



TALENT BEYOND
—BOUNDARIES—

Australia's Humanitarian Program

Submission to the Department of Home Affairs on the management and composition of the Humanitarian Program for 2018–19.

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Summary

Refugees are all too often denied the right to work. Many countries bar or place restrictions on refugees from employment, forcing them to seek illegal work or rely on family or humanitarian assistance to avoid destitution. While refugees have skills that are in high demand around the world, they also have few opportunities to access international employment.

Talent Beyond Boundaries (TBB) is the first organisation in the world with the specific purpose of supporting international labour mobility of refugees. TBB links with governments and employers around the world to facilitate talented refugees being able to fill skills gaps. By doing this, TBB aims to open up new pathways for refugees to find self-reliance through international employment and contribute skills to the global workforce.

Australia has an opportunity to lead the world in providing labour mobility pathways for refugees. This submission outlines how Australia can seize this opportunity by creating a hybrid humanitarian-skilled visa pathway. Such a pathway would meet both humanitarian and economic aims. It would be accessible to refugees and others in refugee-like situations who have skills that are in demand in Australia. Importantly, any places allocated to this pathway should be additional to Australia's current humanitarian program commitments.

Recommendations

TBB proposes the following recommendations to the Australian Government:

1. Australia's Humanitarian Program intake should grow in line with increasing global refugee resettlement needs.
2. In addition to the Humanitarian Program, Australia should promote labour mobility as a complementary pathway for refugees to settle in Australia.
3. Australia should create a hybrid humanitarian/skilled visa program for refugees and humanitarian entrants. The program should be designed in close coordination with key business, philanthropic and community stakeholders.

Global resettlement needs and responses

Recommendation 1: Australia's Humanitarian Program should grow in line with increasing global refugee resettlement needs.

UNHCR estimates that there are 22.5 million refugees worldwide - the highest number of refugees ever recorded.¹ In addition, there are 10 million stateless people and a large number of unregistered refugees. According to UNHCR nearly 1.2 million refugees are in need of resettlement to a third country in 2018,² and resettlement would be the best option for millions more.

Despite growing needs, the number of resettlement places globally is shrinking, particularly with the United States dramatically shrinking its refugee resettlement program.³ UNHCR resettlement data shows that just over 126,000 refugees were resettled in 2016, whereas just over 65,000 were resettled in 2017.⁴

Australia makes an important contribution to the resettlement of refugees and other people uprooted by conflict. In 2016-17 Australia resettled 24,162 refugees and humanitarian entrants, the highest number since 1980.⁵ This is commendable. The committed humanitarian intake for 2017-18 and 2018-19, however, is lower (16,250 places and 18,750 places respectively).⁶ This is despite global resettlement needs actually being higher now than they were in 2016.

¹ UNHCR, *Statelessness Around the World*, available from:

<http://www.unhcr.org/en-au/statelessness-around-the-world.html>

² UNHCR, *Projected Resettlement needs 2018*, June 2017, p.10, available from:

<http://www.unhcr.org/593a88f27.pdf>

³ According to Refugee Council USA the United States has resettled only 12,932 refugees in financial year 2018. This makes it unlikely the USA will resettle more than 20,000 refugees by the end of the financial year in September. Available from: <http://www.rcusa.org>.

⁴ UNHCR, *Resettlement Data*, available from: <http://www.unhcr.org/en-us/resettlement-data.html>

⁵ Department of Home Affairs, 2016-17 Permanent Additions, available from:

<https://data.gov.au/dataset/permanent-additions-to-australia-s-resident-population/resource/52ed0c6c-59c1-4fe5-b158-66a94d1b1f4f>

⁶ Department of Home Affairs, *Discussion Paper: Australia's Humanitarian Program*, p.3, available from: <https://www.homeaffairs.gov.au/ReportsandPublications/Documents/discussion-papers/2018-19-discussion-paper.pdf>

The UN New York Declaration for Refugees and Migrants (The New York Declaration) committed governments to sharing responsibility for hosting and supporting of the world's refugees.⁷ While part of the solution must be improving local integration opportunities for refugees in first countries of asylum, poor and middle-income host countries cannot meet this challenge alone.

Australia plays a critical role in the resettlement of refugees, and now more than ever must take a leadership role. Australia's provision of resettlement places should prioritise the most vulnerable refugees and be non-discriminatory in all cases.

Labour mobility: a key part of the solution

Recommendation 2: In addition to the Humanitarian Program, Australia should promote labour mobility as a complementary pathway for refugees to settle in Australia.

International labour mobility is a tried and tested mechanism for providing refugees with durable solutions. At the end of the First World War the International Labour Organization (ILO) matched hundreds of thousands of refugees with international work opportunities, and they were issued "Nansen passports" enabling them to travel for work.⁸ Since that time, it has become more common to separate refugees out from other migrants for protection, and in the process refugees have often been excluded from work opportunities.

For example, there are currently 4.8 million Syrian refugees, mostly located in towns and cities alongside host communities in Turkey, Lebanon and Jordan. A large proportion of these refugees are university educated professionals and skilled tradespeople, with skills that are in high demand in Australia and around the world (such as in IT, engineering and healthcare).⁹ Despite their capacity to work, they live in a precarious position with severe restrictions on legal employment in host countries. They also experience major barriers to

⁷ UN General Assembly, *New York Declaration for Refugees and Migrants*, Resolution adopted by the General Assembly on 19 September 2016, UN Doc. A/RES/71/1, p. 13, available from: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1.

⁸ Katy Long, *From Refugee to Migrant? Labor mobility's protection potential*, Migration Policy Institute, May 2015, available from: <http://www.migration4development.org/sites/default/files/tcm-protection-long.pdf>

⁹ Talent Beyond Boundaries, *Mapping Refugee Skills and Employability: Data and analysis from the Talent Catalog*, September 2017, available from: <http://talentbeyondboundaries.org/s/TBB-Data-and-Analysis-Report-September-2017.pdf>

international employment - including lack of information about recruitment opportunities and difficulties meeting visa application requirements.

As a consequence of these factors, refugee populations are an untapped pool of skilled and talented people. A 2016/17 survey conducted by ManpowerGroup found that 40 percent of employers globally report talent shortages, the highest global talent shortage since 2007.¹⁰ Keeping refugees with skills locked in a cycle of displacement and dependency is a waste of their lives, and human capital.

The UNHCR, Organisation of Economic Cooperation and Development (OECD), International Organisation of Migration (IOM) and other key international organisations have been calling for governments to make better use of skilled migration to provide durable solutions for refugees.¹¹ Through the New York Declaration governments also committed to consider making available “complementary pathways for admission of refugees”, including labour mobility.¹²

Australia has an opportunity to lead the world in promoting and providing labour mobility pathways for refugees. Given Australia's economy and society benefits so greatly from skilled migration, such an approach would be a triple win from an economic, humanitarian and nation building perspective.

¹⁰ ManpowerGroup, *2016-17 Talent Survey*, available from:

<https://www.manpowergroup.com/talent-shortage-2016>

¹¹ United Nations High Commissioner for Refugees, Filippo Grandi cited in UN Secretary General says more help needed for Syrian refugees, 30 March 2016, available from:

<http://www.unhcr.org/enau/news/latest/2016/3/56fb98dc3/un-secretary-general-says-help-needed-syrian-refugees.html>; IOM, *Expanding Labour Mobility Channels*, Global Compact Thematic Paper, p. 10, available from:

https://www.iom.int/sites/default/files/our_work/ODG/GCM/IOMThematicPaperExpandingLabourMobilityChannels.pdf; Angel Gurría, OECD Secretary-General, *Refugee crisis: Enough words, now it is time for action*, 2017, available from:

<http://www.oecd.org/about/secretarygeneral/refugee-crisis-enough-words-now-it-is-time-for-action.htm>

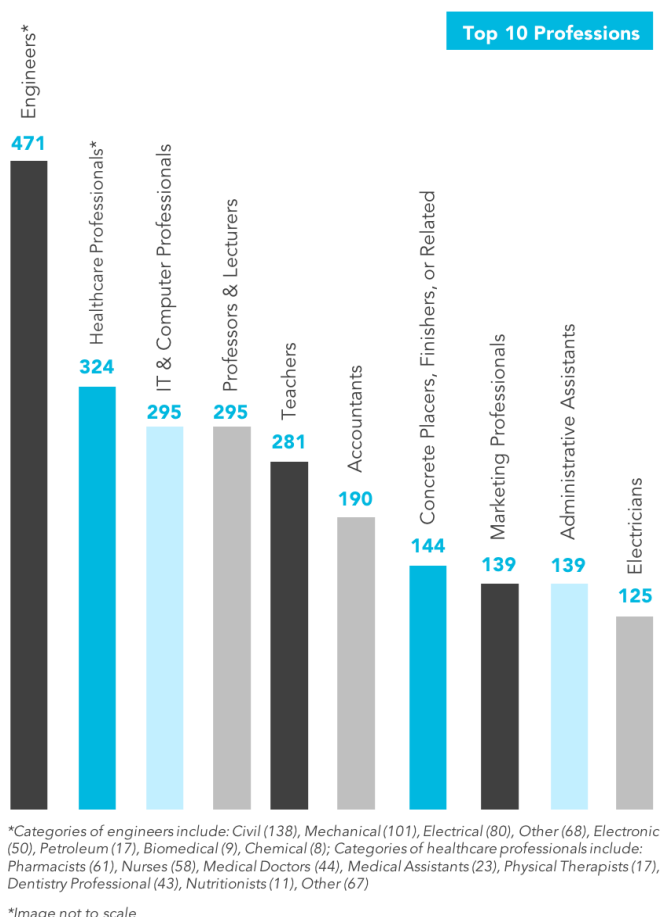
¹² UN General Assembly, *New York Declaration for Refugees and Migrants*, Resolution adopted by the General Assembly on 19 September 2016, UN Doc. A/RES/71/1, p. 14 and 20, available from:

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1

A new skilled/humanitarian visa program

Recommendation 3: Australia should create a hybrid humanitarian/skilled visa program for refugees and humanitarian entrants. The program should be designed in close coordination with key business, philanthropic and community stakeholders.

Refugees have skills that are in demand in Australia. TBB maintains a Talent Catalog of over 11,000 refugees in Jordan and Lebanon who represent over 180 professions. Seven out of the top ten professions on TBB’s Talent Catalog match occupations on Australia’s Medium and Long-term Strategic Skills List (MLTSSL), which lists the occupations Australia is seeking foreign workers to fill.¹³



Source: Talent Beyond Boundaries, Snapshot of Refugee Talent, May 2018.

¹³ Department of Home Affairs, *Combined current list of eligible skilled occupations*, viewed 1 May 2018, available from: <https://www.homeaffairs.gov.au/trav/work/work/skills-assessment-and-assessing-authorities/skilled-occupations-lists/combined-stsol-mltssl>

Barriers that need to be overcome

While refugees have skills that Australia needs, they face many barriers to skilled migration. These include:

- Difficulties accessing passports and identity documents;
- Difficulties or delays accessing documentary evidence of university qualifications or employment in their home country;
- Gaps in employment as a result of not having work rights in their country of first asylum;
- Difficulties meeting Australian skills validation requirements whilst living in displaced conditions;
- Financial barriers;
- Lack of access to English language training in countries of first asylum and English technical requirements; and
- Lack of access to information about employer opportunities abroad;
- Logistical challenges participating in international recruitment processes.

These barriers are explained in more detail in the submission TBB provided to the Department of Home Affairs in on *Managing Australia's Migrant Intake*.¹⁴ Any effort to enhance labour mobility pathways for refugees would need to address these barriers.

A skilled pathway that recognises refugee circumstances

TBB recommends that Australia pilot a new hybrid humanitarian/skilled visa program for refugees with skills that are in demand in Australia. It could utilise one or more of Australia's existing skilled visa classes, but apply special concessions to applicants who meet certain humanitarian criteria. The program would expressly seek to meet both humanitarian aims for refugees and deliver economic outcomes for Australia.

In order to succeed in delivering this win-win for refugees and Australians alike, TBB recommends the following core principles should guide such a program:

¹⁴ Talent Beyond Boundaries, *Enhancing labour mobility for refugees through Australia's Migration Program*, Submission to the Department of Home Affairs, Australian Government responding to the discussion paper entitled *Managing Australia's Migrant Intake*, 2 February 2018, available from: <http://talentbeyondboundaries.org/s/TBBSubmissionAustraliaMigrationProgram.pdf>

- **Additionality** - The visa program should be a complementary and additional pathway for refugees and others in refugee-like situations. The success of the program will rest on employers being confident they are making a difference and not taking places away from the existing humanitarian intake.
- **Flexibility** - None of the barriers outlined above are insurmountable if Australia can apply some reasonable flexibility to skills validation and documentation requirements for refugee applicants. Australia could develop guidelines, in consultation with business and community stakeholders, for how immigration officials should apply flexibility to the assessment of applications for the program.
- **Employer sponsorship** - Australia will reap the greatest economic benefits from the program by empowering Australian businesses to select the best and brightest refugees and humanitarian entrants into their companies. Requiring employers to hire the refugee they sponsor also ensures that that applicants have precisely the skills that Australian businesses need.
- **Simplified humanitarian criteria** - applicants would be refugees, stateless people and other claimants in a refugee-like situation requiring a durable solution. TBB recommends against the creation of “priority groups” (eg. requirements that refugees come from a particular country, or are part of a family group) as it is impractical for employers to recruit based on these characteristics.
- **Pathway to permanence** - Refugees are by definition displaced, and they need a permanent solution to that displacement. A hybrid visa program should aim to give applicants permanent residency in Australia as quickly as possible.
- **Reasonable cost** - The cost to employers of sponsoring a refugee into a skilled pathway should be comparable to the cost of existing skilled migration pathways. At the same time, the scheme should prevent refugees from facing significant financial barriers to entry. Australia should ensure reasonable visa fees and consider a loan fund to assist employers and refugee applicants to meet their financial obligations.
- **Settlement support** - The program would need to ensure applicants and their families can access services suitable to their circumstances. This may include specialist support as a consequence of displacement or trauma. Australia should consult with settlement services and philanthropy on the best service model and how to resource it, taking into account that successful applicants would be taxpayers from day one.

In order for this program to be a success, TBB recommends it is designed in collaboration with key stakeholders. Establishing a dialogue between all stakeholders - from business, government, community and philanthropic sectors and the UN - is key to a successful pilot design. TBB welcomes the opportunity to help facilitate stakeholder input into such a process, in collaboration with the Refugee Jobs Marketplace Leadership Forum (see Annex 1).

Lessons from the Community Support Program

TBB welcomed the announcement in September 2016 of Australia's 1,000 place Community Support Program (CSP).¹⁵ While the CSP offers opportunities to engage the community and private enterprise to support refugee settlement, it is not an ideal model for facilitating labour mobility.

There are a number of reasons for this. First, places allocated to the scheme are taken from the existing humanitarian quota, and therefore the scheme is not a complementary pathway as envisaged in the New York Declaration. Second, applicants for the program must be from a "priority resettlement caseload". This creates inefficiencies when job matching refugees to employers, who hire on merit rather than other government imposed criteria.

Finally, the visa fees associated with the scheme are significant, making it an unrealistic option for all but the most invested and committed businesses. The scheme also expects sponsors to take responsibility for a range of social services - including socialising new arrivals to Australia, finding them accommodation and schooling as well as providing emotional and financial support. Given employers are not well equipped to deliver this support they would need to factor additional payments to settlement service providers.

While the CSP provides opportunities to test and learn lessons about how to facilitate employer-sponsored refugee resettlement in Australia, ultimately it is not the best model for facilitating refugee labour mobility. Rather than trying to retrofit a labour mobility scheme onto the CSP, in ways that may undermine its use for other community sponsors, TBB recommends the creation of a new and additional pathway for labour mobility.

¹⁵ Joint media release with Prime Minister, The Hon. Malcolm Turnbull MP, Minister for Foreign Affairs, The Hon. Julie Bishop MP and Minister for Immigration and Border Protection, The Hon. Peter Dutton MP, *Leaders' Summit on Refugees*, 21 September 2016, available from: <http://minister.homeaffairs.gov.au/peterdutton/2016/Pages/leaders-summit-refugees.aspx>

Annex 1: Refugee Jobs Marketplace Leadership Forum

In March 2016 John Cameron, of Cameron Foundation, worked with a range of other organisations in Australia, including Amnesty International, AMES, Refugee Talent, Andrew and Renata Kaldor and others, to establish the "Refugee Jobs Marketplace Leadership Forum". The aim of the forum is to coordinate multi-stakeholder efforts to promote skilled pathways for refugees to Australia.

The forum is co-chaired by John Cameron and Andrew Kaldor (Investor and Chair of Kaldor Centre), with support from Business Council of Australia and other active members. The group expand after our next meeting in July 2018 when a number of new members have been invited to join.

Organisation	Member
AMES	Cath Scarth and Maria Tsopanis
Amnesty International	Graham Thom and Emma Bull
Australian Human Rights Commission	Lucy Morgan (observer)
Australian Red Cross	Noel Clement
Business Council of Australia	Andrew Bragg
Centre for Policy Development	Travers McLeod and Annabel Brown
Host International	David Keegan
Kaldor Centre for International Refugee Law University of New South Wales (PhD candidate)	Khanh Hoang
Minderoo Foundation	Sarah Hellings
Playfair	Petra Playfair and Nick Adler
Refugee Council of Australia	Paul Power and Asher Hirsch
Refugee Talent	Nirary Dacho and Anna Robson
Save the Children	Lisa Button
Settlement Services International	Violet Roumeliotis, Katrina Grech and Terry Wilson
Talent Beyond Boundaries	Steph Cousins and John Cameron
Thrive	Mahir Momand
Western MRC	Kamalle Dabboussy