



Refugee Council  
of Australia

**SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS OF MIGRANTS**

# **REVISITING MIGRANTS' CONTRIBUTIONS FROM A HUMAN RIGHTS-BASED APPROACH: A DISCUSSION ON FACILITATING AND HINDERING FACTORS**

**February 2024**

The Refugee Council of Australia (RCOA) is the national peak body for people from refugee and asylum seeking backgrounds and the organisations and individuals who work with them. RCOA promotes the adoption of humane, lawful and constructive policies by governments and communities in Australia and internationally towards refugees, people seeking asylum and humanitarian entrants. RCOA consults regularly with its members, community leaders and people from refugee backgrounds, and this submission is informed by their views.

## **1 Contributions to society and relevant data**

Australian Government statistics show that 940,159 refugee and humanitarian entrants arrived through offshore resettlement and onshore protection processes between 1 January 1947 and 30 June 2022. In the 2022-23 financial year, the Australian Government issued 17,875 refugee and humanitarian visas, taking the cumulative total over the 76 years to June 2023 to 958,000.

While the primary objective of the Humanitarian Program is and should be to provide safety and a durable solution to people in need of international protection, the Program should not be seen in isolation or disconnected from the broader Migration Program. Like other migrants, research has shown that **refugee and humanitarian entrants make long and lasting contributions to Australia's economy and society**, including in the areas of jobs and skills.<sup>1</sup> These contributions relate to:

- **The younger demographic profile** and long-term engagement in the Australian labour market of refugee and humanitarian entrants (i.e. a median age 15 years younger than the national average and the lowest settler loss rate of any migrant group).<sup>2</sup>
- Many refugees arriving with **significant skills, qualifications and overseas work experience** relevant to the Australian labour market, including as medical professionals, tradespeople, engineers, business owners, educators and carers.<sup>3</sup>
- Refugee-humanitarian **labour force participation rates** converge toward that of the Australia-born population over time. The second generation performs at a higher level.<sup>4</sup>

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<sup>1</sup> Hugo (2011). [A Significant Contribution: The Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants](#); Deloitte Access Economics (2019). [Economic and social impact of increasing Australia's humanitarian intake](#)

<sup>2</sup> The median age of migrants can differ substantially across different visa categories. Permanent Humanitarian visa entrants tended to be the youngest arrivals with a median age of 22.7 years. In contrast the overall Australian population was considerably older with a median age of 37.3 years. See ABS (2018). [Spotlight on overseas net migration](#); See also Commonwealth of Australia (2021). [2021 Intergenerational Report: Australia over the next 60 years](#)

<sup>3</sup> Shelton (2022). [Census reveals migrants tend to be more highly educated. So why do they find it harder to land jobs?](#)

<sup>4</sup> Hugo (2011). [A Significant Contribution: The Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants](#)

- Refugee and humanitarian entrants engage **disproportionately in the labour force in some regional areas**, and in **industries where there are significant labour shortages**, including those catering to an aging population.<sup>5</sup>
- Refugee-humanitarian settlers show a **greater propensity to form their own business** than other migrants, and risk-taking, entrepreneurialism and an ability to identify and take advantage of opportunities is a key characteristic of the group.<sup>6</sup>
- Refugee and humanitarian entrants can **facilitate the development of trade** between Australia and their countries of origin, diversifying the range of countries where Australia-based diaspora communities and businesses have knowledge and connections.<sup>7</sup>

### **Positive Australian Government measures**

The granting of permanent visas or long-term visas with work rights are essential to the contribution of migrants to the community. The Australian Government recently announced that refugees who were on 3-year Temporary Protection Visas or 5-year Safe Haven Enterprise Visas would be given a permanent visa with a pathway to citizenship. This is a very positive commitment that recognises the contributions of refugees to Australian society and economy.

### **Positive civil society and NGO measures**

Civil society actors and non-government organisations have filled numerous gaps in supporting refugees and people seeking asylum to contribute to society.

Organisations such as Talent Beyond Boundaries work to match skilled refugees with employment pathways for migration. This particular organisation has assisted over 500 displaced people to relocate through skilled visa pathways.<sup>8</sup> These kinds of programs help people utilise their skills and training on arrival in new countries, and bypasses some of the barriers to migrants' contribution to their new community.

## **2 Obstacles in law and in practice**

Many refugees arrive in Australia with significant skills, qualifications and overseas work experience relevant to the Australian labour market.<sup>9</sup> However, there are significant obstacles in ensuring that the overseas skills and qualifications are recognised and that refugees are supported to enter into the workforce which they have previous experience in.

While there are long-term nation-building benefits to welcoming refugees to Australia, people who have been forcibly displaced face **a range of challenges that affect their ability to participate in the labour market**. These relate to:

- **Job-seeker characteristics:** English levels; the need to upskill or retrain, particularly for those who have had limited opportunities to work and access education prior to settlement; lack of Australian work experience and industry-related networks; health and trauma recovery; and understanding of and navigating the Australian labour market.
- **Labour market and other structural barriers:** Recognition of qualifications and prior experience; prohibitive industry accreditation or licensing processes; accessibility of recruitment processes; racism and discrimination; access to transport and childcare; and ineffective employment services.
- **Immigration and visa status:** There are many people whose visa status presents significant

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<sup>5</sup> AMES (2015). [Small Towns Big Returns: Economic and Social Impact of Karen Resettlement in Nhill](#)

<sup>6</sup> Legrain & Burridge (2019). [Seven Steps to SUCCESS: Enabling refugee entrepreneurs to flourish](#); Radford et al. (2021). [Refugees Rejuvenating and Connecting Communities: An analysis of the social, cultural and economic contributions of Hazara humanitarian migrants in the Port Adelaide Enfield area of Adelaide, South Australia \(Summary Report\)](#).

<sup>7</sup> Bahar, Parsons & Vézina (2022). [Refugees, trade and FDI](#)

<sup>8</sup> Walder (2023). <https://www.talentbeyondboundaries.org/blog/measuring-our-impact>.

<sup>9</sup> Shelton (2022). [Census reveals migrants tend to be more highly educated. So why do they find it harder to land jobs?](#).

challenges for accessing or sustaining employment, with employers hesitant to take on workers whose visa status is unclear or requires regular renewal. This includes:

- 19,614 refugees on **temporary protection visas** (TPVs or SHEVs) that need to be periodically renewed.<sup>10</sup>
- 107,177 people who applied for protection and are either waiting for an initial decision, have applications under review, or have received a final refusal.<sup>11</sup> A large number **do not have work rights** and all are on **bridging visas that require regular renewal**.

People seeking asylum and particularly those who arrive by boat face significant hurdles to gaining work. Being on a temporary visa where conditions may change the next time one applies for a visa leads to difficulty obtaining a job, as employers are unwilling to hire individuals who cannot guarantee their ongoing work rights. There is limited financial assistance available for people seeking asylum on temporary visas, but it is often difficult to secure. The number of people receiving this service has reduced from 5,482 in 2019, to 1,517 in 2023, and is capped at 89% of the comparative service for Australian citizens.<sup>12</sup>

The legislative frameworks that relate to migration are often lacking in protections for the rights of migrants and fail to recognise their contributions to society. Limited access to legal status can leave migrants vulnerable to exploitation as it creates barriers to seeking assistance or reporting abuses due to fear of forced return. Border policies tend to favour border control and national security over the rights of migrants and their inclusion and settlement into communities. These policies perpetuate a narrative of exclusion and hinder the settlement of migrants into communities.

Public discourse, particularly through the media and driven by politicians, often perpetuates negative stereotypes and misconceptions regarding migrants. This was made particularly clear after the recent ruling that indefinite detention is unconstitutional in Australia. While this led to a number of people being released from indefinite immigration detention, news reports were predominantly negative and fuelled xenophobic sentiment. Rushed political legislative responses to ensure those released from detention were further monitored did nothing to dispel this sentiment.

### **3 Raising awareness, rethinking and changing the way migration is spoken about**

Centring the voices of lived experience is an essential part of raising awareness and mitigating the harmful narratives that can be inserted into the public discourse. The Refugee Council has been shaping public discourse in Australia by actively **creating spaces in Australia for people who can speak from lived experience to shape public narratives about refugees**.

This has been done through initiatives including:

- The Refugee Council's Face2Face Schools and Community Program<sup>13</sup> which has recruited, trained and supported a pool of **paid** speakers from refugee backgrounds to deliver presentations tailored for primary and secondary students, teachers, community groups, government services or businesses with a passion for learning about refugee journeys and social justice.
- RCOA's National Refugee Ambassadors<sup>14</sup> initiative—which initially began during Refugee Week and is a core part of the Face2Face Schools and Community Program—involves a pool of trained and supported speakers who can be linked to public speaking and media engagement opportunities at a local, national and international level.

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<sup>10</sup> As of October 2022, see: Department of Home Affairs, [UMA Legacy Caseload Statistics](#), p.5.

<sup>11</sup> Statistics are from 31 July 2022. 95,364 are people seeking protection who arrived on a valid visa and 11,813 arrived in Australia by boat and sought asylum before December 2014 ('Legacy caseload'). See: Department of Home Affairs. [Monthly Update: Onshore Protection \(Subclass 866\) Visa Processing - July 2022](#) and [UMA Legacy Caseload: Report on Processing Status and Outcomes – July 2022](#)

<sup>12</sup> Refugee Council of Australia (2024). <https://www.refugeecouncil.org.au/srss/>

<sup>13</sup> See more about the Face to Face Program here: <https://www.refugeecouncil.org.au/f2f-overview/>

<sup>14</sup> See more about the National Refugee Ambassadors here: <https://www.refugeeweek.org.au/ambassadors/>

- The Refugee Council is approached frequently by media outlets to provide commentary about refugee-related events or policy. Wherever possible and appropriate, our organisation will recommend that media outlets speak directly to representatives from refugee community networks or organisations. The Refugee Council works with community spokespersons prior to media interviews to ensure they are prepared and can best shape the narrative they wish to share.

#### In practice: National Refugee Ambassadors

As a newly arrived refugee to Australia, becoming a National Refugee Ambassador has played a major role in my engagement with the community. It has offered opportunities of professional development and involvement in research projects and initiatives that would benefit refugee communities in Australia. As a paid speaker, I know that the work and perspective that I bring to the team is valued and respected. This experience has opened doors to other opportunities of advocacy and refugee support work.

- Samah Shda, National Refugee Ambassador



*Refugee Ambassador Sidiqa Faqihi speaks to Masters of Humanitarian Assistance students at Deakin University, August 2023.*

## 4 Practical examples and recommendation

Meaningful refugee and migrant participation at the local, national and international levels and at all stages of policymaking that concerns them is key to seeing changes enacted to address and overcome the barriers and challenges that they face. Many aspects of the Refugee Participation Pledge<sup>15</sup> provide the principles and practical ideas to effectively address these challenges.

The Refugee Council of Australia has sought to **consult, support and amplify the advocacy of refugees, refugee-led organisations and networks** in the development of policy advice and advocacy. This includes:

- Developing Guiding Principles for the work of our organisation that clearly states RCOA will give ‘priority to the views, concerns and ideas of refugees and people seeking asylum, privileging their views over the views of people with greater power and influence, emphasising their right to be represented when decisions are being made about their future’.<sup>16</sup>
- Inclusion of refugee-led organisations and networks in strategic advocacy work, including in advocacy leading to the establishment of a Parliamentary Friends of Refugees group and subsequent events.<sup>17</sup>
- Co-convening a Sector Strategy Group in collaboration with the National Refugee-led Advisory and Advocacy Group (NRAAG).
- Supporting refugee-led organisations, networks and community advocates to make submissions on government policy and evidence before parliamentary inquiries. For example, in giving public evidence before the Australian Senate Inquiry into Issues facing diaspora communities, RCOA co-presented alongside three representatives from refugee diasporas.
- Regular and ongoing community consultations to inform policy advice and advocacy.

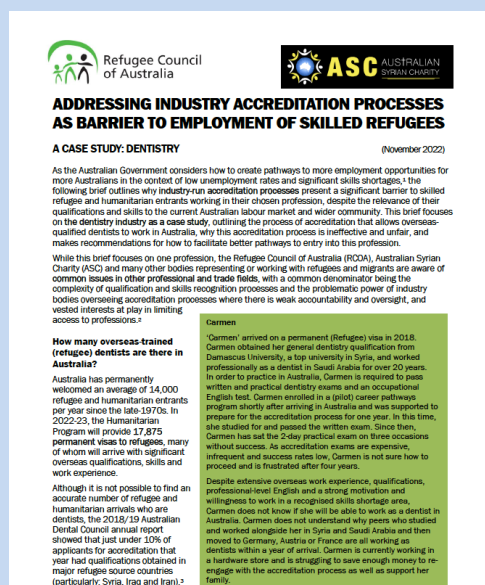
<sup>15</sup> See <https://globalcompactrefugees.org/multistakeholder-pledge-refugee-participation>

<sup>16</sup> <https://www.refugeecouncil.org.au/wp-content/uploads/2018/06/Guiding-Principles-Updated-15.12.21.pdf>

<sup>17</sup> <https://www.refugeecouncil.org.au/launch-parliamentary-friends-of-refugees-group/>

## In practice: Amplifying community concerns

In 2022 the Australian Syrian Charity (ASC) approached the Refugee Council about issues that community members were facing finding employment commensurate with skills, experience and aspirations. Specifically, there were many highly skilled Syrian dentists who had arrived on Refugee and Humanitarian visas who were facing significant challenges navigating the accreditation process to practice as dentists in Australia. RCOA and ASC worked together to document the challenges faced by these dentists and facilitated a meeting between a small group of dentists and the Assistant Health Minister to discuss their concerns. The issues raised by ASC were included in RCOA's public submissions on policy relating to employment services, skills shortage and migration, and dental access.<sup>18</sup>



Another practical way to overcome the challenges faced by refugees and other migrants is to ensure that **logistical or capacity-building support is available to enable [refugee and migrant] participation in policymaking processes:**

- Working with NRAAG and members of the Annual Tripartite Consultations on Resettlement (ATCR) Refugee Advisory Group, RCOA provided training and orientation support to refugee representatives from Australia participating in the ATCR for the first time. The Refugee Council will continue this work for the Consultations on Resettlement and Complementary Pathways (CRCP).
- We have worked to resource and facilitate travel and mentoring support for first-time participants attending a range of international meetings since 2007, including ATCR, the UNHCR-NGO Consultations and consultations with UNHCR regional bureaux.
- We have provided practical support to refugee-led networks to apply for funding to support their advocacy and coordination work.

## In practice: Convening a community roundtable with UNHCR leaders

In November 2022, the UNHCR office in Canberra contacted the Refugee Council of Australia and the Asia Pacific Network of Refugees (APNOR) about a visit to Australia by UNHCR's Deputy High Commissioner and Asia Bureau Director. RCOA worked with APNOR and other refugee-led networks to convene a community roundtable in Sydney. Community advocates were invited to identify issues to raise at this meeting. RCOA staff briefed community advocates less familiar with these processes to prepare for the meeting, provided resources for inter-state participants to travel to Sydney, and supported refugee-led organisations to document their issues as written briefs to share with UNHCR colleagues ahead of the meeting.

<sup>18</sup> See: RCOA and ASC (2022). [Industry accreditation as a barrier to employment: A case study – dentistry](#); RCOA (2022). [Submission on Employment White Paper](#); RCOA (2023). [Submission on the Provision of and Access to Dental Services in Australia](#) – Submission 130

The practical ways that the Refugee Council has **consistently supported refugee participation at international forums and meetings** is by:

- Initiating and coordinating a selection process to identify refugee community advocates in Australia to participate in annual high-level international dialogue on refugee responses (ATCR, UNHCR-NGO Dialogue and Asia Pacific Consultations on Refugee Rights), providing logistical and financial support to participants selected for meetings, and including participants in all coordination and pre-planning work.
- Facilitating the registration of refugee representatives who wish to participate in international meetings and who require registration by an organisation with ECOSOC status (e.g., Human Rights Council meetings).
- Advocating for the inclusion of refugee speakers in international forums and meetings, suggesting speakers with relevant expertise or advocating for the inclusion of people with lived experience on panels.
- Working with other NGOs to support refugee representatives to be part of the Australian delegation.

#### In practice: Making way for experts with lived refugee experience at an international level



President of the Queensland African Communities Council, Beny Bol OAM, was one of three refugee representatives from Australia selected through an open EOI process to participate in the 2023 ATCR.<sup>19</sup> Beny was subsequently selected to join the Australian Government delegation. Beny was one of four panellists who spoke at the ATCR main plenary on “Named sponsorship and resettlement”. His suggestion as an expert speaker was put forward jointly by RCOA and the Australian Government.

Since 2012, RCOA has **advocated for and provided practical support to the Australian Government** to facilitate the inclusion of refugee representatives from Australia in the Annual Tripartite Consultations on Resettlement (ATCR). In 2023, the Government not only supported this nomination process and covered the financial costs of a refugee participant participating in this global dialogue, but also included a refugee representative formally in its government delegation.

In addition, RCOA has actively supported **greater representation of people with lived refugee experience in policymaking and programs at a national level**, through initiatives such as:

- Modelling how to give more space to people with both personal and professional expertise in policy discussion through the RCOA Refugee Alternatives conference and webinar series since 2017, where a commitment has been made to ensure speakers and participants from refugee backgrounds are able to lead conversations related to policy and programs.
- Advocacy for participation of refugee-led networks in national dialogue, which led to the inclusion of refugee-led networks in formal and regular dialogue between NGOs and the Department of Home Affairs on Australia’s Refugee and Humanitarian Program.
- Providing practical support to refugee-led networks and organisations in Australia to advocate directly on issues of concern, including by supporting the drafting of submissions or joint submission on government policy.

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<sup>19</sup> [https://www.refugeecouncil.org.au/wp-content/uploads/2023/03/EOI\\_ATCR-Refugee-community-reps\\_2023.pdf](https://www.refugeecouncil.org.au/wp-content/uploads/2023/03/EOI_ATCR-Refugee-community-reps_2023.pdf)

### In practice: Refugee Alternatives

In 2021, the Refugee Council's fifth annual Refugee Alternatives conference took place in an entirely virtual format with approximately 335 delegates. The format was highly successful, yielding more attendees from around the world and a larger number of diverse speakers and perspectives.

Importantly, **more than 70% of the speakers were people with lived experience of displacement.** Over 35% of all conference participants identified themselves as either a person from a refugee background or seeking asylum. As with previous Refugee Alternatives conferences, the agenda and panels were organised with the support of an advisory group made up of people who could speak from lived experience of displacement.

In April 2023, three of the four speakers for RCOA's Refugee Alternatives webinar on Resettlement and Complementary Pathways were from refugee backgrounds.

