Reframing Refugees
Asylum Seeker Symposium 2013
Friday June 14 @ MAGNT
WELCOME FROM THE NORTHERN INSTITUTE (CDU)

Welcome to the Asylum Seeker Symposium 2013: ‘Reframing Refugees’ brought to you by The Northern Institute, Charles Darwin University, in partnership with the Multicultural Council of the Northern Territory.

‘Reframing Refugees’ is the second in our Asylum Seeker Symposium Series. The 2012 symposium, ‘All in the same boat’, successfully challenged commonly held stereotypes about asylum seekers and refugees. The Northern Institute hopes this second symposium will serve to refocus community attention on this important issue for not just Australia but for the entire region.

The Northern Institute at Charles Darwin University undertakes-quality interdisciplinary research in social and public policy. The Institute’s research teams collaborate with Australian and overseas universities, not-for-profit agencies, industry partners and visiting academics to produce research which focusses attention on and provides solutions for the complex social and public policy issues of the region.

As a site of excellence in social and public policy research, the Institute generates sophisticated and innovative thinking to stimulate and lead debate on matters of crucial importance to Northern Australia and the wider region. Its research programs provide evidence for policy development, build the capacity of social researchers in Northern Australia, and respond to the needs of regional agencies and the communities they serve.

The Northern Institute leading the Region in Social and Public Policy Research.

Thank you for taking part in the Asylum Seeker Symposium 2013 and I look forward to meeting with you today.

Professor Ruth Wallace
Director
The Northern Institute
ABOUT THE MULTICULTURAL COUNCIL OF THE NORTHERN TERRITORY

Established in 1977, the Multicultural Council of the Northern Territory Inc (MCNT) is the local peak body for multiculturalism as well as a service provider for individuals, families and communities from culturally and linguistically diverse backgrounds residing in Darwin and Palmerston.

For 35 years as a socially aware NGO, the MCNT has acted as a key liaison agency at the interface between migrant and refugee communities, the government and the wider community. The MCNT actively represents and provides a voice for the Territory’s multicultural constituency on the executive of national peak bodies including the Federation of Ethnic Communities’ Councils of Australia (FECCA).

Joe De Luca
Chief Executive Officer
Multicultural Council NT
www.mcnt.org.au

This event was funded by:

Australian Government

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‘REFRAMING REFUGEES’
KEYNOTE ONE

Associate Professor James Jupp is currently an adjunct at the Australian Demographic and Social Research Institute, Australian National University in Canberra. His previous roles have included Director of the Centre for Immigration and Multicultural Studies.

As an expert in politics, multiculturalism and immigration, he has published widely in the fields of Australian Politics, Immigration, Ethnicity and Comparative Politics. Among his books are *Sri Lanka-Third World Democracy* (London 1978); *The Australian People* (Sydney 1988 and Melbourne 2001); *The Encyclopedia of Australian Religion* (Melbourne 2001) and *From White Australia to Woomera* (Melbourne 2007).

Associate Professor Jupp was a member of the Advisory Council on Multicultural Affairs; Chairman of the ACT Multicultural Advisory Council and of the ACT Reference Group of the Bureau of Immigration, Multicultural and Population Research. He was a member of the Planning and Steering Committees for the Global Cultural Diversity conference held in Sydney in April 1995 and Chairman of the Review of Migrant and Multicultural Programs and Services, which presented its report *Don’t Settle for Less*, to the Minister for Immigration in August, 1986.

On Australia Day 2004 James Jupp was made a Member of the Order of Australia (AM) for service to the development of public policy in relation to immigration and multiculturalism, to education, and to the recording of Australian history.
‘REFRAMING REFUGEES’
KEYNOTE TWO

Professor Mary Crock is an expert in immigration and labour laws in relation to refugee children, youth and refugees with disabilities. Through her work with her husband, Emeritus Professor Ron McCallum AO, she has been involved in internal United Nations initiatives for the reform of the UN Human Rights treaty body system.

She is known for her work on immigration detention, but has also written and lectured on many other aspects of immigration and refugee law and their interface with other areas of law and other disciplines. She is currently working on three large research projects. One is a comparative law and policy project run in conjunction with Harvard University and the London School of Economics (and a range of other universities both in Australia and overseas). The second pursues her interest in refugee children and youth, while the third (funded by AusAid) involves a study of refugees with disability, conducted in collaboration with UNHCR and the Women’s Commission for Refugees.

Professor Crock is the author of several important texts on refugees including: Immigration, Refugees and Forced Migration: Law, Migration and Practice in Australia (2011); Seeking Asylum Alone: A Study of Australian Law, Policy and Practice Regarding Unaccompanied and Separated Children (2006); A Future Seekers II: Refugees and Irregular Migration in Australia (2006); and Immigration and Refugee Law in Australia (1998).
‘REFRAMING REFUGEES’
Q & A PANEL

Joe De Luca JP, CEO of the Multicultural Council of NT is Italian born and migrated to Australia in 1961. As a Certified Practicing Accountant (FCPA) Joe has worked in both the NT Government and Commonwealth Government in a range of senior management responsibilities including delivery of Indigenous Programs in the NT. In addition to an employment career, Joe has worked in a voluntary capacity with a range of community organizations for over 35 years including Multilingual Broadcasting Council of NT, NT Justices of the Peace Association, Italian Sports & Social Club, Italian School (CIASS), Italian Festival Association, Italian Seniors Group and the National Ethnic Multilingual Broadcasting Council (NEMBC) and the SBS Advisory Council. Joe is passionate about promoting, preserving and maintaining cultural identity, language and heritage as well being a community radio broadcaster and an in-house trainer for over 25 years. Joe is also a strong advocate for the Ethnic Community and promotes Territory issues on a national level at both the Federation of Ethnic Council of Australia (FECCA) and the National Ethnic Multicultural Broadcasters’ Council (NEMBC). Joe is currently the Treasurer of the NEMBC, the President of the Multilingual Broadcasting Council NT and the Registrar of the NT Justices’ of the Peace Association.

Dr Ali Nur has been the Director of the Melaleuca Refugee Centre since early December 2009. He studied Medicine in Somalia and has a Master’s degree in Public Health from the University of Sydney. He worked with refugees from eastern Ethiopia from 1979 to 1982 and came to Australia on a scholarship sponsored by Community Aid Abroad. In 1983 he returned to Australia on a humanitarian visa. He trained health workers in remote Aboriginal communities and worked with the NT Health Department. He also worked in Timor with Oxfam, in Indonesia doing earthquake relief, in Sri Lanka after the tsunami and in Vietnam with various international aid agencies.

Talitha Francis is the Migration Support Programs Manager for Red Cross in the Northern Territory. The Northern Territory MSP programs include DIAC funded programs to support BVE holders, as well as the key core funded MSP programs of Tracing (Restoring Family Links), Immigration Detention Humanitarian Observation and Emergency Relief. Since 2007 she has been working in the Middle East region,
including in Turkey and Lebanon, providing refugee and migrant health and education programs. Most recently 2 years in Beirut advising local and international NGOs (including the Danish Refugee Council) on staff training and organisational development with organisations focussed on providing relief and assistance to Palestinian refugees

CHAIR

Dr Serena Hussain is a Senior Research Fellow and Principal Researcher in The Northern Institute ‘International Engagement, Migration and Transnationalism’ Research Theme (see theme details below). She is a Sociologist and Human Geographer and is an expert on Muslims in the West and South Asian Diasporas. Serena has extensive research experience in segregation and social cohesion within residential and educational settings; community perceptions and trust; identity, belonging and mobilisation; and internal migration and spatial analysis. Before coming to the NT she worked at the University of Oxford, where she remains an Associate fellow, and worked with Duke University in the United States exploring independent faith schools and integration. She is author of the book *Muslims on the Map: A National Survey of Social Trends in Britain* (2005).

International Engagement, Migration and Transnationalism Research Theme (The Northern Institute)

This theme focuses on applied policy research in our region and beyond. This research extends relationships between Australia, countries to its north (including Indonesia) and within the broader global context. With a focus on migration, diversity and post-colonial frameworks this research seeks to understand the way power plays out in our communities, enabling or hindering the social inclusion of all groups. Projects investigate and recommend new approaches to recognising and addressing social and systemic barriers to diverse group participation and active citizenship. Projects develop a deep understanding of intergroup relations in the region. This research will inform theory, policy and programs.

A core aim of this theme is to embed the Northern Territory within a global context and within debates on international migration, integration and equality. This involves engagement with international scholarship to increase relevant knowledge and skill bases of academics and other knowledge sector professionals. In addition, the Northern Institute researchers partner with international experts in areas that build our knowledge of living and working in regional areas that face a number of challenges and opportunities.

**REFRAMING REFUGEES**

**PROGRAM**

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<td>1230-1300</td>
<td>Registration</td>
<td>n/a</td>
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| 1300-1315     | Welcome    | Dr Serena Hussain - Chair  
Professor Ruth Wallace – Director, The Northern Institute |
| 1315-1400     | Keynote 1  | Associate Professor James Jupp - Australian National University |
| 1400-1445     | Keynote 2  | Professor Mary Crock - Sydney University |

**ABSTRACT**

Australia has a long tradition of settling immigrants, but with limitations based originally on nationality (British) and race (white). These were removed from the 1970s, with favourable provisions for New Zealanders. Acceptance of refugees has been governed by the UN Convention of 1951 and the Protocol of 1967. However escalating efforts have been made to reinterpret these in the face of non-European refugee waves, especially those arriving as asylum seekers by boat. After a series of escalations from 1991 the entire continent of Australia and its outlying islands was "excluded" from its migration zone, making the application of the Convention very limited. Mandatory detention remains central to policy, but has broken down because of rising numbers arriving from Afghanistan, Sri Lanka and Iran.

The emphasis of refugee policy has shifted from assisting and settling refugees before 1991 to discouraging asylum seekers who are not processed through the UNHCR. This compares unfavourably with the massive acceptance of Vietnamese and Lebanese refugees in the 1970s and of planned intakes from Yugoslavia in the 1990s. Governments of both persuasions simply outbid each other in disincentives and punishments. What is needed to return to the intentions of the Convention is a regional arrangement which discourages dangerous sea crossings, without unduly limiting the opportunity of settling in Australia, the only major signatory of the Convention in the region. Public debate needs to shift from criticism and hostility to positive arguments for acceptance and timely processing of asylum seekers in reasonable numbers from regional crisis points.
**ABSTRACT**
This article explores the convergence of refugee law and policy between Australia and its neighbours in the Asia-Pacific, using as a case study efforts made by Australia to establish regional frameworks for the management of irregular (forced) migration. The impetus for the piece came from Australia’s decision in August 2012 to re-open ‘offshore’ processing centres on Nauru and on Papua New Guinea’s (PNG’s) Manus Island as deterrents to irregular maritime arrivals (IMAs).

The most recent iteration of a regional processing regime makes express reference to policies and state behaviours in the region through what has been labelled the ‘no advantage’ principle that is to govern Australia’s treatment of IMAs. The central idea is that these asylum seekers should gain no material advantage by reaching Australia in comparison with the situation they would face if their claims were processed in countries of first refuge. If the comparators are the refugee receiving States around Australia, this policy has to play out in the degradation of terms and conditions faced by IMAs in Australia. Refugees and asylum seekers in Malaysia and Indonesia can face years of debilitating precarity and uncertainty, with UNHCR and its implementing partners providing the only avenues for resettlement or other durable solution.

Australia has been quick to acknowledge that the management of irregular migration flows through countries like Indonesia and Malaysia demands a high level of regional co-operation. In the area of human rights and refugee policy, however, I will argue that Australia should be doing more to distinguish itself as a leader rather than follow the (generally poor) practices of its neighbours. In practice, Australia’s engagement with other countries in the region over the regulation of undocumented asylum seekers seems to be encouraging and even facilitating behaviours that are at odds with basic principles of human rights law.

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<tr>
<td>45 mins</td>
<td>‘Shifting Sands’</td>
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<tr>
<td>1445-1515</td>
<td>Afternoon break</td>
<td>Front entrance undercroft of MAGNT near fishpond</td>
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<td>15 mins</td>
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<td>1515-1600</td>
<td>Q&amp;A Panel</td>
<td>Facilitated by the Chair Dr Serena Hussain.</td>
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<tr>
<td>30 mins</td>
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<td>Q&amp;A Panel includes:</td>
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Asylum Seeker Symposium 2013

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|      |          | - Associate Professor James Jupp - Australian National University  
|      |          | - Professor Mary Crock - Sydney University  
|      |          | - Joe De Luca JP - Multicultural Council of NT  
|      |          | - Dr Ali Nur – Melaleuca Refugee Centre  
|      |          | - Talitha Francis - Red Cross (Migration Support Program)  

*This program may be subject to change*