation on refugees and people seeking asylum that portrays them as dangerous. There is a hardening of the public attitude towards some of the most vulnerable people in our community, trickling through to local communities as evidenced by racism and xenophobia.

The move from talk to action
Conference participants repeatedly emphasised the importance of doing as well as talking. The tone of the conference was imbued with the conviction that talk without action is meaningless, and that civil society organisations need to be trying innovative approaches to overcome this key hurdle. Key recommendations for civil society are below.

Legal rights as the first step
A number of speakers who either had lived experience of the asylum process or had worked as legal practitioners within the process reminded audiences that legal rights were the first step to continued protection. Many of the countries in Australia’s region are not signatories to the 1951 Refugee Convention and thus many of the refugees in our region are afforded no legal protection in their host countries. Australia does little to alleviate the regional pressure. In fact, many speakers with experience of the regional asylum process asserted that Australia has a negative impact on the region, due to its drawn-out and traumatic legal process. Recent changes to eligibility laws make seeking asylum even more difficult.
The continued importance of self-representation

The need for refugee self-representation was one of the most prominent themes from last year’s conference and remained pertinent this year. In particular, there was an emphasis on the need to transcend ‘storytelling’. Many participants agreed that self-representation needs to go further and deeper than providing a platform for storytelling. People with lived experience of seeking refuge need to have space to advocate for policy, be a part of decision making practices, and have a seat at the table when it comes to issues that affect them.

Partnership and collaboration as a way forward

With so many people from various sectors coming together for the conference, it was no surprise that partnership and collaboration took a prominent role in the sessions. The popular Partnerships in Practice session took the format of short presentations from a number of different organisations and initiatives, each discussing how partnerships have helped them to achieve practical change. The need for combined and connected resources through partnerships and the greater efficacy of collective efforts make successful partnerships beneficial to every stakeholder involved: the people on the ground and the communities with lived experience, volunteers and staff, donors and organisations.

A re-focus on local government

A popular session at the conference was one on local government. The audience was inspired by the robust and practical action taken by the speakers in leveraging their multi-directional partnerships at the local level to tackle indifference, address xenophobia, and markedly improve settlement outcomes in three very different resettlement destinations. The speakers demonstrated the interest local governments have in seeing good settlement outcomes, as the level of government closest to the people, and that focusing on local impacts rather than the national debate was key.

Statelessness as a distinct issue

Over the last year, and due in part to the overwhelming nature of the Rohingya refugee crisis, the issue of statelessness received more attention at this year’s conference. Our session explored how statelessness is distinct from, but also overlaps with, refugee experiences. Australia’s treatment of stateless people was discussed, as was emerging civil society and academic networks that promote collaboration and information sharing on addressing statelessness in the Asia Pacific region.

Mental healthcare is healthcare

Conference participants were moved by the story told by Somayeh Farahani of her journey from Iran to Australia during the Being Here session. This led to a wide-ranging discussion of the impact of the Australian asylum process on mental health. The prolonged and punitive limbo experienced by people seeking asylum in Australia has a significant psychological impact on people already in precarious positions, and the change to Status Resolution Support Services eligibility has worsened the situation even further. A number of the sessions touched on mental health and the need for comprehensive mental healthcare to be available to people seeking asylum in Australia.

Conference summary recommendations

• It is essential to collaborate on a local, regional, national and global level.
• Australia must learn from existing approaches in other countries.
• The sector can draw strength and inspiration from some of the positive actions we heard about over the course of the conference.
• Approaches must be intersectional: consider age, gender, sexuality, religion, migration status, and so on.
• Self-representation is essential; people with lived experience must have the agency to create change.
• Civil society should not wait for the government to draft an action plan; we can draft one ourselves and make recommendations to the government.
• A National Program of Action needs to include statelessness and regional initiatives.

The alternatives

Global

These are recommendations from conference sessions variously to the UN General Assembly, States, United Nations High Commissioner for Refugees (UNHCR), the Global Compacts processes, International Organization for Migration (IOM), international NGOs and academic networks.

The Compacts

The international community must ensure the global compacts on refugees and migrants complement each other and take into account the intersectional reality of migration. In doing this, they must recognise that migration is fluid, with multiple complex
drivers. Issues of cross-cutting should be addressed. This includes enhancing labour mobility.

Additionally, solutions should be provided for people unable to return. This may involve:

- Expanding resettlement schemes
- Implementing options for family reunification
- Fostering access to humanitarian schemes
- Employing student visas
- Realising women-at-risk visas
- Building up private sponsorship programs.

**An international network**

The international community should build a network of refugee groups, diaspora groups, NGOs, national and international peak bodies. These entities need strong refugee participation to be credible as advocates.

**Support for peace**

Australia should stop involvement in the wars and unrest in the Middle East that create refugee displacement and instead look to actively support moves towards peace.

**Regional**

Recommendations to regional government bodies, ASEAN, regional NGOs, regional networks.

**Regional leadership**

The Australian Government should show leadership in the Asia Pacific region. This encompasses:

- Encouraging other states in the region to sign the Refugee Convention. If the goal in particular is to “stop the boats”, it is in Australia’s interest to protect refugees in our region.
- Visits by MPs to refugees living in difficult situations in urban areas, camps and detention centres in the region to fully understand the impacts of their decisions.

**International pressure**

Australia can help drive solutions in the Asia Pacific region:

- Governments in Australia’s region are receptive to international pressure because international reputation is important to them.
- Positive domestic policies in the region have already been linked to international pressure, as was seen in the example of Malaysia.
- There are opportunities for governments and bodies to put pressure on countries in the region and offer to ease the pressure on host countries in exchange for better refugee protection policies.
- For instance, Australia could ask countries in the region to implement better protection in exchange for more resettlement places.

**Protection**

Australia should endeavour towards the following:

- Working with other resettlement countries to resettle refugees from our region
- Providing funding for establishing infrastructure and protection for the large number of undocumented Rohingya and other refugees in the region.

**Collaboration and information-sharing**

Collaboration and information-sharing at a regional level is essential, and can be achieved through means such as:

- Strengthening solidarity and cooperation amongst regional stakeholders that address statelessness
- Increasing knowledge among stakeholders
- Promoting practical solutions
- Using social media as a tool for collaborating, connecting and mapping.

**National**

Recommendations to the Australian Government, civil society organisations, local and refugee communities, and the private sector in Australia.

**Human rights-based approach**

The Australian Government should stop pushing a managed migration agenda above all else and instead align itself with a principled and human rights-based approach.

**Lived experience**

People from refugee backgrounds must be driving policy, and this may be achieved by:

- Allowing refugees to represent self-reliance, agency, innovation and solutions
- Allowing refugees to start projects and companies and employ locals
- Changing the dialogue, so instead of perpetuating myths that “refugees take up money and space and healthcare”, it discusses people’s ability to make change.
A bill of rights
Australia should introduce a bill, charter, or declaration of rights.

Sponsorship
Australia must establish a better option for private or community sponsorship, drawing on lessons from the Canadian model.

Offshore detention
Australia must end its offshore detention policy.

Legal reform and SRSS eligibility
The Australian Government must implement the following:
• Grant equal protection and rights to people who arrive by boat
• Make the process of seeking asylum simpler, fairer and shorter
• Remove restrictions on temporary visa holders so that they have a pathway to permanent residency and can reunite their families
• Reverse changes to SRSS eligibility.

Education
The Australian Government must implement the following:
• Reverse changes to SRSS eligibility that make accessing education even more difficult for people seeking asylum
• Equalise eligibility for the Vocational Educational Training program.

Access to legal services
The Australian government, civil society and the private sector need to work towards:
• The evaluation and documentation of successful models used in different parts of Australia to work towards a national model
• Development of legal services for rural areas given the increasing number of people moving to regional Australia due to the introduction of the Safe Haven Enterprise Visa (SHEVs)
• Continued support for legal services for refugees who have been granted a SHEV or Temporary Protection Visa.

Statelessness
The Australian Government should work towards:
• The creation of mechanisms to address the cases of statelessness within Australia
• The recognition of children born in Australia to mothers who
are detained on Nauru as Australian citizens.

**Local**

Recommendations to local governments, civil society and community groups.

**Relationships**

Local government should continue to maintain and leverage multi-directional relationships

- with state and federal government
- with the media and influencers, and
- with civil society and community groups.

**Advisory committees**

Local government should be supported to set up advisory committees with the following characteristics:

- Include representatives from all groups of stakeholders – this encompasses community representatives, including people with lived experience, councillors, council staff and civil society representatives
- Establish an effective mechanism for vocal and opinionated members of the committee, and can push decisions along
- Is capable of operating with working groups and include robust debates
- Has the capacity to make direct recommendations to the full council.

**Networks**

Local government should be represented in interagency networks. This representation should consist of convenors and members, different stakeholders and service providers. Local networks can be useful for advocacy as they allow for:

- A collective space for organisations to call policies into question
- Opportunities to draw together an evidence base to inform policy that includes direct experiences from service providers and communities.

**Discourse**

Local government should be aware of the power it has to influence discourse. In particular, the language used by local council can influence the narrative around refugees and people seeking asylum. It can be effective when local governments distance themselves from the national debate on detention, for example, and focus on local humanitarian need.

**Civil society**

Recommendations to NGOs, service providers, academic institutions, and the public.
The Compacts

The consultation phase on the Compacts has now closed and the Zero Draft on the refugee compact was published on 14 February 2018. Civil society now has less formal opportunity to comment on the Compacts, but this does not mean it can no longer engage. There is still room for advocacy in the negotiation phase with various member states, including the Australian Government. Civil society should keep abreast of the processes and continue to advocate on issues such as gender, diversity, access to justice and an end to child detention.

Lived experience

Advocacy should be led by people from refugee backgrounds. By collaborating with, and drawing on the knowledge and connections of refugees, common issues and concerns can be resolved. Various stakeholders and service providers need to ensure that there is support and engagement of refugees in affected communities, and that advocacy work is based on refugee and asylum seeker concerns and ideas.

Changing the discourse

Civil society should target and pressure all sides of the Australian media to report the realities facing people seeking asylum and ensure their voices feature strongly in such reporting.

Civil society can employ strategies, including:

• Rallying the Australian public in large numbers
• Tackling the political processes underlying harmful refugee policies
• Reframing the negative messaging around refugees and people seeking asylum.

Self-representation

Civil society organisations should endeavour to:

• Consult with refugee communities on creating spaces for self-representation
• Collaborate fully with refugee communities to create platforms on which refugees can advocate for themselves and participate fully in processes that affect them
• Include refugees in decision-making and policy-making, and not just story telling.
• Consider the depth of involvement as well as breadth
• Make recruitment processes more accessible by consulting with communities on the most effective ways to advertise, and employ individuals who have had lived experience as a refugee
• Maximise available resources and improve outcomes by partnering with other organisations, including diaspora organisations.

Local government

Civil society should work on incorporating regional settlement areas in their advocacy, and work with regional local councils to come up with innovative strategies for regional settlement.

Unions and corporations

Civil society should advocate with unions and corporations as well as at the government level to establish support for refugees among influential groups.

Advocacy

Civil society should pursue the following:

• Targeting and pressuring elements of the media to cease the spread of misinformation on the potential danger of refugees
• Connecting and providing capacity-building and advocacy support to civil society organisations in our region
• Advocating on SRSS policy by making FOI requests to send to their local MPs
• Organising groups to visit detention centres.

Support for people seeking asylum

Individuals can support people seeking asylum by:

• Writing to them or speaking with them
• Sharing their knowledge with their friends or community
• Donating
• Volunteering
• Listening to people with lived experience rather than the media.

Higher education

Civil society and higher education institutions should pursue the following:

• The creation of a body or committee of university representatives and representatives with lived refugee experience to address access to education and pathways from education to employment for people seeking asylum and people from refugee backgrounds;
• Run working groups or sessions for university front line admissions staff to educate on the issues pertinent to students from refugee backgrounds
• Set up community mentorship options for students who
come from refugee backgrounds or are in the process of seeking asylum.

**Access to legal and health services**

Civil society can employ the following:

- Develop partnerships in regional and rural areas to provide wrap-around support for both health and legal systems
- Offer programs to upskill lawyers in the area of refugee law so they feel comfortable offering their services
- Use co-design to fill the gaps in the ways that are most needed by communities.

**Statelessness**

Civil society should employ the following:

- Advocate to the government for stateless people in Australia
- Raise awareness that there are stateless people in Australia (the government reports to the UNHCR every year that there are zero stateless persons in Australia).

**The Rohingya refugee crisis**

There was wide acknowledgement and consensus that the Rohingya refugee crisis represents an immediate and worsening situation in Australia’s region that requires urgent attention, and thus requires its own, separate set of recommendations.

**Regional**

The Australian Government should pursue the following:

- Take a leadership role in encouraging countries such as Thailand, Malaysia, and Bangladesh to sign the Refugee Convention and guarantee rights for Rohingya refugees
- Provide nations where Rohingya refugees are located with infrastructure and financial support to improve their situation
- Act as an example for the region by accepting more Rohingya refugees for resettlement and providing permanent protection to Rohingya refugees who sought asylum in Australia.

**National**

The Australian government should:

- End government and corporate military ties with Myanmar
- Publicly criticise the Myanmar government
- Commit to resettling 20,000 Rohingya refugees.

**Civil society**

Civil society should pursue the following:

- Develop a task force to rally behind the Rohingya crisis, drawing on the expertise and perspectives of Rohingya diaspora organisations in Australia
- Advocate for the Australian Government to take up its national and regional responsibilities.

**Global**

The international community should endeavour towards the following:

- Take the lead in finding a solution to the Rohingya crisis, as there is little likelihood of a national government taking the lead
- Pass a Responsibility to Protect resolution at the UN.