

FACT BOOK

REFUGEES, ASYLUM SEEKERS & IMMIGRATION



St Vincent de Paul Society
good works

ABOUT THIS BOOK

This Fact Book details the history of Australia's immigration policy from Federation to the present day. It also covers the topic of refugees and asylum seekers both in an Australian and a global context.

There are a range of classroom activities linked to the Fact Book which have been designed to meet the Australian Curriculum content descriptors in a range of learning areas including Geography, History, Civics and Citizenship and English. The activities also extensively cover the Australian Curriculum General Capabilities and Cross Curriculum Priorities. The Fact Book is intended to be used as a reference guide for students,

to assist them with completing the activities. Most of the activities will direct the students to read a certain section of the fact book before attempting the task. Some of the activities are stand-alone and do not require the use of the fact book. The **Curriculum Map** details which activities are relevant for each year level, as well as providing a list of additional activities. The information contained in this fact book is current and accurate at the time of publication. It is understood that some of the information contained throughout this fact book may change and need to be updated as new information becomes available.

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Created for the teacher and with the classroom experience in mind, these resources have been designed and developed by a registered teacher.

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WHITE AUSTRALIA POLICY

IMMIGRATION RESTRICTION ACT

The Immigration Restriction Act came into law on the 23rd of December, 1901. It was the first of a collection of policies that came to be known as the 'White Australia policy'. The purpose of the act was "to place certain restrictions on Immigration and to provide for the removal from the Commonwealth of prohibited Immigrants."¹ As stated by Alfred Deakin **Fact Box**, the aim of the Act was "the prohibition of all alien coloured immigration, and ... the deportation or reduction of the number of aliens now in our midst... the policy of securing a 'white Australia'."² The main way the Act achieved this was by implementing the Dictation Test.

The introduction of the Dictation Test meant that anyone attempting to migrate to Australia could be asked by an immigration officer to "write out at dictation and sign in the presence of the officer a passage of fifty words in length in an [sic] European language directed by the officer."³ This meant any migrant considered 'undesirable' by the immigration officer could be ordered to take the test in a language they didn't know. They would, of course, fail and be denied entry into Australia. The test was extremely effective at keeping people out and Alfred Deakin stated that because of the test, "the alien colored [sic] population is being steadily reduced."⁴

The test was administered 1,359 times before 1909, with only 52 people granted entry to Australia. After 1909, not a single migrant who sat the test passed.⁵

The White Australia policy arose in the aftermath of the gold rushes, which began in 1851. The gold rushes attracted overseas migrants, and by 1861, 38,258 people (3.3% of Australia's population at the time) had been born in China.⁶ Australians saw this immigration as a negative development, believing it would lead to less employment opportunities for themselves. During the height of the gold rush between 1851 and 1860, more than 600,000 people arrived in Australia (81 per cent from the United Kingdom, 10 per cent from Europe and seven per cent from China).⁷

PACIFIC ISLAND LABOURERS ACT

This Act was designed 'to Provide for the Regulation, Restriction and Prohibition of the Introduction of Labourers from the Pacific Islands' and came into law on the 17th December 1901. A key part of the 'White Australia' policy, this law led to the deportation of the vast majority of the Pacific Islanders in Australia from the end of 1906.⁸ The desire to build a culturally and ethnically British population was clear from the beginning.



SOURCE 1.1
- POLITICAL CARTOON
ABOUT CHINESE
IMMIGRATION

WHITE AUSTRALIA POLICY

SOURCE 1.2 - POSTER INTRODUCING THE NATIONAL 'WHITE AUSTRALIA' SONG



SOURCE 1.3 - APPLICATION FOR A POSTCARD DESIGN



SOURCE 1.4 - POLITICAL CARTOON ABOUT THE DICTATION TEST





TYPES OF MIGRATION

EMIGRATION Emigration is the act of leaving your own country to settle permanently in another country.

IMMIGRATION Immigration is the act of moving permanently to another country. Immigration and emigration are similar. **EMIGRATION** is used to refer to someone leaving a country, while **IMMIGRATION** is used to refer to someone entering a country. For example, if someone was leaving Afghanistan to settle in Australia, they would be said to be **EMIGRATING** from Afghanistan and **IMMIGRATING** to Australia.

INTERNAL MIGRATION Internal migration is the movement of people within a country (often between different states or provinces).

RETURN MIGRATION Return migration occurs when people return to their country of citizenship after being international migrants in another country. **RETURN MIGRATION** or **VOLUNTARY REPATRIATION** is often the goal for refugees, who dream of returning home when it is safe to do so.

SEASONAL MIGRATION Seasonal migration is when people migrate somewhere during the change of seasons, in response to increased labour demands or changing climate conditions.

ECONOMIC MIGRATION Economic migration occurs when people choose to move countries in order to improve their standard of living by gaining access to better employment opportunities. Many countries around the world (including Australia) encourage economic migration. Since the 1980s, Australia has developed policies to encourage the migration of people who have experience in industries where there is a skill shortfall (ie. where Australia does not have enough workers).

SOCIAL MIGRATION Social migration is when people move in hopes of a better life or to be closer to family or friends.

POLITICAL MIGRATION Political migration occurs when people move to another country in order to escape political persecution or war. This is also a form of forced migration.

ENVIRONMENTAL MIGRATION This form of migration is when people leave their homes due to changes in the climate or environment that adversely affect their living conditions

FORCED MIGRATION Asylum seekers and refugees fall under this category of migration. Forced migration means people are forced to flee their homes, most commonly due to political reasons, but increasingly in recent times due to environmental reasons.



WHITE AUSTRALIA POLICY

WORLD WAR I

Soon after the beginning of World War I, the Australian Labor Party (ALP) was elected to government with Billy Hughes as Prime Minister.

Fact Box The ALP Government's top priority was national security.⁹ Germany was the main enemy in WW1 and at the beginning of the war 30,000 Germans were living in Australia.

Any Germans or Austrians who were old enough to join the army were put in internment camps. Many Germans also lost their jobs or had their businesses destroyed.¹⁰ In a speech made to parliament in 1917, William Finlayson, the ALP member for Brisbane, displayed the continued pro-British sentiment: "Next to the Australian-born citizen, I think it will be admitted that our own kith and kin from the British Isles are the most acceptable immigrants to this country."¹¹

However, migration to Australia came to a standstill with the outbreak of World War I.¹²

The end of the War in 1918 saw the continuation of British-focused immigration in Australia's policy.

1920S AND 1930S

The Immigration Act was amended in 1920 to further tighten its restrictions. In fact, Opposition Leader Frank Tudor said the amended Act could "be interpreted in such a way as to keep out practically any person."¹³ Part of the new restrictions included the prevention of the migration of Germans, Austrians, Hungarians and Bulgarians.¹⁴ In the 1920s, more than 300,000 people migrated to Australia.¹⁵ This was due to the continued migration of Brits, as well as increasing numbers of Greek, Italian and Yugoslav migrants.¹⁶

Fact Box

The Great Depression **Fact Box** of 1929 put another halt on migration to Australia. During this time, unemployment rates rose and reached a peak of 32% in 1932.¹⁷ Australians did not want further competition for employment from migrants, so the Federal Government stopped all assisted migration schemes. These schemes did not resume until 1938.¹⁸

The first formal undertaking to resettle refugees came in 1938, against the backdrop of Adolf Hitler's rise to power in Germany. After being appointed Chancellor in 1933, Hitler began a systematic persecution of Jewish people in Germany. The Nuremberg Laws **Fact Box** and Kristallnacht were more than enough to convince the international community that something had to be done. At the Evian Conference in Paris in 1938, the Australian Government agreed to resettle 15,000 Jewish refugees. Only 5,000 arrived before 1939, when the outbreak of World War II made further migration impossible.¹⁹



WHITE AUSTRALIA POLICY

WORLD WAR II

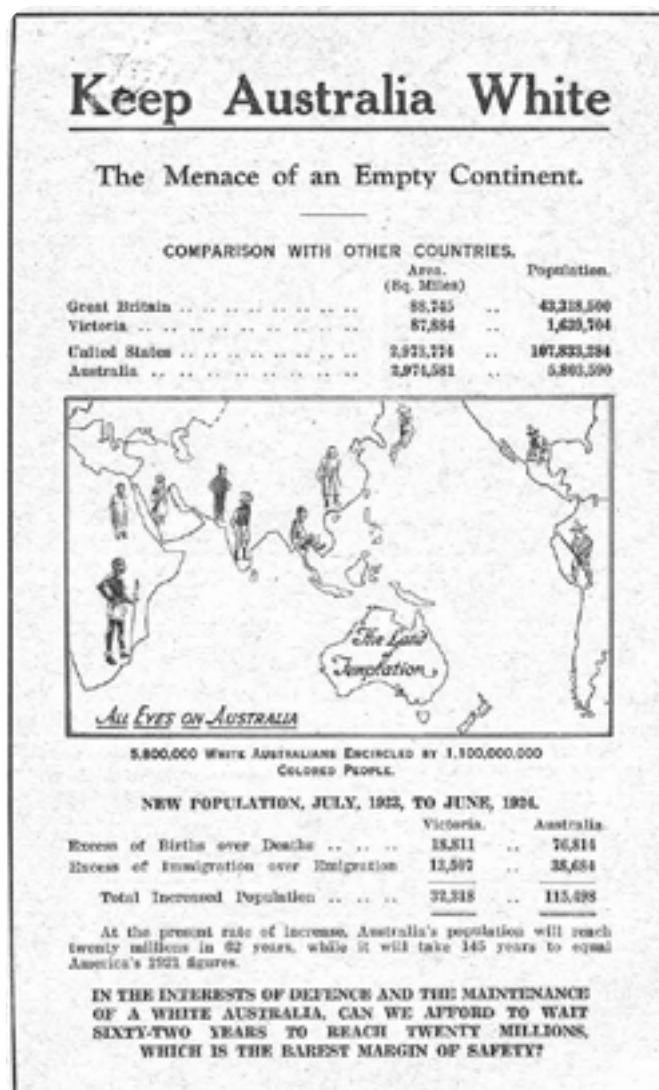
Immigration mostly shut down during World War II. Over 6,000 non-Europeans were permitted to remain in Australia during the war, but were expected to leave when it ended. The threat of Japanese invasion during World War II made Australians aware of the need to increase the population in order to secure and defend the nation. In 1943, a national opinion poll found that 90 per cent of Australians wanted an increase in immigration after the war and 40 per cent favoured unlimited immigration.²⁰

Arthur Calwell **Fact Box** summed up the views of the Australian public when he said, “if Australians have learned one lesson from the Pacific war ... it is surely that we cannot continue to hold our island continent for ourselves and our descendants unless we greatly increase our numbers ... much development and settlement have yet to be undertaken. Our need to undertake it is urgent and imperative if we are to survive.”²¹

John Curtin **Fact Box** held the same view, but at the same time he wanted to keep with the tradition of accepting mainly British migrants. He said, “the Commonwealth Government is very earnestly desirous of obtaining large numbers of British subjects as migrants.”²²

However, Arthur Calwell believed that it was necessary to accept migrants from outside Britain. He expressed this view in parliament, stating, “the door to Australia will always be open within limits of our existing legislation to the people from the various dominions, United States of America and from European continental countries... I repeat that, if we really want more people, we must change our attitude towards immigrants from foreign countries.”²³

SOURCE 2.1 – FACT SHEET FROM 1924



WHITE AUSTRALIA POLICY

SOURCE 2.2 – 1929 COVER OF THE NEW AUSTRALIAN



SOURCE 2.3 – 1928 IMMIGRATION POSTER



SOURCE 2.4 – ILLUSTRATION FROM A 1921 BROCHURE





ASYLUM SEEKERS AND REFUGEES

UNITED NATIONS REFUGEE CONVENTION

In 1954, Australia ratified the 1951 United Nations Convention relating to the Status of Refugees.²⁴ This Convention defines a refugee as any person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”²⁵ The only difference between an asylum seeker and a refugee is that an asylum seeker has not yet had their application for refugee status assessed.

The Convention also outlines the legal obligation of States to protect refugees. An important principle identified in the Convention is that of non-refoulement, which states that “a refugee should not be returned to a country where they face serious threats to their life or freedom.”²⁶ Initially the Convention was designed to meet the needs of European refugees in the aftermath of World War II. The 1967 Protocol relating to the Status of Refugees amended this, meaning all refugees from all parts of the world were now protected by the Convention.²⁷ As of the end of 2017, there are 68.5 million displaced people worldwide. This was made up of 25.4 million refugees, 40 million internally displaced people and 3.1 million asylum seekers.

DURABLE SOLUTIONS

The UNHCR has outlined three durable solutions for refugees.

- 1. VOLUNTARY REPATRIATION** – this is the most desirable and durable solution for refugees. Voluntary repatriation means the refugee voluntarily chooses to return to their country of origin when it is safe for them to do so. There are many barriers to voluntary repatriation as many of the major source countries of refugees are in prolonged periods of conflict. In addition, for climate change refugees, voluntary repatriation is likely to never be an option.
- 2. RESETTLEMENT** – Often, refugees will seek protection in the nearest neighbouring country. However, in many cases these countries don't have the capacity to meet the needs of these refugees. In these situations, UNHCR helps to resettle refugees in another country that has agreed to grant them permanent residence. The refugees are granted rights similar to those available to citizens. This forms the UNHCR Refugee Resettlement Programme, a voluntary program of which Australia is a part.
- 3. LOCAL INTEGRATION** – Sometimes, refugees are able to find a permanent, safe home in the first country to which they flee. In these situations, it is important that the refugee is granted economic, social and political rights and is integrated into the local community. The aim of this solution is for the refugee to become a citizen of their new country.²⁸

IN FOCUS INTERNAL DISPLACEMENT

Internally displaced people (IDP) are people who have been forced to flee their homes, but who have remained in their own country instead of seeking asylum elsewhere. As of October 2017, 40.3 million people were internally displaced due to armed conflict, generalised violence or human rights violations.²⁹

COLOMBIA

As of the end of 2017, there were 7.6 million IDPs in Colombia, the second highest number in the world behind Syria.³⁰ Internal displacement in Colombia is due to violence as well as natural disasters.

Conflict in Colombia began in the mid-1960s and has been ongoing ever since. The conflict arose out of a background of economic inequality, political exclusion, corruption and unequal distribution of land and resources. It has involved government, guerrilla groups, paramilitary groups and organised crime rings.

In addition to the ongoing conflict, Colombia is also vulnerable to natural disasters. Colombian cities are susceptible to earthquakes, landslides and floods, while those on the coast are prone to tsunamis.

There are no displacement camps in Colombia, which means IDPs have had to seek shelter in towns and cities, mainly living with the urban poor in informal settlements on the outskirts of cities.³¹



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DEMOCRATIC REPUBLIC OF THE CONGO

At the end of 2017, there were 4.5 million IDPs in the Democratic Republic of the Congo (DRC).

The DRC went through a period of political instability in the early 1990s, which erupted into a full-blown civil war in 1996. By the time the official fighting ended in 2003, there were more than two million IDPs.

However, since the official end of the war, violence has continued to plague the DRC. Many areas, particularly the eastern provinces, remain unstable, with at least seventy armed groups operating in this region.³³ Ethnic divisions remain between locals, and there is high level government corruption along with the illegal exploitation of mineral resources.

There was renewed fighting in 2016 and 2017 in the Eastern provinces which led to a significant increase in IDPs. Over two million new displacements occurred in 2017.³⁴



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POPULATE OR PERISH

Arthur Calwell's goal was to increase Australia's population by 2% per year, with half of that coming from immigration.³⁵ This led to a significant increase in the migration programme from 11,000 in 1947 to 89,000 in 1960.³⁶ Initially, the focus remained on Britain as the source of migrants. This was most prominently displayed in the 'Ten Pound Pom' scheme, launched in 1945, which allowed suitable British migrants to travel to Australia for just £10.

During this time, immigration remained closed to most non-Europeans. The 1947 Census showed that only 28,935 people in Australia were born outside of Australia or Europe out of a total population of 3,797,370.³⁸ European migration was further boosted when Australia began accepting refugees from European refugee camps in 1947.

Between 1947 and 1953, the Australian Government allowed 170,000 displaced persons from countries across Eastern and Western Europe to settle in Australia.³⁹ Many of these new arrivals would work on the Snowy Mountains Scheme. **Fact Box**

Of the 100,000 people who worked on the scheme, more than 65% were migrants from over 30 different countries.⁴⁰

NATIONALITY AND CITIZENSHIP ACT 1948

The Nationality and Citizenship Act 1948 introduced the principle of citizenship for Australians as belonging to Australia, rather than to Britain.⁴¹ Australian citizens remained British subjects, but were now also recognised as citizens of their own country. The Act still contained reference to 'aliens', which was anyone not of British or Irish descent.⁴² At this stage there was no promotion or encouragement of multiculturalism.

All those who came to Australia were encouraged to 'assimilate' quickly into Australian society. They were expected to shed their existing culture and "adopt existing cultural norms and become indistinguishable from the Australian-born population as rapidly as possible."⁴³

SOURCE 3.1 – IMMIGRATION PROPAGANDA POSTER



POPULATE OR PERISH

SOURCE 3.2 – P&O ADVERTISEMENT



SOURCE 3.3 – IMMIGRATION POSTER



SOURCE 3.4 – EXCERPT FROM A PAMPHLET ABOUT IMMIGRATION REFORM

3. The Case for a Change

A change is needed in the White Australia policy on two separate counts.

The first and perhaps the more important is the effect of the policy *within Australia*. We need at least a small inflow of Asian migrants for Australia's sake. We need them to enrich our culture. We need them to increase our understanding of our Asian neighbours and to prepare us for participation in the inter-racial councils of the world. We need them if our present efforts to help Asia are to be well directed and successful.

Secondly, the policy should be changed because of its disastrous impact on non-European opinion. Non-whites throughout the world regard the whole notion of a 'White Australia' as deeply insulting.

It seems to us important that arguments for a change in the policy should be stated in this order. Some Australians seem to think that the one reason for changing it is to win friends overseas; but to aim at friendship too directly is sometimes self-defeating. The amount of goodwill we enjoy in non-European countries depends not only on our policies, but also on our reasons for maintaining those policies; and to drop the White Australia policy merely because of the effect on Asian and African opinion is to take too narrow a view of what is at stake.

That is why it is not sufficient to drop the name 'White Australia' while retaining the policy intact. The core of all the trouble is the belief, *within Australia*, that such a policy is necessary. Both the belief and the policy are doing active harm *in this country*, which is a sufficient reason for changing them. They are also poisoning our reputation in more than half the world's capitals. But this is a further and distinct argument. The strength of the case for making a change will not be appreciated—nor, probably, will the change come about—till we see that it might have valuable results *within Australia*.

The more responsible supporters of White Australia say repeatedly that the policy is not based on any belief in racial superiority. The idea that some races are biologically inferior is, of course, scientifically false, and today can only be entertained by the ignorant. Racial arrogance, certainly, is less common in Australia than it was, though any discussion of immigration should take frank account of it, as we propose to do later on in this pamphlet. It is certainly true that were it the only factor behind White Australia, the policy would have been changed by now.

What is widely believed, however, is that skin colour, though not a proof of inferiority, is none the less a revealing symbol of deeper differences; whereas, in the modern world, it is a poor symbol of any-

1950s AND 1960s

ASSISTED MIGRATION

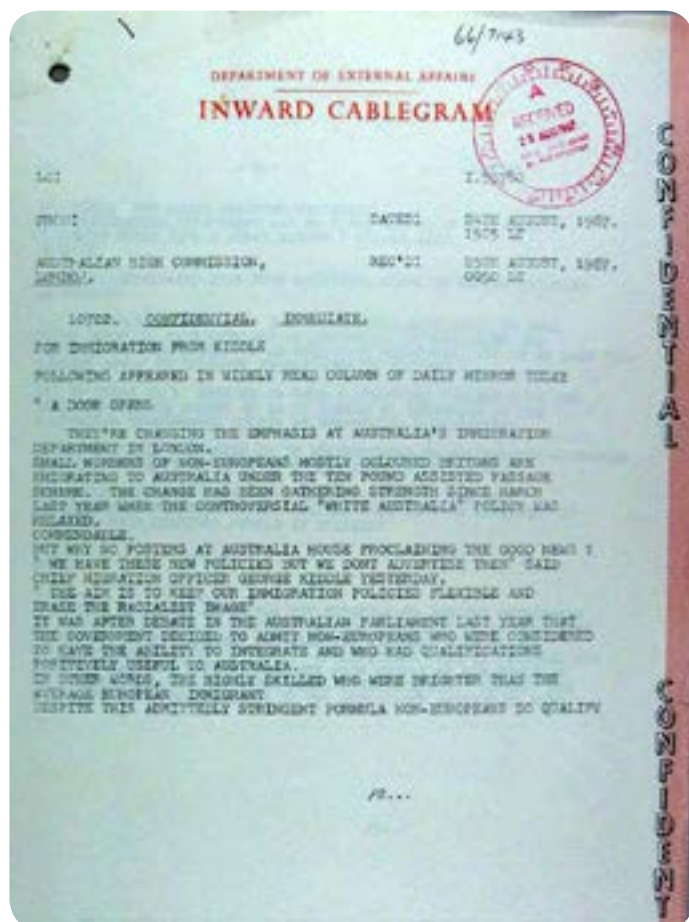
British migration was unable to meet the targets that Calwell had set in 1945. In response, the Australian Government established assisted migration schemes with a number of European countries during the 1950s and 60s.⁴⁴ In addition, in response to the Hungarian Revolution 1956,

Fact Box and the brutal Soviet response, the Australian Government offered asylum to 14,000 Hungarian refugees.⁴⁵ By 1961, nine per cent of the population were of non-British origin, comprising predominantly Italians, Germans, Dutch, Greeks and Poles.⁴⁶

THE MIGRATION ACT 1958

The beginning of the dismantling of the 'White Australia policy' began in 1958 with the introduction of The Migration Act 1958. This Act replaced the Immigration Restriction Act, which meant the abolition of the controversial dictation test.⁴⁷

SOURCE 4.1 – CABLEGRAM 1967

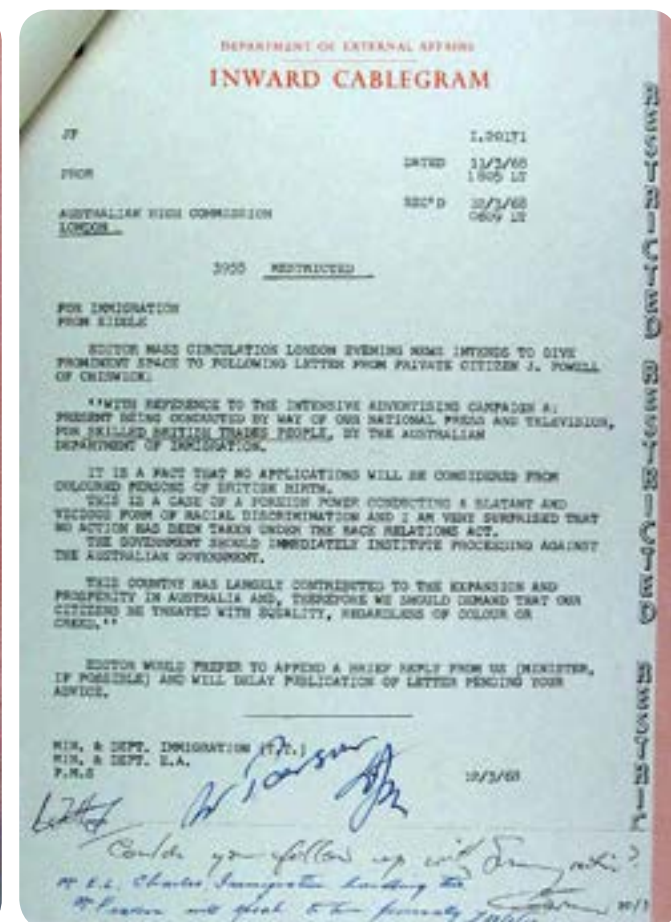


THE MIGRATION ACT 1966

The Migration Act 1966 established "legal equality between British, European and non-European migrants to Australia."⁴⁸ This was a significant change to the previous race-based policies that had been in place since 1901. After the implementation of this policy, "non-European migration numbers started to gradually increase from around 750 arriving in 1966 to almost 2,700 arriving in 1971."⁴⁹

The next wave of refugees to arrive in Australia came from Czechoslovakia in 1968. Czechoslovakia was enduring Soviet occupation in response to the Prague Spring, leading to the arrival of 6,000 Czech refugees.⁵⁰

SOURCE 4.2 – CABLEGRAM 1968



1950s AND 1960s

SOURCE 4.3 – 1968 GOVERNMENT DOCUMENT

NON-EUROPEAN IMMIGRATION - RESULTS OF 1966 REVISION OF POLICY

On 9th March, 1966 two decisions of the Government concerning Immigration policy, as it affects non-European people, were announced. The first was that non-European people who were already in Australia, under temporary permits but likely to be here indefinitely, should not have to wait 15 years before applying for resident status and for Australian citizenship, but should be able to apply after five years' residence. The second was that applications for entry by well qualified people wishing to settle in Australia would be considered on the basis of their suitability as settlers and their possession of qualifications positively useful to Australia.

The results of these decisions have been:-

- * during the eighteen months to 30th September, 1967, resident status was granted to 2,297 non-European holders of temporary entry permits (who then became eligible to apply for citizenship).
- * during the calendar year 1966, 784 were granted Australian citizenship; and during the first nine months of 1967, 1,465 became citizens.
- * persons having resident status and who are Australian citizens (or are otherwise British subjects) may bring non-European dependants to Australia for residence. During the eighteen months to 30th September, 1967 the entry of 636 dependants was approved.
- * during the eighteen months to 30th September, 1967, the entry of 160 well qualified persons, with 335 dependants - a total of 495 persons - was approved. (This compared with 58 highly qualified persons with 93 dependants, in 1965). The 160 approved applicants included 38 medical practitioners, 24 engineers, 24 university lecturers and 14 scientists. The other 60 applicants covered 27 other professions and qualifications.

Under quite separate rules over 18,000 persons of mixed descent have been admitted to Australia since World War II.

1970s

AUSTRALIAN CITIZENSHIP ACT 1973

Further steps were made to rid Australia of the White Australia Policy in 1973. The Whitlam ALP

Fact Box Government legislated that “all migrants of whatever origin, be eligible to obtain citizenship after three years of permanent residence.”⁵¹

They also instructed all overseas officials to disregard race as a factor in migrant selection. Speaking many years later, Whitlam said that he introduced these changes because, “I was profoundly embarrassed by it (the White Australia Policy) and did all I could to change it.”⁵²

A number of political crises occurred around the world in the 1970s, leading to further diversification of Australian society through the intake of refugees. In 1973, the Chilean Government was overthrown in a military coup and by 1981 there were 18,740 Chilean born people residing in Australia.⁵³ In 1974, Turkish forces invaded and captured 40% of the island nation of Cyprus, expelling more than 150,000 people, over 5,000 of whom settled in Australia.⁵⁴ The Lebanese civil war, which erupted in 1975, also caused a significant influx of refugees to Australia.

THE VIETNAM WAR AND A SHIFT IN REFUGEE POLICY

The fall of the South Vietnamese Government at the end of the Vietnam War in 1975 led to a refugee crisis. Over the next 10 years, the Australian Government resettled more than 100,000 Indo-Chinese refugees. Among those were refugees on board 56 unauthorised boats that arrived on Australian shores.⁵⁵ One of these boats was built by a 30-year-old Vietnamese man named Tan Lu. He named the boat Tu Do, which is Vietnamese for ‘Freedom’. Tan and his family, along with about 30 other passengers, made the journey from Vietnam to Malaysia, narrowly avoiding pirates along the way. He eventually set sail for Australia, using just a simple compass and a map from a school atlas to guide him. He landed near Darwin and he and his family were transferred to Brisbane.⁵⁶

The Indochinese refugee crisis caused a major shift in Australia’s refugee policies. In 1976, the Senate Standing Committee on Foreign Affairs and Defence produced a report titled ‘Australia and the Refugee Problem’. In response to this report, Michael Mackellar **Fact Box** announced a new national refugee policy in 1977. This was the beginning of Australia’s Humanitarian Programme.⁵⁷ The policy included procedures for responding to refugee situations as well as implementing a new focus on settlement services, which was designed to help refugees settle in to Australian society.⁵⁸ Some of these services included “a loan scheme to assist refugees with home ownership, further expansion of the Adult Migrant and Refugee Education Program and the Community Refugee Settlement Scheme.”⁵⁹ The late 1970s and early 1980s were clearly a high point for Australia’s treatment of refugees.





FAMOUS REFUGEES IN AUSTRALIA

ANH DO

Anh Do and his family fled from Vietnam in 1980, when Anh was just three years old. They journeyed towards Australia on a leaky fishing boat which was just two metres wide and nine metres long, and was packed with 40 Vietnamese refugees. The trip was not an easy one. Their boat was twice attacked by pirates, who stole the boat's engines. Anh's younger brother Khoa was dangled over the side of the boat by one of the pirates, but his life was spared. They were eventually rescued by a German merchant ship. From there, Anh and his family spent several months in a Malaysian refugee camp.⁶⁰ They were eventually offered sanctuary in Australia and they settled in Sydney.

Anh went on to complete degrees in Business and Law in Sydney, before turning his attention to a career in comedy. He won multiple comedy awards and made appearances on many TV shows during this time. While continuing his comedy performances, he has also taken on acting, producing, writing and motivational speaking. In 2010, he wrote *The Happiest Refugee*: A memoir about his experiences of being a refugee. The book won numerous awards including 2011 Australian Book of the Year and Biography of the Year.

ALIIR ALIIR

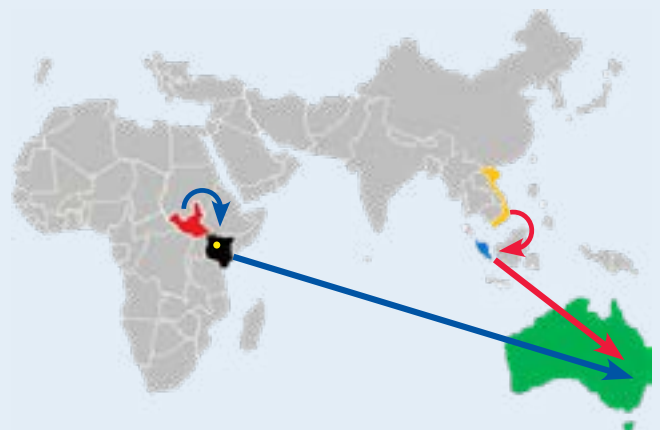
Aliir Aliir was born in the Kakuma Refugee camp in Kenya in 1994, after his parents fled conflict in South Sudan. There were many challenges living in the Kakuma camp including malnutrition, malaria, dust storms, snakes, scorpions, cholera and an average daily temperature of 40 degrees.⁶¹ Aliir was eight years old when he arrived in Australia, after his family was granted refugee status via the Special Humanitarian Program: "While in the camp my mother was in touch with my uncle in Australia who helped her to apply for the Special Humanitarian Programme

visas. In 2003 we received the amazing news that our visas had been granted and we would be going to Australia".⁶² Aliir began playing Australian football for the Aspley Hornets, in Brisbane, at the age of 16. Just three years later, in 2013, he was drafted by the Sydney Swans to play at the highest level. As of the end of 2018, Aliir had played 28 games for the Sydney Swans. "People don't really understand why Refugees leave their countries. For us we had no choice, our home was unsafe and my family wanted a better life for us. We wanted to live a life free of fear. We were very lucky to receive support from such a great country. I am grateful to call Australia home."⁶³



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MAP SHOWING THE REFUGEE JOURNEYS OF ALIIR ALIIR (BLUE ARROWS) AND ANH DO (RED ARROWS)



1980s AND 90s

In 1982 the Fraser Government introduced “individual determinations” of the refugee status of people seeking resettlement in Australia, to ensure that “only genuine refugees, not economic migrants” were accepted to settle in Australia under the refugee program.⁶⁴ In 1988, Australia’s Migration Programme was split into three streams – family, skilled and humanitarian.⁶⁵

In response to the Tiananmen Square Massacre

Fact Box in China in 1989, PM Bob Hawke

Fact Box granted temporary entry permits for all Chinese nationals legally in Australia, allowing them to extend their stay.⁶⁶

1989 – MIGRATION LEGISLATION AMENDMENT ACT

This Act introduced substantial reforms to Australia’s asylum seeker legislation. The processing of people who arrived by boat changed and anyone who arrived without a valid visa was placed in ‘administrative detention’ while their immigration status was being resolved.⁶⁷ As a result of this policy, the number of people in detention increased from five in 1985 to 478 in 1992, including 421 who arrived by boat.⁶⁸ 1990 saw the beginning of the first Gulf War. **Fact Box**

In 1991, the first Immigration Detention Centre was opened at Port Hedland in Western Australia.⁶⁹

This led the way for the significant reforms that were to be made the following year.

MIGRATION REFORM ACT 1992

This Act signalled the beginning of mandatory detention in Australia. The purpose of the Act was to provide a “system of mandatory detention to be imposed on unlawful non-citizens.”⁷⁰

Anyone arriving by boat after 19 November 1989 would be held in detention and were prevented any judicial review. A 273 day time limit was implemented for those in immigration detention.

In 1994 the “mandatory detention regime was expanded to apply to all non-citizens in Australia without a valid visa, and the 273 day time limit was removed.”⁷¹

This policy of mandatory detention for asylum seekers arriving by boat breached the UN Refugee Convention Article 31, which states that asylum seekers cannot be punished for their method of arrival in a country.

BORDER PROTECTION LEGISLATION AMENDMENT ACT 1999

This new legislation gave Australia the ability to enforce its asylum seeker policies in International Waters. It gave the government the power to detain, forfeit, seize and dispose of ships and aircraft used in people smuggling operations.⁷² In addition, unauthorised arrivals who were granted refugee status were provided with a three-year temporary protection visa, **Fact Box** rather than permanent residence.⁷³





AUSTRALIA'S ASYLUM SEEKER PROCESSING CENTRES

CURTIN IMMIGRATION RECEPTION AND PROCESSING CENTRE

Opened: 1999, reopened in 2010

Closed: 2002, closed again in 2014

Capacity: 1,200-1,500

Conditions: In 2001, Western Australia's Inspector of Custodial Services, Professor Richard Harding, visited the Curtin Detention Centre and made a number of observations about the conditions there. He reported that:

- accommodation was unacceptably overcrowded;
- broken toilets and showers posed hygiene and health risks;
- education services were largely a charade;
- there was no opportunity for constructive activity; and
- medical and dental services were disgracefully inadequate.⁷⁴

In addition, the Curtin Centre was in a remote and harsh location, which meant isolation, less access to services for asylum seekers, slower processing times for claims and extreme temperatures.⁷⁵

QUOTES:

"It is no coincidence that riots occur in a system that lacks accountability. We do not have riots in our detention centres because we have a riotous group of refugees; we have them because we run appalling systems" – Professor Richard Harding.⁷⁶

"We feel that we have lost everything here – our hope, our health, our memories, our names, our ability to help our families, our minds. We are more than halfway to dead now. We are all dying here, from the inside out. We see others who have gone mad and think that we are going there too. What has happened to those that have been taken away? What will happen to us when our day comes?" - Afghan man previously detained at Curtin IDC.⁷⁷

"Horrible, I couldn't believe I was in Australia... It's remote, nobody was allowed in, not even the Red Cross...People were surrounded by barbed wire and were often kept there for one year or even up to seven years" - psychologist Jeanette Gibson.⁷⁸





AUSTRALIA'S ASYLUM SEEKER PROCESSING CENTRES

WOOMERA IMMIGRATION RECEPTION AND PROCESSING CENTRE

Opened: 1999

Closed: 2003

Capacity: 1,500

Conditions: In 2002, Dr. Michael Dudley, chairman of Suicide Prevention Australia, claimed that conditions at Woomera are 'akin to concentration camps'.⁷⁹ He also reported that there was a tendency to use coercive management strategies such as:

- tear gas
- room-trashings
- children being put in solitary confinement, being separated from their parents and being stood out in the hot sun.⁸⁰

Justice P.N. Bhagwati (chairman of UN Human Rights Committee at the time) visited Woomera and released a UN report on Mandatory Detention in Australia in 2002. He said that the people in the centre were

living in virtual prison-like conditions. He saw young boys and girls, "who instead of breathing the fresh air of freedom, were confined behind spiked iron bars with gates barred and locked." The mental and physical health of these children was significantly compromised and "many of them were traumatized and led to harm themselves in utter despair."⁸¹

QUOTES

*"I still remember how isolated our lives were in the middle of the desert. Incidents of self-harm such as ingesting shampoo or cutting with razor wire were things I'd see every day." – Ramesh Fernandez, former detainee at Woomera.*⁸²

"My memories are full of riots, people being beaten and tear-gassed, and friends being taken into isolation for weeks where they get locked up in a tiny room... Some of my friends are experiencing major physiological medical conditions; some are battling mental health problems including depression and alcohol abuse."

*– Ramesh Fernandez*⁸³





AUSTRALIA'S ASYLUM SEEKER PROCESSING CENTRES

MANUS REGIONAL PROCESSING CENTRE

Opened: 2001, reopened in 2012

Closed: 2008, closed again in 2017

Capacity: 1,100

Conditions: Manus Island is in the tropics (see map below). The temperature generally ranges from 30 to 40 degrees and the humidity is high. Many detainees reported a lack of essential hygiene items when detained at the Centre.⁸⁴

The toilets and showers in the Centre were very unhygienic, while the buildings themselves were rotting with mould. In 2014, Hamid Kehazaei, an Iranian asylum seeker, cut his foot at the Centre. He subsequently developed septicaemia (blood poisoning caused by infection) and died at Brisbane's Mater Hospital.⁸⁵ In 2016, leaked documents revealed that the Centre was made as inhospitable as possible, in order to deter people from seeking asylum in Australia.⁸⁶

QUOTES

"There's no air conditioning, the beds are extremely close together. The living standards are pretty filthy." - Beau Mitchell, former Manus Detention Centre guard.⁸⁷

"The combined effect of the conditions of detention on Manus Island, the open-ended nature of that detention, and the uncertainty about their fates to which detainees are subjected amounts to cruel, inhuman, and degrading treatment or punishment." - Amnesty International Report.⁸⁸





AUSTRALIA'S ASYLUM SEEKER PROCESSING CENTRES

NAURU REGIONAL PROCESSING CENTRE

Opened: 2001, reopened in 2012

Closed: 2008, remains open since 2012

Capacity: 1,200

Conditions: Nauru is in a tropical region, with temperatures inside the vinyl tents in the Detention Centre regularly reaching 45-50 degrees.

The humidity is also at a very high level, meaning mould grows quickly on walls and ceilings.⁸⁹

There is only basic medical equipment in the Centre and detainees do not have regular access to specialist medical attention. There have also been water supply problems in Nauru. Detainees have had to line up to collect drinking water and had to wash themselves in salt water. When there was not enough water, it was not possible to flush the toilets.⁹⁰

QUOTES:

“Nauru stands out partly because of the incredible level of secrecy that Australia and Nauru managed to maintain around the situation – through refusing entry to any independent observers and by threatening anybody who works on the island into silence.” – Anna Neistat, Amnesty International senior director for research.⁹¹

“It’s cruel. It’s an inhumane way of treating people, and there’s no question about it that these young people, and also the parents as well, are suffering greatly as a result of the policies and the way they’re being treated.” – Evan Davis, former teacher of asylum seekers on Nauru.⁹²





CHILDREN IN DETENTION

As of March 2018, there were:

- Less than five children in detention facilities in Australia;
- 22 children in the Nauru Regional Processing Centre ;
- 179 children in community detention.⁹³

While these numbers represent a significant improvement from the past, when hundreds of children were held in closed detention, even one child held in closed detention is not acceptable. In addition to this, there are a large number of children in immigration detention in Indonesia, in facilities which have been built with funds provided by the Australian Government.

There is widespread agreement about the detrimental effects of closed detention on the mental and physical development of children.

Investigations have found that children in detention have:

- An increased risk of mental health disorders;
- Increased exposure to violence and abuse;
- Potential separation from their parents;
- Lack of access to adequate education and medical care;
- Potential to be born stateless.⁹⁴

The UN Special Rapporteur on the Convention Against Torture has observed that “there is widespread agreement among experts that the institutionalization of children contributes to physical underdevelopment, abnormalities in brain development, reduced intellectual abilities and development, delays in speech and language development, and diminished social skills.

Inappropriate conditions of detention exacerbate the harmful effects of institutionalization on children.”⁹⁵

Community detention is a much more humane solution than closed detention. In Australia, community and church-based organisations have been contracted to provide community detention services. When released from closed detention, vulnerable asylum seekers, unaccompanied minors and families are placed with these services and provided with essential social services including housing, medical and casework support.

As opposed to closed detention, asylum seekers are not monitored by detention guards in community detention. They have the opportunity to move around in the community, engage in activities and social events, and experience a degree of normality in their lives. Families have reported that their children fared much better in community arrangements than they did in closed detention. In addition, community detention costs taxpayers less than the operation of onshore and offshore detention centres.⁹⁶

Despite this, community detention is still not the ideal option. Asylum seekers in this situation still face long waiting periods while their claims for refugee status are assessed. This means they are living their life in limbo, not knowing what the future holds, which can have negative impacts on mental health.

2000s

THE TAMPA CRISIS

The Tampa Crisis occurred in 2001:

- On the 24th of August 2001, an Indonesian fishing boat filled with 433 asylum seekers from Afghanistan became stranded in international waters about 140 kilometres north of Christmas Island.
- Australian Search and Rescue broadcast a call to ships in the vicinity to assist the asylum seekers.
- A Norwegian container ship, the MV Tampa, responded to the call and took on board all passengers and crew of the sinking boat.
- The captain of the Tampa, Arne Rinnan, began heading towards Indonesia, but the asylum seekers objected to being taken back there. Meanwhile, the Australian Government had forbidden the Tampa to enter Australian waters.
- Rinnan declared a state of emergency as the health of many of the asylum seekers on his ship was deteriorating. He anchored off Christmas Island, where 45 Australian troops boarded the vessel to prevent any asylum seekers leaving.
- By the 2nd of September, the Government had made agreements with Nauru and New Zealand to process the asylum seekers. The asylum seekers were taken to Nauru, from where 131 of them were sent to New Zealand. The remaining 302 were processed on Nauru over the coming months.

CHILDREN OVERBOARD AFFAIR

On the 6th of October 2001, approximately 100 nautical miles north of Christmas Island, the HMAS Adelaide intercepted 'SIEV 4' (Suspected Illegal Entry Vessel 4), a wooden boat carrying 223 passengers and crew. HMAS Adelaide attempted to turn the boat back to Indonesia. The asylum seekers on board were resistant, so members of the Australian Navy boarded the boat and set it on a course towards Indonesian waters. Some of the asylum seekers began sabotaging the boat and 14 male asylum seekers jumped or were thrown overboard. All 14 males were recovered and returned to the boat. No children were retrieved from the water.⁹⁷ The following day, Immigration Minister Philip Ruddock claimed that asylum seekers on the boat had thrown their children overboard in an attempt to secure rescue and passage to Australia.

On the 8th of October, SIEV 4 began to sink, and thus all the people on board the boat had to abandon ship and jump in the water. All 223 asylum seekers were rescued and came aboard the HMAS Adelaide. Many photographs were taken of this rescue operation. The photographs were released by Minister for Defence, Peter Reith, who claimed that they proved the 'children overboard' story. These claims were echoed by Prime Minister John Howard. It was later revealed by Michael Scrafton, a former senior adviser to Minister Reith, that he had told both Reith and Howard that the 'children overboard' story was untrue.⁹⁸ Therefore, they had knowingly lied to the public in an attempt to demonise asylum seekers.

In the aftermath of the Tampa Crisis the Government passed a series of laws (seven bills in total) for handling asylum seekers, known as the 'Pacific Solution'. This included the excision of many of Australia's offshore islands, including Christmas Island, from Australia's migration zone. This meant that asylum seekers had no automatic right to apply for refugee status if they arrived on these islands. The Pacific Solution also meant that asylum seekers could be processed offshore, in places like Nauru and Papua New Guinea's Manus Island.⁹⁹

Just two weeks after the Tampa Crisis, the September 11 terrorist attacks occurred. Soon after, the war in Afghanistan began.

Fact Box

The beginning of the Second Gulf War **Fact Box** in 2003 saw another wave of refugees flee Iraq. In 2007, Prime Minister Kevin Rudd **Fact Box** announced that he would abolish the Pacific Solution. This included the closure of the Offshore Processing Centres on Nauru and Manus Island, as well as the abolition of Temporary Protection Visas. However, any asylum seekers who were intercepted outside Australia's migration zone would be processed on Christmas Island (which remained excised from Australia's migration zone).¹⁰⁰



HOW DO ASYLUM SEEKERS ARRIVE IN AUSTRALIA?

This section details some of the routes taken by asylum seekers who attempt to gain entry to Australia by boat or plane BEFORE they have been granted refugee status. Most refugees who are resettled in Australia have already had their claims for asylum assessed by UNHCR and are flown to Australia under the **Refugee Resettlement Program** or the **Special Humanitarian Program** (See page 29).

There are many different routes taken by asylum seekers attempting to gain entry to Australia. For the vast majority of journeys, the final leg is a boat trip from Indonesia. If the weather is favourable, the trip from Jakarta to Christmas Island takes approximately three days. The boats are often small and unseaworthy, with many asylum seekers becoming ill during the journey. There are generally no toilets on the boats, making the journey even more uncomfortable. Once the boats arrived in Australian waters, Australian officials would board the boats and take them to Christmas Island. Once everyone was off the boat, it would be towed out to sea and set on fire.¹⁰¹ With the new laws in place since 2013, most boats are now turned around and taken back to their source country. Below is a brief outline of the journeys that asylum seekers would take from different countries.

AFGHANISTAN

Asylum seekers in Afghanistan will often travel by land to neighbouring Pakistan or Iran to start their asylum journey. From there, the most common route is to fly to Indonesia. In some cases, asylum seekers may fly directly from Afghanistan to Indonesia. Once in Indonesia, a boat is organised to transport the asylum seekers to Australian waters, generally towards either Christmas Island or Ashmore Reef.

IRAQ

The journey from Iraq is similar. Asylum seekers will often travel to neighbouring Iran, Jordan or the U.A.E. From there, the process is identical to the process outlined above for asylum seekers from Afghanistan.

SRI LANKA

Sri Lankan asylum seekers may travel by boat from Sri Lanka straight towards Australia. Due to proximity, the most popular destination choices for these boats are Cocos Islands and Christmas Island. In other situations, they will first travel to Indonesia before attempting to come to Australia.¹⁰²

AFRICA

Refugees attempting to come to Australia from Africa most commonly originate in Sudan, Somalia, Democratic Republic of Congo or Eritrea. From there, they may fly or travel by boat to a nearby country such as Yemen or the U.A.E, before travelling on to Indonesia or Malaysia.

PLANE ARRIVALS

Sometimes, asylum seekers attempt to gain entry to Australia via air travel. They often do this by obtaining forged Australian visas so they are able to board the plane in the source country. While on the plane, they destroy this document and claim asylum when they land in Australia.¹⁰³



2010s and BEYOND

In 2010, Kevin Rudd temporarily suspended applications for asylum from people from Sri Lanka (three months) and Afghanistan (six months).¹⁰⁴ They comprised 80% of all boat arrivals at this stage.¹⁰⁵ The Government said the suspension was in response to improving conditions in those two countries.

In 2011, the Gillard Government **Fact Box** announced a four-year swap deal with Malaysia. Under this agreement, Malaysia would resettle 800 asylum seekers from Christmas Island and in return Australia would accept 4,000 ‘genuine’ refugees from Malaysia.¹⁰⁶ However, this deal was deemed illegal by the High Court as it stated that “Malaysia is not a party to the Refugees Convention or its protocol.”¹⁰⁷ Due to this, the High Court deemed it would be unsafe for the asylum seekers to be transferred to Malaysia.

The offshore processing centres on Nauru and Manus Island were reopened in 2012, in response to recommendations made by the **Report of the Expert Panel on Asylum Seekers**.¹⁰⁸

The 2013 Federal Election saw the return of a Coalition Government led by Tony Abbott.

Fact Box One of the first acts of this Government was to introduce Operation Sovereign Borders. The Department of Home Affairs states that “Operation Sovereign Borders (OSB) is a military-led border security operation aimed at combating maritime people smuggling and protecting Australia’s borders.”¹⁰⁹ Some of the main measures of this policy include:

- Turning back boats on their way to Australia and returning them to their source country;
- Increasing the capacity of the offshore detention centres;
- The reintroduction of temporary protection visas.¹¹⁰

The policy of turning back the boats and potentially returning asylum seekers to their country of origin raises issues regarding the UN Refugee Convention, particularly Article 33 on non-refoulement.

UN Special rapporteur Agnes Callamard stated that “push-back measures, in addition to violating the principle of ‘non-refoulement’, may also amount to excessive use of force whenever officials place refugees or migrants intentionally and knowingly in circumstances where they may be killed or their lives endangered because of the environment.”¹¹¹ Between December 2013 and June 2017, Australian authorities turned back 31 boats carrying a total of 771 asylum seekers.¹¹²

In 2014, the Abbott Government announced a deal to resettle asylum seekers in Cambodia. The deal has cost Australia more than \$40 million, but has only resulted in the resettlement of three refugees. At least four other refugees were moved to Cambodia but have since left. However, the Australian Government refuses to confirm how many it has transferred to the country.¹¹³

In addition, in 2018, Australia, along with 44 other nations, condemned the growing political violence and repression in Cambodia. In 2018, it was also announced that Australia had granted a family of Cambodians asylum. Therefore, Australia is both sending and receiving refugees from Cambodia, which calls into question potential breaches of human rights. Moreover, it represents an attempt by the Australian Government to divert responsibility for asylum seekers in its territory to someone else.

REGIONAL PROCESSING CENTRE DEVELOPMENTS

In October 2015, the Nauruan Government announced “the start of detention-free processing.” This meant that the regional processing centre on Nauru became an open facility and refugees were able to leave the compound. While this appears to be a positive development, most of the refugees on Nauru stay in the compound because they fear for their safety in the local community.¹¹⁴

The Manus Island Detention Centre was closed in October 2017.¹¹⁵ All refugees and asylum seekers were forced out of the centre after refusing to leave for several weeks.¹¹⁶



ENVIRONMENTAL / CLIMATE CHANGE REFUGEES

There is currently no legal definition that covers people who are fleeing their country for climate related reasons. Despite this, there are people in many parts of the world who have had to leave their homes due to climate and natural hazards. It is estimated that since 2009, one person every second has been displaced by a disaster or weather event.¹¹⁷ Some significant environmental events that have forced people to leave their homes are shown below.

PAKISTAN FLOODS 2010

In July and August 2010, the Indus River in Pakistan flooded as a result of record monsoon rains. The floods destroyed crops, infrastructure and approximately 1.6 million homes. Consequently, an estimated 14 million people were left without homes.¹¹⁸

NEPAL EARTHQUAKE 2015

A magnitude 7.8 earthquake struck near the city of Kathmandu on April 25, 2015. More than 9,000 people were killed as a result and more than 600,000 structures were damaged or destroyed. As a result, more than 2.8 million people were displaced.¹¹⁹

SOMALIA DROUGHT 2016-17

A severe drought occurred in Somalia from 2016 to late 2017. Due to lack of rain, crops failed, livestock died and food reserves ran out. During this time, over one million people were forced to abandon their homes in attempts to access food and water.¹²⁰ In all, over six million people in Somalia required humanitarian assistance as a result of the drought.

CLIMATE CHANGE REFUGEES

Currently, the world is beginning to see some of the first waves of 'climate change refugees'. One-fifth of the residents of Tuvalu, an island nation in the Pacific Ocean, have already fled as rising sea levels begin to threaten their homes. Climate change experts predict that Tuvalu may no longer exist in 50 years due to

rising sea levels.¹²¹ Some communities in the United States are also beginning to feel the effects of climate change. Isle de Jean Charles, Louisiana, has had 98% of its land submerged in the Gulf of Mexico. The U.S Government issued a \$48.3 million federal grant in order to resettle the residents of the community further inland.¹²²

The US Internal Displacement Monitoring Centre predicts 150 to 300 million people to be forced out of their homes due to climate change by 2050.¹²³ Sherri Goodman, a former US deputy undersecretary of defence, says Australia may play a large role in resettling these refugees as "the first wave will be those who have to flee the low-lying Pacific islands, because many of them will be uninhabitable, even in our lifetimes."¹²⁴





AFRICAN REFUGEE CRISIS

Sub-Saharan Africa hosts more than 26% of the world's refugee population, with more than 18 million people in the region of concern to UNHCR. Below are three case studies of African countries.⁹⁵



SOUTH SUDAN

Population: 12.9 million

GDP per person: \$1,820

Human Development Index: 0.418

Life Expectancy: 56 years

Displaced People: Over 4 million

There has been a brutal civil war in South Sudan since the end of 2013. War began as a political conflict between the President and the Vice President. There has been looting, attacks on civilians, destruction of civilian property, arrests and detention, beatings and torture, sexual offences and executions.¹²⁶ There have been mass killings along ethnic lines. Estimates as to the death toll as a result of the war range from 50,000 up to 300,000.¹²⁷ Another consequence of the civil war is that many parts of the country suffered through a famine in 2017. The number of people facing food insecurity during that time was as many as 5.5 million.¹²⁸ Nearly four million people have lost their homes – two million have fled to other countries, mostly women and children. The vast majority have fled to neighbouring African countries, most prominently Uganda and Ethiopia. There are over 7,000 South Sudanese born people living in Australia according to the 2016 Census.



ETHIOPIA

Population: 74.6 million

GDP per person: \$673

Human Development Index: 0.325

Life Expectancy: 55.3 years

Displaced People: 50,000-100,000

Ethiopia is a curious case. In 1990, Ethiopia was the source of the most refugees in Africa, with over 1.3 million fleeing the country. This was due to the rule of armed forces as well as an extensive famine. The country has managed to develop since then, though to this day there still remains some violence against certain groups. Today, Ethiopia is one of the largest host nations for refugees. More than 850,000 refugees, predominantly from South Sudan, Somalia, Eritrea and Sudan, are hosted in Ethiopian refugee camps. Plans are in place to integrate all of these refugees into Ethiopian communities in the next 10 years.¹²⁹



SOMALIA

Population: 10.1 million

GDP per person: \$614

Human Development Index: N/A

Life Expectancy: 53.4 years

Displaced People: 3 million



Somalia has been experiencing conflict for nearly 30 years. The effects of this conflict have been exacerbated by droughts and other natural hazards. The conflict began in the late 1980s, due to resistance to the military dictatorship running the country. Since 2009, the conflict has taken a new shape. Currently, the Somali Government (supported by the U.S.A) and its troops are fighting against al-Shabaab (who are aligned with terrorist group Al-Qaeda). There are over 800,000 refugees from Somalia and over two million displaced within the country.¹³⁰ According to the 2016 census, there are over 7,000 Somali born people living in Australia.

PRESENT DAY

Despite the closure of the Manus Island Processing Centre, about 750 refugees and asylum seekers remain on Manus Island in alternative accommodation. Refugees are now housed at East Lorengau Refugee Transit Centre or West Lorengau House, while those whose applications have been rejected are staying in Hillside Haus.¹³¹ Over 250 refugees remain in the 'open detention centre' on Nauru.

AUSTRALIA'S MIGRATION PROGRAMME

Australia's Migration Programme is currently split into three streams:

1. **Skill** – Migrants in this stream must satisfy a points test, have particular work skills, have links with Australia or have business/investment skills and the ability to establish a business or investment that will benefit Australia.
2. **Family** – Migrants in this stream must have a family relationship with someone in Australia, most often partners, children or parents.
3. **Special** – Migrants in this stream are former residents who did not acquire Australian citizenship and are seeking to return to Australia as permanent residents.¹³²

AUSTRALIA'S HUMANITARIAN PROGRAMME

The Humanitarian Programme forms a small part of Australia's overall Migration Programme.

Currently, Australia has set aside 16,250 places in the Humanitarian Programme for 2017-18.

That number will rise to 18,750 in 2018-19.

These places are split between two categories:

Refugee Resettlement and Special Humanitarian.

THE REFUGEE RESETTLEMENT PROGRAMME (RRSP)

This is a voluntary programme operated by UNHCR. Approximately 30 countries around the world participate in this programme. Under this programme, asylum seekers register with UNHCR to have their asylum claims assessed. The UN decides who should be resettled based on seven criteria: legal / physical protection needs, survivors of torture

/ violence, medical needs, women and girls at risk, family reunification, children and adolescents at risk and lack of foreseeable alternative durable solutions.¹³³ The UN will then provide Australia with a list of refugees who they believe are suitable for resettlement in Australia. The Australian Government will then decide which refugees it accepts based on their degree of persecution, the extent of their connection to Australia and whether there is another suitable country where they could be resettled.¹³⁴ In previous years, Australia has accepted 6,000 refugees per year under this programme, however that number will rise. All applicants who are successful in obtaining a Refugee visa to Australia have their travel costs paid for by the Australian Government.

THE SPECIAL HUMANITARIAN PROGRAMME (SHP)

This is for people outside their home country who are subject to substantial discrimination amounting to gross violations of human rights in their home country. Included in this category are at-risk people, family members of refugees, as well as asylum seekers who arrive onshore (by boat or plane). Unlike the RRSP, applicants in this category are not referred by the UNHCR. Instead, an Australian citizen, permanent resident or an organization that is based in Australia, must support applications for entry under the SHP.¹³⁵ Either the proposer or the applicant must pay for the applicant's travel to Australia if they are successful in obtaining a refugee visa under this category.

PRESENT DAY

ONSHORE ARRIVALS

Asylum seekers in possession of a valid entry visa upon arrival in Australia who are found to be in need of protection under the Refugee Convention and who meet health and character requirements are granted a Permanent Protection Visa.

Asylum seekers who arrive in Australia without a valid visa, and are found to be in need of international protection, may be offered temporary protection. Since 2015, there have been no asylum seeker boat arrivals in Australia, due to the turn-back policy. Even if the boats did manage to make it to Australia, under current policy nobody arriving by boat would be permitted to resettle in Australia.

GOVERNMENT FUNDING AND BENEFITS

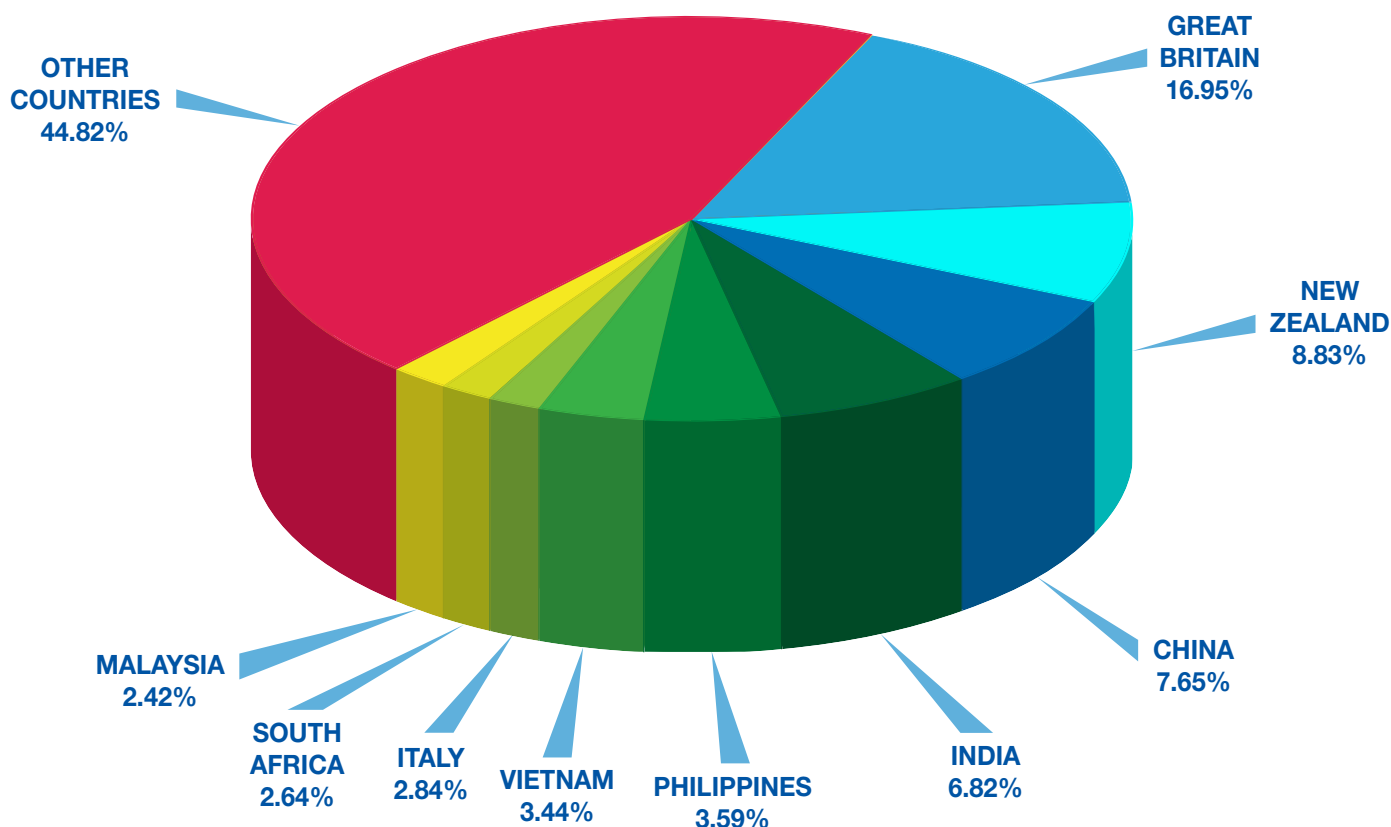
People who arrive in Australia on a Refugee visa have the same access to government benefits as Australian citizens. Asylum seekers who are granted Temporary Protection Visas are able to access Medicare and are able to work.

In May 2018, the Federal Budget was released, which showed that the Government was likely to spend more than \$1.5 billion on offshore processing in the 2018-19 year, double the forecast. It also cut \$50 million of financial support for people seeking asylum. Part of this drop in funding is likely due to changes to the Status Resolution Support Services scheme. The scheme provides an allowance, casework support, housing assistance and counselling to potential refugees.

Funding cuts mean these asylum seekers may now face homelessness, while waiting years for their claims for refugee status to be assessed.

FIGURE 1

OVERSEAS BORN POPULATION - COUNTRY OF BIRTH (2016)



PRESENT DAY

As of 2018, the largest refugee crisis exists as a result of the Syrian Civil War. **Fact Box**

REFUGEE COUNTRIES OF ORIGIN

COUNTRY OF ORIGIN	NUMBER OF REFUGEES (OFFICIAL UN FIGURES, END OF 2016)
Syria	6,290,908
Afghanistan	2,621,091
South Sudan	2,439,848
Somalia	1,106,555
Sudan	986,382
Democratic Republic of Congo	691,430
Central African Republic	611,875

REFUGEE HOST COUNTRIES

RANK	COUNTRY OF ASYLUM	NUMBER OF REFUGEES HOSTED
1	Turkey	3,480,348
2	Pakistan	1,393,143
3	Lebanon	1,350,504
4	Iran	998,890
5	Uganda	979,435
6	Ethiopia	970,365
7	Jordan	932,216
43	Australia	48,482

UNHCR RESETTLEMENT FIGURES

RANK	COUNTRY OF RESETTLEMENT	NUMBER OF REFUGEES RESETTLED
1	U.S.A	96,874
2	Canada	46,702
3	Australia	27,626

AUSTRALIA'S REFUGEE AND TOTAL MIGRATION INTAKE

	1975 - 1984	1985 - 1994	1995 - 2004	2005 - 2016
Refugee Intake	146,436	122,173	133,033	160,043
Other Migration (family, skilled, special)		967,000	877,780	1,902,251

As of the 31st March 2018, there were 1,389 people in immigration detention facilities. This does not include those on Manus Island who are not technically considered to be in detention. This also does not include the 269 people on Nauru. The average period of time for people held in detention facilities was 416 days (approx. 14 months).

Australia ranks 95th in terms of number of refugees hosted per one million dollars GDP and 59th in terms of number of refugees hosted per 1,000 population. At the end of 2017, there were 25.4 million refugees worldwide.

IMPACT OF CURRENT POLICY

THE ASIA PACIFIC REGION

Australia's harsh deterrence policies mean that we are failing to adequately respond to the needs of people who are living in danger in our region.

The policies are sold to the Australian public as 'stopping asylum seekers from drowning' and 'stopping people smugglers'. They have done nothing to combat the refugee crisis in the Asia Pacific Region. At the end of 2017, there were 4.2 million refugees in the Asia Pacific Region.¹³⁶

All these policies have done is lead to an accumulation of asylum seekers in countries such as Indonesia and Malaysia, whom are not parties to the UN Refugee Convention.

Antonio Guterres, former UN High Commissioner for Refugees, said those countries who close their borders and think the problem is solved are wrong: "When a door is closed, people will open a window. If the window is closed, people will dig a tunnel. If there is a basic need of survival, a basic need of protection, people will move, whatever obstacles are put in their way - those obstacles will only make their journeys more dramatic."¹³⁷

IMPACT IN AUSTRALIA

Aside from the negative impacts these policies have on asylum seekers and the Asia Pacific Region, they are also costing Australian taxpayers large amounts of money. Estimates show that it has cost over \$400,000 per person per year to keep someone in an offshore detention centre. Holding someone in an onshore detention centre also costs approximately \$239,000 a year.¹³⁸ Between 2013 and 2016, the Australian Government spent more than \$9 billion on enforcing its refugee policies. A joint report by Save the Children Australia and UNICEF stated that the money would be better spent on implementing a regional protection plan that provides greater protection for asylum seekers and eliminates mandatory detention.¹³⁹

A common argument is that refugees will drain our economy and stop us from helping our own disadvantaged citizens. However, many recent published analyses provide evidence that refugees offer long-term economic benefits for their new communities.¹⁴⁰ A report commissioned by the Australian Government found that refugees who settled in Australia contributed significantly to economic, social and civic life.¹⁴¹

Among other things, the report found that:

- There was increasing settlement of refugees in non-metropolitan (rural) areas which creates social and economic benefits for local communities.
- Humanitarian entrants help meet labour shortages, including in low skill and low paid occupations.
- They make significant contributions through volunteering in both the wider community and within their own community groups.¹⁴²

If the Government commits to providing sufficient funding to help refugees during the initial years of settlement, the payoff in later years is significant. If refugees are provided with appropriate social services to allow them to settle and integrate in the community "there is a strong pattern of not only economic and social adjustment but also of significant contribution to the wider society and economy."¹⁴³

IMPACT OF CURRENT POLICY

NEGATIVE IMPACT ON ASYLUM SEEKERS AND REFUGEES

In the majority of circumstances, those people attempting to come to Australia by boat are genuine refugees. In fact, Australian Government statistics show that 77 per cent of asylum seekers who have been processed on Nauru were found to be genuine refugees, while 98 per cent processed on Manus Island were found to be genuine refugees.¹⁴⁴ Keeping these arrivals detained, with no hope of resettlement in Australia, is a gross violation of their basic human rights and violates the UN Refugee Convention.

Operation Sovereign Borders, particularly the practice of turning back boats, is highly secretive. Therefore, the Australian public does not know the fate of those asylum seekers who are turned back and returned to the country they are fleeing from. The policies of mandatory detention, and more recently of turning back the boats, have significant impacts on the mental and physical health of asylum seekers, such as:

- deterioration in mental health leading to despair and self-harm;
- impaired childhood development;
- exposure to violence, abuse and exploitation;
- impaired access to appropriate education and healthcare;
- social isolation, negative stereotyping and discrimination;
- in the case of families transferred to Nauru, increased instances of babies born stateless;
- potential injuries or deaths at sea following turn-backs;
- potential return to harm in countries of persecution following turn-backs;
- the risks of undertaking dangerous journeys to other countries;
- the risk of remaining in host or transit countries in conditions that do not provide effective protection or sustainable protection;
- the risk of remaining in countries of persecution, including death, torture or other serious harm.¹⁴⁵

FALSE CLAIMS

A common catchphrase of Australian Governments has been that we are being ‘flooded’ with asylum seekers. However, when compared with global totals, the numbers of asylum seekers and refugees attempting to come to Australia by sea have been small. UNHCR figures reveal that in the past three years there have been more than 1.5 million asylum seekers arrive by boat in Spain, Italy and Greece.¹⁴⁶ Even before the policy of turning back the boats, the number of asylum seekers attempting to get to Australia paled in comparison.

Additionally, Australia’s refugee intake over the past decade has regularly been less than 10 per cent of the total yearly migration intake. For example, in 2015-16, Australia accepted 189,770 migrants, of which only 17,555 were refugees.¹⁴⁷



IN FOCUS STATELESSNESS

According to the UNHCR, stateless people are individuals who are “not considered citizens or nationals under the operation of the laws of any country.”¹⁴⁸ This basically means that these people do not ‘belong’ to any country. This most commonly happens when a country implements nationality laws that discriminate against certain groups, prohibiting them from being citizens. There are currently over 10 million stateless people in the world today.¹⁴⁹ Two of the more prominent stateless groups are examined below.

ROHINGYA

The Rohingya people of Myanmar (formerly Burma) have been the subject of persecution since the 1970s. They are a Muslim group in a predominantly Buddhist country and have been denied citizenship in the country since the passing of the Burmese Nationality Law in 1982. This has meant the loss of many basic human rights. In 2016, the Myanmar military began a major crackdown on the Rohingya people, including unlawful killings, sexual violence and the burning down of houses and entire villages.¹⁵⁰ Many Rohingyans began fleeing to neighbouring Bangladesh, some being gunned down as they attempted to cross the river that separates the countries.¹⁵¹ Since the violence began, more than 700,000 Rohingyans have fled Myanmar and are living in refugee camps in Bangladesh. It is currently one of the world’s biggest refugee crises.



KURDISH

There are approximately 30 million Kurds living in the Middle East, mostly in Turkey, Iraq, Iran and Syria. Many of these are not technically considered stateless as they are recognized as citizens in some of these countries. A large portion live in Turkey, where they have endured many years of marginalisation and discrimination. It took until the 1990s for Turkish Kurds to gain the right to speak their traditional language.¹⁵² The Kurds in Iraq sided with Iran against Saddam Hussein in the Iran-Iraq War, and in retaliation Hussein launched a campaign of chemical attacks, killing an estimated 50,000 people.¹⁵³ Many of the Kurds who are ‘officially’ stateless live in Syria. President Bashar al-Assad granted citizenship to some of the Kurdish population in 2011, however reports suggest that only around 6,000 Kurds have obtained citizenship as part of these reforms, leaving 300,000 still stateless.¹⁵⁴ The yellow area in the map below shows the approximate location of most of the Kurdish population.





REFUGEE POLICIES AROUND THE WORLD

GERMANY –

669,482 REFUGEES,

587,346 ASYLUM SEEKERS

- The country faced the task of integrating approximately 1.2 million asylum seekers, refugees and migrants who arrived in 2015 and 2016.
- Persons entitled to asylum were able to access the labour market without restriction; asylum seekers with applications pending were generally not allowed to work during their first three months after applying for asylum.
- Several states provided medical insurance cards for asylum seekers.
- The Government facilitated local integration (including naturalisation), particularly for refugees belonging to vulnerable groups.
- Authorities granted residence permits to long-term migrants, asylum seekers, refugees, and migrants with no prospects of returning to their home countries.

FINLAND –

18,401 REFUGEES,

5,600 ASYLUM SEEKERS

- Parliament sets an annual quota for refugee admissions, and the Government decides its allocation.
- Asylum seekers who have valid travel documents, but do not yet have a valid residence permit, are allowed to begin working three months after they have submitted their asylum application.
- Asylum seekers who do not have valid travel documents must wait six months after they have submitted their asylum application before they can begin working.
- Asylum seekers receive cash benefits, schooling and health care provided by the Government. Once granted refugee status they receive social services from their local **municipality**.

FRANCE –

304,546 REFUGEES,

62,771 ASYLUM SEEKERS

- A 2015 law on asylum reform provides improved procedures for assessing asylum cases. It requires the reduction of application processing times, from 24 to nine months, and introduces a directed housing system so that asylum seekers are not concentrated in a handful of regions and enjoy better reception conditions.
- The Government has provisions to manage a range of solutions for integration, resettlement, and return of migrants and unsuccessful asylum seekers.
- The Government facilitated local integration and naturalization, particularly of refugees in protracted situations.
- Refugees have similar access to social benefits as French citizens. They are also eligible for temporary housing and financial assistance to assist them to settle into French society.

SWITZERLAND –

82,681 REFUGEES,

30,800 ASYLUM SEEKERS

- In June 2016 voters approved the revision of the country's asylum law to expedite the asylum process by reducing processing times to a maximum of 140 days as well as to increase financial aid and to provide free legal help to asylum seekers.
- After three months asylum seekers may seek employment in industries with labour shortages, such as in the hospitality, construction, healthcare, or agricultural sectors.
- Asylum seekers have the right to basic medical care, and the children of asylum seekers are entitled to attend school until ninth grade (the last year for which school is mandatory).
- Once refugee status has been granted, social security benefits may be claimed on the same level as Swiss citizens.¹⁵⁵

THE ST VINCENT DE PAUL SOCIETY

The St Vincent de Paul Society has a long history of helping migrants and refugees. We do this both by providing services to asylum seekers and refugees in Australia, and by advocating to government on their behalf. Our services include providing financial and information support to migrants and refugees, for example through home visitation, food and financial help, visits to detention centres, and the establishment of homework centres. There are also dedicated Vinnies migrant and refugee centres and committees in some states, which coordinate these activities and also offer information services.

VORTCS

VoRTCS, a Special Works of St Vincent de Paul Society Queensland, is a refugee support program that links volunteer teams (in groups of three or more tutors) with refugee families for weekly home visits. These regular weekly sessions are vital to our refugee families as they provide an avenue for ongoing development of their English language skills, gives them a chance to learn more about their local area, and are a wonderful social aspect in their daily lives.

Our families come from many different countries including Afghanistan, Sudan, Myanmar, Iraq, Thailand, Syria, Burundi, Somalia, Sierra Leone, Democratic Republic of Congo, Iran, Bhutan and Eritrea.

We have the belief that refugees are valuable in Australian Society with the potential to contribute wonderful skills, gifts and talents to our community and deserve to feel welcomed, supported and safe upon arriving.

SETTLEMENT SERVICES

The St Vincent de Paul Settlement Services delivers services which assist eligible clients to become self-reliant and participate equitably in Australian society as soon as possible after arrival.

Through empowering clients and facilitating self-reliance we can further the St Vincent de Paul Society's aim of providing a hand up, not a hand out.

Examples of assistance provided:

- Housing support
- Referrals to specialist agencies – eg. QPASTT, RAILS, TAASQ, legal aid etc.
- Document help – completing forms, explaining correspondence
- Enrolling clients in TAFE and school
- Assisting clients to find work opportunities
- Linking clients to mainstream agencies and services – eg. GP's, dentist, libraries etc.
- Client advocacy – e.g. within court process

Eligible clients are those clients who arrived in Australia on a humanitarian visa and family stream migrants with low English proficiency. We can assist clients who have been here from six months up to five years after arrival.¹⁵⁶



volunteer refugee tutoring & community support

RECOMMENDATIONS

In light of global needs, it is the Society's view that the number of places currently allocated to the Refugee Resettlement and Special Humanitarian programmes is insufficient and should be significantly increased. Australia makes an important contribution to the UN refugee resettlement programme, however resettlement is a tool used by only a small number of industrialised countries and does not significantly reduce the impact of refugee flows on countries of first asylum. Less than one per cent of the world's refugees are ultimately assisted by UN resettlement, with over 80 per cent of the world's refugees hosted by developing countries bordering conflict zones or fragile states.

The number of visas allocated to UNHCR assisted refugees is currently at the lowest percentage of Australia's migration program for more than twenty years (3.2 per cent). We recommend Australia's offshore refugee resettlement component be progressively expanded in coming years towards an annual program of at least 30,000 places.

Further, our economy is three times the size it was in the 1980s when we offered safe haven to much larger numbers than we do today. We firmly believe that Australia has the capacity and infrastructure to substantially increase our refugee intake.

While the impetus for doing this is first and foremost a humanitarian one, increasing our humanitarian intake has wider benefits, demonstrating Australia's leadership in human rights, strengthening the international and regional protection system, and placing Australia in a better position to pressure other nations to cooperate and share responsibility for meeting the protection needs of refugees.

The Society also recommends that the Australian Government change the policy of linking the offshore and onshore humanitarian intake numbers. Australia is the only country that links offshore and onshore humanitarian intakes. Linking the offshore and onshore intakes has fuelled division and caused hostility toward asylum seekers, generating a toxic debate that misrepresents asylum seekers arriving by boat as 'queue jumpers' who take the place of so-called 'legitimate' refugees.

However, far from asylum seekers taking the place of 'genuine' refugees, it was the shift in public policy that reduced the number of offshore resettlement places in Australia. It is not boat arrivals but Government policy that is responsible for this unjust outcome.

The Refugee Convention affirms that protection should be allocated on the basis of need, and should not be dependent on other criteria, such as religion, country of origin, 'integration potential', or ethnicity. In April 2018, it was reported that Home Affairs Minister Peter Dutton wanted to fast-track humanitarian visas for white South African farmers who were facing seizures of their land.

He stated, "we want people who want to come here, abide by our laws, integrate into our society, work hard, not lead a life on welfare."¹⁵⁷ He also stated that these people deserved 'special attention'. Meanwhile, there are still genuine refugees stranded on Nauru and Manus Island who are being refused resettlement in Australia.



**“Embrace the whole world in
a network of charity”**

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