

Multicultural Youth Advocacy Network (MYAN)

Response to the Department of Home Affairs

‘Australia’s Humanitarian Program 2022-23 Discussion Paper’

August 2022

About MYAN

MYAN is the national peak body representing the rights and interests of young people from refugee and migrant backgrounds in Australia, and those who work with them. MYAN provides expert policy advice, undertakes a range of sector development activities, and supports young people to develop leadership skills.

MYAN works in partnership with young people, government, and non-government agencies at the state and territory and national levels to ensure that the needs of young people from refugee and migrant backgrounds are recognised and addressed in policy and service delivery. We are also a committed member of the Asia Pacific Refugee Rights Network (APRNN).

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.

Our vision is that all young people from refugee and migrant backgrounds are supported, valued, and thriving in Australia.

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MYAN acknowledges the First Peoples of Australia as the traditional custodians upon the land on which we work. We recognise that it always was and always will be Aboriginal Land - Sovereignty was never ceded - and that the struggle for land rights and equality is ongoing. We work towards reconciliation with, and self-determination for, the First Peoples of this country.

About this submission

MYAN welcomes the opportunity to respond to the Department of Home Affairs' discussion paper 'Australia's Humanitarian Program 2022-23.' This submission has a focus on the rights and interests of young people (12- to 24-year-olds) arriving in Australia through the Humanitarian Program and provides a national perspective. MYAN would like to acknowledge the young people in our networks, especially those with lived experience of forced migration, who generously share their experiences and their insights with MYAN and help to inform our policy work.

The lifting of the pause on migration due to the impacts of COVID-19, the immense disruptions to durable solutions for refugees caused by COVID-19, and the emergency responses to the crises in Afghanistan and Ukraine presents an important opportunity to reflect on both the gaps and successes of Australia's Humanitarian Program, plan for and implement a program that upholds our global commitments in providing safe haven, and ensure that Australia's globally recognised settlement services also meets the distinct settlement needs of young people. It is imperative that Australia responds with urgency to the backlog in visa applications, meets Australia's humanitarian commitments, and prioritises the most vulnerable, including children and young people, for resettlement.

This submission responds to the following key areas of the discussion paper:

- Offshore component of the Humanitarian Program
- Afghanistan crisis response
- Regional Settlement
- Settlement assistance to Humanitarian Program entrants
- Community Refugee Integration and Settlement Pilot (CRISP)

Young refugees

Children and young people make up the majority of people seeking protection in the world today. The increasing number of children and young people exposed to the lasting and harmful impacts of forced migration remains a key concern for MYAN.

Children and young people are among those most vulnerable within the massive flows of forcibly displaced people around the world. Often compelled to flee due to conflict, or due to sexual or physical violence perpetrated by parents, carers, or local authorities, refugee children and young people face a range of protection risks, from sexual and gender-based violence, exploitation and abuse, to smuggling and trafficking. Refugee children and young people often experience disrupted education and may struggle to self-advocate or to navigate the process of seeking refuge and applying for resettlement.¹

While data specifically related to young people aged between 12-24 is sparse, we know that children remain dramatically over-represented among the world's refugees. In 2021, children made up less than one third of the global population, but more than 40 per cent of the world's refugees. In 2020, nearly 1 in 3 children living outside their countries of birth were child refugees; for adults, the proportion was less than 1 in 20 - and that does not capture the large numbers of children on the move impacted by recent events, such as the crises in Afghanistan and Ukraine.²

By the end of 2021, 36.5 million children across the world had been forcibly displaced as consequence of conflict and violence, many of whom are unaccompanied or separated from their families.³

These 36.5 million children include:

- 12.5 million child refugees (10.8 million refugees under UNHCR mandate and children from Venezuela displaced abroad, and 1.8 million Palestine children registered as refugees with UNRWA)
- Approximately 1.2 million asylum-seeking children
- An estimated 22.8 million children internally displaced within their own country by violence and conflict.⁴

¹ MYAN (2017) *Submission- Department of Immigration and Border Protection (DIBP) Australia's Humanitarian Programme 2017/18 humanitarian program*. Available at myan.org.au

² IDAC (2022) *Stronger data, brighter futures | children on protecting the move with data and evidence*, " *International Data Alliance for Children on the Move*, 2022, 2, file:///Users/jeanineyeungchingyung/Downloads/IDAC_Stronger-Data-Brighter-Futures.pdf.

³ UNICEF (2022) *Protecting Child Rights in a Time of Crises* | UNICEF Annual Report 2021 UNICEF, May 2022, 13, [unicef.org/media/121251/file/UNICEF Annual Report 2021.pdf](https://www.unicef.org/media/121251/file/UNICEF%20Annual%20Report%202021.pdf).

⁴ UNICEF (2022) *Child Displacement and Refugees* <https://data.unicef.org/topic/child-migration-and-displacement/displacement/>

Unaccompanied or separated children

In 2021, 27,000 unaccompanied or separated children (UASC) lodged new asylum applications, accounting for two per cent of new asylum claims. This represents an increase of 6,000 applications compared to the previous year and surpasses pre-pandemic levels. Yet figures for asylum applications by UASC remain significant underestimates due to the limited number of countries reporting data on UASC.⁵

The impact of the COVID-19 pandemic

Children and young people living in refugee settlements or other crowded conditions are especially vulnerable to the profound effects of the pandemic on their mental well-being, their social development, their privacy, their economic security, and beyond. While children are not the face of this pandemic, its broader impacts on children and young people risk being catastrophic and amongst the most lasting consequences for societies.⁶

Poorly planned or executed implementation of containment and mitigation measures present added risks to children's safety and the violation of their rights, especially when measures to care for the most vulnerable are not also enacted. Enforced shutdowns, curfews and movement restrictions have led to the sudden closure of refugee camps and residential institutions, and the dispersion of slum-dwellers, including children.⁷

Young people arriving via the Humanitarian Program

Australia has a well-established and well-regarded resettlement program that has consistently included large numbers of children and young people (including unaccompanied and separated minors). Over the past five years, the number of young people arriving through the Humanitarian Program has gradually increased, from 12% in 2015-16 to 29.5% in 2019-20. During this period, Australia resettled 19,311 young people aged between 12 and 24 via the Humanitarian Program. (Numbers decreased overall in the last two years due to restrictions of travel due to COVID-19).

The Australian Government's continued investment in, and support of settlement services has ensured that Australia delivers some of the world's best settlement practice. A noteworthy evolution in Australia's settlement service system is the development of youth specific settlement programmes to support positive settlement outcomes for young people; a response made in recognition of the complexity of adolescent development.

⁵ UNHCR, "Global Trends in Forced Displacement, 28," *UNHCR*, 2022, 28, doi:10.1007/978-3-030-68364-1_10.

⁶ United Nations, "The Impact of COVID-19 on Children," *United Nations*, April 2020, 4, https://unsdg.un.org/sites/default/files/2020-04/160420_Covid_Children_Policy_Brief.pdf.

⁷ United Nations, 10.

Response to the Discussion Paper

1. Offshore component of the Humanitarian Program

MYAN was disappointed to see that the March 2022 budget maintained Humanitarian Program numbers at a 'ceiling' of 13,750 places. Now that Australia has emerged from its blanket ban on travel as a result of the pandemic, the Humanitarian Program numbers must be returned to, at minimum, the pre-pandemic target of at least 18,750 as soon as practicable and should further increase over time-without any limitations on countries that people are resettled from. The Humanitarian Program numbers should also increase our capacity for additional humanitarian intakes in response to crises and emergencies such as those seen recently in Afghanistan and the Ukraine.

MYAN is also concerned that the continued use of the word 'ceiling' to refer to program numbers indicates a lack of commitment to resume the Humanitarian Program to full capacity.

We understand that programs across the migration stream have been leveraged to respond to various crises, with applications from certain cohorts receiving priority. MYAN reiterates our position that, above all, Australia's Humanitarian Program must maintain the integrity of the program, and our international protection obligations, by prioritising selection to the program based on humanitarian need. Private sponsorship and other pathways for humanitarian entrants to settle in Australia are important but must always remain in addition to, not an alternative, to existing refugee places provided by the government.

Recommendations for the government/Department of Home Affairs (DHA):

1. Urgently facilitate the timely resettlement of visa-holders currently overseas in response to the current backlog on applications.
2. Plan for an increase in Humanitarian Program numbers to at least 18,750.
3. Remove 'ceiling' language.
4. If 13,750 places are not filled in this year, carry over the remaining spaces as additional to next year's program numbers.
5. Ensure humanitarian visas offered in response to emerging global crises remain in addition to existing Humanitarian Program number caps.

1.1 Woman at Risk visa (subclass 204) and SHP (subclass 202) Category

MYAN would like to highlight the need for a more specialised gender-responsive and trauma-informed approach to settlement for people arriving via the WaR and SHP streams. Despite the inherent and gender-specific pre-arrival trauma and vulnerability for this cohort, there is a distinct absence of support that specifically target those arriving through these streams.⁸

A strengths-based approach that empowers WaR and SHP clients is critical for optimal settlement outcomes, including for young people. A focus on early, targeted, youth-specific support will

⁸ MYAN & MCA (2021) *Women at Risk Visa Holders (Subclass 204) Consultation Report Available at: myan.org.au*

maximise the strength of the WaR program and ensure local providers are aware of the service needs of this group and better equipped to implement the necessary resources and programs at the time of arrival.

Ordinarily, SHP proposers are expected to cover the costs of travel for sponsored 202 visa holders, whether directly or with the assistance of IOM who provide travel loans. The costs of travel are prohibitive, with the potential for financial distress or long-term debt for proposers.

Recommendation for HSP providers:

1. Conduct targeted needs assessments either pre-arrival or soon after arrival to identify the settlement needs of WaR and SHP visa holders in order to guide the delivery of tailored gender-responsive and youth-specific supports to this group.

Recommendations for the government/DHA:

2. Prioritise family reunification for WaR visa holders given the significance of family reunification to successful settlement outcomes and, more specifically, so that WaR visa holders and dependants may be better supported by extended family.
3. Adopt a broader definition of 'family' to prioritise the reunification of older siblings and extended family members so that WaR visa holders and dependants can be supported by extended family.
4. Work with settlement service providers to better recognise and respond to the specific settlement challenges faced by particular cohorts of young people and include opportunities for co-design with young people.
5. Invest in a national evaluation of the WaR and SHP programs to develop stronger empirical evidence about how the program is meeting the settlement needs of this specific cohort, which would help policymakers and service providers in achieving successful settlement outcomes for this group.
6. Provide travel support for SHP proposers.
7. Strengthen pre-arrival induction by undertaking a review of the Australian Cultural Orientation Program (AUSCO) program, including the development of more specialised modules that have a youth, gender, and trauma responsive lens and identify where other changes could be made to improve settlement outcomes.
8. Strengthen early arrival settlement outcomes by providing short English language courses via AUSCO where practical.

1.2 Community Support Program (CSP)

MYAN reaffirms our position on the CSP by making the following recommendations for the government/DHA:

1. Broaden the scope of the CSP to include diverse refugee groups, especially young people who are in need of protection.
2. Expand eligibility that goes beyond employment prospects and prioritises people in humanitarian need.
3. Significantly lower the fees associated with CSP to make the program more inclusive and accessible, including for young refugees.
4. Remove 'good settlement outcomes' or 'integration potential' as a criterion for its Humanitarian Programme and the program uses only established criteria for being a refugee⁹ and criteria for resettlement.¹⁰ MYAN would like to reiterate that there is no single objective indicator to measure an individual's potential for positive settlement outcomes prior to arriving in Australia.
5. Ensure the program is supplementary to and sit outside of the Humanitarian Program to avoid giving places to sponsored refugees that the Australian Government has already committed to settling in Australia.

1.3 Afghanistan crisis response

MYAN welcomes the commitment to 16,500 additional places for refugees from Afghanistan over the next four years, for those most at risk. Australia can build on this response by offering permanent protection to Afghans here in Australia.

Recommendations for government/DHA:

1. Give priority to all children and adolescents at risk, including boys.
2. Conduct a review of the response to the Afghanistan evacuation, to gain insight on how to strengthen future emergency responses.
3. Extend permanent protection to all Afghans living in Australia on temporary protection visas recognising that members of this group are unlikely to be able to return in safety for many years.
4. Assist Afghan Australians, including people with temporary and permanent protection visas, with urgent family reunion applications for relatives who are at particular risk.

⁹ Under Article 1(A) 2 of the 1951 Refugee Convention.

¹⁰ As specified under UNHCR's Resettlement Handbook (2011).

2. Onshore component of the Humanitarian Program

2.1 Regional Settlement

MYAN welcomes the Australian Government's recognition of the positive contributions that humanitarian entrants to Australia make to regional areas, including through '...small business development, helping to fill labour shortages, stimulating the local economy and helping to sustain local schools and services.'¹¹

MYAN agrees that migrant settlement in regional areas, including skilled workers, temporary migrants, and refugees, has the potential to provide multiple benefits to individuals and communities, both economic and social. These include the stimulation of local economy and ease of pressure on urban infrastructure and services, greater acceptance of diversity resulting in improved social cohesion, and help to offset the impacts of ageing populations.¹²

However, it is important to note that young people living in rural and remote areas face unique challenges due to their geographic location and often have poorer health outcomes than young people living in metropolitan areas.¹³ When young people settle in areas experiencing persistent issues around housing affordability, high rates of youth unemployment and low numbers of humanitarian migrants, settlement challenges are exacerbated for these young people.¹⁴ Some of these challenges include:

- Difficulties in building local social networks, particularly in communities with little diversity
- No established support networks due to low numbers of humanitarian entrants
- Limited or no knowledge from the community around the refugee and settlement experience
- Limited cultural competency/antiracism training offered to local teachers
- Newly arrived migrants, particularly young people may not be immediately eligible for a licence or have access to funds to purchase a car. This, combined with limited public transportation in regional areas impacts access to education and employment opportunities
- Limited meaningful employment options available for young people, with youth unemployment at higher rates in regional and rural Australia¹⁵
- Lack of facilities or programs to engage local youth may hinder long-term settlement objectives and short-term funding cycles of those programs.
- Lack of rental properties and stable long-term housing options available in many regional towns, and lack of crisis support for young people at risk of or facing homelessness.

To mitigate these issues, and realise any benefits of regional settlement in the long term requires:

¹¹ Department of Home Affairs (2021) *Australia's Humanitarian Program 2021-22*. Discussion Paper

¹² Rural Australians for Refugees (2017) *Inquiry into Migrant Settlement Outcomes*

¹³ AIHW (2021) *Australia's youth* Available at: <https://www.aihw.gov.au/reports/children-youth/australias-youth/contents/introduction>

¹⁴ MYAN & MCA (2021) *Women at Risk Visa Holders (Subclass 204) Consultation Report* Available at: myan.org.au

¹⁵ Ibid.

- Thorough review and assessment of regional settlement areas and capacity of local settlement services to respond to the needs of newly arrived families and individuals, including young people particularly within the domains of employment, education and training, English language services, affordable long-term housing, and health and well-being.
- Meaningful long-term opportunities and prospects for young people to continue to live, work and study locally, including pathways to set up businesses.

It is important to take into consideration that the settlement needs of young people will differ from those of adults and children, and young people will need targeted, specialised supports to assist in their navigation of their settlement journey.

Recommendations for government/DHA:

1. Thoroughly assess regional settlement locations to determine local workforce needs, educational opportunities, assess availability of appropriate housing, and to identify service gaps, response strategies, measure community attitudes, and concerns towards migrants.
2. Work with MYAN to facilitate a national consultation of young people from migrant and refugee backgrounds living in regional areas to highlight some of the gaps, challenges and solutions with regional settlement.
3. Develop a common set of criteria for optimal youth resettlement sites by:
 - Thoroughly assessing regional settlement locations to determine availability of stable and affordable housing, and schooling and employment opportunities.
 - Identifying service gaps and response strategies.
 - Measuring community attitudes, and concerns towards refugees and migrants.
4. Fund regional settlement service providers to provide analysis on settlement outcomes of migrants and refugees in suggested migration locales, to ensure that settlement support and programs in regional towns are prepared for new migrant settlement and are as effective, responsive and efficient as possible

2.2 Community Refugee Integration and Settlement Pilot (CRISP)

The Humanitarian Program must always prioritise humanitarian need and protection rather than using community sponsorship programs as an alternative form of labour migration. MYAN welcomes broader community involvement in refugee sponsorship, with the intention of expanding refugee protection and addressing the challenges of other community sponsorship models-namely, the restrictive costs and prioritising refugees with language skills who were deemed most ready for employment.

From a practical perspective, the CRISP model appears likely to improve integration outcomes for refugees arriving without any community links, however, regardless of future successes, we would caution against outsourcing government responsibility to civil society entirely.

We look forward to hearing more about the strengths and successes of this program once a review has taken place. While the discussion paper does not explicitly refer to young people arriving via the CRIAP program, we know that targeted support that improves the settlement experiences of young people arriving in Australia will improve social and economic outcomes for this group.

The CRISP program must be prepared to be responsive to the particular needs of young people and have a sound understanding of the relevant services available to support this cohort. Early targeted settlement support is critical, and it will be imperative that volunteers are equipped to consistently respond as such.

Recommendations for government/DHA:

1. Provide specialist youth training for CRISP volunteers on nationally established resources such as the National Youth settlement Framework (NYSF), supplemented by local MYAN training providers. MYAN and our partners can be a practical resource throughout the pilot to help ensure that settlement needs of young people are considered throughout the CRISP pilot.
2. Ensure there is a clear feedback and complaints mechanism for CRISP recipients managed through an independent body.

2.3 Settlement assistance to Humanitarian Program entrants

Settlement services delivery to young people

This must be flexible, tailored and responsive in order to be able to recognise and respond to their particular and individual needs. Progress has been made in Australia to address the settlement needs of young people in recent years, but more is required. Fundamentally, this involves a more targeted focus on youth in settlement policy, systems and programming, recognising that multicultural youth specialist services play a critical role in delivering and supporting this targeted approach

It also requires all service providers to build their knowledge and skills for engaging meaningfully with refugee and migrant young people, and to work collaboratively in their approaches to meet discreet and intersectional needs. This includes working with settlement service providers to better recognise and respond to the specific settlement challenges faced by particular cohorts of young people, including young people arriving on the Women at Risk Visa and LGBTQI+ asylum seekers, and include opportunities for co-design.

Refugee settlement approaches need to recognise the agency of refugee youth and include them on their own terms. There is immense potential in co-designing programs that allow refugees to take part meaningfully in and exert influence on decision making processes that affect their lives at various levels. Refugees are best placed to understand their own needs and aspirations; therefore, it is crucial to empower these communities and ease the pathways to self-agency.

Youth participation has significant benefits, both for the young people who are engaged in decision making processes, as well as for the organisations and communities that engage and support young

people to participate and settle well in Australia. Young people have valuable opinions and insights, which they are most capable of sharing, provided they are given the space and support to do so.¹⁶

MYAN also reiterates the importance of data collection on youth¹⁷ with specific data gathered to capture the experiences of young people as a distinct population group (12- to 24-year-olds).¹⁸ The absence of such data results in a lack of targeted age and developmental stage appropriate protection and assistance programs, and capacity to measure impact and outcomes. This includes initiatives to ensure their engagement in secondary and tertiary education, and vocational training opportunities, on the pathway to employment.¹⁹

Recommendations to government/DHA:

1. Identify opportunities for co-design with young people for the purpose of service improvement.
2. Improve nationally consistent data collection to monitor and measure settlement outcomes for young people – to allow comparative analysis across sites and over time and build a robust evidence-base.
3. Invest in research that examines the factors that contribute to and support successful settlement outcomes for young people.

¹⁶ MYAN (2018) *Not “Just Ticking a Box”: Youth participation with young people from refugee and migrant backgrounds*. Available at: <http://myan.org.au/file/file/MYANYouthParticipationResource.pdf>, p. 5.

¹⁷ MYAN (2018) *Advocacy Brief Youth Rights in the Global Compact on Refugees*. Available at: <http://www.unhcr.org/events/conferences/5a562f9a7/myan-australia-advocacy-brief-youth-rights-global-compact-refugees.html>, pp. 14-15, 18-20.

¹⁸ For statistical purposes UN defines youth as persons aged between 15-24 years. UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.

¹⁹ UNHCR (2016) *Executive Committee of the High Commissioner’s Programme conclusion on Youth, 31 May 2016, EC/67/SC/CRP.17*. Available at: <http://www.refworld.org/docid/5800cdea4.html>, p.3.