

de cet échec serait liée au fait que le gouvernement et les organisations non-gouvernementales ont une conception et un discours diamétralement opposés de la nature du conflit au cœur du déplacement. Cela complique la mise en œuvre de solutions comme la reconnaissance gouvernementale du tort causé à la minorité kurde, et l'établissement des institutions étatiques plus égalitaires. Des problèmes similaires sont constatés au niveau des programmes concernant les réfugiés palestiniens. Michael Molloy, John Bell, Nicole Waintraub et Ian B. Anderson remarquent que la compensation et la réinstallation doivent être complétées par une reconnaissance morale des torts et des abus commis de part et d'autre. Nancy Maroun examine le cas du Liban où un tiers de la population a été déplacé entre 1975-1990 et 75 % de cette population vit sous le seuil de pauvreté. L'auteure a suivi les travaux d'une commission bi-ethnique et bi-religieuse établie dans un des villages choisis dans le cadre de projets-pilotes de réconciliation. Ses conclusions rejoignent celles des contributeurs précédents: le projet-pilote aurait échoué en raison des jeux de pouvoirs, de l'hostilité envers la minorité chrétienne, et de l'absence d'égalité qui auraient mené à la marginalisation de la population déplacée.

Plusieurs chapitres mettent en lumière les bonnes pratiques dans des pays ayant vécu des déplacements forcés. Celles-ci incluent des écoles mixtes enseignant un curriculum commun, des projets d'agriculture et des activités sportives qui réunissent des personnes déplacées, la communauté hôte et des organismes de la société civile. Ces initiatives aideraient à la réconciliation à travers la socialisation et le dialogue, surtout parmi les jeunes. Les auteurs s'entendent sur le fait que les personnes déplacées doivent activement prendre part dans le processus de justice transitionnelle, tout comme la diaspora et les communautés hôtes. En outre, Paige Morrow et Jennifer Winstanley examinent le rôle du droit international pénal comme un outil de réconciliation. Le *Statut de Rome* qui définit le transfert forcé de population comme un crime contre l'humanité aurait le potentiel de briser le cycle d'impunité en permettant le jugement des responsables devant la Cour pénale internationale. Les auteurs

examinent cette possibilité dans le cas du Kenya, tout en soulignant les défis et obstacles inhérents à un tel processus. De même, Mick Dumper conteste la thèse selon laquelle le droit au retour des réfugiés deviendrait caduc avec le temps et le changement des circonstances. Il estime que pour les Palestiniens qui ont été déplacés, la rupture avec le passé n'a jamais été complète et qu'il existe plusieurs options possibles pour la réconciliation. La restitution de propriétés, la compensation, et l'amélioration de la situation économique et du statut juridique des personnes déplacées en feraient partie. Ces solutions devraient être réalisées dans le respect des droits socioéconomiques et culturels des Israéliens.

Le chapitre de conclusion par Megan Bradley synthétise les contributions et ouvre de nouvelles pistes de réflexion sur les intersections entre la justice transitionnelle et la réconciliation. Il explore l'implication de celles-ci pour la recherche, les politiques et les pratiques relatives aux migrations forcées. La richesse de l'analyse et la diversité des pays et des méthodes qui y font l'objet d'études font de ce livre une source d'information précieuse. Les chapitres donnent un riche compte-rendu du contexte historique et des conditions sociopolitiques qui ont été au cœur des déplacements forcés. Ces explications permettent au lecteur de mieux saisir les enjeux liés au déracinement, à la consolidation de la paix et à la réconciliation dans ces pays. Elles permettent également d'identifier les problèmes communs, ainsi que des mécanismes et des stratégies collectives et individuelles de réconciliation et de réintégration. L'ouvrage s'adresse à un public large, y compris aux étudiants, aux chercheurs de diverses disciplines, aux praticiens locaux et internationaux, et à toute personne intéressée aux migrations forcées et à la justice. Il constitue sans conteste une contribution importante aux débats dans ce domaine.

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Creating New Futures: Settling Children and Youth from Refugee Backgrounds



Edited by Mary Crock
Sydney: Federation, 2015, pp. 313

This edited volume provides an overview of processes and conditions for children of refugee backgrounds resettling in Australia. The book is divided into three

sections, and the structure of the book works well to educate readers on the global reach of UNHCR resettlement programs and current migration and resettlement trends in Australia.

Crock's introduction lays out an important Australian migration policy framework that distinguishes between the organized migration of refugees (offshore programs) and policies and programs directed at those who arrive without authorization seeking asylum (onshore programs).

Parts 1 and 2 are devoted primarily to resettlement policy in Australia, and while there is some redundancy when taken as a whole, they also bring home the central argument of Crock's analysis laid out in the introduction about the "Janus-faced" nature of Australian migration policy: that it is among the best in the world for those who come already designated as refugees, while often devastating for asylum seekers subjected to mandatory detention. Further, the authors refer to children "from refugee backgrounds," rather than using the more common phrasing, "refugee children" for those who have resettled in a third country. Being a refugee has informed and shaped their life, but it does not represent the totality of experience and may obscure the desire for a future orientation.

The major thematic areas of the volume include the benefits of resettlement as a durable solution and Australian policy towards refugees compared with asylum seekers. Part 3 of the volume comprises an array of topics that explore the ways in which Australia welcomes refugee youth. These chapters address health, mental health, education, and deaf children, as well as considering policy that provides youth with long-term protection.

Parts 1 and 2 underscore the minor and underutilized place of resettlement in the larger international response to refugee movement. In particular, Piper's chapter, "The Strategic Use of Resettlement," enumerates its core functions, emphasizing its protection role, and how resettlement operates as an expression of international solidarity and collaboration. Piper describes the resettlement gap, or the cases from the United Nations High Commissioner for Refugees (UNHCR) that exceed the ability or willingness of states to accept for permanent resettlement. Most states resettle a relatively small number of refugees. Thus, while the number of resettlement states has grown, this has not resulted in significant increases in the number of resettlement slots worldwide. She also discusses the uneasiness many at UNHCR have with third country resettlement that has resulted in it not being well supported as a durable solution.

Chapter 2, by Crock and Martin, outlines the visa classes for those who arrive already as declared refugees as part of organized migration programs (United Nations High Commissioner for Refugees and International Organization for Migration). Many recent changes have occurred that affect onshore migrants, or those who arrive via boat or plane, and who seek asylum once they arrive. Onshore migrants have received much negative public attention, and as a

result, policy has been altered in reaction. Restricting access to permanent protection for migrants in these groups has been part of Australian policy since 2001 (58). Crock and Martin thus show how Australian law has created a two-class system for migrants, some of whom receive generous entitlements, and others have very few rights at all.

It is not until chapter 5 that the focus tightens on refugee youth. Piper and Thom argue that although youth is a designated priority category, it is underused. Although youth are some of the most vulnerable refugees, unaccompanied minors are explicitly unwelcome by most states, with the exception of Australia, Canada, and the United States. Comparisons between the programs of these states illuminate challenges and potential solutions, particularly important when the United States has seen a massive uptick in the numbers of unaccompanied minors coming from Central America in recent years.

Chapter 6, by Gifford and Kenny, strives to define youth resettlement. The authors argue that most research on Australian youth from migrant backgrounds focuses on vulnerabilities, and not on how differences in settlement environments affect youth integration. They propose broadening indicators of success beyond the individual, to encompass community-level factors. Chapter 7 incorporates the voices of youth themselves and focuses on what is needed for successful resettlement. In chapter 8, Guerra, Quek, and Kenny discuss policies on unaccompanied humanitarian minors, making the case that they are extremely vulnerable and yet resilient, requiring particular support for successful resettlement.

Chapter 9, by Newman and Locarnini, provides an overview of mental health as it relates to refugee children, especially as it includes recent developments in mental health treatment and their efficacy for children and youth. In chapter 10, Preston-Thomas discusses common health issues and makes specific recommendations for improvements to the health system, including availability of low/no-cost care, ensured translation access, and training for providers in refugee health. She contrasts this system with the health care available to asylum seekers and makes a powerful argument for providing services to this population as well.

Chapter 11 considers experiences and services available to deaf children and youth in Australia. Willoughby shows that children from refugee backgrounds may have a higher incidence of hearing loss. Chapter 12, by Windle, considers the education offered refugee youth, including separate English-as-a-second-language schools for migrants for six months, that establish a basis of literacy. The final chapter by Rubenstein and Field discusses revisions to citizenship laws that foreclose the possibility of parents using children's status as a means to stay in the country. As a result,

citizenship decisions for children are decided solely by parental status, making it impossible for children of parents whose claims to permanent residency fail to have access to citizenship.

In sum, Crock's volume provides a comprehensive view of current and past migration policy and the effects on migrants to Australia. The book will interest scholars, researchers, and refugee service providers who wish to learn from successes and challenges of third country resettlement programs. The book provides lessons to U.S. scholars, in

particular, in its cautions about the effects of mandatory detention of asylum seekers, which are important to consider, given the numbers of unaccompanied minors from Central America who have entered the United States in recent years, and changing policy regarding their reception.

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