

Council for International Development Refugee Policy Forum

28 January 2005

Science House, Wellington

The Council for International Development (CID) refugee policy forum was the starting point for developing a CID policy statement on refugee issues. This will build on the refugee policy that was included in CID's 2002 election manifesto. Although primarily focused on overseas aid and development issues, CID sees it as part of New Zealand's responsibility as a good international citizen and a country that upholds human rights to provide refuge to people fleeing persecution. In addition, the costs of resettling refugees during their first year in New Zealand are counted as part of New Zealand's Official Development Assistance (the overseas aid provided by the government). There are also a number of CID member organisations with an interest in refugee issues, including some formed by refugees themselves. For all of these reasons, CID considers it appropriate to develop a policy on refugee issues.

The purpose of the forum was to allow CID to hear from refugees and people working with refugees about issues of concern in relation to government policy. In planning the forum, CID consulted with its member organisation RMS Refugee Resettlement. The forum was attended by around 35-40 people from CID member organisations, refugee service providers, and refugee communities. It covered issues of detention and asylum, resettlement quotas, family reunification, and refugee resettlement.

Following the forum, CID plans to establish a reference group to assist with the development of its refugee policy. Once the policy has been approved by the CID membership and Board, CID will lobby the government and political parties on refugee issues. Some key points about refugee policy will also be included in the CID manifesto for the 2005 election.

Forum proceedings

Asylum and detention

Deborah Manning (solicitor with McLeod & Associates) presented a discussion paper on issues relating to New Zealand government policy and practice in relation to asylum seekers. This paper will be available on the CID website. She emphasised the importance of basing policy in this area on a human rights approach.

Quotas and family reunification

For this topic there was a panel consisting of Peter Cotton (Director, RMS Refugee Resettlement), Sacha Green (Wellington Community Law Centre) and Niborom Young (Cambodia Trust and Refugee Family Reunification Trust).

Peter Cotton explained that the Office of the United Nations High Commissioner for Refugees (UNHCR) is increasingly looking to resettlement of refugees in third

countries such as New Zealand as part of finding a 'durable solution' for long-term refugees. There is no international obligation on New Zealand to resettle an annual quota of refugees. The success of refugee resettlement depends on maintaining public support for the resettlement programme – in Switzerland the refugee quota disappeared overnight due to a lack of public support.

It is a very difficult task to decide who should be included in the tiny number of refugees accepted for resettlement in a third country (only about 1-2% of the world's refugees are resettled in this way). It is impossible to separate successful settlement from sensible selection. New Zealand should accept a fair, even a generous, share of the world's refugees, including the most difficult cases (such as people with HIV/AIDS, people with disabilities and pre-literate people). However, New Zealand should not accept a *disproportionate* number of difficult cases, as has sometimes been the case in the past. It is also important to build receptiveness in the New Zealand community through public education and public involvement in resettlement.

Sacha Green said that family reunification is important for both quota refugees and asylum seekers, as well as for people who come through other parts of the immigration programme but come from refugee-like backgrounds. Family reunification is an important part of successful settlement, but current government policy does not reflect this. Nor does it make the process either easy or transparent. On arrival in New Zealand, the thoughts of refugees are still very much with those they have left behind, and this creates a barrier to integration in New Zealand. Refugees feel a huge sense of responsibility towards family members left behind.

Sacha explained the complexities and difficulties of the family reunification options available to refugees in New Zealand. There is a lack of information, advice and advocacy services for refugees in relation to family reunification. It is difficult to get advice from the New Zealand Immigration Service, and there is little coordinated service from non-government organisations.

Lobbying on family reunification should focus on the need for a genuine humanitarian response. A mechanism must be created for determining which are the cases with the greatest need for reunification, and it is important to have a process that is transparent and straightforward.

Niborom Young talked about the experience of the Cambodian community since Cambodian refugees began arriving in New Zealand. She said that many people feel guilty about family members left behind, and that a larger family reunification quota is needed.

Small group discussion on asylum and quota issues

Participants divided into three groups: one discussing issues of asylum and detention, and two discussing quota issues (including family reunification). Below are the ideas from the small group discussions, as recorded on the day.

Group 1 – Asylum and detention

Questions for discussion:

- Should asylum seekers be detained on arrival in New Zealand, and if so, for how long?
- How can New Zealand improve its handling of asylum claims, and its treatment of asylum seekers?

Ideas from the group:

- Need to recommit to UN Conventions
- Blanket/automatic detention infringes human rights
- No knowledge of any problems with previous system of granting permits and allowing to live in community
- Experience of refugee communities is that those detained are vulnerable and voiceless
- Asylum seekers should be given permits not left in tolerated limbo
- Asylum seekers should be treated humanely whether in prison or not
- Detention should be the exception rather than the rule
- We don't have evidence of problems in the community, and do have evidence of abuse and human rights violations in detention – why would the government move from more humane, problem-free system to increasingly unhealthy, human-rights-problematic detention?
- Children in detention with parents
- Mental health needs unmet
- Some exclusiveness about access to Mangere Refugee Centre – existing NGOs have access but new NGOs of new communities are denied access
- Hard for NGOs to offer support to asylum seekers in detention
- Detainees are not getting outside advice – don't know they have options for legal representation, doctor etc.
- Detainees think they have no rights – need to be given information. People are vulnerable to revictimisation. They need to be connected to their communities.
- There needs to be information provided to asylum seekers in appropriate languages about their legal rights
- Timely decisions
- NZIS staff not always trained, experienced and understanding different cultural backgrounds – many are good, but questions of selection of staff
- Interim/postarrival support
- Need to be clear about what New Zealand's commitments to human rights of asylum seekers are:
 - liberty
 - nationality
 - right to counsel
 - adequate standard of living
 - health care
- Need to be clear about how to inform asylum seekers of their rights and how to access them
- Need to be clear about how human rights are provided – this is not happening at present

Group 2 – Quota and family reunification

Questions for discussion:

- Should New Zealand increase its refugee resettlement quota of 750 per year? If so, what should be the quota?
- How can New Zealand better manage refugee family reunification?

Ideas from the group:

- Should increase quota – but need adequate resourcing to support this
- What are the criteria – who are you choosing? – preference should be given to people from communities already settled in New Zealand so there is more support and strengthening of communities
- Keep diversity of types of refugees (in terms of circumstances, not countries)
- Need a balance between responding to the most desperate need vs building existing communities
- Why does it take so long to process refugee resettlement applications?
- ‘What are you without your family?’ – people need families *in order* to settle – can’t move forward without family reunion, people preoccupied with family left behind
- Issues around definition of ‘family’ and ‘self’
- Humanitarian imperative – no mechanism when families are facing immediate danger (apart from appeal to the Minister)
- Need a genuine humanitarian response
- Need to understand what the government’s fears are, and how those can be addressed. Key fears:
 1. numbers (demand will always exceed capacity)
 2. drain on resources
- Need to hold government commitments and obligations alongside the fears
- Government has accepted need for adequate resourcing of resettlement – but this is used as a reason to limit numbers
- Problem of refugees being seen as a deficit, not an asset: ‘We come with empty hands, not empty minds’ (reported quote from a refugee)
- How well prepared are refugees *before* arrival?
- Public perceptions – hearing people’s stories really important – most New Zealanders have no awareness of the realities of refugees’ lives
- Problems of discrimination – people are not aware
- Key – seeing family reunification as *part* of the settlement process
- Problem of government treating refugees and migrants in the same way
- You can see how people are transformed after family reunification – they are much happier
- Problem of racism – leads to people feeling they are not valued – negative focus in media
- Resources not so much the issue – need better coordination
- Need to resource refugee communities themselves – they know their needs best
- Vicious circle – need to be ‘established’ to get funding, but need funding to get established!

Key conclusions:

- Increase the quota, but can't pluck a number out of the air – need planning and coordination
- Humanitarian imperative
- See refugees as an asset, not a cost

Group 3 – Quota and family reunification

Same questions as for group 2

Ideas from the group:

1. If we don't argue for increase (to quota), government will decrease:
 - NZ has capacity for more
 - To deal more justly with family reunification
2. Problem with selection – government seems to be choosing refugee groups at a whim or as a political reaction rather than having strategies in place to fully settle groups
3. Family reunification issues:
 - Lack of information passed on
 - Youth (out on the streets) problems without their extended family
 - How to separate family reunion *needs* from family reunion *desires*?
What can we reasonably suggest to the government?
 - Communities have to work together re this
 - Transparent process would help
4. How does New Zealand compare to other countries in resettlement?
 - On paper, very well
 - So, only chance to convince government to increase quota is to convince them of resettlement outcomes
5. New Zealand needs to be more assertive in speaking to UNHCR about who we take – we cannot please everybody
 - Focus on the family reunification of refugees already here
 - However, we need to maintain a balance amongst the various communities across New Zealand
 - Should recommend to bring in family units – this would be a way for New Zealand to manage resettlement better
6. What are the political pressures being placed on the Immigration Minister?
 - Pacific solution
 - Cost
7. How to deal with longstanding cases? – push government to review quota composition

Discussion following report back from small groups

An issue was raised concerning the difficulty for Iraqis and some other refugee communities with getting visitors' visas to allow their families to visit New Zealand. It seems that the assessment of such applications depends on a risk assessment based on the country the person comes from – people from some countries are seen as more likely to try to stay in New Zealand.

There was some discussion about the refugee quota, and whether CID should advocate for it to be increased to a specific number – one speaker felt that it would be best to decide on a figure, based on an assessment of New Zealand's capacity to resettle refugees successfully.

Resettlement

A panel of speakers addressed different aspects of resettlement of refugees in New Zealand. The panel members were Mayada Sharef (Umma Trust), Zerai Mewos (Refugees as Survivors and Wellington Refugee Forum), Koos Ali (Regional Public Health, Hutt Valley DHB, and Wellington Refugee Forum), Jasminka Milosevich (Refugees as Survivors), and Maria Reynen Clayton (MCLaSS – Multicultural Learning and Support Services, Wellington).

Mayada Sharef talked about difficulties faced by refugees, including religious issues in health work. Refugees are a disadvantaged group competing for a small pool of resources with other disadvantaged groups. They are keen for training and education. There is a need to create an opportunity for interaction and communication with the Muslim community, which is under suspicion and scrutiny by the wider society following the 11 September 2001 attacks.

Zerai Mewos has kindly supplied a copy of his talk, which is reproduced below:

I would like to raise my concerns about the New Zealand government policy towards refugee resettlement.

If my understanding is correct the New Zealand government relies heavily on allocating resources to specialised agencies. While I do appreciate the effectiveness of the expertise based service and the evident positive impact it makes on resettlement, I am afraid this policy might be underestimating the role of organisations that the communities establish by themselves.

Just to give you some examples community organisations are most concerned about:

- 1) Severe unemployment specifically women who wear head scarf
- 2) Underachievement of a significant number of compulsory education students
- 3) The lack of driving skills (requirement for employment)
- 4) The lack of work experience in NZ work environment
- 5) The discriminatory attitude of employment agencies or employers
- 6) The dilemma for some young refugees related to age discrepancy

It is my view that given the complex nature of such challenges the concerns arise with respect to challenges experienced by refugees the government hasn't contracted. My point here is that policy makers should not underestimate the significance of community organisations.

I believe the pace of resettlement could have been accelerated if the following three bodies could establish a foundation of work relationship:

- 1) The NZ government
- 2) Service agencies (NGOs)
- 3) Refugee community organisations

However, recognising community roles might not be enough. It requires resource allocation.

The resources could be directed towards:

- 1) Community capacity building: including training refugees with adequate skills to gain access for their own community development initiatives. For example: skills such as writing proposals, planning, organising, implementing, reporting (accountability) etc.
- 2) Supporting community organisational structures: including structures for individual community organisations and joint organisational structures for e.g. the Refugee Forum that has been established in mid 2004.
- 3) Support community initiatives: e.g. Youth development

There are already several structures in place that I find of great importance for the above purpose:

1. The Refugee Issues Forum, a multi-agency group initiated to coordinate activities and measure progress.
2. The Refugee Forum, an organisation of a group of refugees from different nationalities with the objective of facilitating needs identification, communication, and responsiveness from communities.
3. Community organisations: the Wellington Somali Community Inc., the Ethiopian Orthodox Church Inc, the Oromo Community, the Eritrean Community in Wellington Inc., the Sudanese community.

My second concern relates to the task of community development work. From my personal experience it appears there is a lack of the basic strategic principles of national or regional strategy ie planning, organising, implementing and measuring outcomes. My point is while the availability of resources is a decisive factor the management (evaluation and measurement) might improve effective use of scarce resources.

I believe the holistic approach (recognising community perspectives) could be a step ahead towards resettlement and integration. This requires:

- 1) empowering refugees
- 2) allocating more resources
- 3) centralisation and coordination of activities
- 4) sustainability of initiatives.

Koos Ali emphasised the importance of refugee communities identifying the issues themselves. One example of an issue for refugee communities was students dropping out of school and falling into delinquent behaviour due to lack of options or support. In cases like this, the refugee community knows best how to deal with the issue. Refugees need help from the government to build up their own communities and structures.

Jasminka Milosevich pointed out that issues for refugees are not the same as for other migrants. Trauma, lack of education and language problems all have a major impact on resettlement. Trauma is also linked to family reunification issues, because identity is not simply personal but is linked to the wider family. Refugees face discrimination in neighbourhoods, schools and workplaces. The media also shows only negative images of refugees and the countries they came from. There is a need to lobby the media to present a more positive, holistic view of refugees and their lives.

Maria Reynen Clayton explained the MCLaSS teaches English and skills development, but also helps people to find jobs. It has a Board which includes members of refugee communities, and this helps them to be more responsive to these communities. This responsiveness is often hard to build into government contracts. Many refugees arrive in New Zealand having received little education in refugee camps where they have lived for years – better resources are needed for education in the camps.

A number of points were made in discussion following the presentations by the panel:

- A huge amount of information is given to refugees during the six weeks that they spend at the Mangere Refugee Centre. There has been a lot of criticism of the Mangere Centre experience, so why has this not been addressed or changed? Is this symptomatic of wider problems with the system?
- However, some aspects of what is delivered at Mangere are fantastic.
- It is important to *listen* to refugee communities – they must be involved in all levels of policy and programming – planning, implementation and monitoring.
- An example was given of a positive story about refugees from the *New Zealand Herald* – the story was about a summer school project led by the Somali community.
- It is important to have a common voice on key issues such as facilitating work placements for refugees and developing a national refugee health policy.
- The government should have a policy of facilitating work placements for refugees in government departments.
- Scholarships should be established for refugees.
- We need to move from viewing refugee resettlement as a favour to viewing it as a right. There seems to be an expectation in the wider community that refugees should be grateful for the assistance they receive.
- There is a difficulty of coordination within refugee communities themselves – they are made up of very diverse groups. Who sets the agenda?
- CID's role can be to add a new voice to those already putting pressure on the government over refugee policy.

Small group discussion on resettlement

Participants divided into two groups to discuss the question ‘How can New Zealand improve resettlement outcomes for refugees?’

Group 1

- Tell refugees what their rights are
- Policy and practice needs to be led, informed and evaluated by the communities – NGOs do not represent refugee communities
- However, there is a role for NGOs in helping to explain systems and helping refugee groups to frame realistic demands
- Leaders within refugee communities should be paid
- Government needs to recognise the need to pay for trained interpreters
- Government should provide work experience for refugees working in government department. This may meet with some resistance from people who say this is ‘taking jobs from New Zealanders’, but refugees are New Zealand residents and have a right to be employed.
- The burden to adjust is placed entirely on the refugee – the wider community doesn’t seem to feel a responsibility to adjust to the refugees
- Work and Income initiative – specialist teams to assist refugee employment
- Refugee communities invite government departments to a meeting in the community to foster understanding
- Work and Income – bad attitude to giving out benefits – people need social security benefits explained to them
- Need a national refugee health policy that all agencies can be guided by. Refugees have specific health needs. Mental health should also be covered by this policy.
- Greater cultural sensitivity is needed in health care, and more choice of alternative medical systems

Group 2

- Mechanisms for policy-makers to directly involve refugee communities.
- Policy of employing people from refugee backgrounds.
- Recognise the skills and qualities that people come with.
- Focus on building capacity of already established communities.
- Bring family units together if possible.
- Some groups are too small to be effective, supportive communities – e.g. Sudanese in Upper Hutt.
- Building cultural awareness within broader New Zealand society about refugees and countries of origin.
- Health issues – specific refugee needs for things like translating (public health system and GPs).
- Push government to develop a refugee health policy.
- Education – specialised policies for refugee community members accessing tertiary education.
- New Zealanders do want to make connections with refugee communities and vice versa.

- Establish lines of communication and linkages within and between *all* New Zealand communities.
- Promote communication and collaboration with the wider refugee community.
- Building into bureaucratic procedures allowances of the different needs of those with refugee backgrounds.
- Mangere Centre in Auckland is first knowledge of New Zealand for quota refugees – those settling in other cities also need an orientation in that city. Community members should be employed to assist in this process – this will take the pressure off RMS cross-cultural workers.
- Help communities to work together to lobby government for things like ‘women only’ time at swimming pools, creating cultural centres.
- Targeted social service support (e.g. childcare, elderly support) provided *by* the refugee communities.
- Scholarships/grants – targeting communities to get people into health, education, community development.
- Media’s role to broaden understanding and awareness.
- Children struggling in education system with discrimination, lack of previous education, plus all the normal things like puberty and growing up.
- ‘Tampa Boys’ have had a relatively good experience, but this has taken up a lot of resources and energy.
- Different needs for different groups.