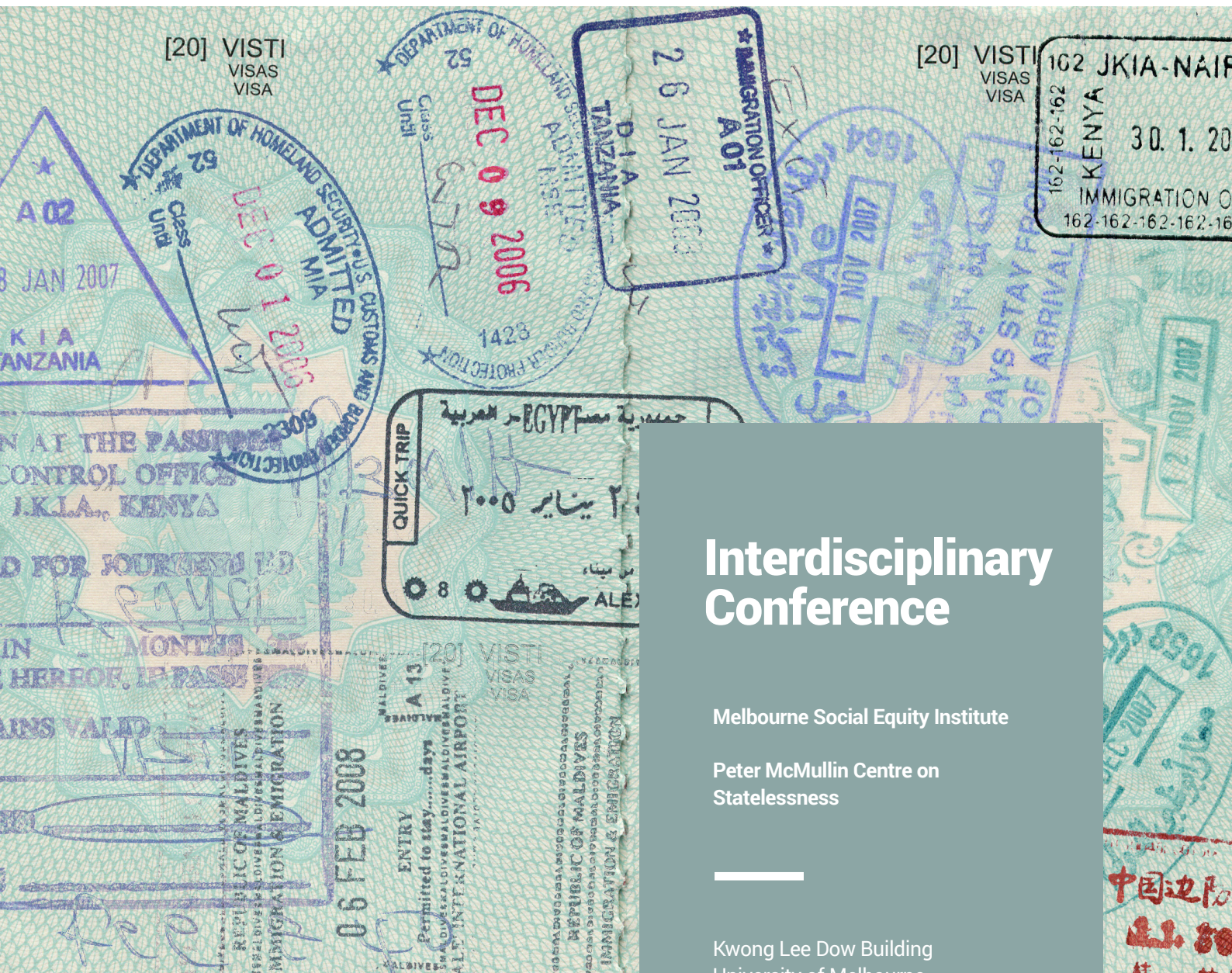


19 NOVEMBER 2019

Migration, Refugees & Statelessness



THE UNIVERSITY OF
MELBOURNE



Interdisciplinary Conference

Melbourne Social Equity Institute

Peter McMullin Centre on
Statelessness

Kwong Lee Dow Building
University of Melbourne



CONFERENCE CONVENORS

Dr Karen Block

Dr Ashleigh Haw

PRESENTING PARTNERS

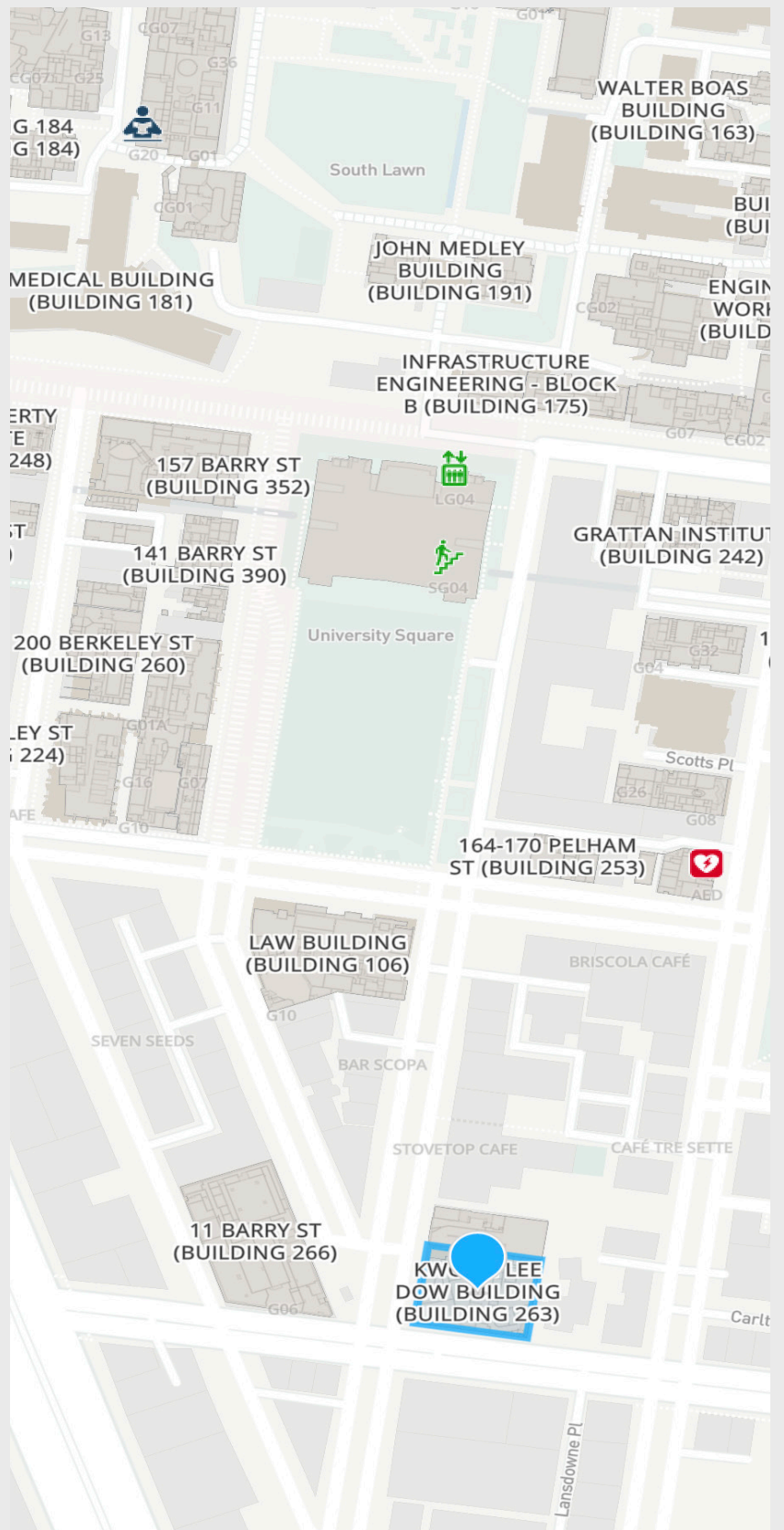
Melbourne Social Equity Institute

Peter McMullin Centre on Statelessness

VENUE

Room 230
Kwong Lee Dow Building
234 Queensberry Street
Carlton

Lunch will be provided, comprising vegetarian and vegan finger foods from Asylum Seeker Resource Centre Catering, as well as light refreshments for morning and afternoon tea.



The Kwong Lee Dow Building is located on the corner of Queensberry and Leicester Streets.

The building is a 10-minute walk from Melbourne Central Station.

It can also be accessed via Trams on both Swanston and Elizabeth Streets.

PROGRAM

9.15 WELCOME AND INTRODUCTIONS

**SESSION 1 POLICY AND PLACE
CHAIR: KAREN BLOCK**

- 9.30 HOLLY McCARTHY
Constructed realities: framing an inclusive multicultural Australia's exclusion of people seeking asylum
- 9.45 ALI REZA YUNESPOUR
Documentation problems for Afghan asylum seekers and refugees in Australia
- 10.00 THEA HEWITT
Caring cities: humanitarian settlement organisations and a feminist ethic of care
- 10.15 JONATHAN DALY
The human-nonhuman relations of intercultural encounter
- 10.30 THOMAS MCGEE
Syria's changing statelessness landscape: from protracted situations to "ticking time bombs"
- 10.45 JOEL ANDERSON
Evidence that the dehumanisation of asylum seekers is linked to support for punitive punishment
- 10.55 FRANKA VAUGHAN
Who is a Liberian anyway? The claim for formalised identity by diasporic Liberians
- 11.05 EMILY FOLEY
Modern Labo(u)r's migration dilemma: a comparative analysis

11.15 MORNING TEA

SESSION 2

HUMAN RIGHTS AND SEEKING ASYLUM

CHAIR: CHARLENE EDWARDS

- 11.45 AMIR ABDI
Water can wear down the stubbornest stone: the intersection between temporary protection visa holder status and disability in Australia
- 12.00 NICHOLAS SCHENK
Statelessness and structural injustice
- 12.15 EMILY O'KEARNEY
Prevalence of profound or severe disability in Australian permanent migrants
- 12.25 PHILIPPA DUELL-PIENING
The role of the UN Committee on the Rights of Persons with Disabilities in promoting and protecting the rights of people who are refugees with disabilities
- 12.35 ANGELA DEW
Service provider perspectives on supporting people with disability from Iraqi and Syrian refugee backgrounds
- 12.45 KONSTANTINA KERAMITSI
Protection of stateless persons in Greece
- 12.55 MAX WALDEN
Law versus practice in the provision of refugee rights in Indonesia
- 1.05 BERNARD SAMA NDE
The possibilities and constraints of therapeutic jurisprudence in New Zealand's refugee status determination process

1.15

LUNCH

SESSION 3

CHILDREN, YOUTH AND EDUCATION

CHAIR: ASHLEIGH HAW

- 2.00 EBONY KING
Facilitating resilience in unaccompanied asylum-seeking minors
- 2.15 ROSE ISER
Understanding Second-Generation African Australian students from refugee backgrounds in the classroom
- 2.30 KATIE ROBERTSON
'A place to call home' - examining the legal needs, complexities and gaps experienced by stateless children of refugee and asylum seeker background in Australia

- 2.45 VALERIE SCHUTTE
Stigmatisation in education? A critical discourse analysis of the education of adolescents of refugee backgrounds with emerging literacy in Australia
- 3.00 Vincent Jian Liang
Investigating out-of-classroom language and literacy practices of secondary Karen background refugee students
- 3.10 FARNAZ SHAHIMI
A social ecological perspective on resilience and identity for refugee children

3.20 AFTERNOON TEA

SESSION 4 HEALTH AND VULNERABILITIES CHAIR: CHRISTOPH SPERFELDT

- 3.45 JEANINE HOURANI
How refugee women perceive the relationship between mental health and intimate partner violence
- 4.00 KATALIN BERÉNYI
Mapping stateless minorities' vulnerability to hate speech, mass atrocities and radicalisation
- 4.15 KEHLA LIPPI
Changing Australian domestic policy: the impact on asylum seeker health
- 4.25 AZLINARIAH ABDULLAH
Exploring the health rights of the Rohingya refugees in Malaysia
- 4.35 ASH HOSSEINI & ERESHA ABENAYAKE
Refugee and immigrant parents impacted by pediatric cancer; resilience-based interventions
- 4.45 HUMAIRA MAHEEN
Reaching full potential - Identifying effective sexual and reproductive health services for migrant and refugee youth in Australia

4.55 CONFERENCE CLOSE

Constructed realities: framing an inclusive multicultural Australia's exclusion of people seeking asylum

Australia's increasingly securitised and exclusionary asylum policy has been legitimated through a damaging discourse surrounding people who seek asylum. While political elites across the West are distancing themselves from a discourse of inclusive multiculturalism, Australia continues to celebrate its multicultural success despite the ongoing tension between a rhetoric of inclusion and one justifying exclusion. Since discourse is both productive and reflective of the social world, shaping discourse can be understood as a means to shape reality.

This research explores how discourse is constructed and reproduced through framing; a discursive practice that influences how certain issues are understood. Nine primary frames were identified through an analysis of communications from Australian Prime Ministers and senior political figures between 2001 and 2019. These texts either directly engaged with the exclusion of people seeking asylum as part of a policy vision for Safe, Secure & Free Australia or discussed the policy vision for a harmonious and inclusive Multicultural Australia. The frames identified (Fairness, Security, Moral & Humanitarian, Australian Values, Crime & Illegality, Liberal Rights & Freedoms, Successful Multiculturalism, Australian Way of Life and Citizenship & Obligation) reproduce narratives which maintain the hegemonic position of discourses which present Australia as a humanitarian, welcoming and inclusive multicultural society and situate people who seek asylum by boat as illegal, seeking an unfair advantage, and as a threat to national security.

My hope is that by generating greater discussion about framing and the role of discourse in shaping public perception we can counteract narratives that have come to be accepted as truth.

Holly McCarthy

is a recent MA graduate in Ethnic and Migration Studies from Linköping University and an alumnus of the University of Melbourne (BA). She has a breadth of experience working and volunteering in the Australian refugee sector and is interested in researching the potential language has to affect positive social change.

Ali Reza Yunespour

was born in Afghanistan and arrived as a refugee in Australia in 2005. He teaches in the School of Social and Political Sciences at the University of Melbourne and his PhD thesis examines the political economy of Afghanistan's higher education. Since 2008, he has helped around 8,000 students in 22 rural schools in Afghanistan through his volunteer works with indigo foundation Australia. Previously, he has worked in DFAT and as a lecturer at American University of Afghanistan in Kabul.

Documentation problems for Afghan asylum seekers and refugees in Australia

Establishing the identity of an asylum seeker and refugee is a crucial element of Australia's temporary and permanent residency visas and citizenship processes. To date, the Australian government has used three different methods to verify the identity of refugees and asylum seekers: biometric data, life narratives and documentation from countries of origin and transit countries.

By interviewing 50 former and current Afghan refugees and asylum seekers in Australia and participants from Afghanistan, this paper demonstrates the difficulties of obtaining valid documentation for Afghan asylum seekers and refugees in Australia. It shows how ongoing conflict, generational displacements and socio-political problems in Afghanistan have resulted in the loss of documents and inconsistency of information in the various documents held by Afghan refugees and asylum seekers. Furthermore, physical and psychological trauma, documentation problems and low levels of literacy may have affected the information which Afghan refugees and asylum seekers provided in their initial statements and subsequent interviews with the Department of Home Affairs.

As the majority of Afghan asylum seekers and refugees have lived under temporary or permanent residency visas in Australia for more than six years, this paper recommends that the Department should consider their personal, economic and socio-political records since their arrival in Australia to overcome the limits of existing methods and to establish the identity of Afghan refugees and asylum seekers.

Caring cities: humanitarian settlement organisations and a feminist ethic of care

This research examines the role and position of the diverse organisations who provide support to people from refugee backgrounds settling in Australia. Non-state organisations in similar contexts have been conceptualised in uneven ways, with previous work understanding them to be ‘filling the gaps’ left by the retraction of the state under neoliberalism, or as working as a shadows-state apparatus.

This research challenges such restrictive framings. Engaging with a Feminist Ethic of Care, the research extends geographic literatures that have shown the capacity for organisations to resist and rework repressive influences from the state. Drawing on interviews with a range of organisation across Melbourne including community organisations, local governments, faith-based organisations, and generalist charities, the research argues that non-state organisations are indispensable within the settlement landscape in Australia; both providing people from refugee communities with essential services and resources, and undertaking bridging work that allows the state to maintain a restricted and inaccessible approach to social service delivery.

It also argues that non-state organisations are active agents in the construction of an expanded citizenship for people from refugee backgrounds, that moves beyond normative and exclusionary imaginaries of Australian citizenship upheld by immigration and settlement policy. Importantly and more broadly, the research shows how a Feminist Ethic of Care informs and shapes the practices of these organisations, offering care-full inclusion in the face of care-less approaches to migration and refugee resettlement in Australia and globally.

Thea Hewitt

is a final year PhD student in the School of Geography at the University of Melbourne. Her work engages with the politics of multiculturalism in Australian cities and draws on a feminist ethic of care to explore the work of non-state organisation in this landscape.

Jonathan Daly

has twenty years of experience in architecture, urban design and planning working across Europe, North American, and Australasia. He is the founder of the Urban Behaviour Lab and a PhD candidate in the School of Design at the University of Melbourne, where he also lectures and teaches.

The human-nonhuman relations of intercultural encounter

This paper explores how urban design enables and constrains ethnocultural differences and intercultural encounter in the urban public spaces of Western cities. The unprecedented growth of ethnic diversity in Western cities raises questions about the role that built form plays in mediating intercultural relations in the everyday spaces of everyday life. Immigrants from different ethnic groups bring their own habitus to new settings, which manifest in different ways of occupying urban public spaces.

While several studies have explored this issue from a sociological and cultural perspective, ie. human-human interactions; whereas the literature on human-nonhuman relations remains largely unexplored. This paper draws on assemblage thinking, affordances, habitus and actor-network theory, as a methodology for studying human-nonhuman relations in three civic squares in the cities of Melbourne, Copenhagen and Toronto. Formal and informal spatial practices are identified and investigated through observation, mapping and interviewing.

This paper seeks to reveal important insights to help governments and designers better align urban design schemes with the increasingly ethnically-diverse everyday life in our cities.

Syria's changing statelessness landscape: From protracted situations to "ticking time bombs"

While statelessness is not a new problem for Syria, the civil war has brought about additional risks and instances of becoming stateless. This has resulted in a diversification of the "statelessness landscape". Displacement of stateless Syrians has reshaped the experiences of existing stateless communities, as they experience new legal and social structures including notably the asylum and reception systems in new settings.

At the same time, the conflict context – and particularly occupation by the Islamic State (ISIS) – has also transformed Syria into a site of statelessness (and risk thereof) for those originating from outside the country's borders: firstly in cases of children born of genocide, under non-state control or to foreign nationals unable to pass on their nationality; and secondly as the result of revocation of citizenship by countries of origin on security/punitive grounds.

This presentation considers how to theorise Syria's changing statelessness landscape in light of the increasingly complex and varied origins and nature of the problem following the outbreak of civil war.

Thomas McGee

is a PhD researcher at the Peter McMullin Centre on Statelessness. He is a graduate of the University of Cambridge and holds an MA in Kurdish Studies from Exeter University, having written his thesis on the situation for stateless Kurds from Syria. Thomas has worked as a researcher and humanitarian practitioner specialising in the Middle East. Speaking Arabic and Kurdish, he has conducted extensive field research with communities across Syria, Iraq and Turkey, and has published in the *Tilburg Law Review*, *Statelessness Working Paper Series*, *Kurdish Studies Journal* and *Genocide Studies International*. He is an associate member of the European Network on Statelessness (ENS) and the International Association for Forced Migration Studies. Most recently he has collaborated with ENS and the Institute on Statelessness and Inclusion on their "Stateless Journeys" project, focusing the situation of stateless refugees in Europe. Thomas has also contributed to a number of County of Origin Information reports, and served as a Syria country expert for immigration appeal cases.

Joel Anderson

is a research fellow at La Trobe University and a lecturer at Australian Catholic University.

Evidence that the dehumanisation of asylum seekers is linked to support for punitive punishment

The rate of individuals being forced to seek asylum in foreign countries is rapidly rising. Despite the minimal contribution that Australia makes to this global crisis, negative attitudes and perceptions of asylum seekers in Australia have become pervasive, and hostile rhetoric dominates political and media landscapes. In this presentation, we explore the often-assumed link between dehumanization of asylum seekers and support for punitive policies.

A sample of 257 Australians (M age = 27.36 years, SD = 11.36; 181 females) responded to measures of dehumanisation, prejudice, political conservatism, and then various policies. The evidence presented supports the hypotheses that specific forms of dehumanisation are linked to policy support – and importantly do so beyond the statistical contribution of pure prejudice.

We hope these findings will be used to create targeted interventions aimed at reducing the dehumanisation of asylum seekers and assisting in the integration and intergroup harmony of asylum seekers and locals.

Who is a Liberian anyway?

The claim for formalised identity by diasporic Liberians

After a sporadic fourteen-year civil war, Liberia is in the process of rebuilding both its state machinery and societal relations. The construction of an all-embracing Liberian identity linked to a proposed Dual Citizenship Bill is one such rebuilding projects.

Using a multi-site case study that engages stakeholders across the divide in the debate on the bill, my thesis seeks to understand how access to a collective Liberian identity is being negotiated between Liberians at home and abroad.

Franka Vaughan

is a PhD candidate at the School of Social and Political Sciences at the University of Melbourne, and a cohort of the Melbourne Social Equity Institute's Interdisciplinary PhD Program in Refugee and Forced Migration Studies. Her research is on diasporic Liberians claim for (formalised) identity back 'home' and how their claim is perceived by Liberians at home.

Emily Foley

is in the early stages of her PhD candidature in Politics at La Trobe University under the supervision of Associate Professor Gwenda Tavan and Dr Bec Strating. She is the current overseeing coordinator of the Sudanese Australian Integrated Learning (SAIL) program and her research interests include comparative party politics and migration studies.

Modern labo(u)r's migration dilemma: a comparative analysis

The nature of contemporary globalisation has fundamentally reshaped the nature of Australia's immigration program from the establishment of a permanent settler-migrant nation, to a focus on temporary migration. With over one million temporary migrants currently living in Australia, these changes provide key challenges for states such as the exploitation and reliance on these individuals by sectors such as higher education and the agriculture industry.

The early stages of my research examines the positioning of the Federal Australian Labor Party and the extent to which it supported or opposed these great shifts in contemporary immigration policy through periods of government and opposition and to position my findings within broader ideological comparisons of centre-left Labo(u)r political parties in Western Liberal Democracies.

Amir Abdi

is an advocate for people from refugee backgrounds and those seeking asylum, as well as a champion for people living with vision loss. Amir was presented with the Victorian Award from Friends of Refugees by Professor Gillian Triggs, in 2018, for his outstanding contribution to the Australian Community for All Abilities Sports and Community Service.

Water can wear down the stubbornest stone: the intersection between temporary protection visa holder status and disability in Australia

This paper will explore the impact of government policies that exclude people. Amir, the author of this paper, is a temporary protection visa holder and is also legally blind, and has experienced firsthand what it means to be lost in a policy nightmare. The multiplying effect of intersectional discrimination will be illustrated throughout this paper, focusing on temporary protection visas and disability policy.

Having several identities at once is difficult because government policies are developed to serve people that fit neatly into categories. Amir reports that having a temporary protection visa has made him more disabled than his vision impairment, with discriminatory government policies exacerbating the social exclusion he experiences.

This paper will conclude by highlighting the loss of human potential that occurs when Australian society fails to understand the valuable contribution of people who are differently abled and from diverse cultural backgrounds, firmly putting the responsibility back onto government to show leadership in this area – both in immigration and disability policy.

Statelessness and structural injustice

The denial of the human rights of stateless persons are often framed purely as a legal problem that can be resolved by states taking responsibility for granting nationality for people within their borders. Sometimes statelessness clearly results from the (in)actions of singular, state-level agents who discriminate against and persecute minorities.

Often, however, discrimination and denial of nationality happens as a result of multiple agential action against a background of 'structural injustice'. I examine the case of indigenous and nomadic stateless groups to demonstrate this and show that prevailing views that nationality rights facilitate protection of human rights can mask the recognition claims of minorities.

Iris Young's conception of marginalisation and cultural universalism can show, I argue, how indigenous and nomadic stateless populations are excluded through structural injustice. I suggest that, in part, the exclusion of indigenous and nomadic stateless people can be viewed as result of a global political order that structures political membership around the society of nation-states model, as well as the dominance of private property norms at the expense of traditional notions of common or shared ownership of territory and resources.

Nicholas Schenk

is a PhD candidate and a member of the Global Ethics and Political Theory Research Cluster in the Department of History, Politics and International Relations at the University of Leicester, UK. His research interests are primarily in theories of global justice and the ethics of citizenship and migration.

Emily O’Kearney

s currently a PhD student within the CRE of Disability and Health, studying how CALD characteristics influence health and health service use in Australians with disabilities. Emily has 10 years experience as a rehabilitation physiotherapist and also has a Masters of International Public Health. She has worked in the disability space in various roles, including in Indigenous health and in Cambodia.

Prevalence of profound or severe disability in Australian permanent migrants

Background: The Australian prevalence of disability is 18.3% and the prevalence of profound or severe disability is 5.1%. There is a lack of research into the prevalence of disability in migrant populations, despite more than a quarter of the Australian population being born overseas and humanitarian migrants being at high risk of disability.

Method: Cross-sectional data of working-age Australian migrants from the Australian Census and Migrant Integrated Dataset 2016 and of native Australians from the Census of Population and Housing 2016 was analysed. Proportions of people with profound/severe disability were calculated for each migrant status (Australian-born and skilled, family and humanitarian permanent migrants). Poisson regression compared prevalence ratios of disability by migrant status (reference group: Australian-born), adjusting for age group and sex. The disability prevalence for humanitarian migrants compared to the Australian-born was also calculated within levels of socioeconomic variables.

Results: Humanitarian migrants had the highest proportion of disability (6.7%), followed by the Australian-born (3.5%), family migrants (1.4%) and skilled migrants (0.5%). In fully adjusted models, skilled, family and humanitarian migrants had a prevalence ratio of disability that was 0.17, 0.46 and 2.15 times the Australian-born population. Humanitarian migrants had higher rates of disability regardless of socioeconomic level.

Conclusion: Humanitarian migrants have double the risk of profound/severe disability compared to native Australians. Further research to investigate disability acquisition (i.e. timing and cause), strategies to prevent disability after arrival to Australia, and treatment for this vulnerable group, including access to services noting that asylum seekers and those on temporary protection visas aren’t eligible to receive National Disability Insurance Scheme services, is needed.

The role of the UN Committee on the Rights of Persons with Disabilities in promoting and protecting the rights of people who are refugees with disabilities

The newest international human rights treaty, the Convention on the Rights of Persons with Disabilities ('the treaty'), has been almost universally ratified. The treaty's purpose is to 'ensure full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities' (CRPD, art 1). A significant proportion of the world's population has a disability, 15% (World Bank, 2019); several surveys have identified that this numbers is higher in refugee populations.

For people who are refugees with disabilities, their disadvantage is often exacerbated by their two (or more) intersecting identities. Multiple and intersectional discrimination is identified and prohibited by the treaty. As such the Committee on the Rights of Persons with Disabilities ('the committee'), which has the mandate to monitor the treaty, is concerned that people who are refugees with a disability do not experience discrimination due to their refugee status.

A thematic analysis of the committee's communication with states, through concluding observations, was undertaken to identify concerns raised about discrimination experienced by people who are refugees. Initial analysis of over 90 concluding observations demonstrates that the committee has a strong interest in the situation of people who are refugees, with over a third identifying refugees as a population of concern. While this attention is encouraging, it is somewhat unevenly applied with the committee being silent in some countries where people who are refugees with disabilities are experiencing discrimination. This suggest that there continues to be a vital role for civil society in highlighting discrimination through shadow reports.

Philippa Duell-Piening

is a PhD candidate at the Melbourne Law School. Prior to this, Philippa coordinated the Victorian Refugee Health Network working to reduce health inequalities experienced by people from refugee backgrounds. Philippa has worked in the forced-migration contexts of Timor-Leste in 2002 and on the Thai-Myanmar border in 2012.

Angela Dew

PhD, is a sociologist with 38 years' experience in the Australian disability sector. Her research relates to understanding the specific issues faced by people with disability and a range of complex support needs. Angela uses qualitative and arts-based methods within an integrated knowledge translation framework to ensure her research results in practical solutions that can be tailored to individuals and local communities.

Service provider perspectives on supporting people with disability from Iraqi and Syrian refugee backgrounds

In 2012 the Australian Government streamlined the health waiver for all humanitarian visa applicants meaning that people with disability were more likely to get a visa. Little is known about the implications of this change for Australian service providers as the number and circumstances of refugees with a disability who have been resettled here to date is unknown.

This paper describes one part of a larger study to explore the impact of resettlement in Australia for Iraqi and Syrian refugees with disability, their families and service providers. Seven practitioners employed in four South Western Sydney, NSW refugee support services were interviewed about their experiences of supporting people with disability from Iraqi and Syrian refugee backgrounds. Data were analysed using thematic analysis and constant comparison. Practitioners described how their refugee support organisations responded to refugees with disability through a range of service enhancement strategies and, in particular, how they assisted people to access the National Disability Insurance Scheme.

Practitioners also described refugee family member's varied cultural understanding of disability and how this impacted on their help-seeking behaviours and expectations. This study has important implications for understanding the ways in which organisations support the complex physical/mental health and social needs of people with disability from Iraqi and Syrian refugee backgrounds.

Protection of stateless persons in Greece

In Greece, there are still stateless persons who face a number of problems due to the lack of nationality and the absence of legal protection. Greece enacted the Statelessness Convention by ratification by Law 139/1975. Since then, there has been no other legislation in the Greek law that refers solely to stateless persons, but only provisions on citizenship or immigration laws that define stateless persons as those who meet the conditions set out in Article 1 of the Statelessness Convention.

Moreover, this law does not include a special procedure for recognizing stateless people. It had only transposed the Convention without adding more explanations. Because of the above mentioned “legal limbo” status, these individuals often live in conditions of protracted marginalization and discrimination, facing numerous difficulties, such as the inability to receive medical assistance, travel, enroll in educational programs, acquire property, obtain legal employment, marry or open a bank account and arbitrarily detention. Some of them had seek justice to the Courts either national or international.

This paper presents an overview of the statelessness phenomenon in Greece and whether these people are protected in Greece by specific legislation.

Konstantina Keramitsi

is a police officer who served in Aliens Directorate in Greece, and has successfully completed a Master in Economics and Politics Studies in South and South-eastern Europe. Konstantina's Masters thesis was about the reasons for immigration from South Asia.

Max Walden

is a PhD candidate at the Asian Law Centre, Melbourne Law School. Max's scholarship is provided under the Australian Research Council-funded project "Indonesia's refugee policies: responsibility, security and regionalism" led by Professor Susan Kneebone. He is a member of the PhD Program in Refugee and Forced Migration Studies through the Melbourne Social Equity Institute and of the Kaldor Emerging Scholars Network.

Law versus practice in the provision of refugee rights in Indonesia

Indonesia has obligations to asylum seekers and refugees under international law and indeed under some of its own domestic laws. While like most of its neighbours Indonesia is not a signatory to the 1951 Refugee Convention or 1967 Protocol, it does have responsibilities having ratified other rights documents including the International Covenant on Civil and Political Rights and the Convention Against Torture.

Nevertheless, in a country where the rule of law and respect for the international human rights regime remain weak, these obligations are often unfulfilled in favour of sovereignty and security. This provides both opportunities and challenges for civil society, which since the fall of former dictator Suharto in 1998 has played a key role in the development of democracy and in advancing human rights in the archipelago.

In absence of state assistance for forced migrants, civil society plays an important role in providing necessities like shelter, food and other services, as well as rights advocacy on their behalf..

The possibilities and constraints of therapeutic jurisprudence in New Zealand's refugee status determination process

Many western countries including New Zealand, strive to maintain a robust refugee status determination process (RSD) and at the same time ensure that the process is as humane as it can possibly be. The dilemma however for New Zealand, and other countries with similar jurisdictions, is how to maintain a strictly legalistic RSD as well as minimise/eliminate the adverse emotional and psychological consequences of the process on the asylum seekers and the professionals who work in it. I believe the theory of therapeutic jurisprudence (TJ) sheds important light on how this could be done. The aim of multidisciplinary study, therefore, is to explore how the principles of TJ can inform a robust and humane RSD process in New Zealand.

Through conducting semi-structured interviews with asylum seekers and professionals in the RSD, I examine the law and current practice to consider the possibilities and constraints of TJ for RSD. The TJ theory is used as a critical lens within the transformative paradigm.

Ideally, the implication of the study would be to instigate the professionals in RSD to reflect about what might optimise the emotional and psychological wellbeing of asylum seekers. The research may also help inform a therapeutic design and application of the law, policy, and practice on RSD. The study will hopefully challenge the status quo that continues to marginalise asylum seekers in New Zealand and will transform (at least in the theory) the society in which they live, hence leading to furtherance of social justice and human rights for this population group.

Bernard Sama Nde

is originally from the Southern Cameroons (a persecuted/marginalised English-speaking minority people in the largely French-speaking nation of Cameroon). Bernard studied law (LLB) in the Cameroons and worked at a human rights law firm. Facing persecution, Bernard left for New Zealand in 2006 as an asylum seeker, and was recognised as a refugee. Bernard completed a completed a Postgraduate Diploma in Health Science in Mental Health in 2014; and a Master of Health Science in 2017 at AUT University. Bernard is currently completing a PhD under the supervision of Dr Anna Hood and Associate Professor Jay Marlowe at the University of Auckland. Bernard's general research interests include refugee law, immigration law, human rights, and the impact of law and policy on forced migrants in transitory and destination countries.

Facilitating resilience in unaccompanied asylum-seeking minors

In recent years, the number of unaccompanied minors (UAMs) seeking asylum in ‘the West’ has rapidly increased. This research is the first study, to my knowledge, to study UAM resilience from a social-ecological perspective, whereby resilience is both the capacity of individuals to navigate their way to health sustaining resources and a condition of the individual’s family, community and culture to provide health-promoting resources and experiences in culturally meaningful ways. In-depth and semi-structured interviews with 16 former UAMs and 18 key informant service providers in Australia were analysed using thematic analysis and four major themes (or “domains”) were identified: Distal Decisions, Connection, Education and Identity.

The “Domains of Facilitated Resilience” model is proposed, which conceptualises how the complex and dynamic interactions between these four domains potentiate differential patterns in resource access, processes and outcomes that can both facilitate and undermine the ability of UAMs to ‘be resilient’. The best outcomes were achieved when the four domains are mutually facilitative and supportive, however punitive Distal Decisions (government legislation and policies) often limited the resilience-promoting potential of Connection, Education and Identity by restricting UAMs’ access to meaningful resources, permanent protection and family reunion. Implications for resilience theory, legislation and policy, and service provision are proposed.

Ebony King

’s PhD research explored how the social ecologies of unaccompanied asylum seeking minors can facilitate their resilience. Since completing her doctorate, Ebony has been working as a Health Promotion Officer at the City of Whittlesea, where she has focussed attention on the role of local government in supporting those who are financially vulnerable and food insecure, as well as conducting research about the experiences of female carers accessing skilled employment in an outer-suburban, growth area context. Asylum seekers and refugees remain a core concern in her work. Publications drawn from Dr. King’s thesis are in progress.

Rose Iser

is a third year PhD candidate with the Melbourne Graduate School of Education, and participates in the PhD Program in Refugee and Forced Migration Studies at the Melbourne Social Equity Institute. She has worked in law, politics and teaching, with a particular focus on diversity and equity in community engagement and education.

Understanding second-generation African Australian students from refugee backgrounds in the classroom

In the context of changing and contested dynamics of Australian multiculturalism, including politicised attitudes towards young Australians of African ancestry, this thesis aims to investigate cultural and language resources of African-Australian students, and how schools draw upon these to support second generation African-Australian (SGAA) students in their academic and social development.

Using methodologies associated with Critical Race Theory, the study examines educators' stock stories that exist as assertions of truth about the SGAA students' reality, and extrapolated composites of the repeated anecdotes. The study connects these stock stories with the lived experiences of the SGAA students and their families to reveal contradictions and convergences.

The primary intention of this research is to generate new insights into the interface between an inner-Melbourne primary school and the cultural and language resources of the African background communities it serves, with a view to assisting schools improve educational and social equity for SGAA students.

‘A place to call home’: Examining the legal needs, complexities and gaps experienced by stateless children of refugee and asylum seeker background in Australia

Children born on Australian soil are not guaranteed the right to Australian citizenship. Citizenship is foundational to a child’s sense of identity and belonging, providing them with fundamental political and civil rights.

Importantly, for children of refugees it can also offer security and safety; a place to call home.

A significant but unknown number of children have been born in Australia to stateless asylum seeker parents seeking protection in Australia. Although these children have a right to apply for Australian citizenship under domestic legislation and international law, they face numerous barriers in seeking to navigate this complex legal process. Australian engagement in addressing cases of statelessness is crucial in supporting the UNHCR’s Global Plan to End Statelessness by 2024.

Through seed funding obtained from the Stateless Hallmark Research Initiative, we have researched the legal needs, complexities and gaps experienced by these children. The project examined four legal claims for citizenship by asylum seeker children. These case-studies have formed the basis of a scoping report aimed at identifying specific research questions for further investigation regarding how the legal needs of these children can be best addressed, while also providing human insight into the challenges experienced by stateless children and their families. The project also focused on the practical needs and barriers faced by legal practitioners representing stateless children in Australia.

Katie Robertson

is a human rights lawyer with experience acting for stateless children. She has a BA/LLB (Hons) and LLM (Public and International Law) from the University of Melbourne. Katie also has experience advocating for the rights of children and refugees in the political, policy and NGO sectors.

Valerie Schutte

is a Master of Arts (Education) student at the University of Ottawa and a visiting scholar at Monash University. Her current project, supported by the Social Sciences and Humanities Research Council of Canada and Mitacs, comparatively analyses the education of students of refugee backgrounds in Australia and Canada.

Stigmatisation in education? A critical discourse analysis of the education of adolescents of refugee backgrounds with emerging literacy in Australia

The UNHCR is urging the UN Security Council to respond to the unprecedented stigmatisation of refugees (UNHCR, 2019a). Australia is particularly notorious for its negative discourses on refugees and asylum seekers, and its social exclusion of people of refugee backgrounds (MacDonald, 2017).

Yet, in 2018, Australia admitted the third largest number of resettled refugees (UNHCR, 2019b) and voted in favour of the UN's Global Compact on Refugees. Calling for cooperation with and evidence-based responses to refugees, the global compact identifies areas in need of support, one of which is education. States are invited to contribute “expertise to expand and enhance the quality and inclusiveness of national education systems” to students of refugee backgrounds and “to meet the specific needs of refugees” in educational contexts (UNHCR, 2018, p. 13).

Due to interrupted formal education, most adolescents of refugee backgrounds have had limited opportunities to develop literacy skills (Miller, Ziaian, & Esterman, 2018). Upon resettlement to Australia, they must learn English and develop English literacy to fill gaps in academic knowledge. With limited first language literacy and English oral competence upon which to build English literacy, and little time to bridge linguistic and content gaps, students of refugee backgrounds with emerging literacy (REL students) require intensive educational support.

This presentation critically analyses power relations manifested in the education of REL students in Victoria, Australia. In light of preparations for the first Global Refugee Forum, it highlights good practices from which Australia can progress towards realising the education-related objectives of the global compact

Investigating out-of-classroom language and literacy practices of secondary Karen background refugee students

This research project aims to explore the out-of-classroom language and literacy practices of secondary refugee students from the Karen-speaking ethnic minority group originally from the Republic of the Union of Myanmar (also known as Burma). From the exploration, this research intends to investigate the existing language and literacy knowledge of Karen refugee students.

The intended investigation is contextually situated in the analysis of the language practices employed in the social context outside the classroom, as well as the literacy practices represented in the forms of gestures, graphics, and text messages from local communities. Additionally, this research attempts to incorporate the language and literacy resources that Karen refugee students have accumulated throughout the migration journey into the required and expected language and literacy education in Australian schooling. To achieve the research aim, this research project will employ the multimodal ethnographic method (Kalaja & Melo-Pfeifer, 2019) and the walking interview biographical method (O'Neill & Roberts, 2020) to elicit the language and literacy knowledge of Karen refugee students. Specifically, Bendigo will be the research site for recruiting students from local secondary schools and conducting interviews with Karen related workers and stakeholders.

The cultural historical activity theory (Engeström, 2001) will be adopted to analyse symbolic artefacts such as traditional costumes and woven goods which are considered as the primary means of transmitting knowledge in the Karen community. This study will provide an exciting opportunity to advance our knowledge of Karen refugee students cross-disciplinarily in the field of Applied Linguistics, Language and Literacy Development and Refugee Studies.

Vincent Jian Liang

is a second-year Master of Teaching (Secondary) graduate student who has been recently awarded the Suzanne and Geoffrey Dawson scholarship from the Melbourne Graduate School of Education. His research aims to enhance social justice advancement in educational settings and to provide equality of access to learning in identified communities.

Farnaz Shahimi

has two Masters and a Bachelor in Psychology and worked as Psychosocial Counsellor at United Nations High Commissioner for Refugees in Iran from 2016 to 2019. The main focus of the position was the treatment of Afghan refugees who were survivors of sexual and gender-based violence.

A social ecological perspective on resilience and identity for refugee children

Many newly arrived refugee children have experienced a type of trauma, which is called Complex Trauma due to the variety of types, severity and chronicity of the violence (Murray, 2019). It is mentioned that refugee children find resilience after resettlement and adjust quickly (Lau et Al., 2018). However, it has been argued that recovery from trauma is not just an individual capability. It assumes to be a function of the individual's social ecology such as context and culture to assist in recovery and growth in the new environment (Ungar, 2013).

While having a positive sense of identity together with other social-ecological factors have been mentioned to be protective during challenges in childhood (Ungar, 2007), refugee children might experience identity distress after resettlement and it can cause children to struggle for obtaining a cohesive identity among cultural and social expectations in the long run (Smith, 2013). There are only a few studies, which have surveyed the effectiveness of the interaction of resilience factors during acculturation and identity shaping of refugees (Bergquist et al., 2019). Moreover, there is no empirical research on the association between the roles of the social-ecological resilience factors, the acculturation process and the identity shaping among refugee children in Australia.

This research aims to conceptualize the role of resilience from the social ecology perspective that develops a positive sense of identity (even in the presence of vulnerabilities) among refugee children who experienced complex trauma.

Jeanine Hourani

is a Research Assistant in the Gender and Women's Health Unit, Melbourne School of Population and Global Health, whose work focuses on refugee women's experiences of violence. She also founded the 'In My Own Words Program' at Road to Refuge and is a Board Member of Olive Kids, an Australian charity dedicated to improving the lives of Palestinian children living under occupation.

How refugee women perceive the relationship between mental health and intimate partner violence

Background: Pre- and post-migration stressors can increase intimate partner violence (IPV) in refugee contexts. There is also an increased risk of mental ill-health among refugees. Evidence suggests this is gendered, with refugee women being more at-risk. IPV can also lead to mental ill-health, compounding the risk of mental illness in refugee women. Refugee women face additional, specific barriers to accessing IPV and mental health services. Settlement and multicultural services may be well-placed to support women experiencing IPV and mental ill-health.

Aims: This research aimed to identify barriers to mental health and violence services experienced by Arabic-speaking refugee women; identify factors that support these women's access to services; and document the challenges faced by mental health service providers in supporting them.

Methods: This research took a qualitative approach. Data collection included 2 participatory workshops with refugee women, 6 in-depth interviews with refugee women, and 4 in-depth interviews with mental health service providers. Data were analysed using thematic analysis. **Results:** Our findings reveal that normalisation of violence occurs as a result of pre- and post-migration stressors. Throughout the refugee journey, there is complex interplay between structural violence and IPV. When refugee women access mental health services, it is near-impossible to disentangle whether structural violence or IPV is the cause of mental ill-health.

Discussion: The complex interplay between structural violence and IPV along the refugee journey, and their compounding impact on refugee women's mental health suggest there needs to be more collaborative effort to combat both structural violence and IPV against refugee women.

Mapping stateless minorities' vulnerability to hate speech, mass atrocities and radicalisation

According to the UNHCR, today more than 75% of the world's stateless populations belong to minority groups. Although customary international law obligates states to avoid statelessness, some states (regimes) choose not to consider certain national/ethnic/religious minority groups residing in their territory as constituting elements of society despite of their long-established ties with their country of residence.

State actors may be politically motivated to create or maintain a certain status quo within society. Rendering political opponents, human rights defenders and minority groups stateless is widely used as a political tool by oppressive regimes to marginalize individuals and deprive them from their rights and human dignity. Consequently, this paper argues that affected minority groups are extremely vulnerable not only to state-sponsored hate speech and human rights violations but also to mass atrocities in the intended lack of state protection. Stateless individuals belonging to excluded, persecuted and marginalized minority groups have proved to be more susceptible to radicalization and recruitment by armed groups as they are mostly invisible to civil registries and thus difficult to be identified.

Therefore, policy-makers must be alert to the nexus between minorities affected by statelessness, systematic exclusion and vulnerability to mass atrocities, violent extremism and radicalization in order to identify and protect minority groups potentially at risk. The paper concludes that the prevention of statelessness, as well as inter-group and inter-religious dialogue must be urged by the international community with special regard to regional actors in an attempt to mitigate the vulnerability of stateless minority groups.

Katalin Berényi

PhD, is a nonresident Senior Research Associate at the Budapest Centre for Mass Atrocities Prevention. Dr. Berényi has been working in the fields of human rights, migration, statelessness and law enforcement cooperation, listing a number of publications on addressing statelessness from a human rights perspective. Dr. Berényi holds a PhD on statelessness from the National University of Public Service in Budapest, Hungary.

Kehla Lippi

is a PhD researcher within the School of Health and Social Development at Deakin University. Her research focuses on the experiences of policy by particular social groups, including people seeking asylum, women, and those experiencing food insecurity, and organisations.

Changing Australian domestic policy: the impact on asylum seeker health

This research focuses on how policy changes, such as the removal of Status Resolution Support Services, impact upon service provision, and are experienced by people seeking asylum. At the time of this proposal, eleven interviews have been completed as well as an analysis of the Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Case-load) Act 2014. The Act amends the 1958 Migration Act, removing the 1951 Convention relating to the status of refugees and its 1967 Protocol, and replacing it with a framework outlined by the government. Such a change has led this analysis to question what rights are afforded to a person seeking asylum?

This question arises through the policy's privileging the government's interpretation of the law, rendering those governed by this legislation, and their rights, invisible. This is also reflected by participants who suggest 'a new underclass is being created' by the Australian government. These preliminary findings suggest the representation of the 'bogus' underserving asylum seeker has become so engrained within the Australian context that the 'refugee' asylum seeker no longer exists.

Further exploration of the symbolic and productive changes herein is required as the increasingly harsh treatment of asylum seekers silently erodes the importance of international refugee law within Australia. This research explores the power of such changes and their real impact upon lives and bodies; posing the question, 'How do policy instruments govern the lives of asylum seekers?'

Exploring the health rights of the Rohingya refugees in Malaysia

This paper attempts to analyze the access to the rights of health in Malaysia with reference to the Rohingya refugee. The paper primarily highlights the problem in the access of Rohingya refugees to the available health services and investigate whether there are special health services designed to meet the need of the Rohingya refugees.

Through field research in two sites namely Cheras and Serdang, which are both saturated with Rohingya refugees, the problem related to the access to health services by Rohingya refugees were examined. In addition to this, this quantitative research includes structured interviews, which are conducted from 10 doctors and NGO's that well up on the issues as well as Rohingya refugees in Malaysia to understand the problems associated with the access of the Rohingya refugees to health services and the dynamic clinical relationship between doctors and Rohingya refugees.

The findings suggest that Rohingya refugees are not given adequate access to health care services in Malaysia. They were also found to not aware of their rights to basic rights health care services. It is therefore proposed that laws regarding health care services and health insurance be reviewed to include refugees. Apart from that, a proper diagnosis of their health care needs should be carried out such as conducting preliminary health screening on arrival and providing trauma counselling.

Azlinariah Abdullah

is a senior Editor at Astro Awani, a 24/7 news network. In addition to her full-time job as an Editor, recently, Azlinariah has been conferred her degree of PhD in Sociology and Cultural Studies, from Asia-Europe Institute, University of Malaya (UM). Her thesis entitled "The Myanmar Rohingyas: Challenges Faced by "Refugee" Community in Malaysia, 2014 – 2016" covered a historical and contemporary point of view on Rohingyas. During her time at Astro Awani, she produced many news reports and documentaries on Rohingyas, conflicts in southern Thailand and Myanmar, including the plight of the minorities in those two countries. During her PhD candidature, Azlinariah's writing on Rohingya appeared in academic journals and numerous online publications. She regularly writes as a columnist for www.astroawani.com entitled "Perspective". She authored a book on Rohingya in Malay Language entitled "Air Mata Kesengsaraan Rohingya, Identiti, Penindasan dan Pelarian" (Rohingya Tears of Misery: Identity, Oppression and Refugee) and is now working on her second book, a compilation of short stories based on interviews of real life eye-witnesses of West Myanmar humanitarian conflict.

Ash Hosseini

is a Psychologist and Honorary Senior Research Fellow at Melbourne School of Population and Global Health. In her current project entitled, *Familial cancer and its impact on adolescents' psycho-social and practical functioning* she is exploring the interventions to support adolescents impacted by familial cancer. While her research is about adolescents and young adults in general, she believes those who are marginalised such as refugees are more likely to be subject to multiple layers of distress when facing a cancer diagnosis within the family.

Eresha Abenayake

is a Master of Public Health graduate from the University of Melbourne.

Refugee and immigrant parents impacted by pediatric cancer: resilience-based interventions

Pediatric cancer is a life-changing event for children and their parents who often play a significant caregiver role in the treatment process. Of these parents, there are some groups who are more vulnerable to poorer psycho-social outcomes as an effect of caring for a child with cancer such as refugees. Coupled with a history of trauma, displacement and settlement issues, refugees often experience high levels of psycho-social distress in general compared to population norms.

This review studied the existing literature to identify resilience-based interventions and programs that reduce psycho-social distress in immigrant and refugee parents of a child with cancer in Australia. Medline and PsycINFO databases were searched for background information and data about specific types of interventions as well as resources from Cancer Council Australia, Cancer Council Victoria, Peter McCallum Cancer Centre, Royal Children's Hospital. Also, a grey literature search via government websites, Discovery search and Google was used. Although there was not any evidence of resilience-based interventions in the pediatric cancer and refugee context, some programs aimed at improving the well-being of parents who impacted by cancer have been detailed. These approaches ranged from educational and online programs, psycho-social interventions to self-guided interventions; each with their respective strengths and weaknesses.

This review exposes a critical gap in the literature on immigrant and refugee parents impacted by pediatric cancer and provides a starting point for further research into this area as well as the design and implementation of such resilience-based interventions.

Reaching full potential: Identifying effective sexual and reproductive health services for migrant and refugee youth in Australia

Young people from migrant and refugee backgrounds who resettle in Australia are vulnerable to poor sexual and reproductive health (SRH) outcomes. In Australia, mainstream SRH services are delivered in a range of settings including sexual health clinics, general practitioners (GP), women's clinics, council youth services etc, however, evidence suggest that these services are underutilised by migrant and refugee youth. The study aims to explore perceptions, knowledge, and experiences of migrant and refugee youth about using mainstream SRH services.

We conducted four participatory workshops with young males and females from migrant and refugee background. Findings show that lack of knowledge about mainstream SRH services, lack of trust in health providers, and stigma about sexual health are key barriers to service utilisation. Given the stigma attached to SRH, young people are afraid to discuss their sexual health issues with parents and often rely on internet as a reliable source of information. The GP services were commonly sought for SRH, however, they were usually the least preferred option. Majority of the participants described being uncomfortable seeing their family GP because they are known to their parent's vis-a-vis they shared similar cultural background. There was a common fear that GP may disclose their confidential information to their parents.

Participants defined a youth-friendly service to be services which help young people to be in control of their health and help them make informed SRH decisions. In addition, the non-discriminatory/non-judgmental attitude of health professionals is a pre-requisite for migrant and refugee youth for accessing SRH services.

Humaira Maheen

is an early career researcher with interest in migration-related health inequalities. In her research, she is trying to understand "healthy immigrant effect" in Australian population, when it started to decline, and what factor contribute to deterioration of migrant health in the long run.

