



Gillian Triggs AC



*An evening
to remember*

AGENDA

About 430 people joined the 15th Annual STARTTS Refugee Ball at the Dockside in Darling Harbour last November. Over the past 15 years the Ball has established itself as a key event in the social calendar. The event raises vital funds and awareness of STARTTS work to assist refugee survivors of torture and trauma. The funds raised enabled them to continue assisting survivors to live connected and fulfilled lives. The keynote speaker was GILLIAN TRIGGS AC, academic, international lawyer specialising in human rights and commercial law, a former president of the Australian Human Rights Commission and former Assistant Secretary General of the United Nations. This is a summary of her presentation.

It is wonderful to feel proud for our country, even though there is a long way to go in relation to the treatment of refugees. I would like to speak about my experience with the United Nations (UN), about what it was like to move from the Australian environment, which was challenging particularly due to the detention of children. However I will also focus on celebration. We have many things to celebrate, because the contribution refugees make to society everywhere in the world is remarkable. When refugees are given opportunities to do meaningful jobs, they will rebuild their lives and contribute greatly.

I would like to acknowledge the success of all the local communities. In my job the United Nations High Commissioner for Refugees (UNHCR), I travelled all over the world. I went to 45 countries in five years and I realised the real support for refugees lies at the local level within local communities everywhere – local leaders, local governments – but also within all those wonderful groups assisting refugees, among them Australians for Refugees, Grandmothers for Refugees, of which I am a member, Australians for UNHCR, which raise extraordinary amounts of money every

year for refugees in the international environment. There are also the Refugee Advice and Case Work Service, the Asylum Seekers Centre, Refugee Legal, Human Rights Law centres and so on. But I would also like to recognise the lawyers and judges of Australia. We need to see an independent judiciary and lawyers that will work pro-bono to support refugees as great benefits to Australia.

Among the positive developments in the international environment, the Supreme Court in the UK has declared that the Rwanda Solution – the shifting of responsibilities to poorer countries in relation to refugees – is illegal. The Italian courts have reached the same conclusion. The High Court of Australia, after 20 years, finally announced that mandatory detention without trial for those seeking asylum is illegal under Australia law. Recently the court has declared ankle bracelets and curfews are in fact illegal.

There is now a slow recognition that people forcibly moved from their land by climate change can also claim to be refugees, and we will continue to see great development in that area. We see some great work



from the statelessness groups who are securing citizenship for babies born in Australia of families that once were once described as “unlawful migrants”. We have in place the Administrative Appeals Tribunal’s reform and Australia’s a gold-standard resettlement program –20,000 places under humanitarian visas – and very generous local programs to help young refugees integrate into Australia.

Things are changing, though not fast enough, but we have much to celebrate. But we are seeing unprecedented numbers of people seeking asylum. Some will remember 1951 when Europe hoped to mop up about 2 million people who were forcibly displaced from WWII. That was the beginning of the Refugee Convention. Today at least 120 million people are seeking asylum around the world, a number that has doubled in 10 years and there is every chance of it doubling again in the next three to four years. We have never seen population movements of this kind.

We have a war in Sudan that left at least 12 million people displaced. Some of them within their own country but 3 million have fled to surrounding countries. We have seen young women fleeing from

Afghanistan where there is a 40-year unresolvable conflict. The civil war in Syria continues. We have the war in Ukraine. I understand 7000 Ukrainian refugees now live in Australia, some of whom have obtained citizenship.

We now have the catastrophic conflict in Gaza, a million people displaced in Mozambique, 6.3 million displaced in the Democratic Republic of Congo just in the border with Rwanda where Britain wanted to send their refugees. In Myanmar, the 1.1 million Rohingya denied citizenship are fleeing a war over gold and lithium for batteries and crossing the Bangladeshi border to Cox’s Bazar. .

Even the poorest countries are hosting huge numbers of refugees: Pakistan 3.4 million, Iran about the same number, Turkey 3.2 million. There are also the extraordinary European Union Directives, the name of the registration for temporary protection visas for 5.3 million Ukrainians.

This is the world we live in and we cannot ignore the severe impact of the return of Donald Trump as US president. We will have a rocky road. Trump has promised to deport forcibly more than 400,000 people.

There is no doubt the US is the most generous country for refugees and granting humanitarian visas. I hope the US will not withdraw from its humanitarian allegiance; doing so will place a much heavier burden on Europeans, Australians, Canadians to stand up for the fundamental principles of the Refugee Convention.

What can we do about it? The UN system is good at describing this profound problem and it will get considerably worse simply because the movement of people, whether migrants or refugees, will continue.

What are possible solutions? What can we do to make a difference? Many of you, I know, are already making that difference. But we need to do much more about the root causes of this problem. The root cause of despair for forced displacement is conflict, whether it is Sudan or Afghanistan or Ukraine or Gaza – so we must strive for peace. Frequently, the underlying causes of conflict are resource competition, poverty, inequality, poor governance, persecution and discrimination. To deal with those root causes, we have to work at the local level and I reiterate: we need a whole-of-society approach.

Some of you may have heard about the Global Compact on Refugees. It is not a legal document, it was brought in under the Obama Administration and contains two very important ideas, that we are all globally responsible for sharing the burden of responsibility for refugees, not only for governments but also faith-based groups, lawyers, local communities, NGOs, the business community and the private sector.

Through UNHCR, the United Nations can work with international financial institutions, such as the World Bank and regional development banks, to invest in refugee hosting countries to ensure refugees' education and housing. There is an interesting example in Kenya. Many of you will know about the Kakuma Refugee Camp, which has been existence for more than 30 years. Children who were born there and married there have had children of their own. It is no longer a refugee camp – the Kenyan government has declared it a city, a settlement, and has brought in the World Bank and the International Development Corporation to facilitate microfinance to develop businesses and skills and create opportunities for adults and young people alike. Investment is critically important to stabilise populations and stop them from embarking in very long journeys.

In the past four years, the World Bank has provided grants to 70 major hosting countries and commercial banks and organisations have distributed about \$15 billion – we can see some opportunities.

Another approach is to expand regular pathways. Many of you are involved in education, employment programs, community sponsorship and family reunion. The reality is that resettlement programs are too small

to really make a difference, providing a solution for less than 4 per cent of refugees in need. Groups in Australia providing employment, settlement services and education programs will need to collaborate at a global level to scale up those programs and services to reach greater numbers.

The Ukraine experience involved a whole-of-journey approach. There is no point for a single country to take a unilateral action. It rarely works and it is extremely expensive. We need to implement the whole-of-journey approach.

Most refugees and migrants travel the same routes others have followed for millennia: from the West Coast of Africa, Canary Islands and Spain to Europe; from Bangladesh, Myanmar through the Andaman Sea; from Bombay to Indonesia and sometimes Australia. We have movements from Sudan, Chad, Cameroon, into Libya to Tunisia into Lampedusa to Europe; from the East to Bosnia and Croatia to Austria and then Europe, and we have a massive movement through the Darien gap to the US and Canada.

Those journeys are continuing despite changes in policy. What we are suggesting is a “one-stop-shop” to advise and protect people before they flee trouble spots, to spare them from the temptation to deal with people smugglers.

One remarkable example is in the Blue Dot Hub safe spaces, established in Poland and Moldova for immediate support and services to all persons fleeing Ukraine. You could come across the border, with your belongings in plastic bags, with your kids and elderly people, and there was a hub near the railway station or in a local cafe. It was the place to get help with accommodation, to enrol the children into schools and seek financial and psychological assistance. The same idea is now being adopted in the Americas, where mobile units try to meet people on approach and seek to stabilise populations before they embark on potentially dangerous journeys.

Migrants and refugees often travel the same routes, but refugees have very special protection rights in countries where they find a refuge. We need to keep that idea alive, an idea that most of us deeply believe in, that came from the 1950s.

We need to recognise that the asylum system and the Refugee Convention is under threat. Some say it is broken, that it no longer works. Up to a point, they may be right in that it is not an ideal system. Let us take, together, the very rocky road ahead. In these tough times, we must continue to advocate for the protection of people who desperately need this support. We need to listen to our political leaders, but we also need to understand solutions are to be found at the local level. ▯



Murray-Jo Kamara, STARTTS' Youth Project Officer