

Australia and asylum: no longer “land of the fair go”?

by Tim Morris

Historically Australia has had an impressive record in assisting refugees. Over half a million refugees have been resettled in Australia since 1945. Australia is one of ten countries with a planned humanitarian migration programme and on a per capita basis has ranked in the top three resettlement countries for many years. Australia contributes more to UNHCR funds than many developed countries with much larger populations.

Until mid-1999 almost all asylum seekers arrived in Australia by plane, with valid documents that allowed them to remain while their claims for refugee status were assessed. Arrival numbers had stabilized around 8,500-9,000 per year.

In the past 12 months, however, there has been a marked shift in this trend. There have been approximately 5,000 unauthorized boat arrivals in the last year, almost 50 per cent of asylum seekers during this period. Australia has become a destination for people from the Middle and Near East, particularly Iraq and Afghanistan. They do not come directly from these countries, however, but from countries of first asylum, particularly Iran and Pakistan. The services of smugglers are being used to organize their journeys, usually by air to Indonesia and then by boat to Australia. To accommodate them, detention centres, thousands of kilometres from major cities, have been expanded. In June, close to 1,000 detainees broke out of these centres to protest the length of time they had been in detention, the lack of information they received, and the isolation of the centres. Among the 4,000 people now in immigration detention are 450 children and 20 unaccompanied minors. It is probable that the vast majority (over 90 per cent) will be granted status as “onshore” refugees.

These changes have brought about a marked shift in the profile of asylum seekers. While the new wave of arrivals presents Australia with a challenge, refugee advocates dispute the govern-

ment’s assertion that it is a major threat. The government’s efforts to portray it as such to the public are generating fear and fuelling xenophobia.

So far, the onshore grants have not affected the 4,000 places annually allocated to “offshore”, “mandate” refugees referred by UNHCR. The Australian government has threatened, however, to link the onshore and offshore refugee programmes. It is likely that the substantial increase in the number of onshore grants will lead to a reduction in the number of visas granted to refugees.

In an effort to stop the arrivals, Australia has entered into an agreement with the Indonesian Government to intercept people destined for Australia and to have UNHCR consider claims in Indonesia. Australia is funding the posts of Indonesian-based UNHCR protection officers and interpreters. The agency’s role is a controversial one as critics claim that UNHCR is a party to attempts to undermine the right to seek asylum. If those intercepted by Australia in Indonesia are determined not to be refugees, they are returned to the country of origin. If they are found to be refugees, resettlement places will be sought but not in Australia.

In Australia, unauthorized arrivals (those who arrive without documents or are not cleared by immigration) who are found to be refugees are no longer granted permanent residence. Instead they are being given three-year temporary protection visas (TPVs). These limit access to welfare benefits, deny access to most government-funded settlement services and English language classes normally available to refugees, do not guarantee re-entry if TPV holders leave Australia and deny family reunion rights.

TPV holders are required to reapply for refugee status after 30 months. If they are refused refugee status they will be required to leave the country. While the reapplication requirement has not yet been applied, the new Border Protection

Legislation Amendment Act 1999, which enshrines the concept of ‘safe third countries’, might result in these applications being rejected if arrangements can be made to return these refugees to the first asylum countries they left. The border legislation also raises the real possibility that asylum seekers will be subjected to indirect or chain *refoulement*.

Since the demonstrations by detainees in June, 1,700 have been granted TPVs. Large numbers of people have thus entered cities with minimal entitlements for support. TPVs have created massive problems for the refugees and for agencies barred from using federal funding to support them.

Reacting to international criticism of its treatment of asylum seekers and indigenous peoples, the right-wing Australian government led by John Howard has recently threatened to bar the UN Human Rights Committee from visiting the country. Australia has announced that it will reject “unwarranted requests” from the UN to delay the deportation of unsuccessful asylum seekers.

The government’s peevish response to criticism, small-minded whittling away of entitlements and its unwelcoming response to those who have recently arrived have created friction within, and between, ethnic communities which threatens to undermine the multiculturalism that has been such a positive and productive feature of Australian society in recent decades.

Tim Morris, one of the FMR Co-Editors, is from Australia. Information for this article was collected from the Refugee Council of Australia (www.refugeecouncil.org.au), UNHCR and from an article in the latest issue of Talk Back, the newsletter of the International Council of Voluntary Agencies (www.icva.ch). For reports on Australia’s detention of unauthorized arrivals see www.humanrights.gov.au/human_rights/asylum/#seas and also www.wsws.org/sections/category/news/au-immi.shtml