

# Multicultural Youth Advocacy Network (MYAN Australia)

## Submission to Department of Home Affairs on 'Australia's Humanitarian Programme 2018-19'

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June 2018

## About MYAN

MYAN Australia is the national peak body representing multicultural youth issues.

MYAN works in partnership with young people, government and non-government agencies at the state and territory and national levels to ensure that the particular needs of young people from refugee and migrant backgrounds are recognised, and to support a coherent and consistent approach to addressing these needs in policy and service delivery. MYAN undertakes a range of policy and sector development activities, and also supports young people to develop leadership and advocacy skills to influence the national agenda.

Young people from refugee and migrant backgrounds demonstrate high levels of resilience and resourcefulness and have the potential to be active participants in and contributors to Australian society. However, they can face particular barriers to accessing services and opportunities, including language, culture, limited social capital and unfamiliarity with Australian systems and processes (including the service system), racism and discrimination. These factors can place them at a social and economic disadvantage within Australian society, which can mean they are at higher risk of social and economic isolation. MYAN believes that a targeted approach to policy and service delivery is essential to addressing these barriers.

MYAN has developed the *National Youth Settlement Framework* to support a targeted and consistent approach to addressing the needs of newly arrived young people settling in Australia.

## About this submission

MYAN welcomes the opportunity to contribute to the Discussion Paper on Australia's Humanitarian Programme 2018-19. This submission highlights the particular strengths of the Australia's Humanitarian Programme and makes recommendations for improvement/strengthening of the Programme in line with global challenges around forced displacement. It has a focus on the rights and interests of young people (12 to 24 year olds).

This submission provides a national perspective, drawing on the MYAN's breadth of experience working with young people from refugee and migrant backgrounds, their communities and the youth and settlement sectors across Australia. Settlement trajectories and supports (or their lack of) for young people from refugee and migrant backgrounds are one of MYAN's policy priorities – as identified by both young people and service providers.

This submission provides an overview of the global forced displacement situation followed by sections on: (i) Australia's Unaccompanied Humanitarian Minors Program; (ii) challenges around accessing nationally consistent settlement data on youth arrivals for better planning and policy; (iii) better utilisation of the Community Support Program; and (iv) developing family reunification and complementary pathways to protection for young people impacted by forced displacement.

**MYAN Australia looks forward to engaging with the Department of Home Affairs to further discuss its submission and recommendations further.**

## Summary of Recommendations

### Global trends in forced displacement, Global Compact on Refugees and Australia

MYAN recommends that:

- Australia continues to be one of the global leaders in resettlement through its ongoing Humanitarian Programme.
- The Australian government continues to include children and young people in Australia's resettlement programme, recognising consistently large numbers of young people in the Humanitarian Programme over many years.
- Continue to focus on resettlement from Africa, Asia and Middle East as priority regions for resettlement in line with global trends and UNHCR Projected Global Resettlement Needs 2019.
- Continue to support the Global Compact on Refugees, including through increased resettlement places in line with emergencies identified by UNHCR, as well as through humanitarian aid and development assistance to countries hosting large number of refugees, as already being done through CRRF pilots.

### Australia's Unaccompanied Humanitarian Minors Program

MYAN recommends that:

- Australia increases resettlement places for children and young people in the 2018-2019 Humanitarian Programme, including with a focus on unaccompanied and separated children.
- The Australian government increase the intake into the Unaccompanied Humanitarian Minors Programme by approximately 10%, given the increased size of the Humanitarian Programme and building on existing expertise and infrastructure for resettling unaccompanied minors through the UHM Program.
  - Given the demonstrated capacity in Australia to support sibling groups in flexible arrangements, this could include exploring possibilities for prioritising resettlement of an unaccompanied child with a sibling, where UNHCR deems resettlement is in a child's best interests.
- The Australian government continue to engage with UNHCR and NGOs to increase resettlement places and support other durable solutions for children and young people at risk, including unaccompanied minors. This includes:

- Conveying, in international forums like the Annual Tripartite Consultations on Resettlement, and other global forums foreseen under the ongoing Global Compact for Refugees, that Australia is willing to take referrals of unaccompanied and separated minors (and other children at risk) within UNHCR's resettlement categories, including but not limited to the children and adolescents at risk category.
- Utilising available data provided in the UNHCR Projected Global Resettlement Needs 2018 Report (and its upcoming 2019 version) to inform resettlement need for unaccompanied minors and planning for the 2018/19 Humanitarian Programme intake.
- The Australian Government reviews how it can strengthen the sharing of information to ensure continuity of care of UHMs from country of asylum to resettlement in Australia. This includes sharing of information provided by UNHCR during the referral process.
- Australia strengthens the process for transitioning out of the UHM Program, where young people would benefit from more active support for long-term security, success and self-sufficiency.

[Nationally consistent data on Humanitarian Arrivals and on their access to the Humanitarian Support Program \(HSP\)](#)

MYAN recommends that:

- The Australian Government, through the Department of Home Affairs, collects and publishes data on the number humanitarian arrivals to Australia, in addition to reporting on visa grants, to ensure better planning and programming for the settlement sector and service providers.
- The Department of Home Affairs collects and reports on different age cohorts in its reporting on humanitarian arrivals to capture the specific youth cohort (aged 12 to 24) to ensure better planning and programming for the needs of this group.
- The Department of Home Affairs collects and shares data on 'country of citizenship', 'country of birth' in addition to cultural background, especially under the Settlement Reporting Facility managed by Department of Social Services, for better planning and programming in settlement services.
- Data on access to and utilisation of the Humanitarian Settlement Program is collected, reported and shared via the Settlement Reporting Facility to support policy programming.

## Community Support Program

MYAN recommends that:

- The scope of the Community Support Program (CSP) is broadened to include diverse refugee groups, especially young people who are in need of protection, going beyond employment prospects and; that fees associated with CSP are lowered to make the program more inclusive and more accessible for young refugees.
- The Australian Government do not use 'good settlement outcomes' or 'integration potential' as a criteria for its Humanitarian Programme, as there is already established criteria for being a refugee<sup>1</sup> and criteria for resettlement<sup>2</sup>, in addition to lack of any single objective indicator to measure 'settlement outcomes' before arrival to Australia.
- The Australian Government clarifies that the reference to 'self-sufficiency within 12 months of arrival' does not prevent humanitarian arrivals under the CSP to access settlement support services for a period of five years upon arrival.

## Family reunification for young refugees

MYAN recommends that:

- The Australian Government facilitate the Family stream of the Migration Programme as a complementary pathway to protection to ensure family reunification of young people from refugee backgrounds.
- The Australian Government adopts a broader definition of 'family' to allow family reunification of young refugees to reunify with their siblings over 18 years old and young refugees over 18 reunify with their parents.
- Refugees reunifying with their families in Australia through the Family stream have access to the services provided through the Humanitarian Settlement Programme.

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<sup>1</sup> Under Article 1(A)2 of the 1951 Refugee Convention.

<sup>2</sup> As specified under UNHCR's Resettlement Handbook (2011).

## A. Global Trends in Forced Displacement, Global Compact on Refugees and Australia

In 2016, an estimated 1.19 million persons were projected by UNHCR to be in need of resettlement<sup>3</sup>, with a total number of 22.5 million<sup>4</sup> refugees of concern to UNHCR.<sup>5</sup> Children and young people below 18 years of age constituted 51% of the global refugee population in 2016.<sup>6</sup> In the absence of current data on the numbers of refugee population globally were aged 15 to 24 years, we know that in 2013 approximately one third of refugees were between 10 and 24 years old.<sup>7</sup>

During 2016, the total number of refugees admitted for resettlement was 189,300.<sup>8</sup> In 2016, Australia remained the third top country of resettlement among the thirty-seven states which took part in UNHCR's resettlement programmes, resettling some 27,600 refugees (with or without UNHCR assistance), behind the USA (admitting 96,900 refugees) and Canada (admitting 46,700 refugees).<sup>9</sup>

In 2016, the main countries for UNHCR refugee referrals<sup>10</sup> were the United States (107,600) with 66 per cent of all submissions<sup>11</sup>, followed by Canada (19,800), the United Kingdom (8,800), Australia (4,800), France (4,600), and Norway (3,700).<sup>12</sup> More than 125,800 refugees departed to resettlement countries through UNHCR referrals in 2016.<sup>13</sup> 7502 refugees, referred by or assisted by UNHCR, departed for resettlement in Australia in 2016.<sup>14</sup>

The focus of Australia's Humanitarian Programme in the 2016/17 financial year on the Middle East, Asia and Africa as priority regions<sup>15</sup> largely corresponded with the global trends in displacement i2016

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<sup>3</sup> UNHCR (2017) *Projected Global Resettlement Needs 2018*. Available at <http://www.unhcr.org/en-au/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>, p. 11.

<sup>4</sup> There were 16.1 million refugees of concern to UNHCR around the world at the end of 2015, but less than one per cent was resettled that year. UNHCR (2018) *Resettlement*. Available at: <http://www.unhcr.org/en-au/resettlement.html>

<sup>5</sup> UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 2.

<sup>6</sup> UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 2.

<sup>7</sup> UNHCR (2013) *A Global Review: UNHCR's Engagement with Displaced Youth*. Available at: <http://www.unhcr.org/513f37bb9.pdf>, p. 9.

<sup>8</sup> These are government statistics provided to UNHCR. For more see, UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 27.

<sup>9</sup> UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 27.

<sup>10</sup> In 2016, UNHCR submitted 162,600 refugees for resettlement. Resettlement submission and departure figures reported by UNHCR may not match resettlement statistics published by States as Government figures may include submissions received outside of UNHCR processes. UNHCR figures may also include cases in which UNHCR assisted, i.e. obtained exit permits for humanitarian admissions or family reunion but did not initially submit. See UNHCR (2017) *UNHCR Resettlement Factsheet*. Available at: <http://www.unhcr.org/en-au/59364f887>

<sup>11</sup> Submissions for resettlement do not reflect the number of persons resettled in the respective year. Each country has its own procedures for processing the resettlement submissions made by UNHCR. The time from the submission to actual arrival to resettlement country may take couple of days to more than 12 months depending on the procedures of resettlement country and the circumstances of the individual case. For more see, UNHCR (2016) *Information on UNHCR Resettlement*. Available at: <http://www.unhcr.org/en-au/information-on-unhcr-resettlement.html>

<sup>12</sup> UNHCR (2017) *Projected Global Resettlement Needs 2018*. Available at <http://www.unhcr.org/en-au/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>, p. 11.

<sup>13</sup> UNHCR (2017) *Projected Global Resettlement Needs 2018*. Available at <http://www.unhcr.org/en-au/protection/resettlement/593a88f27/unhcr-projected-global-resettlement-needs-2018.html>, p. 10.

<sup>14</sup> UNHCR (2017) *Resettlement Data Finder*. Available at <http://rsq.unhcr.org/#sju0> (correct as of 30 November 2017, data extracted on 24.01.2018)

<sup>15</sup> DIBP (2017) *Discussion Paper: Australia's Humanitarian Programme 2017-18*. Available at [https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/discussion-paper-humanitarian-programme\\_2017-18.pdf](https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/discussion-paper-humanitarian-programme_2017-18.pdf), p. 8.

reflecting the major source countries for refugees.<sup>16</sup> Australia's Humanitarian Programme in 2016/17 was also comparable to refugee resettlement to the top two countries, i.e. USA and Canada, in terms of intake from top source countries for refugees.<sup>17</sup> MYAN recommends that the Australian Government keeps these priority regions for resettlement in line with global trends and also in line with UNHCR Projected Global Resettlement Needs 2019.<sup>18</sup>

Global trends for resettlement however have been changing since 2016. Compared to 2016, fewer states (34) accepted refugees for resettlement.<sup>19</sup> Resettlement numbers have also decreased drastically with a 50% drop in 2017 compared to 2016.<sup>20</sup> This has been directly linked with the decrease in resettlement to the US, with less than 54,000 people resettled in 2017<sup>21</sup>, and much fewer than 45,000 people (which was determined as the ceiling for resettlement) expected to be resettled in 2018.<sup>22</sup>

Despite such global trends, Australia has been making important contributions to the global refugee crisis through its Humanitarian Programme and internationally recognised settlement services system. This includes a contribution to resettling some of the most vulnerable refugee groups: women at risk, children, adolescents and unaccompanied minors. MYAN commends the Australian Government on its Humanitarian Programme and welcomes the Government's commitment to expand the number of places in the Humanitarian Programme to 18,750 by 2018/19, as well as its dedication to resettlement and settlement/integration of young people.

Australia has a well-established resettlement programme that includes large numbers of children and young people, including unaccompanied minors. Similar to the last five financial years, in 2016-2017, almost a quarter (23%) of the people arriving in Australia as part of the Humanitarian Programme was aged 12 to 24.<sup>23</sup> Between the 2012/13 and 2016/17 financial years, Australia resettled almost 30,000 children and young people aged up to 17 years through the Humanitarian Programme.<sup>24</sup> In the same period, 19,907 young people aged between 12 and 24 were resettled.<sup>25</sup>

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<sup>16</sup> Globally top ten source countries of refugees in 2016 were Syrian Arab Republic, Afghanistan, South Sudan, Somalia, Sudan, Democratic Republic of the Congo, Central African Republic, Myanmar, Eritrea and Burundi. See, UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 17. According to DSS data provided to MYAN, the top ten countries of birth for humanitarian arrivals to Australia in 2016/17 were Iraq, Syrian Arab Republic, Myanmar, Afghanistan, Iran, Thailand, Democratic Republic of Congo, Eritrea, Bhutan, and Ethiopia. Australia's humanitarian intake largely corresponds with global trends, with seven (including Iran and Thailand) out of the top ten countries of birth of humanitarian arrivals to Australia representing five out of top ten refugee populations (from Syria, Afghanistan, Democratic Republic of Congo, Myanmar and Eritrea) globally.

<sup>17</sup> Based on comparing the top ten countries of origin of resettled refugees to the USA and Canada in 2016 according to UNHCR records. For more see UNHCR (2018) *Population Statistics: Resettlement*. Available at: <http://popstats.unhcr.org/en/resettlement> (data extracted on 24.01.2018).

<sup>18</sup> To be released in the Annual Tripartite Consultations on Resettlement in June 2018.

<sup>19</sup> UNHCR (2018) *US Refugee Resettlement Facts*. Available at: <http://www.unhcr.org/en-au/us-refugee-resettlement-facts.html>

<sup>20</sup> UNHCR (2018) *US Refugee Resettlement Facts*. Available at: <http://www.unhcr.org/en-au/us-refugee-resettlement-facts.html>

<sup>21</sup> UNHCR (2018) *US Refugee Resettlement Facts*. Available at: <http://www.unhcr.org/en-au/us-refugee-resettlement-facts.html>

<sup>22</sup> Refugee Council USA (2018) *Report Card: Refugee Arrivals April 2018*. Available at: <http://www.rcusa.org/>

<sup>23</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 10. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf)

<sup>24</sup> Statistics were sourced directly by MYAN from the Department of Social Services (DSS) on 25 October 2017. Data includes all permanent (or provisional) settlers who arrived between 1 July 2016 and 30 June 2017. All data presented is accurate as at this date within noted caveats of the Settlement Database (SDB).

<sup>25</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 9. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf)

Australia has also been active globally to respond to humanitarian emergencies. Australia is one of the donors that endorsed the Grand Bargain<sup>26</sup> and has initiated multi-year commitments to humanitarian emergencies, such as its three year commitment of 220M\$ for humanitarian needs in Syria and neighbouring countries hosting large numbers of refugees.<sup>27</sup>

Australia is also one of the United Nations Member States that unanimously adopted the New York Declaration for Refugees and Migrants which was adopted in September 2016<sup>28</sup> and has actively engaged the process of developing a Global Compact for Refugees. Furthermore, Australia has been funding the rollout of pilots of Comprehensive Refugee Response Framework (CRRF) in Uganda and Ethiopia<sup>29</sup>, including funding for education and vocational training for both local and refugee young people to develop their skills and establish businesses.<sup>30</sup> MYAN commends the Australian Government for its involvement and support to these processes as well as its support to ongoing refugee emergencies through aid, such as the additional \$15 million in humanitarian aid to ongoing Rohingya crises in April 2018.<sup>31</sup>

MYAN believes that Australia would demonstrate a commitment to the final version of the Global Compact on Refugees and would continue to respond to refugee emergencies globally in collaboration with UNHCR and other actors, through increased resettlement places as well as through aid and development assistance to children and young people affected by humanitarian crises.

### Recommendations:

MYAN recommends that:

- Australia continues to be one of the global leaders in resettlement through its ongoing Humanitarian Programme.
- The Australian government continues to include children and young people in Australia's resettlement programme, recognising consistently large numbers of young people in the Humanitarian Programme over many years.

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<sup>26</sup> Grand Bargain which was agreed upon during the World Humanitarian Summit 2016 by more than 30 biggest donors and aid providers committed "donors and aid organizations to providing 25 per cent of global humanitarian funding to local and national responders by 2020, along with more un-earmarked money, and increased multi-year funding to ensure greater predictability and continuity in humanitarian response, among other commitments." Available at: <https://www.agendaforhumanity.org/initiatives/3861>

<sup>27</sup> Minister for Foreign Affairs (2016) *2016 Foreign Affairs Budget*. Available at: [https://foreignminister.gov.au/releases/Pages/2016/jb\\_mr\\_160503.aspx](https://foreignminister.gov.au/releases/Pages/2016/jb_mr_160503.aspx)

<sup>28</sup> Under the New York Declaration member states of the UN committed to "expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries" and to "consider making available or expanding, ... complementary pathways for admission of refugees through such means as ... family reunification" For more see, UN General Assembly (2016) New York Declaration for Refugees and Migrants: resolution / adopted by the General Assembly, A/RES/71/1. Available at: <http://www.refworld.org/docid/57ceb74a4.html>, p.15 and 21.

<sup>29</sup> Kaldor Centre for International Refugee Law (2017) *Interview with Jamie Isbister: DFAT and the Global Compacts (Audio Podcast)*. Available at: <http://www.kaldorcentre.unsw.edu.au/resource/podcast-interview-jamie-isbister-dfat-and-global-compacts>

<sup>30</sup> Australia for UNHCR (2017) *Building a new approach to refugees in Uganda*. Available at: <https://www.unrefugees.org.au/our-stories/building-a-new-approach-to-refugees-in-uganda/>

<sup>31</sup> SBS (2018) *Australia to provide \$15m to Rohingya crisis*. Available at: <https://www.sbs.com.au/news/australia-to-provide-15m-to-rohingya-crisis>

- Continue to focus on resettlement from Africa, Asia and Middle East as priority regions for resettlement in line with global trends and UNHCR Projected Global Resettlement Needs 2019.
- Continue to support the Global Compact on Refugees, including through increased resettlement places in line with emergencies identified by UNHCR, as well as through humanitarian aid and development assistance to countries hosting large number of refugees, as already being done through CRRF pilots.

## B. Australia's Unaccompanied Humanitarian Minor (UHM) Programme

Australia has a well-established resettlement programme that includes large numbers of children and young people, including unaccompanied minors. MYAN commends the Australian Government on resettling unaccompanied minors, and increasing the intake into this program over the last 12 months through the Off-Shore component of the Humanitarian Programme. With well-established experience and expertise in youth settlement, and the provision of outstanding services to unaccompanied minors, Australia is well-placed to increase resettlement places to this particularly vulnerable group. This would also demonstrate Australia's leadership in the context of unprecedented numbers of forcibly displaced children and young people, and the need for increased resettlement places.

We consider the 2018-2019 programme as an opportune time to for Australia to continue to increase the intake into the UHM Program. Children and young people, including unaccompanied minors, are some of the most vulnerable amid the mass population of refugees for whom resettlement is often the only option.

Australia is already showing leadership internationally in resettling children and young people, including unaccompanied minors, and is well placed to do more. Continuing to increase the resettlement places for unaccompanied minors can continue to be facilitated through the existing UHM Programme and builds on existing capacity and expertise – including the delivery of support in a (youth) settlement framework. This would provide an opportunity for Australia to further demonstrate global leadership and would deliver on commitments made by Australia to respond to the growing number of children and young people in need of durable solutions globally.

Young people have enormous potential to be active participants in and contributors to Australian society. Children and young people, including unaccompanied minors, face particular and heightened vulnerabilities in the refugee context. They also arrive in Australia with an array of strengths and resources. They are commonly highly motivated to succeed educationally and to engage and contribute to civic life.

Many of the young people who have been supported through the Unaccompanied Humanitarian Minors Programme have successfully navigated the tasks of settlement without the support of family, acquired English language, engaged in education, training or employment and are making important, often voluntary contributions, to their community.

Australia is one of very few resettlement countries that resettles unaccompanied minors, and has a long history of providing support to this cohort to settle well. From as early as the 1970s, the

Australian Government has supported unaccompanied children and young people seeking safety in Australia to receive appropriate support and care through relevant state welfare and child protection authorities.<sup>32</sup>

The Australian Government has developed a national approach to supporting unaccompanied minors to settle in Australia in the last decade. This approach has provided care and support to unaccompanied minors seeking asylum (UAMs) through the 'onshore' component of Australia's Humanitarian Programme, as well as supporting the resettlement of unaccompanied humanitarian minors (UHMs) either on their own or in sibling groups through the OffShore component. This is an important contribution to global efforts to offer resettlement to those most vulnerable.

Services for UHMs are provided via the UHM Programme in each of Australia's states and territories through the non-government sector and state government welfare and child protection agencies.<sup>33</sup> The UHM Programme provides relevant care, supervision and support services to minors on certain visas in Australia without a parent or legal guardian, including housing, casework services, and access to and participation in employment, education, health, recreation and broader community life.

For unaccompanied minors resettled to Australia, it is important to ensure continuity of care between pre and post-arrival support. MYAN therefore recommends a review of how the Department of Home Affairs (DHA) can strengthen the sharing of information to ensure continuity of care to UHMs from country of asylum to country of resettlement. This includes sharing of information provided by UNHCR during the referral process.

MYAN also recommends strengthening the process of transitioning out of the Programme, where young people would benefit from more active support. Support in this transition to independent living is critical to successfully navigating the developmental stage of adolescence and long-term security, success and self-sufficiency.

Recent processes, such as the Global Compact on Refugees to increase solidarity with states hosting large numbers of refugees, including through expanding resettlement programmes, demonstrate a willingness in the international community to provide more avenues for resettlement for those most in need. Within this, there is scope for countries, including Australia, to explore how existing programmes and systems can be used to support more children and young people from the UNHCR's resettlement categories, including but not limited to the children and adolescents at risk category<sup>34</sup>, to access resettlement – including unaccompanied minors.

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<sup>32</sup> Department of Human Services (DHS), State Government of Victoria (2014) *Refugee Minor Program*. Available at <http://www.dhs.vic.gov.au/for-service-providers/children,-youth-and-families/youth-services/refugee-minor-program>

<sup>33</sup> Department of Home Affairs (2018) *Unaccompanied Humanitarian Minors programme – Fact Sheet*. Available at <https://www.homeaffairs.gov.au/about/corporate/information/fact-sheets/uhm-programme>.

<sup>34</sup> From January 2017 to March 2018, UNHCR submitted the cases of 94,776 persons for resettlement in third countries, and 48,538 of these submitted persons (51%) were between the ages of 0 to 17. See UNHCR (2018) *Resettlement Data Finder*. Available at: <http://rsq.unhcr.org/en/#t3zF> (correct as of 31 March 2018, data extracted on 25 May 2018). This trend was also observed in the submissions made to Australia. Out of the 4,739 submissions made by UNHCR to Australia for resettlement in from 1 January 2017 to March 2018, 2290 of these were aged 0 to 17, making up 48% of the total submissions in this period. See UNHCR (2018) *Resettlement Data Finder*. Available at: <http://rsq.unhcr.org/en/#RkV6> (correct as of 31 March 2018, data extracted on 25 May 2018). Despite the high number of children being referred to resettlement globally (compared to the overall number being referred), UNHCR submission category of 'Children and Adolescents at Risk' was only utilized in the 7% of the resettlement referrals in this period. See UNHCR (2018) *Resettlement Data Finder*.

Recognising the unprecedented need to find durable solutions for children and young people at risk, including unaccompanied and separated minors, the existing expertise and infrastructure in Australia's UHM Programme and broader settlement services system, and the increase in the Humanitarian Programme, Australia can and should be doing more to support the resettlement of unaccompanied minors. This would demonstrate Australia's commitment to assisting vulnerable children and young people and demonstrate significant global leadership.

### Recommendations:

MYAN recommends that:

- The Australian government increase the intake into the Unaccompanied Humanitarian Minors Programme by approximately 10%, given the increased size of the Humanitarian Programme and building on existing expertise and infrastructure for resettling unaccompanied minors through the UHM Program (including the way in which this Program is delivered, utilising youth settlement/integration frameworks).
  - Given the demonstrated capacity in Australia to support sibling groups in flexible arrangements, this could include exploring possibilities for prioritising resettlement of an unaccompanied child with a sibling, where UNHCR deems resettlement is in a child's best interests.
- The Australian government continue to engage with UNHCR and NGOs to increase resettlement places and support other durable solutions for children and young people at risk, including unaccompanied minors. This includes:
  - Conveying, in international forums like the Annual Tripartite Consultations on Resettlement, and other global forums foreseen under the ongoing Global Compact for Refugees, that Australia is willing to take referrals of unaccompanied and separated minors (and other children at risk) within UNHCR's resettlement categories, including but not limited to the children and adolescents at risk category.
  - Utilising available data provided in the UNHCR Projected Global Resettlement Needs 2018 Report (and its upcoming 2019 version) to inform resettlement need for unaccompanied minors and planning for the 2018/19 Humanitarian Programme intake.
- The Australian Government reviews how it can strengthen the sharing of information to ensure continuity of care of UHMs from country of asylum to resettlement in Australia. This includes sharing of information provided by UNHCR during the referral process.

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Available at <http://www.unhcr.org/en-au/resettlement-data.html> (correct as of 31 March 2018). This indicates a flexibility of using various resettlement categories for referring children and adolescents to resettlement, beyond the category of "Children and Adolescents at Risk".

- Australia strengthens the process of transitioning-out of the UHM Programme, where young people would benefit from more active support for long-term security, success and self-sufficiency.

### C. Nationally consistent Data on Humanitarian Arrivals and on their access to the Humanitarian Support Program (HSP)

Australia has been a leader in the area of data collection and dissemination in relation to its multicultural communities. Some of Australia’s practices have been recognized as good practice in the International Recommendations on Refugee Statistics of March 2018.<sup>35</sup> This has been made possible through inclusion of refugees in data collection exercises such as census and various surveys undertaken by the Australian Bureau of Statistics. However, it has been increasingly challenging to access nationally consistent data about the number of permanent arrivals to Australia in a given time period, which includes humanitarian arrivals.

- Data on the number of humanitarian arrivals to Australia

MYAN has been utilising the data provided under the Settlement Reporting Facility (SRF) by the Department of Social Services (DSS) to publish annual information sheets, and recently published its *Data Report on Youth Settlement Trends 2016-2017*, to provide insights on young people’s settlement trends to Australia. However, as part of this exercise, it has been impossible to compare the data provided by DSS with the data of the DHA as different criteria are being used in data collection. DSS collects and reports under SRF on data compiled from a number of sources including DHA, other Commonwealth agencies and service providers, as stated in its caveats.<sup>36</sup> Hence this data is collected and updated over a period of time through inputs to the Facility by the mentioned agencies and providers and therefore does not instantly give a definite number of arrivals in a given period.<sup>37</sup> For example, for the 2016-17 financial year, DSS reported 24,490 arrivals through Australia’s Humanitarian Programme according to the data provided to MYAN on 25 October 2017<sup>38</sup>, and 24,530 arrivals in the data provided on 1 February 2018.<sup>39</sup> Similarly, while the number of humanitarian arrivals was reported as 11,208 for 2015-16 financial year by DSS on 10 March 2017<sup>40</sup>, for the same financial year the number of humanitarian arrivals was reported as 11,416 on 25 October 2017.<sup>41</sup>

<sup>35</sup> Expert Group on Refugee and Internally Displaced Persons Statistics (2018) *International Recommendations on Refugee Statistics: Final post Global Consultation February 2018*. Available at <https://unstats.un.org/unsd/statcom/49th-session/documents/BG-Item3m-RefugeeStat-E.pdf>

<sup>36</sup> For full list of stated caveats for this data, see <https://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/settlement-services/settlement-reporting-facility/help-for-settlement-reports/caveats>

<sup>37</sup> Settlement Reporting Facility reports on the settlement date and this date refers to “the date in which a settler is deemed to have settled in Australia. Settlement Date is derived from either a settlers recorded arrival date or visa grant date. For settlers who were granted their current SDB visa offshore, the Settlement Date is their first recorded arrival date into Australia after the grant of that visa. For settlers who were granted their current SDB visa onshore, The Settlement Date is their current visa grant date.” Therefore for Humanitarian Arrivals from offshore, it reports only arrivals and only after this data has been entered into the system by an agency and service provider which may not happen instantly. See DSS (2018) Settlement Database Data Dictionary. Available at [https://www.dss.gov.au/sites/default/files/documents/03\\_2018/settlement\\_data\\_dictionary\\_23\\_jan\\_2018.pdf](https://www.dss.gov.au/sites/default/files/documents/03_2018/settlement_data_dictionary_23_jan_2018.pdf), p. 40.

<sup>38</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf), p. 9.

<sup>39</sup> According data provided to MYAN from the period 1 July 2016 to 30 June 2017 provided by the Department of Social Services, as at 1 February 2018.

<sup>40</sup> MYAN (2017) *Information Sheet: Humanitarian and Migrant Youth Arrivals to Australia July 2015 – June 2016*. Available at: [http://www.myan.org.au/file/file/2015-16%20HumanitarianYouthArrivalstoAustralia\(1\).pdf](http://www.myan.org.au/file/file/2015-16%20HumanitarianYouthArrivalstoAustralia(1).pdf), p. 4.

<sup>41</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf), p. 9.

This change in number means that the exact number of arrivals to Australia may still not be known after the end of a financial year, as demonstrated in the above example, and therefore may make it difficult to rely on the available numbers, as it is likely that the real numbers would be higher.

DHA on the other hand collects and reports on data on visa grants and not on arrivals in a given period. For example, DHA reported 20,257 visa grants in 2016-17 financial year and nothing on arrivals to Australia.

This lack of data on the exact number of arrivals to Australia in a given period makes it difficult for the settlement sector to adjust its planning and programming for new arrivals to Australia to assist them to settle well. MYAN therefore recommends that DHA also collects and publishes data on the number arrivals to Australia, given its ability to monitor and report on the exact number of humanitarian arrivals through its presence at the Australian borders. Such reporting, alongside the data provided under the SRF, would complement each other and strengthen the Australian Government's response to the humanitarian arrivals to Australia. International Recommendations on Refugee Statistics also recommend collection of data on 'date of arrival in country'.<sup>42</sup>

Access and reporting on data to reflect the arrival date is vital for the whole settlement sector and beyond for preparing and/or adjusting policies and programs for young people arriving under the humanitarian program, including but not limited to education, vocational training and language training.

- **Data on Young People**

MYAN recommends that DHA reports on different age cohorts in its reporting for humanitarian arrivals to capture the specific youth cohort (aged 12 to 24), in order to ensure better planning and programming for the needs of humanitarian youth arrivals in Australia.

The Australian Government resettles a significant number of young people and has globally significant youth-specific settlement services.<sup>43</sup> Data on arrival of young people through DHA reports would complement Australian Government's efforts and strengthen its position as a leader in the resettlement of young people globally.

- **Data on Citizenship**

MYAN notes that specific data on citizenship is not available through any of the avenues reporting on permanent arrivals to Australia, including humanitarian arrivals. The Settlement Report Facility reports both on country of birth and citizenship, however the exactly the same countries are reported under these categories. While it is possible (and commonly the case) that a person's citizenship and country of birth are the same, this is not necessarily the case for refugee populations. While citizenship information is collected by the DHA for humanitarian arrivals alongside country of birth<sup>44</sup>, MYAN regrets that it is not being shared with and/or reported in the Settlement Report Facility. A

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<sup>42</sup> Expert Group on Refugee and Internally Displaced Persons Statistics (2018) *International Recommendations on Refugee Statistics: Final post Global Consultation February 2018*. Available at <https://unstats.un.org/unsd/statcom/49th-session/documents/BG-Item3m-RefugeeStat-E.pdf>, p. 40.

<sup>43</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf), p. 5.

<sup>44</sup> Department of Home Affairs (2018) *Privacy part A - Collection, use and disclosure of information: Refugee and humanitarian assistance*. Available at: <https://www.homeaffairs.gov.au/about/access-accountability/plans-policies-charters/policies/privacy/part-a>.

comparison of the top ten countries for humanitarian arrivals as reported by DSS and DHA demonstrates this contrast. As DHA does not report specifically on young people in its annual report, below tables compare the overall number of humanitarian arrivals to Australia.

Top ten countries of birth vs countries of citizenship for humanitarian arrivals, 2016-17	
DSS data <sup>45</sup>	DHA data <sup>46</sup>
Country of Birth	Country of Citizenship
Iraq	Iraq
Syria	Syria
Afghanistan	Afghanistan
Myanmar	Myanmar
Iran	Bhutan
Thailand	Congo (DRC)
Nepal	Eritrea
Bhutan	Ethiopia
Ethiopia	South Sudan
Lebanon	Somalia

This inconsistency in the data makes it hard to consider how Australia’s resettlement corresponds to global trends. The DSS data lists Thailand, Nepal and Lebanon in top ten countries of origin, and this is considered to be related to lack of citizenship information in the SRF, as compared to ‘country of birth’. The mentioned three countries are hosting large numbers of refugees but are not top countries of origin for refugees<sup>47</sup> and therefore the listing of these countries in the top ten countries of birth, only indicates that refugees born in these host countries have been resettled in Australia. It does not give information about their citizenship, including whether they are stateless. Considering the global reporting trends on refugees and refugee statistics, it is considered vital for DHA to share citizenship data with the SRF in order to understand settlement trends better. This would also be consistent with the International Recommendations on Refugee Statistics that recommends collection of data on both ‘country of birth’ and ‘country of citizenship’.<sup>48</sup> Sharing citizenship data through SRF would also be important in case of stateless refugees.

Such information is especially vital given increasing use of bi-cultural workers in the settlement sector and efforts to recruit workers from similar cultural backgrounds. Citizenship, like country of birth does not necessarily reflect cultural background, even though young people were born and/or have lived most of their lives in these countries. For example, the families of a number of the young people born in Thailand have originally come from Myanmar but are Karen Burmese; young people from Nepal are commonly Bhutanese, while many of the young people born in Pakistan are Pashtun or born in Iran

<sup>45</sup> According data provided to MYAN from the period 1 July 2016 to 30 June 2017 provided by the Department of Social Services, as at 25<sup>th</sup> October 2017.

<sup>46</sup> Department of Home Affairs (2018) *Discussion Paper: Australia’s Humanitarian Programme 2018-19*. Available at <https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/2018-19-discussion-paper.pdf>, p. 8.

<sup>47</sup> According to UNHCR’s 2017 Mid-year Trends report, at the beginning of 2017, Thailand was 132nd as a country of origin for refugees among 204 countries, while Nepal was 58th and Lebanon was 68th. UNHCR (2018) *Mid-year Trends 2017 – Annex tables*. Available at: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocAttachment.zip?COMID=5aaa50c64>. (See Table 3.2)

<sup>48</sup> Expert Group on Refugee and Internally Displaced Persons Statistics (2018) *International Recommendations on Refugee Statistics: Final post Global Consultation February 2018*. Available at <https://unstats.un.org/unsd/statcom/49th-session/documents/BG-Item3m-RefugeeStat-E.pdf>, p. 40.

are Hazara are originally from Afghanistan.<sup>49</sup> Any information related to country of birth, citizenship and cultural background is important for more accurate policy and service planning, and helps to better understand the pre-arrival context and post-arrival client needs, to make sure services best meet the needs of humanitarian arrivals.

- [Data on access to the Humanitarian Settlement Program](#)

MYAN commends the Australian Government for working to “improve the lifetime wellbeing of migrants and refugees settling in Australia by responding to their specific needs, encouraging their independence and participation in the Australian community”.<sup>50</sup>

MYAN understands that information on access to the Humanitarian Settlement Program (HSP) available to newly arrived refugees to Australia is collected by service providers and is reported back individually, however is not reported to the SRF. MYAN believes that is vital to collect data on access to HSP and report on it through a central database like the SRF. High number of humanitarian arrivals arrive in Australia under diverse visa subclasses, including increasing number of arrivals under the Special Humanitarian Programme (SHP)(visa subclass 202). This would assist in understanding the level of access to HSP by the humanitarian arrivals, as well as the type of services they access to better plan, monitor and evaluate services delivered.

In the last five financial years, increasing number of young people have arrived in Australia with a 202 visa as demonstrated below:

Visa subclass	2012/13	2013/14	2014/15	2015/16	2016/17	Total
200 Refugee visa	1,727	2,147	1,252	1,578	1,984	8,688
201 In-country Special Humanitarian	23	194	35	25	38	315
202 Global Special Humanitarian	95	871	1,587	985	3,189	6,727
203 Emergency rescue visa	12	0	<5	0	<5	18
204 Women at Risk visa	418	608	301	407	425	2,159
866 Protection visa	1,553	267	136	38	6	2,000
<b>Grand Total</b>	<b>3,828</b>	<b>4,087</b>	<b>3,313</b>	<b>3,033</b>	<b>5,646</b>	<b>19,907</b>

The 202 visa holders are expected to be supported by their proposers for their initial settlement, while being also eligible for Humanitarian Settlement Programme<sup>51</sup>, however there is no publically

<sup>49</sup> MYAN (2018) *Youth Settlement Trends in Australia: A Report on the Data 2016-2017*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 10. Available at: [http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends\\_2016-2017%20Final\(2\).pdf](http://www.myan.org.au/file/file/MYAN%20Youth%20Settlement%20Trends_2016-2017%20Final(2).pdf), p. 19.

<sup>50</sup> Department of Home Affairs (2018) *Discussion Paper: Australia’s Humanitarian Programme 2018-19*. Available at <https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/2018-19-discussion-paper.pdf>, p. 5.

<sup>51</sup> Department of Social Services (2017) *Fact Sheet: Humanitarian Settlement Program*. Available at [https://www.dss.gov.au/sites/default/files/documents/11\\_2017/hsp\\_factsheet\\_-\\_august\\_2017-3nov.pdf](https://www.dss.gov.au/sites/default/files/documents/11_2017/hsp_factsheet_-_august_2017-3nov.pdf), p. 3.

available data for the settlement sector to understand the utilisation of HSP by 202 and to ensure that 202 visa holders access and initial, targeted support they need to be independent and self-sufficient.

MYAN considers it vital to have this data for the settlement sector for future planning, as proposers may not always be in a situation to support these visa holders.<sup>52</sup> Young people arriving with a 202 visa have similar needs to other humanitarian arrivals arriving with a refugee visa (subclass 200) and their needs may not always be met by their sponsors who are, in the majority of cases, close family members who had arrived in Australia under the Humanitarian Programme in the last five years, who themselves are still in the process of settling to Australia. In the absence of data on access and utilisation of the HSP by visa subclass, it is impossible for government or the sector to understand whether increased number of SHP visa arrivals, especially young people, are accessing the support they need to build successful lives in Australia. MYAN therefore recommends that access to HSP is collected and shared publically through SRF.

### Recommendations:

MYAN recommends that:

- The Australian Government, through Department of Home Affairs, collects and publishes data on the number humanitarian arrivals to Australia, in addition to reporting on visa grants, to ensure better planning and programming for the settlement sector and service providers.
- The Department of Home Affairs collects and reports on different age cohorts in its reporting on humanitarian arrivals to capture the specific youth cohort (aged 12 to 24) to ensure better planning and programming for the needs of this group.
- The Department of Home Affairs collects and shares data on 'country of citizenship' in addition to 'country of birth', especially under the Settlement Reporting Facility for better planning and programming in settlement services.
- Data on access to and utilisation of the Humanitarian Settlement Program is collected, reported and shared via the Settlement Reporting Facility to support policy programming.

### **D. Community Support Program**

MYAN welcomes the Australian Government's commitment to the resettlement of refugees through sponsorship schemes. MYAN is however concerned about the high costs associated with the Community Support Program (CSP) as well as the criteria of the program which refers solely to 'employment prospects' and good settlement prospects which has been linked to an 'offer of employment' or 'personal attributes' for financial self-sufficiency within 12 months upon arrival.<sup>53</sup>

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<sup>52</sup> Refugee Council of Australia (2017) Australia's Refugee and Humanitarian Program 2017-18 Community views on current challenges and future directions. Available at: [https://www.refugeecouncil.org.au/wp-content/uploads/2017/06/RCOA\\_intake-sub\\_2017\\_2018.pdf](https://www.refugeecouncil.org.au/wp-content/uploads/2017/06/RCOA_intake-sub_2017_2018.pdf), p. 34.

<sup>53</sup> Department of Home Affairs (2018) *Discussion Paper: Australia's Humanitarian Programme 2018-19*. Available at <https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/2018-19-discussion-paper.pdf>, p. 5.

MYAN reiterates that employment and skills in themselves are not enough indicators for good settlement outcomes and there is not one objective indicator to measure 'settlement outcomes' before arrival to Australia. Settlement outcomes cannot be considered independent from the experiences faced upon arrival to Australia. As put forward by the Productivity Commission, "... social cohesion also depends on the extent to which immigrants themselves and the Australian-born population accept diverse ethnic identities as consistent with a common 'national' identity, which itself evolves over time. A high level of acceptance is conducive to better integration."<sup>54</sup> Research also suggests that integration is closely related to experiences after arriving to country, is not solely depend on the prospective immigrant's own treats, such as experiences of racism and discrimination.<sup>55</sup> In the recent years, there has been an increase in the reported experience of discrimination on the basis of skin colour, ethnic origin and religion (20% in 2017), from the previous years (15% in 2015). 22% of young people between 18-24 years of age reported such discrimination and, young people from non-English speaking backgrounds reported highest experience of discrimination (34%).<sup>56</sup>

Despite these experiences young people feel strongly connected to Australia. The recently released Multicultural Youth Australia Census<sup>57</sup> reflects this outcome. According to the Census, 82% of the young people 'agreed' or 'strongly agreed' that they feel they belong in Australia. The majority of refugee and migrant young people expressed confidence in their ability to achieve their goals, be it at work or study, with 87 per cent saying they feel 'positive' or 'very positive' about reaching their future goals. They are also socially-connected and have a strong civic and participatory outlook. Their top two values and goals were 'having a job they were passionate about' (61 per cent), and 'being active in working for a better society' (45 per cent).<sup>58</sup>

In light of this, MYAN believes that the Australian Government is missing an important opportunity through limiting the CSP with the above-mentioned criteria, as it is not opening any space for younger refugees. Under the current criteria it is very difficult for young people to secure a place under the Program due to its focus on employment prospects: young refugees in some cases spend extended periods of time in countries of asylum in urban or camp contexts with limited or no access to education. Even if young refugees can meet the criteria due to their 'personal attributes', it would still be impossible for any young refugee and/or their families to cover the fees mentioned in the Program.

The CSP also does not allow any space for young refugees who could be sponsored as students in Australia. An interesting model on this is the Student Refugee Program (SRP) of Canada, as a peer to peer support model, mobilizing Canadian students to support refugee university students.<sup>59</sup>

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<sup>54</sup>Productivity Commission (2016) *Inquiry Report: Migrant Intake Into Australia*, No. 77. Canberra: Productivity Commission, p.11.

<sup>55</sup> VicHealth, Data61, CSIRO & MYAN (2017) *Bright Futures: Spotlight on the wellbeing of young people from refugee and migrant backgrounds*. Melbourne: Victorian Health Promotion Foundation, p. 13

<sup>56</sup> Markus, A (2017), *Mapping Social Cohesion: The Scanlon Foundation surveys 2017*. Caulfield East: Monash University, pp. 59-60.

<sup>57</sup> Wyn, J., Khan, R., & Dadvand, B. (2018). *Multicultural Youth Australia Census 2017 Infographic Report*. Melbourne, Australia: Youth Research Centre, Melbourne Graduate School of Education, the University of Melbourne. Available at:

[https://education.unimelb.edu.au/\\_\\_data/assets/pdf\\_file/0004/2781535/Multicultural-Youth-Australia-Census-2017-Infographic.pdf](https://education.unimelb.edu.au/__data/assets/pdf_file/0004/2781535/Multicultural-Youth-Australia-Census-2017-Infographic.pdf).

<sup>58</sup> Wyn, J., Khan, R., & Dadvand, B. (2018). *Multicultural Youth Australia Census 2017 Infographic Report*. Melbourne, Australia: Youth Research Centre, Melbourne Graduate School of Education, the University of Melbourne. Available at:

[https://education.unimelb.edu.au/\\_\\_data/assets/pdf\\_file/0004/2781535/Multicultural-Youth-Australia-Census-2017-Infographic.pdf](https://education.unimelb.edu.au/__data/assets/pdf_file/0004/2781535/Multicultural-Youth-Australia-Census-2017-Infographic.pdf).

<sup>59</sup> For more on this see, UNHCR & World University Service of Canada (WUSC) (2017) *Building Education Pathways for Refugees, Mapping a Canadian Peer to Peer Support Model*. Available at:

[https://s3.amazonaws.com/assets.wusc.ca/NEW%20website/02%20Impact/Reports%20and%20Publications/educationPathways\\_07.pdf](https://s3.amazonaws.com/assets.wusc.ca/NEW%20website/02%20Impact/Reports%20and%20Publications/educationPathways_07.pdf).

The reference to 'self-sufficiency' within 12 months of arrival in the current design of CSP is also concerning, given that currently HSP is available for all humanitarian arrivals for five years from the date of arrival. This criterion shadows the eligibility for such vital settlement support for newly arrived refugees, which should extend beyond the first five years with a long-term view of settlement ensuring broader systems and supports facilitate social cohesion, independence and self-sufficiency. It is important to take a long-term view of settlement under all aspects of the Humanitarian Programme recognising that the needs of refugee young people most often continue beyond the first five years of settlement regardless of they are sponsored by their family members, business or the community.<sup>60</sup>

MYAN recommends that the scope of the CSP is broadened to cover the diverse refugee groups who are in need of protection in third countries and fees associated with CSP are lowered to make the program for inclusive and more accessible. Through such initiatives the sponsorship program can access more people in the Australian community and be available for more refugees.

MYAN endorses the Community Refugee Sponsorship Initiative (CSRI)<sup>61</sup> and also recommends that the Australian Government assesses the Canadian model, through which has managed to mobilize more than two million Canadians have as sponsors in the past two years alone.<sup>62</sup>

### Recommendations:

MYAN recommends that:

- The scope of Community Support Program (CSP) is broadened to include diverse refugee groups, especially young people who are in need of protection, going beyond employment prospects and; that fees associated with CSP are lowered to make the program more inclusive and more accessible for young refugees.
- The Australian Government do not use 'good settlement outcomes' or 'integration potential' as a criterion for its Humanitarian Programme, as there is already established criteria for being a refugee<sup>63</sup> and criteria for resettlement<sup>64</sup>, in addition to lack of any single objective indicator to measure 'settlement outcomes' before arrival to Australia.
- The Australian Government clarifies that the reference to 'self-sufficiency within 12 months of arrival' does not prevent humanitarian arrivals under the CSP to access HSP for a period of five years upon arrival.

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<sup>60</sup> MYAN (2017) *Submission to the Joint Standing Committee on Migration: Inquiry into Settlement Outcomes*. Melbourne: Multicultural Youth Advocacy Network (MYAN), p. 2.

<sup>61</sup> CSRI (2018) *Policy Foundations for Community Sponsorship of Refugees*. Available at: <http://www.ausrefugeesponsorship.com.au/wp-content/uploads/2018/03/Final-Joint-Policy-Brief-Short-March-2018.pdf>

<sup>62</sup> Guistra, F (2018) *It will take more than governments to solve the global refugee crisis*. Available at: [https://www.theglobeandmail.com/business/commentary/article-it-will-take-more-than-governments-to-solve-the-global-refugee-crisis/?utm\\_source=NEWS&utm\\_medium=email&utm\\_content=The%20Refugee%20Brief%20-%20External%20Subscribers&utm\\_campaign=HQ\\_EN\\_therefugeebrief\\_external\\_180501](https://www.theglobeandmail.com/business/commentary/article-it-will-take-more-than-governments-to-solve-the-global-refugee-crisis/?utm_source=NEWS&utm_medium=email&utm_content=The%20Refugee%20Brief%20-%20External%20Subscribers&utm_campaign=HQ_EN_therefugeebrief_external_180501)

<sup>63</sup> Under Article 1(A)2 of the 1951 Refugee Convention.

<sup>64</sup> As specified under UNHCR's Resettlement Handbook (2011).

## E. Family reunification for young refugees

MYAN recommends facilitation of the Family stream of the Migration Programme to ensure family reunification of humanitarian entrants in Australia<sup>65</sup>, rather than using a substantial component of the Humanitarian Programme for family reunification purposes<sup>66</sup>, such as the 202 visas. In recent years there has been increased use of SHP by humanitarian arrivals to bring their family to Australia, as demonstrated by the above table showing the drastic increase in the number of young people arriving in Australia with a 202 visa. Due to ongoing demand for increased places for family reunification, CSP is also expected to be utilised by refugees with financial means more than the private sector.

Preserving family reunification as a complementary yet distinct pathway for refugees and developing family reunification programmes outside of Australia's current resettlement quota to preserve resettlement for vulnerable individuals with significant protection needs, would be consistent with the New York Declaration for Refugees and Migrants which was adopted in September 2016 by all member states of the United Nations, including Australia<sup>67</sup>.

As put forward by the Australian Human Rights Commissioner, there are significant opportunities within the Family stream of the Migration Programme to expand the range of migration pathways available to refugees. While there are barriers which hamper access to these visas by people in need of international protection, (such as high costs, robust documentations needs, eligibility requirements, long processing times, limited access to entitlements compared to humanitarian arrivals), these could be addressed with a protection-sensitive migration lens.<sup>68</sup>

In this regard, an innovative example to overcome such challenges is the *Family Assistance Program* (FAP) of Germany. FAP facilitates family reunion of Syrians and Iraqis located in Turkey, Lebanon and Iraq with their family members in Germany. UNHCR had mentioned the Program as an example of complementary pathways to protection and solutions<sup>69</sup>, as it aims to address existing practical, administrative, and legal obstacles to family reunification, including responding to difficulties with providing documentation to establish family links<sup>70</sup>. Under the Program, International Organization of Migration (IOM) operates FAP offices in Turkey, Lebanon and Iraq to guide Syrian and Iraqi refugee families through the visa application process.<sup>71</sup> Under the Program, 25,000 family members have

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<sup>65</sup> Also see MYAN (2018) *Submission to the Department of Home Affairs on 'Managing Australia's Migrant Intake'*. Melbourne: Multicultural Youth Advocacy Network (MYAN).

<sup>66</sup> Australian Human Rights Commission (2016) *Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea*. Canberra: Australian Human Rights Commission, p. 38.

<sup>67</sup> Under the New York Declaration member states of the UN committed to "expand the number and range of legal pathways available for refugees to be admitted to or resettled in third countries" and to "consider making available or expanding, ... complementary pathways for admission of refugees through such means as ... family reunification" For more see, UN General Assembly (2016) *New York Declaration for Refugees and Migrants: resolution / adopted by the General Assembly, A/RES/71/1*. Available at: <http://www.refworld.org/docid/57ceb74a4.html>, p.15 and 21.

<sup>68</sup> Australian Human Rights Commission (2016) *Pathways to Protection: A human rights-based response to the flight of asylum seekers by sea*. Canberra: Australian Human Rights Commission, p. 38-39.

<sup>69</sup> UNHCR (2017) *Global Trends in Forced Displacement in 2016*. Available at <http://www.unhcr.org/5943e8a34.pdf>, p. 29.

<sup>70</sup> See, IOM (2017) *IOM's Family Assistance Programme*. Available at: [http://germany.iom.int/sites/default/files/FAP/FAP\\_Infosheet\\_ENGLISH\\_2017-04-04.pdf](http://germany.iom.int/sites/default/files/FAP/FAP_Infosheet_ENGLISH_2017-04-04.pdf)

<sup>71</sup> German Federal Foreign Office data indicated that the majority of Syrian and Iraqi families arrived for their German family reunification visa interview, unprepared and ill-informed, with most submitting incomplete applications, often lacking the required supporting documentation. To avoid delays in process created due to such situations, IOM assists by providing comprehensive support to ensure that applications are complete prior to interview, e.g.; completion and printing of the required online visa application forms; visa application completeness checks; facilitation of contact with recognised refugee sponsors in Germany (Skype, phone, email); assistance with scheduling/re-scheduling visa interview appointments; passport photos, printing, photocopying and translation referral assistance. The

been able to join their relatives in Germany, eighty-five percent of which were women. Successful FAP applicants received residency permits valid for the same duration as those of their family members in Germany. The Program allowed refugees to access a simplified visa process to reunite with their families even if they did not possess adequate financial resources or sufficient living space in case they submitted applications in a given period.<sup>72</sup> This program has been developed to respond to the need of refugees who apply for and are granted protection in Germany, and also those refugees resettled in Germany. Some aspects of the program could be applied in Australia to utilize the Family stream for family reunification of humanitarian arrivals through simplified and faster procedures.

MYAN would like to highlight the approach taken by the Canadian Government in terms of utilisation of family migration when resettlement is not possible or available in responding to refugee crises. In a recent statement, Canada announced that it is willing to start resettlement of Rohingya refugees when conditions in the region permit their resettlement. However, in the interim Canada committed to expedite family migration through family class sponsorship cases of Rohingya identified by family members in Canada.<sup>73</sup> This is an important example of the utilisation of family migration to complement resettlement efforts of a country. However, it should be noted that having family alone as sponsors is avoided in the Canadian private sponsorship model. It requires established organisations or groups of at least five individual adults to act as sponsors and financial guarantors for new arrivals during their first year<sup>74</sup> pointing to the need to have targeted and professional assistance even for those who already have extended family in the destination country.<sup>75</sup>

In addition, MYAN recommends adoption of a broader definition of 'family' in making arrangements for family reunification to include young people who are over 18 years old for as well as parents of young people over 18 years old. UNHCR in its most recent Procedural Standards mentions that a relationship of social, emotional and/or economic dependency (including mutual or partial dependence) between family members (regardless of the direction of dependency) should suffice to establish grounds to apply for family reunification.<sup>76</sup> UNHCR provides more detail in its Resettlement Handbook on the family members that should be considered for family reunification in accordance with the principle of family unity.<sup>77</sup>

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services provided by IOM under FAP are free of charge. IOM also provides voluntary, Arabic language integration classes free of charge, to better prepare Syrian families for their arrival and successful integration into German society. For more see, IOM (2017) IOM's Family Assistance Programme. Available at: [http://germany.iom.int/sites/default/files/FAP/FAP\\_Infosheet\\_ENGLISH\\_2017-04-04.pdf](http://germany.iom.int/sites/default/files/FAP/FAP_Infosheet_ENGLISH_2017-04-04.pdf)

<sup>72</sup> For more on the FAP see, Foreign Office of the Federal Republic of Germany (2018) *Family Reunification for Syrian Refugees*. Available at <https://familyreunion-syria.diplo.de/webportal/desktop/index.html#start>. Applications for family reunion made within three months of being granted protection in Germany or granted residence permit as resettled refugees by Germany are exempted from these requirements. To further simplify the process of application within these three months, an online timely notification form is used. However, applications of those who apply after this initial three month period is also processed and refugees may still be exempted from meeting these requirements. For more see, Grote, J. (2017) *Family Reunification of third-country nationals in Germany: Focus-Study by the German National Contact Point for the European Migration Network (EMN)*. Nuremberg: Federal Office for Migration and Refugees, p. 24.

<sup>73</sup> Government of Canada (2018) *Canada's Strategy to Respond to the Rohingya Crisis in Myanmar and Bangladesh*. Available at: [http://international.gc.ca/world-monde/issues\\_development-enjeux\\_developpement/response\\_conflict-reponse\\_conflits/crisis-crisis/strat-rohingya.aspx?lang=eng&mc\\_cid=96e286c513&mc\\_eid=30762d2165](http://international.gc.ca/world-monde/issues_development-enjeux_developpement/response_conflict-reponse_conflits/crisis-crisis/strat-rohingya.aspx?lang=eng&mc_cid=96e286c513&mc_eid=30762d2165).

<sup>74</sup> European Resettlement Network (2018) *Humanitarian Admission Programmes April 2018: Expanding and Increasing Pathways to Protection*. Available at: <https://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20-%20Expanding%20and%20Increasing%20Pathways%20to%20Protection.pdf>, p. 24

<sup>75</sup> European Resettlement Network (2018) *Humanitarian Admission Programmes April 2018: Expanding and Increasing Pathways to Protection*. Available at: <https://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20-%20Expanding%20and%20Increasing%20Pathways%20to%20Protection.pdf>, p. 24

<sup>76</sup> UNHCR (2016) *UNHCR RSD Procedural Standards - Processing Claims Based on the Right to Family Unity*. Available at: <http://www.refworld.org/docid/577e17944.html>, p. 3.

<sup>77</sup> UNHCR (2011) *UNHCR Resettlement Handbook*. Available at <http://www.refworld.org/docid/4ecb973c2.html>, p. 271-274.

Families who have refugee experiences often have high levels of resilience and coping skills, and can be a great source of strength and support to each other in recovering from the impact of forced migration and navigating the settlement journey in a new country. However migration, and particularly forced migration and the refugee experience, can have a profound impact on family units and lead to families being separated. The lack of family support networks for young people further contributes to settlement challenges, on top of navigating developmental tasks of adolescence. Family supports are critical in negotiating a range of settlement pressures and in the absence of such support, participating in employment or other community activities can be more difficult. Concern about family members left behind in conflict regions or refugee camps places additional stress, and sometimes feelings of guilt, for young people and their families. This can be compounded by financial pressures, particularly if families are sending money overseas to support those left behind<sup>78</sup>.

At the international level, the UN Human Rights Committee has found that relations between parents and their adult children can constitute family relations.<sup>79</sup> Furthermore, at the European level, it has been accepted that “where young adults have not yet founded a family of their own, their relationship with their parents and other close family members can constitute “family life”<sup>80</sup>, including with adult siblings.<sup>81</sup>

MYAN recognises the direct link between family reunification, mental health and successful integration, and the need to overcome legal and practical obstacles to family reunification<sup>82</sup> to ensure better settlement outcomes for young people from migrant and refugee backgrounds. MYAN recommends consideration of simplified pathways for utilizing Family stream, while ensuring support to the family members arriving in Australia under family reunification procedures. Therefore, in conjunction with the recommendation on utilizing the Family stream for family reunification of refugees, MYAN also recommends that such refugees arriving in Australia through Family stream should have the access to Humanitarian Settlement Programme. A similar recommendation has also been made by the Joint Standing Committee on Migration in relation to access of migrants to settlement support similar to HSP<sup>83</sup>. MYAN agrees with the Committee that such support is critical and is especially important for young people from refugee backgrounds who reunify with their families in Australia.

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<sup>78</sup> Centre for Multicultural Youth (2014) *Migrant & Refugee Young People Negotiating Adolescence in Australia*. Carlton: Centre for Multicultural Youth, p. 9.

<sup>79</sup> UN Human Rights Committee (2011) *Jama Warsame v. Canada*, CCPR/C/102/D/1959/2010, UN HRC, 1 September 2011. Available at <http://www.refworld.org/docid/4ee0f0302.html>, paras. 8.8 and 8.10.

<sup>80</sup> Council of Europe: European Court of Human Rights (2007) *Maslov v. Austria*, Application no. 1638/03, ECtHR, 22 March 2007. Available at <http://www.refworld.org/docid/464423e22.html> and Council of Europe: European Court of Human Rights (2008) *Maslov v. Austria*, Application no. 1638/03, ECtHR, Grand Chamber. Available at <http://www.refworld.org/docid/5852a8b97.html>, para. 62. This position was confirmed by the court in *A.A. v. United Kingdom* when it ruled: “An examination of the Court’s case-law would tend to suggest that the applicant, a young adult of 24 years old, who resides with his mother and has not yet founded a family of his own, can be regarded as having ‘family life’”. See, Council of Europe: European Court of Human Rights (2011) *A.A. v. United Kingdom*, Application no. 8000/08, ECtHR, 20 September 2011. Available at <http://www.refworld.org/docid/583edcf1124.html>, para. 49.

<sup>81</sup> The ECtHR has also recognized that family life can exist between adult siblings, although again it requires “further elements of dependency involving more than the normal emotional ties” for family life to be recognized.” See Council of Europe: European Court of Human Rights (1991) *Moustaquim v. Belgium*, Application no. 12313/86, ECtHR, 18 February 1991. Available at: <http://www.refworld.org/docid/3ae6b7018.html>, para. 36 and Council of Europe: European Court of Human Rights (1996) *Boughanemi v. France*, Application no. 16/1995/522/608, ECtHR, 27 March 1996. Available at: <http://www.refworld.org/docid/3ae6b6f24.html>, para. 35.

<sup>82</sup> UNHCR (2016) *Better Protecting Refugees in the EU and Globally: UNHCR’s proposals to rebuild trust through better management, partnership and solidarity*. Available at <http://www.refworld.org/docid/58385d4e4.html>, p.6.

<sup>83</sup> Joint Standing Committee on Migration (2017) *No one teaches you to become an Australian: Report of the inquiry into migrant settlement outcomes*. Canberra: Parliament of the Commonwealth of Australia, p. 35.

A recent study by the European Resettlement Network focuses on this issue and refers to possible issues with increasing use of humanitarian programmes for family reunification.<sup>84</sup> It highlights the need to use of family ties as one eligibility criterion needs to be balanced through avoidance of the possible negative impacts of altered relationships as a result of changing patterns of dependency resulting from the arrival of new family members.<sup>85</sup> In the absence of settlement support, family members arriving in resettlement countries through such sponsorships need to create new internal financial and relationship dependencies with their families sponsoring them. This has also been demonstrated in the case of young people from refugee backgrounds arriving in Australia with 115 and 117 subclass visas under the Family stream.<sup>86</sup>

Such a support system, as the Humanitarian Settlement Programme, would help young refugees and their families arriving in Australia under the Family stream build the skills and knowledge they need to become self-reliant and active members of the Australian community.

### Recommendations:

MYAN recommends that:

- The Australian Government facilitate the Family stream of the Migration Programme as a complementary pathway to protection to ensure family reunification of young people from refugee backgrounds.
- The Australian Government adopts a broader definition of ‘family’ to allow family reunification of young refugees to reunify with their siblings over 18 years old and young refugees over 18 reunify with their parents.
- Refugees reunifying with their families in Australia through the Family stream have access to the services provided through the Humanitarian Settlement Programme.

**MYAN Australia looks forward to engaging with the Department of Home Affairs to further discuss this submission and recommendations.**

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<sup>84</sup> European Resettlement Network (2018) Humanitarian Admission Programmes April 2018: Expanding and Increasing Pathways to Protection. Available at: <https://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20-%20Expanding%20and%20Increasing%20Pathways%20to%20Protection.pdf>, p. 24.

<sup>85</sup> European Resettlement Network (2018) Humanitarian Admission Programmes April 2018: Expanding and Increasing Pathways to Protection. Available at: <https://www.resettlement.eu/sites/icmc/files/ERN%2B%20Humanitarian%20Admission%20Programmes%20-%20Expanding%20and%20Increasing%20Pathways%20to%20Protection.pdf>, p. 25.

<sup>86</sup> See MYAN Australia (2018) *Submission to Senate Community Affairs Legislation Committee for the Social Services Legislation Amendment (Encouraging Self-sufficiency for Newly Arrived Migrants) Bill 2018*. Available at: <https://www.aph.gov.au/DocumentStore.ashx?id=5941808e-b931-4243-81f3-21a92115bf8d&subId=564999> and MYAN Australia (2018) *Submission to Senate Community Affairs Legislation Committee for the Social Services Legislation Amendment (Encouraging Self-sufficiency for Newly Arrived Migrants) Bill 2018-Additional Information*. Available at: <https://www.aph.gov.au/DocumentStore.ashx?id=a41d72c3-ec78-428e-9be0-3fc1b7d435bc&subId=564999>.