

Compassion and pragmatism: softening of Australian asylum policy?

by Val Colic-Peisker

The Australian government has long been under pressure to soften its stance on asylum seekers; now it appears that economic pragmatism may be helping to turn the tide in asylum seekers' favour.

A debate on the treatment of asylum seekers has been raging in Australia for the last three years since the 'Tampa crisis' in August 2001 brought the issue into public focus. In August 2001, 433 people were rescued from a leaking vessel by the Norwegian freighter *Tampa* off Australia's north-western coast.¹ The Australian government did not allow the *Tampa* to berth in Australia and the asylum seekers were instead transported to several Pacific island countries where their refugee status was to be determined. Those who were found to be 'genuine refugees' were only entitled to a three-year temporary protection visa (TPV).²

Only weeks after the *Tampa* incident, the 11 September terrorist attack put another spin on the issue: asylum seekers were now associated with terrorism. The two events reinforced the fear of many Australians that aliens aspiring to an Australian visa could endanger Australian security and way of life.

The Pacific Solution

In late 2001 the 'Pacific solution' policy was officially enacted: asylum seekers were to be transported offshore while their claims for refugee status were processed.³ In addition, northern Australian small islands and reefs were legally excised from the Australian immigration zone so that 'boat people' could not claim asylum when they arrived there.

For several years, the Australian government and its Immigration Department remained unmoved in the face of internal and international pressures to soften its approach. The Australian navy was assigned to protect the northern borders; more islands were excised from the

Australia immigration zone in 2003⁴; and an inordinate amount of public money was spent on the Pacific solution (A\$2.8 billion in 2002-2003 - 150 times more than Australia's 2003 contribution to UNHCR).

The detention of asylum seekers - sometimes for years - has been the most contentious element of the

'queue jumpers', 'unauthorised' or 'unlawful' arrivals and, more broadly, as a threat to Australian sovereignty and values. A more compassionate minority, organised into a number of refugee-support groups, provided asylum seekers with political and practical support and opposed the policy of mandatory detention and temporary protection of refugees.

Harsh and expensive measures have been justified as deterring the 'queue jumpers' and curbing the activities of people smugglers, as well as



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Australian refugee policy, especially where it involves families with children. It has nevertheless been supported by both major parties in Australia. Some detention centres were located in the major Australian cities but most were in the remote outback or outside mainland Australia (Nauru, Christmas Island, Papua New Guinea's Manus Island) and thus far from the eyes of the Australian public. According to opinion polls, the majority of Australians supported the conservative government which presented asylum seekers as

admitting refugees to Australia through the 'front door' ('offshore') rather than having them arrive 'uninvited'. In April 2004, the Australian SBS television network broadcast a story about the Australian detention centre on Manus Island which had remained open for seven months to house just one Palestinian asylum seeker, at the cost of A\$23,000 a day. This young man, who spoke good English, explained that he had been recognised as a refugee by UNHCR but, with no resolution of his case in sight, was slowly going



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mad in isolation. The Australian immigration minister was adamant that he could not be admitted to Australia, while Papua New Guinea “did not accept refugees from terrorist countries”. In May, Australia’s immigration minister replied to repeated calls to free children from immigration detention by saying that “the Government did not want to send a message to people smugglers that if children were brought into the country, asylum seekers would not be detained”.

‘Onshore refugees’, that is, asylum seekers granted Australian temporary protection, are not entitled to the support provided through the government’s refugee resettlement programme (Integrated Humanitarian Settlement Scheme – IHSS) which includes free English tuition, on-arrival housing, employment assistance and immediate welfare rights. Refugees on TPVs are assisted by NGOs and local voluntary organisations, and are eligible to apply for a discretionary welfare benefit and to access Australia’s public health care system (‘Medicare’). They are not allowed to travel abroad (that is, they cannot re-enter Australia once they leave) or bring members of their families to Australia. Thus, they are stuck in the limbo of temporary protection, anxiously awaiting the final outcome of their application for permanent protection. In recent years, a considerable number of asylum seekers have eventually been deported back to their unsafe countries.

In 2003, however, there were signs that the tide of hostility towards asylum seekers might be turning,

as more Australians expressed their support for temporarily protected refugees threatened with deportation to Afghanistan, Iran and Iraq. Even the Australian government started showing signs of ‘softening’. What happened?



Rural support for refugees

In February 2003 several Australian newspapers published stories about the growing support for TPV-holding refugees in the small town of Young in inland New South Wales. Other isolated country towns followed suit. Many are the sites of abattoirs where TPV holders from Afghanistan’s persecuted Hazara community work as halal butchers. A new grassroots national initiative emerged, called Rural Australians for Refugees⁵, which by February 2004 had 68 local groups. Some rural local councils declared their towns to be ‘refugee-welcome zones’ and started lobbying the federal government to grant permanent protection to TPV holders. Activists collected signatures from the local residents in support of TPV holders under threat of deportation. In October 2003, the city council of Albany in Western Australia passed a motion to support the Afghan Hazara refugees’ claim for permanent residency. Their press release stated that a “large group of Albany residents, along with their councillors, are deeply committed to stopping deportation of their

Afghan residents”. The Council sent a letter to the minister for immigration highlighting the “economic and social benefit that the Afghans have brought to the community”.

Refugee supporters and sympathetic media observed that the support for asylum seekers came from unlikely quarters: rural areas where conservative or even xenophobic views were more likely to find support. Apparently, where moral reasons calling for humanitarianism and compassion could not penetrate the thinking of ‘ordinary Australians’, arguments expressed in dollars and cents were more convincing.

In February 2003 a Sydney academic reported that refugees had injected A\$2.5m into the local economy and saved the federal government A\$1.5 million by paying income tax and not claiming welfare benefits.⁶ The ‘secondary movement’ of refugees on TPVs out of the large cities to rural towns where full-time work was available revived local businesses struggling to find employees. Asylum seekers were ready to take jobs that locals did not want. Local communities, long suffering from depopulation, competed to welcome and keep ‘their’ refugees often by offering higher wages and better conditions. The flurry of social activism in support of refugees breathed new life into rural communities. The TPV holders, mainly single young men, took jobs in abattoirs and poultry plants, and proved to be exemplary farm hands and fruit pickers, providing a stable and reliable workforce.⁷ Afghan and other TPV holders have been described as “nice and peace-

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ful” as well as “hardworking and honest” people who deserved a “fair go” and only wanted to “get ahead”. Many asylum seekers hoped, correctly, that their new employers would support their applications for permanent residency.

Compassion and pragmatism

The Australian government apparently realised that compassion might be compatible with pragmatism. In May 2003, a press release from the Minister for Citizenship and Multicultural Affairs entitled ‘Refugees to help build sustainable

regional communities' recommended that "refugees arriving in Australia be encouraged to settle in regional Australia in order to address the demand for less skilled labour in regional economies and to help humanitarian entrants achieve early employment".⁸ A recent press release from the federal Minister for Employment and Workplace Relations announced a pilot project to help 80 refugees find jobs. The project "will examine participants' skills and how these could be matched to local job opportunities".

refugees are increasingly seen as a potential benefit rather than as a threat

Since October 2003, Minister Vanstone has granted discretionary visas to 43 Iranians in detention, issuing some with permanent as well as temporary protection visas, which compares favourably with the record of her longer-serving predecessor Philip Ruddock. In June 2004 the Manus Island detention centre was finally closed and the lonely Palestinian asylum seeker admitted to Australia. Minister Vanstone also announced that 131 asylum seekers from the Nauru detention centre would be granted visas. Now only 12 Afghans - whose claims for refugee status had been rejected by the Australian government in 2002 - remain on the island but UNHCR determined that they are in need of international protection. The Pacific solution, although not officially discarded, seems to be gradually melting away. At the same time more detention centres on the mainland are also being closed (Port Hedland, Curtin, Woomera).

The fact that Ruud Lubbers, UN High Commissioner for Refugees, visited Australia in March 2004 is likely to have been instrumental in softening the Australian policy. Two days before his visit, Minister Vanstone announced an increase in Australia's refugee quota from 4,000 to 6,000, describing it as a "dividend" gained from the government's success in border protection which had "dramatically reduced the number of illegal arrivals". The pragmatic UN High Commissioner - who says that "it is more productive to work with the government than to criticise the government" - urged the immigration minister to grant permanent protection to refugees on TPVs who cannot return to their countries, and to allow overseas travel for TPV holders. He also suggested that the government give up the Pacific solution as very costly and "not very practical".

Conclusion

Of all the factors contributing to a softening of government stance towards asylum seekers and TPV holders in Australia - labour shortages and depopulation in rural areas, employers' economic interests, middle-class humanitarianism, lobbying from smaller Australian political parties and international pressures - the economic considerations seem to have been the most convincing. It may be too soon to declare the issue solved but it seems that refugees are increasingly seen as a potential benefit rather than as a threat, and that the remaining 1,011 people still in immigration detention at the end of June 2004⁹ may soon be given a chance to continue their interrupted lives.

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Australian asylum debate in perspective

At the time when the number of 'boat people' peaked (1999-2001), 9,233 people, mainly from Afghanistan and Iraq, arrived on northern Australian shores. According to UNHCR, 4,260 people applied for Australian asylum in 2003, compared to 61,050 in Britain and more than 50,000 each in France and Germany.

¹ See FMR 11, p40 www.fmreview.org/FMRpdfs/FMR11/fmr11.16.pdf

² Temporary protection (three years) was introduced in 1999 in response to the rising number of asylum seekers. For official information on TPVs see www.immi.gov.au/facts/64protection.htm. For an account of the social impact of temporary protection see Diane Barnes, 'Life devoid of meaning: living on a temporary protection visa in Western Sydney', University of New South Wales, Centre for Refugee Research, July 2003, at www.refugeecouncil.org.au/docs/current_issues/life_devoid_of_meaning.pdf

³ See FMR 15, p49 www.fmreview.org/FMRpdfs/FMR15/fmr15.19.pdf

⁴ See Department of Immigration, Multicultural and Indigenous Affairs: Australia's Excised Offshore Places, Fact Sheet No. 81 www.immi.gov.au/facts/pdf/81excised.pdf

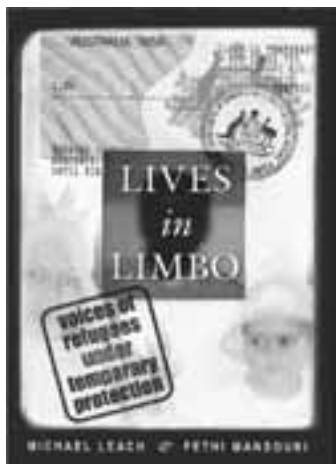
⁵ www.ruralaustraliansforrefugees.org

⁶ *Canberra Times*, 27 Feb 2003, p8

⁷ See Diana Glazebrook '(Temporary) resettlement after detention: Hazara refugees from Afghanistan in Australia', forthcoming early 2005 in Peter Waxman and Val Colic-Peisker (eds) *Refugee Resettlement in the West: Economic, Social and Cultural Aspects*, New York: Nova Science Publishers

⁸ Press release following 'Review of Settlement Services for Migrants and Humanitarian Entrants' report, May 2003, Recommendation 29.

⁹ See Australian Immigration Fact Sheet No. 82 at www.immi.gov.au/facts/82detention.htm



Lives in Limbo: Voices of Refugees under Temporary Protection

by Michael Leach & Fethi Mansouri. July 2004. 162pp. ISBN 086840599 X. A\$29.95.

In *Lives in Limbo*, 35 refugees, all temporary protection visa (TPV) holders and mostly from Iraq and Afghanistan, talk directly about their quest for asylum in Australia. They provide poignant details of persecution in their home country, their journey to Australia, prolonged periods of mandatory detention, and life under Australia's controversial temporary protection regime.

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