



ANALYSIS

A Global Compact on Refugees: The role of Australia

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LOWY INSTITUTE

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The views expressed in this Analysis are entirely the author's own and not those of the Lowy Institute or the Department of Immigration and Border Protection.

EXECUTIVE SUMMARY

The UN Global Compact on Refugees provides a unique opportunity to make far-reaching improvements to the international response to refugees. Australia has a vested interest to improve the refugee regime in particular to institute a more effective and equitable regional response to asylum seekers and refugees in Southeast Asia and reduce pressure on its own asylum system.

Australia is well placed to take a lead on shaping the Global Compact in five areas where it has particular experience and expertise, namely technical and financial support to new resettlement countries, promoting complementary pathways for refugees, capacity development with regional partners, leveraging private sector support, and setting standards on environmental migrants. Eight specific recommendations include an internal review of Australia's asylum and refugee policy against the commitments in the Global Compact, in order to lend credibility to its contribution.

On 19 September 2016 heads of government including Prime Minister Malcolm Turnbull adopted UN General Assembly Resolution 71/1, the New York Declaration for Refugees and Migrants, paving the way for the negotiation of two Global Compacts: one for safe, orderly and regular migration and the other for refugees.

In this Analysis, I will argue that Australia should take seriously the opportunity to contribute to the Global Compact on Refugees, as it has a vested national interest in being an active participant in global reform on asylum and refugees.¹ I provide an overview of the process for negotiating the Refugee Compact to identify entry points for Australia, noting that these are more limited for the Refugee Compact than for the Migration Compact, but also that input in each compact should be coordinated. I then propose specific policy options for Australia to contribute to the Refugee Compact, recognising national and regional interests as well as financial and capacity constraints.²

WHY AUSTRALIA SHOULD ENGAGE

The Global Compacts have been criticised, mainly by civil society, for the process attached to them and for the intended final outcomes. The concept of a 'global compact' remains ill-defined.³ It is striking that global leaders only responded in earnest to the well-established challenges of both the migration and international protection regimes once Europe was significantly affected. Responsibility for both compacts lies squarely with governments, which is likely to limit meaningful reform in the current political environment. Neither compact is intended to be binding on signatory states.

The original purpose of the Refugee Compact was to define a process for 'responsibility sharing', but governments have since retreated from this ambition.⁴ When a 'zero draft' or initial proposal was circulated for consultation to states in June 2016, it was entitled the 'Global Compact on Responsibility Sharing for Refugees'.⁵ By the time it materialised as Annex 1 to the New York Declaration agreed at the UN in September, it had become a 'Comprehensive Refugee Response Framework'.⁶

Such criticisms are valid and should be taken seriously as the Global Compacts proceed — in particular the call to be bold. But they are not a reason not to engage with the Global Compacts. Indeed, there is a general consensus that the Global Compacts present a unique opportunity to make significant and far-reaching improvements in the global governance of migration and refugees, especially through the introduction of the International Organization for Migration (IOM) into the UN system. And there are compelling reasons for Australia to engage

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proactively, particularly in any serious effort to reform the international protection regime.

First, Australia has a vested interest in improving the regime in order to pre-empt future shocks. Some commentators have argued that the perceived success of Operation Sovereign Borders is unsustainable: turnbacks may not be possible should the volume of boat arrivals increase; there are limits to the capacity of Papua New Guinea and Nauru to accommodate asylum seekers; legal challenges to the policy are likely to continue; and its financial costs are high.⁷

Moreover, any future conflict in South Asia or Southeast Asia may be expected to result in increased asylum applications in Australia, the wealthiest nation in the neighbourhood and one of the few signatories to the United Nations 1951 Convention relating to the Status of Refugees. The effects of environmental change and natural disasters in Southeast Asia and Pacific Island countries may also result in growing migratory pressures on Australia.⁸

The very fact that Australia is currently not challenged by boat arrivals or asylum seekers is a second reason to engage. As Australia learned a few years ago, there is no political appetite to focus on long-term reform in the throes of a short-term asylum crisis. This is exactly why Europe needs Australia (and North America) to conceptualise, propose, and where appropriate support reform now. Supporting reform of the international protection regime may also be one way for Australia to allay some of the international criticism it has attracted because of its asylum policy over recent years.

Third, advocating improvements in the performance of the international protection regime is a logical progression of Australia's historic commitment towards the regime. It was Australia's signature in 1954 that brought the 1951 Convention into force. Australia has always been a prominent supporter of the regime and its underlying principles. More specifically, Australia has a track record, internationally and domestically, that provides particular credibility in implementing the reform that is required. Albeit controversially, Australia has pushed the idea of regional processing, enlisting other countries in the region to fulfil their own obligations to protect and assist asylum seekers, although it is debatable whether these goals have always been achieved. Australia also remains a champion of refugee resettlement. Protecting people at home so they do not need to flee, promoting protection close to home so people do not need to pay people smugglers to reach safety, and unlocking durable solutions for refugees are all key components of a better international protection system where Australia can add particular value.

THE GLOBAL COMPACTS: ENTRY POINTS

The New York Declaration addresses large movements of refugees and migrants, and was negotiated in advance of its unanimous agreement by UN Member States on 2 August 2016. Since its adoption on 19 September 2016, the processes guiding the separate compacts on migrants and refugees have diverged quite significantly.

DIVERGENT PROCESSES

A comprehensive resolution has been developed for intergovernmental negotiations on the Global Compact for Safe, Orderly and Regular Migration:⁹ a 'zero draft' was circulated on 9 December 2016 and a 'first draft' on 22 December 2016. These lay out three phases for negotiation, broadly covering informal consultations through a series of thematic meetings in Geneva, New York, and Vienna between May and November 2017; a stocktaking meeting in Mexico City in late November 2017; and a final round of negotiations in New York between February and July 2018 leading to the adoption of the compact immediately prior to the 73rd meeting of the UN General Assembly in September 2018. The resolution includes an annex of other relevant intergovernmental meetings on migration during this timeframe where further input can be provided.

With respect to refugees, the New York Declaration calls for the United Nations High Commissioner for Refugees (UNHCR) to develop and begin implementation of a Comprehensive Refugee Response Framework (CRRF). The practical application of the CRRF will inform the preparation of a Global Compact on Refugees, to be included in the UNHCR's annual report to the General Assembly in 2018. The New York Declaration commits that the CRRF will be developed in close coordination with relevant Member States, as well as other UN entities, the private sector, and civil society.

A comparison of the two annexes to the New York Declaration, respectively on refugees and migrants, also demonstrates a divergence in approaches. Annex 1 on the 'Comprehensive Refugee Response Framework' is already quite detailed, defining a series of concrete principles and commitments towards the implementation of the CRRF. Annex 2 'Towards a Global Compact for Safe, Orderly and Regular Migration' is, as the title suggests, more open-ended, describing the global context, outlining elements for the Global Compact on Migration, and defining the consultation process over the next two years.

There is a strong sense that the Migration Compact provides the option for genuine negotiation, while the focus of the Refugee Compact will be on the implementation of a largely predefined agreement. This focus on action for refugees may be considered positive. Equally, a limited opportunity to further define content and strong ownership by UNHCR from the outset arguably curtails some more ambitious proposals.¹⁰ The

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implication for this Analysis, given its focus on the Refugee Compact, is that it is mainly concerned with how Australia can help implement Annex 1 of the New York Declaration.

THE NEED FOR COORDINATED INPUT

Despite these divergences in approach, there is a growing sense that states and other stakeholders should find a way to offer coordinated inputs to both, for three main reasons.

First, to some extent contributions to both the Migration Compact and Refugee Compact will cover similar themes. The draft outcome document for the New York Declaration circulated on 29 July 2016 distinguished clearly between commitments that apply to migrants, commitments that apply to refugees, and commitments that apply to both. The latter included: respect and protection for their human rights and fundamental freedoms; the special needs of people in a vulnerable situation; international cooperation on border control and management; the collection of accurate information; addressing unsafe migration; mainstreaming a gender perspective; addressing gaps in humanitarian funding; and addressing drivers and root causes.

Second, concerns have been raised that there are certain mobile populations that potentially will not be covered by either Compact, for example internally displaced persons, people displaced by the effects of environmental change, and migrants displaced by crises in countries where they temporarily live and work.¹¹ Guidance on all three have already been developed, through the Guiding Principles on Internal Displacement,¹² the Nansen Initiative¹³ (and its successor Platform on Disaster Displacement), and the Migrants in Countries in Crisis (MICIC) initiative.¹⁴ There is a case for incorporating these in one or other, or both, Compacts.

Third, it has been suggested that two ‘distinct, separate and independent’ Compacts only reify an increasingly artificial distinction between ‘voluntary’ and ‘involuntary’ migrants. According to the UN Secretary-General’s Special Representative on Migration:

“The most essential and urgent task is to clarify the responsibilities of States towards migrants who are in vulnerable situations and may not be able to return home, but do not qualify for protection under the 1951 Refugee Convention Relating to the Status of Refugees. States need to overcome the facile binary approach that treats refugees as ‘good’ (i.e. deserving help because they are forced to leave their country and deprived of its protection) and irregular migrants as ‘bad’ (because they have made their own decision to move, without due regard for legal process). Reality is far from being so clear-cut and there is a large grey area between those who flee literally at gunpoint and those whose movement is entirely voluntary.”¹⁵

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POTENTIAL AUSTRALIAN CONTRIBUTIONS TO THE REFUGEE COMPACT

The CRRF is structured around four main sections. The first, on reception and admission, emphasises the need to identify persons in need of protection as refugees; their rights; the specific needs of vulnerable groups; robust registration processes; legal safeguards; and the need for credible asylum systems. The second, on support for immediate and ongoing needs, seeks on the one hand to mobilise funds, and on the other to secure rapid assistance for refugees. The third extends support to host countries and communities, including through needs assessments, strengthening national development plans, and providing resources. The final and most substantive section is concerned with strengthening the three current durable solutions for refugees, namely voluntary return (and reintegration), local integration, and third country resettlement.

Australia has already made certain pledges in response to the New York Declaration, at the Leaders' Summit convened the day after the Declaration was signed. It pledged to maintain an annual quota of 18 750 places in the Refugee and Humanitarian Program; to provide a further A\$130 million in new funding to support peace-building and assistance to refugees in host states; and to participate in a scheme operated by the United States to protect refugees from Central America. These have been criticised as being modest and inadequate: the increase in the resettlement quota had already been committed; the financial contribution is a very small proportion of the current expenditure on offshore processing; and very few people are likely actually to be resettled under the Central America scheme.¹⁶

There are a number of ways that Australia could contribute towards developing and implementing the Refugee Compact's global ambition, in addition to its longstanding ad hoc support for specific initiatives on education for refugees, on the protection of stateless people, and on solutions in protracted refugee situations. This Analysis focuses on five contributions that draw specifically on Australia's experience and expertise, that are cognisant of its national and regional interests, and that acknowledge current policy settings in Australia as well as financial and capacity constraints. Taking a leadership role and investing significantly in a few contributions is likely to be more impactful than a more piecemeal approach.

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TECHNICAL AND FINANCIAL SUPPORT TO NEW RESETTLEMENT COUNTRIES

It is clearly accepted that even under the most ideal circumstances, only a minority of the world's refugees can be expected to find a permanent new home through third country resettlement. At the same time, it has been suggested that the strategic use of resettlement could have a broader positive impact. By relieving the burden on host states,

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resettlement may encourage them to continue to keep their borders open to new asylum seekers and refugees. It may also be one way to deter 'secondary' and irregular movements of refugees from a host country onwards, by providing an alternative and legal way to move to new destinations.¹⁷ As a result, the CRRF places considerable emphasis on expanding existing resettlement quotas and encouraging new states to establish resettlement programs, even if only for modest numbers initially.¹⁸

The Australian Government announced in its 2017–18 budget an increase in its annual quota for humanitarian resettlement to 16 250, the third most generous worldwide (the government has also recently settled an additional 12 000 displaced persons from the Iraqi and Syrian conflicts). Nevertheless, there have been regular calls to increase this number. In 2012, the Expert Panel on Asylum Seekers considered that there were a number of benefits in increasing the Humanitarian Program. These included that it would serve Australian national interests and international engagement; enhance the scope of cooperation with regional partners; give greater hope and confidence to asylum seekers in the region that regular migration pathways and international protection arrangements provide a practical, realistic, and better alternative to dangerous boat voyages to Australia; enable Australia to assist in meeting growing humanitarian needs in the region in a fair and timely way; and contribute to the strengthening of regional cooperation on asylum issues. It recommended extending the resettlement quota to 27 000 over a five-year period.¹⁹ Realising this ambitious target could increase pressure on other international resettlement countries to follow suit. It may also encourage new resettlement states, including regional partners such as Indonesia, Malaysia, and Thailand. This is an area where Australia should take a leading role, given its longstanding, sizeable, and largely successful resettlement program. One practical way to achieve this would be to support the IOM–UNHCR Emerging Resettlement Countries Joint Support Mechanism (ERCM). This mechanism has three main objectives: to provide financial and technical support to refugee resettlement worldwide; to assist new and emerging resettlement countries develop policies; and to channel lessons learned from experienced resettlement countries.

There are two ways that Australia could contribute to ERCM. One is through financial support. ERCM estimates that it needs a budget of US\$114.68 million to carry out its activities for 30 000 beneficiaries over three years.²⁰ The second way that Australia could contribute to ERCM is through technical support, with a particular emphasis on resettlement program design, adjudication, and selection; reception and integration; best practice in movement operations and pre-departure services; and the design of pre-departure orientation curricula.

To support ERCM through either means is likely to entail a wider commitment from the Australian Government beyond the Department of Immigration and Border Protection. The Department of Social Services (DSS), for example, has considerable expertise on the integration of resettled refugees through its settlement services for humanitarian entrants.²¹

PROMOTING COMPLEMENTARY PATHWAYS FOR REFUGEES

The CRRF acknowledges that ‘other legal pathways’ for refugees will be required beyond the expansion of existing quotas and support for new resettlement countries in order to meet the annual resettlement needs identified by UNHCR.²² These are channels of migration not necessarily designed to complement standard resettlement programs for refugees, but which can be used to enable the resettlement of refugees.²³ Such complementary pathways include labour, international study and family migration, as well as humanitarian visas and private sponsorship schemes. There are risks that need to be managed in providing complementary pathways: for example, the risk of ‘cherry-picking’ well-trained refugees in preference to others in greater need; and of undermining existing Humanitarian Program pathways.

Australia’s own refugee policy has come under scrutiny for not adequately promoting complementary pathways. For example, as part of the open consultation on the 2017–18 Refugee and Humanitarian Program, the Refugee Council of Australia recommended the introduction of 5000 visas for refugees under the family reunion stream of the Migration Program, and a multi-stakeholder consultation on complementary pathways including through the skilled, student, and family streams of the Migration Program.²⁴ Sharing the lessons learned from such a consultation or, more ambitiously, piloting a scheme for complementary pathways, would comprise a credible and significant contribution to the ambitions of the Refugee Compact.

More immediately, Australia should consider how to contribute more fully to the Global Refugee Sponsorship Initiative (GRSI). This initiative is led by the Government of Canada, UNHCR, the University of Ottawa, the Radcliffe Foundation, and the Open Society Foundations, while Australia is a contributing participant.²⁵

GRSI has focused on Canada’s private sponsorship model and how it might be adapted and supported in other countries’ context. Australia has also been piloting a private sponsorship model that may similarly be worth promoting.²⁶ The Community Proposal Pilot is mainly supported by families of refugees. It is reported that the response rate has significantly exceeded the annual cap of 500 places, and that the scheme has a faster visa grant rate than for other resettlement applications.

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The Community Proposal Pilot differs from the Canadian model in three main ways. First, whereas in Australia the sponsors are almost entirely extended family members, in Canada they are increasingly other individuals from the community. Second, in Australia the money raised by sponsors is paid to the government for the costs of visas and other services, and to nominated organisations for administrative and resettlement support. In Canada the money raised by sponsors goes to the resettled refugees as income support for the first year, after which they are eligible for public income support. Finally, the 500 spaces reserved in the Australian program form part of the overall quota for its Refugee and Humanitarian Program. In Canada, the principle of additionality has been invoked to defend private resettlement as a supplement rather than a substitute for the government program.

Both models have their critics, and each may be better suited to different contexts. A detailed comparison of their respective advantages and disadvantages would serve the GRSI well.

There may be a preference within the Australian Government to use student programs as an alternative pathway, in part because the family intake program is already over-subscribed. This preference aligns with a recent OECD survey in Member States which found that of all alternative pathways for refugees, student programs elicit the greatest public support in destination countries, particularly in the academic community. Such programs must, however, meet a number of challenges, including ascertaining candidates' levels of education in the selection process and adapting services to beneficiaries' special needs. Although student scholarship programs for refugees are the most expensive option, they have a valuable role to play in building a highly qualified workforce.²⁷

CAPACITY DEVELOPMENT WITH REGIONAL PARTNERS

The CRRF places heavy emphasis on capacity development in host states, for example to improve reception and admission procedures, the provision of humanitarian assistance, and legal protection. For Australia, focusing such support on regional neighbours is not just a matter of national interest, but would also help fill the largest regional gap in accessions to international protection instruments. In East Asia and the Pacific, only 16 of 26 states have acceded to either the 1951 Convention or its 1967 Protocol, in Southeast Asia 3 of 13, and in South Asia none of five.

The Refugee Compact could provide a mechanism for Australia to enhance its support to regional partners to develop asylum and refugee systems, which is currently mainly financial. Additional options for support would include supporting research and analysis on mixed migratory flows and public responses to them; enhancing the operational capacity of UNHCR offices; providing legal and policy training for local officials; supporting civil society efforts to assist refugees and asylum

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seekers; promoting objective media coverage on refugee issues; and strengthening inter-state cooperation in responding to the humanitarian and protection dimensions of rescue and interception at sea. Such support could build on positive examples in the region, for example new resettlement programs in countries such as Korea and Japan, and pilot programs for the employment of Rohingya in Malaysia.²⁸

At the same time, it is important to acknowledge the limitations of such efforts to date, whether gauged by the establishment of a functioning Refugee Status Determination system, the reduction of outflows of asylum seekers to Australia, or the promotion of solutions for refugees. Besides ongoing challenges related to security and overall state capacity, three obstacles in particular can be identified. One is a lack of consensus between countries in the region regarding their roles and responsibilities. A second obstacle is that asylum has become inextricably linked with irregular migration, smuggling, and trafficking. While it is important to retain a differentiated approach, this still means that an asylum and refugee system needs to be developed in the context of a wider migration management system. Third, there has been an unwillingness to cooperate in activities aimed at the long-term stay of refugees perceived to be a result of Australia 'externalising' their asylum process to other countries.

More ambitiously, Australia should consider strengthening the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime in the context of reforming the implementation of the international protection regime. The ultimate objective would be to establish a regional refugee framework.

Australia should also be seeking to encourage leadership by other countries in the region. This would be strengthened, however, if Australia addresses its own asylum policies as they engage regional neighbours. It is another example of how reviewing Australia's own policies may lend credibility to its efforts to influence the policies and actions of others.

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LEVERAGING PRIVATE SECTOR SUPPORT

The CRRF places considerable emphasis on resource mobilisation.²⁹ As already noted, in September 2016 Australia made an additional commitment to support refugees, but is likely to face considerable pressure to make significant new commitments given its wealth and reputation, both during the negotiation phase and after the agreement of the Refugee Compact. One way to meet these demands is to develop partnerships with the private sector, including by promoting finance lending schemes, development funding mechanisms, and cash-based delivery mechanisms. It is important that these are additive and not substitutive.

According to the latest available UNHCR report on contributions from non-governmental organisations, foundations and private donors, in 2016 private donors in Australia contributed over US\$13 million to UNHCR, eighth in the rankings behind Spain, the Netherlands, the United States, Qatar, Japan, Italy, and the Republic of Korea.³⁰ While donations in most other countries are listed as originating from individual companies, in Australia the single source is 'Australia for UNHCR', the UNHCR's national awareness and fundraising partner. A significant proportion of its funding is apparently from individuals in Australia, although detailed data is not readily available.

It appears that Australian companies are not yet contributing at a significant scale, although many other global firms have made substantial pledges and commitments in the run-up to and since the New York Declaration was signed, including Accenture, Airbnb, Chobani, Coursera, Goldman Sachs, Google, HP, IBM, JP Morgan Chase, LinkedIn, MasterCard, Microsoft, TripAdvisor, UPS, and Western Union. Their contributions include financial support for both refugees and humanitarian agencies, as well as employee expertise in consulting, technology, and data analysis, for example.³¹

There are already strong foundations on which to make the business case for corporate partners to engage. These include the involvement of other leading companies, the ongoing efforts of the World Economic Forum and partners such as the UN Office for the Coordination of Humanitarian Affairs, and practical guidelines for private sector investment in humanitarian crises.³²

Australia already has extensive experience of leveraging private sector investment including in associated areas such as combatting human trafficking and slavery — for example, through the Department of Foreign Affairs and Trade Supply Chains Working Group and Business Partnerships Platform.³³

At the same time, it needs to be acknowledged that there is a tendency for governments (and international organisations) to engage the private sector primarily as a source of funding, whether on migration, refugees, or more broadly development or other global public goods issues. This underestimates the other ways in which the private sector can contribute. First, private sector investment in host countries, for business ends, can serve refugee policies. A recent report by the World Economic Forum, for example, demonstrates the potential to reduce state fragility and thus address one of the root causes of displacement, by promoting investment, stimulating economic growth, expanding tax collection, and empowering local populations.³⁴ Second, the private sector also creates jobs, one of the priorities for the Refugee Compact. As has been seen in Europe and North America recently, the private sector can also create internships and provide training to help integrate refugees into the labour market in destination countries.

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Lessons learned from these and other private sector initiatives demonstrate that they depend on genuine public–private partnerships, based on shared values and responsibilities. Investment in fragile contexts, for example, is more likely when state institutions are first strengthened. The private sector can only provide jobs and training where policies regarding legal status, the right to work, mobility within a country, and recognition of skills and qualifications are conducive. A particularly important lesson for both Global Compacts is that the private sector must be engaged from the outset in developing solutions.

SETTING STANDARDS ON ENVIRONMENTAL MIGRANTS

People displaced by the effects of environmental change are a good example of the ‘grey area’ referred to by the Special Representative quoted above. While not satisfying the criteria for refugee status defined in the 1951 Convention, they are in most cases likely to migrate involuntarily, and require protection and assistance of some form from the international community.

As has been argued in a previous Lowy Institute Analysis, Australia is more likely to be directly affected by environmental migration, and sooner, than any other industrialised nation, especially as a result of environmental impacts in South Pacific countries, and should therefore be at the forefront of developing a response.³⁵ Australia can set the standards for others to follow, and in the context of the Global Compacts help fill the grey areas between them.

There is a general consensus that the prospects for a new international treaty or a protocol to the 1951 Convention to deal with this issue are slim and would also have significant shortcomings. Attention has therefore focused on adaptation in origin countries and capacity building in transit countries, as well as on developing national legislation on environmental migrants.

In terms of national legislation in Australia, three main models can be considered. One is to develop a new humanitarian category for environmental migrants. In 2007 the Australian Greens proposed legislation to create a ‘climate refugee’ visa category. The proposal attracted considerable criticism in the Senate and did not proceed to a vote. A second model is to amend existing legislation to provide refugee-like protection to environmental migrants. Variants on such legislative protection responses have already been adopted by other industrialised states (Finland, the United States), but none of the existing examples of national policies and legislation provides a comprehensive solution to the problem.³⁶

A third model that probably provides the most realistic and pragmatic approach for Australia is to use existing labour migration programs to extend migration opportunities to people vulnerable to or affected by environmental change. Australia’s Seasonal Worker Programme may

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provide a starting point for responding to migration arising from the effects of environmental change in the Pacific Islands. Started as a pilot scheme in 2009 for people from Kiribati, Tonga, Vanuatu, and Papua New Guinea, the scheme has now become permanent and has been extended to include Fiji, Nauru, Samoa, Solomon Islands, Timor-Leste, and Tuvalu.³⁷

This model of responding to environmental migration through existing labour migration programs is likely to be palatable for public consumption. It could be achieved without significant new legislation or additional expenditure or changing institutional arrangements, to an extent simply formalising existing procedures. It targets a limited number of countries only, defined by Australia's national interest, and therefore should not become a global magnet for environmental migration. But it would simultaneously set standards for national legislation elsewhere. It combines options for pre-empting and responding to the effects of environmental change. It resolves national interests with international norms and laws. Most importantly, it provides migration-based solutions for refugee-like situations.

CONCLUSIONS AND RECOMMENDATIONS

This Analysis supports an Australian input into the Global Compact on Refugees. First, it is in Australia's national interest to proactively contribute to the Refugee Compact, and to take the lead on five issues where it has particular expertise and experience. Second, Australian contributions need to be carefully gauged against current policy settings on border management, financial and capacity constraints, and promotion of alternative regional leadership. Third, any Australian contribution will be all the more credible if its own policies are also aligned with the principles and commitments of the Global Compact.

The Analysis recommends:

1. The Australian Government should convene a cross-departmental taskforce on the Global Compacts, in order to ensure a coordinated input to the two Compacts, and take full advantage of relevant experience and expertise across government departments and agencies.
2. The Australian Government should contribute financially and technically to the IOM–UNHCR Emerging Resettlement Countries Joint Support Mechanism.
3. The Australian Government should pilot complementary pathways for refugees, in particular via the Students and the Skilled Migration Program.

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4. The Australian Government should contribute more effectively to the Global Refugee Sponsorship Initiative, including through contributing to a comparative study of private sponsorship for refugee resettlement in Australia, Canada, and elsewhere.
5. The Australian Government should enhance its support for capacity development with regional partners, including more ambitious proposals to strengthen the role of the Bali Process in the context of international protection.
6. The Australian Government should leverage private sector support to promote innovative funding mechanisms and the deployment of employee expertise.
7. The Australian Government should set standards on environmental migrants using existing labour migration programs.
8. While the Department of Immigration and Border Protection should focus its efforts on developing and implementing the Refugee Compact globally, an internal review of Australia's asylum and refugee policy against the commitments in the Compact may lend credibility.

NOTES

¹ Khalid Koser, *Australia and the 1951 Refugee Convention*, Lowy Analysis (Sydney: Lowy Institute for International Policy, 2015), <https://www.lowyinstitute.org/publications/australia-and-1951-refugee-convention>.

² This Analysis is based on a discussion paper tabled at an expert workshop hosted by the Department of Immigration and Border Protection (DIBP) in Canberra in March 2017, and reflects feedback received from DIBP officials, civil society representatives and academic experts at that meeting. It has additionally been informed by discussions with officials at UNHCR and International Organization for Migration, as well as government, business and civil society representatives in Bangkok, Geneva, and New York.

³ World Bank, *Migration and Remittances*, Migration and Development Brief 27 (Washington DC: World Bank, 2017).

⁴ Kristy Siegfried, "Will the Refugee Summit Be 'A Missed Opportunity'?", IRIN, 15 July 2016, <https://www.irinnews.org/analysis/2016/07/15/will-refugee-summit-be-%E2%80%9C-missed-opportunity%E2%80%9D>.

⁵ See zero draft of the Global Compact on Responsibility Sharing for Refugees, 30 June 2016, <http://www.unhcr.org/events/conferences/578369114/zero-draft-global-compact-responsibility-sharing-refugees.html>.

⁶ UN General Assembly, *New York Declaration for Refugees and Migrants*, Resolution No A/71/L.1, 13 September 2016, http://www.un.org/ga/search/view_doc.asp?symbol=A/71/L.1.

⁷ Peter Hughes and Arja Keski-Nummi, "Beyond Operation Sovereign Borders: A Long-term Asylum Policy for Australia", Centre for Policy Development, May 2014, <https://australia21.org.au/product/beyond-operation-sovereign-borders-a-long-term-asylum-policy-for-australia/#.WYkzMccq6-I>; Joyce Chia, Jane McAdam and Kate Purcell, "Asylum in Australia: 'Operation Sovereign Borders' and International Law", *Australian Year Book of International Law* 34 (2014; published in 2015), 33–64.

⁸ Khalid Koser, *Environmental Change and Migration: Implications for Australia*, Lowy Analysis (Sydney: Lowy Institute for International Policy, 2012), <http://www.lowyinstitute.org/publications/environmental-change-and-migration-implications-australia>.

⁹ UN General Assembly, *Modalities for the Intergovernmental Negotiations of the Global Compact for Safe, Orderly and Regular Migration*, Resolution No A/71/280, 6 April 2017, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/280.

¹⁰ Khalid Koser, *Reforming the International Protection Regime: Responsibilities, Roles and Policy Options for Australia*, Lowy Analysis (Sydney: Lowy Institute for International Policy, 2016), <https://www.lowyinstitute.org/publications/reforming-international-protection-regime-responsibilities-roles-and-policy-options>.

¹¹ Elizabeth Ferris, "In Search of Commitments: The 2016 Refugee Summits", Andrew and Renata Kaldor Centre for International Refugee Law, Policy Brief 3, November 2016.

¹² UN Office for the Coordination of Humanitarian Affairs, *Guiding Principles on Internal Displacement*, 1998.

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