



Refugee Council
of Australia

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

SUBMISSION ON THE NEW INTERNATIONAL DEVELOPMENT POLICY

As the national peak body for refugees and people seeking asylum and the organisations and individuals who work with and support them, the Refugee Council of Australia (RCOA) has advocated for many years for a whole-of-government strategy to increase international opportunities to protect refugees. We believe that the recent change of government provides a long-overdue opportunity to draw together Australia's humanitarian and international development programs, its international diplomacy and its work in refugee resettlement into a cohesive strategy aimed at achieving significant improvements in international responses to the needs of refugees and people seeking asylum. These ideas align with some key commitments in the 2021 Australian Labor Party (ALP) National Platform which acknowledges that "Australia has a particular responsibility to show humanitarian and protection leadership in South East Asia".¹

The case for greater Australian leadership in responses to forced displacement is compelling. In May 2022, the Office of the United Nations High Commissioner for Refugees (UNHCR) released updated global statistics showing that more than 100 million people were forcibly displaced for the first time on record.² For the past 20 years, Australia has focused much of its regional multilateral dialogue on the movement of displaced people on the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. To its discredit, the Bali Process has ignored the persecution and human rights abuses which compel millions of people in the region to move on in search of safety and achieved no tangible improvement in the treatment of refugees and people seeking asylum in the Asia-Pacific region.

The Australian Government cannot have an effective response to forced displacement while the Department of Foreign Affairs and Trade (DFAT) shows such little interest in the issues faced by refugees and the Department of Home Affairs focuses much of its energy on deterring people from seeking protection and deflecting responsibility to other nations. The "humanitarian and protection leadership" envisaged in the ALP platform can only be achieved by DFAT and the Department of Home Affairs bringing together Australia's work in refugee resettlement, international development and diplomacy into a shared strategy aimed at responding to the root causes of displacement and addressing the overwhelming obstacles refugees face in countries of asylum. In this submission, we suggest how Australia's international development strategy could play a central role in such a strategy.

1 Prioritise needs of refugee communities in the region

Australia must take more seriously the key protection concerns expressed by refugees in many countries of asylum. Through our active involvement in the Asia Pacific Refugee Rights Network (APRRN) and our close partnership with the Asia Pacific Network of Refugees (APNOR), we have had the opportunity to hear on many occasions directly from refugees in countries across Asia about

¹ 2021 ALP National Platform, p. 119, paragraph 20.

² <https://www.unhcr.org/news/press/2022/5/628a389e4/unhcr-ukraine-other-conflicts-push-forcibly-displaced-total-100-million.html>

the factors which make life unbearable in the places where they have sought refuge. The concerns of refugees are common across national boundaries:

1. Access to a fair asylum process and protection from refoulement
2. Freedom from detention
3. Legal status while seeking asylum and after refugee status is granted
4. Adequate food, clothing, and shelter
5. Access to health services
6. Personal security and access to justice
7. Access to education
8. The right to work and a sustainable livelihood
9. The right to family unity
10. Access to a viable future (a durable solution) for themselves and their children

In bringing together the Government's work in diplomacy, international development and refugee resettlement, DFAT and the Department of Home Affairs could work together, seeking the advice of NGOs in RCOA's national network and APRRN's regional network as well as APNOR and refugee diaspora organisations in Australia. There is great capacity for Australia to work in partnership with other resettlement states, particularly USA, Canada and New Zealand, on joint strategies which combine humanitarian assistance, international development, diplomatic engagement and resettlement. Opportunities to be explored could include:

- Inviting key resettlement states to work with Australia on diplomacy and international development strategies which move beyond resettlement as the only durable solution.
- Engaging the government of Indonesia in an active dialogue about how the 2016 Presidential Decree can be implemented in a way which creates alternatives to detention, enables refugees to live and work legally, and focuses resettlement options on those in greatest need.
- Reviewing, as a matter of priority, the impacts of Australian policy on refugees in Indonesia, including restrictions on refugee resettlement, the under-resourcing of UNHCR activities in the country, and funding cuts to International Organization for Migration (IOM) programs, policies which have left many refugees facing destitution with no durable solution in sight.
- Opening dialogue with the government of Thailand about its plans to improve the identification and protection of urban refugees and to end the immigration detention of children.
- Supporting efforts to encourage the government of Bangladesh towards supporting increased resettlement of Rohingya refugees, illustrating genuine international interest in sharing responsibility with Bangladesh as it hosts 950,000 refugees.
- Exploring how the expertise of NGOs and government agencies in Australia on many issues of refugee status determination, protection, settlement and engagement with refugee communities could be shared as part of strategies to support the development of new protection initiatives in the region.

Recommendation 1 Convene a forum to advance a whole-of-government integrated response to displacement

RCOA recommends that the Australian Government convene a forum with NGOs, refugee-led organisations, peak bodies, intergovernmental bodies and other relevant stakeholders to advance the development of an integrated and strategic response to displacement, including consideration of the roles of international development, diplomacy, capacity-building and the strategic use of resettlement.

2 Australia's international development program addressing root causes of displacement and refugee protection

One of the practical and effective ways in which Australia's foreign policy can support a more prosperous, peaceful and stable region is by strengthening and utilising our overseas development assistance program to address the root causes of displacement, as well as to support initiatives that promote the rights and protection of people seeking asylum.

Australian international development agencies (with two or three exceptions) are largely absent from regional responses to protracted refugee displacement in the region. This is particularly attributable to the approach to “development” promoted by DFAT (and earlier by AusAID). A focus on a narrow conception of “development” encourages agencies prioritise programs which focus on national development plans, rather than addressing the situations for displaced refugees in the country. This means that some vital programs in education, health and crisis assistance to people trapped in situations of protracted displacement where they have no rights and no agency are viewed as “welfare” programs which fail to meet the criteria of “development” focused government policies. To this end, the Australian Government should ensure that its international development priorities are flexible enough to address the needs of refugees in the region, and also work with host countries to ensure their own national development plans including support to refugee communities residing in their territories.

RCOA believes that focusing Australia’s international development program on development is compatible with addressing the root causes of displacement as well as providing scope for greater international development funding to go to initiatives that enhance the protection of refugees and people seeking asylum in parts of the Asia-Pacific region. To this end, we recommend international development funding be made available to organisations (including grassroots civil society organisations) working with displaced populations and local host communities in key countries of asylum, including Indonesia, Thailand, Malaysia, Pakistan and Bangladesh.

Australia should also increase its international development funding to refugee programs, along with an overall increase of international development to meet its commitment of 0.7% of Gross National Income.

Recommendation 2 Increase international development to 0.7% of Gross National Income

Recognising the crucial role international development plays in assisting forcibly displaced people, restore Australia’s international development program to its former level and develop a plan to increase international development to 0.7% of Gross National Income.

Recommendation 3 Ensure support for protracted refugee situations is included in Australia’s international development program

DFAT should ensure that its policies concerning international development funding are inclusive enough to enable programs which seek to address the needs of refugees in protracted situations. DFAT should also work with host countries and recipients of international development assistance to ensure that the needs of refugees are considered within national development plans.

3 Support refugee-led initiatives

DFAT should consider how it can support the role of refugee-led organisations (RLOs) in addressing the needs of refugees in protracted situations. RLOs play a unique role in supporting refugee communities. They are grassroots initiatives which are set up by refugees, and often fill significant gaps which international organisations are to address.

RLOs have continued to grow in their work and scope in Indonesia, Malaysia, Thailand and Bangladesh but are greatly hampered by their inability to get formally registered and, in many cases, even to open their bank accounts. They struggle to get the international support they deserve because they cannot meet key governance expectations due to lack of legal rights in host countries and inability to register as legal entities. Models of intermediary organisations auspicing these organisations should be explored.

One positive example of funding for refugee-led initiatives is APNOR’s new funding for RLOs, which is administered by the Refugee Leadership Alliance.³ This direct RLO-to-RLO funding will alter the international development sector in the Asia-Pacific by creating funding opportunities for RLOs that

³ See <https://apnor.org/refugee-leadership-alliance/refugee-leadership-alliance-pooled-pilot-fund/>

do not currently have access to funding, minimising the bureaucratic and administrative hurdles for RLOs to begin the fundraising process, and streamlining the donation process for participating RLOs. In achieving these goals, APNOR will be adding to the global momentum to recognise refugee leadership and foster the meaningful inclusion of refugees in decisions made about them, in line with UNHCR aspirations.

Recommendation 4 Consider how to support refugee-led organisations

DFAT should consider innovative ways to fund and support refugee-led organisations to deliver assistance to refugees in protected situations, including through utilising intermediary organisations or pooled funds.

4 Maintaining a global perspective on forced displacement

While Australia clearly has a role to play in the Asia-Pacific region in addressing issues of forced displacement, RCOA submits that our interests should not be confined only to this region. Forced displacement has global dimensions that cannot be addressed only at a domestic or regional level.

For 2023, UNHCR has identified a number of key regions of concerns:

- **Syrian refugees:** The COVID-19 pandemic has had a disastrous impact on these host countries, exacerbating poverty, unemployment, and food insecurity. Competition for jobs and access to social services has undermined social cohesion and worsened relationships between host communities and refugees.
- **Refugees in the Central Mediterranean Situation,** including 15 countries along the Central Mediterranean route and Rwanda. Many of the people on the move are refugees from protracted situations, driven onwards by political instability, limited resources, and lack of opportunities. On the journey, many suffer abuses including extreme violence, forced labour, rape, prolonged confinement in isolation, sleep deprivation, starvation, dehydration, and kidnappings or trafficking.
- **Afghanistan Situation:** The mass forced displacement resulting from the Taliban takeover of Afghanistan in 2021 has prompted UNHCR to reassess options for people who have fled the country, including people previously assessed as ineligible for international protection.
- **Rohingya Situation:** Rohingya people have experienced decades of systematic discrimination, statelessness, and targeted violence in Rakhine state in Myanmar.
- **Venezuelan Situation:** With countries in Latin America and the Caribbean hosting around 5 million Venezuelan refugees and migrants (84% of the global total of more than 6 million), considerable numbers of Venezuelans remain in an irregular situation and face complex protection issues.

In keeping a global perspective, RCOA strongly encourages the Australian Government to consider how our foreign policy may positively contribute to collaborative international efforts assisting countries most effected by forced displacement.

5 Develop a whole-of-government approach to refugee displacement

Over the last decade, there has been very little focus on advancing refugee protection in the region. This was in a large part due to the Department of Home Affairs' deterrence approach to people displaced and a lack of constructive leadership in the region. During this time, DFAT took a hands-off approach to refugee protection issues in the region. The Bali Process, often referred to as the relevant multilateral forum for discussing these issues, focuses (as noted earlier) on people smuggling, human trafficking and transnational crime – perspectives which problematise the movement of people at risk and ignore the compelling reasons people move on to seek protection or seek further protection where their basic needs are not being addressed.

We need a whole of government approach to addressing protected refugee displacement in the region. Much of what needs to be done is in DFAT's area of responsibility – with the work of humanitarian assistance for displaced people, development for host communities and diplomatic action to push the case for incremental improvement in policies which affect refugees being DFAT's

responsibility. This should be advanced in close partnership with Home Affairs' work in refugee resettlement, in order to develop policies to utilise resettlement as a strategic diplomatic lever in the region.

The lack of diplomatic pressure to date has led to no change to the treatment of refugees in host states which have benefited the most from resettlement. Thailand and Malaysia each have been seen well over 100,000 refugees resettled over the past 20 years (primarily to USA, Australia and Canada) without making any serious attempt to address the pressing needs of refugees still within their borders. Resettlement should be better utilised as a strategic diplomatic tool to engage host countries in improving the situations of refugees in their territories, including extending basic rights and support to these communities while they wait for resettlement.

RCOA strongly believes that the Australian Government should develop an integrated cross-portfolio approach in our response to issues of forced displacement in our region with a view to contributing to constructive solutions. Australia has a number of positive levers of influence it could use to much greater effect if an integrated, cross-portfolio approach was taken. These levers include:

- **Refugee resettlement:** Over the past 45 years, Australia has done much to support nations in the region through its resettlement program. This gives Australia a positive platform on which to engage these states in constructive dialogue about how to improve the protection of refugees who haven't been resettled. Australia can also bring other resettlement states, particularly the United States, Canada and New Zealand, into these discussions.
- **International development:** Despite the massive cuts in the past few years to its international development program, Australia is still a significant funder of refugee protection strategies in the region, primarily through UNHCR and IOM. The Australian Government could choose to use its international development program more strategically to support new regional and local initiatives (government, NGO, UNHCR and IOM) which enhance refugee protection.
- **Diplomatic action:** Working for improvements in human rights conditions in countries of origin – seeking to address issues of displacement at their source – is critical to a comprehensive and effective regional strategy. While not wishing to overstate what can be achieved, Australia still retains sufficient international credibility to play a constructive role, if it is prepared to move beyond a seemingly singular obsession with preventing people movement and shift focus to the persecution and abuses which prompt refugees to move.
- **Sharing expertise:** NGOs and government agencies in Australia have considerable expertise, built up over several decades, on many issues of refugee status determination, protection, settlement and engagement with refugee communities. This expertise not only gives Australia significant credibility in regional discussions but could be shared as part of strategies to support the development of new protection initiatives.

Recommendation 5 Develop a cross-portfolio approach to promoting the protection of refugees

RCOA recommends the Australian Government develop a cross-portfolio approach to promoting the protection of refugees and working with other states to explore options to promote:

- *peace in countries of origin, particularly states from which the number of refugees and asylum seekers is increasing (e.g. Myanmar, Pakistan);*
- *reconciliation processes in countries where there is movement towards peace and possibilities for the eventual safe voluntary return of refugees;*
- *access to some form of legal status, alternatives to detention, work rights, education and health for refugees in countries of asylum, particularly in South East Asia; and*
- *cooperation between resettlement states which even actively engages with host states on other forms of durable solutions.*