



Refugee Council  
of Australia

## **ECONOMIC MIGRANTS OR REFUGEES?**

### **ANALYSIS OF REFUGEE RECOGNITION RATES FOR BOAT ARRIVALS, 1976-2015**

*For many years, Australian politicians and other public figures have debated whether or not asylum seekers reaching Australia by boat have serious claims for refugee protection or are merely “economic migrants”. To answer this question, the Refugee Council of Australia has analysed Australian Government statistics about visa outcomes for boat arrivals from 1976 to 30 June 2015.*

#### **How many asylum seekers have entered Australia by boat since 1976?**

According to the Parliamentary Library, the number of asylum seekers who arrived by boat between 1 January 1976 and 31 December 2013 was 69,445.<sup>1</sup> In July 2014, 157 asylum seekers from one boat from India were transferred to an Australian detention facility after being intercepted on the Indian Ocean.<sup>2</sup> The total number of boat arrivals between January 1976 and June 2015 was 69,602.

#### **How many boat arrivals have been given some form of protection since 1976?**

While there is no comprehensive set of statistics on the numbers of asylum seekers who have arrived by boat and been given some form of refugee protection (permanent or temporary), it is possible to compile statistics from a number of sources:

- Boat arrivals recognised as refugees, 1976 to 1981: Between 1 January 1976 and 30 June 1981, 2,069 Indochinese asylum seekers entered Australia by boat.<sup>3</sup> The Determination of Refugee Status Committee made positive refugee status determinations for all but 58 of the 613 asylum claims it considered from Indochinese boat arrivals between March 1978 and January 1981.<sup>4</sup> As there is no available evidence of other claims being rejected, we estimate that 2,011 of this group of boat arrivals were given refugee status.
- Boat arrivals given permanent or temporary protection, 1 July 1989 to 31 July 2004: After an eight-year lull, asylum seekers began arriving by boat from mid 1989. A 2004 Immigration Department fact sheet recorded that, of 13,593 boat arrivals over the previous 15 years, 13,190 had had a clear decision about their status by 31 July 2004. Of these, 9,402 had been given permanent or temporary protection (71.3%) and 3,788 had been removed from Australia. The remaining 403 were still waiting for their status to be resolved.<sup>5</sup>
- Boat arrivals given temporary protection, 1 July 2004 to 30 June 2008: Immigration Department annual reports for 2004-05 to 2007-08 record that 1,100 boat arrivals were given Temporary Protection Visas (TPVs) in the four years before the abolition of TPVs in 2008.<sup>6</sup>
- Refugees recognised on Nauru and Manus Island, 2001 to 2007: In 2008, then Immigration Minister Chris Evans reported that, of the 1,637 asylum seekers whose status had been resolved on Nauru or Manus Island over the previous seven years, 1,153 had been given protection, 705 of them in Australia.<sup>7</sup>
- Boat arrivals recognised as refugees, 2008-09 to 2012-13: In the five years to 30 June 2013, 14,797 boat arrivals were given refugee protection through first instance and administrative appeal processes, 92.0% of the 16,090 cases finalised.<sup>8</sup>
- Permanent and temporary visas granted to boat arrivals, 2013-14 and 2014-15: The 2014-15 annual report of the Department of Immigration and Border Protection shows that in 2013-14 and 2014-15 the Government issued 547 Permanent Protection Visas to boat arrivals (546 prior to the Abbott Government taking office and one since as a result of a High Court decision) and 542

#### **Sydney office:**

Suite 4A6, 410 Elizabeth Street  
Surry Hills NSW 2010 Australia  
Phone: (02) 9211 9333 • Fax: (02) 9211 9288  
admin@refugeecouncil.org.au

Web: [www.refugeecouncil.org.au](http://www.refugeecouncil.org.au) • Twitter: @OzRefugeeCounc

#### **Melbourne office:**

Level 2, 313-315 Flinders Lane  
Melbourne VIC 3000 Australia  
Phone: (03) 9600 3302  
melbourne@refugeecouncil.org.au

Incorporated in ACT • ABN 87 956 673 083

temporary visas (67 Temporary Protection, 132 Temporary Humanitarian Concern and 343 Temporary Humanitarian Stay).<sup>9</sup>

- Refugee determinations on Nauru and Manus Island, July 2013 to June 2015: The Australian Government's Operation Sovereign Borders update for 30 June 2015 revealed that, of the refugee status assessments conducted in Nauru and Manus Island from January 2014 to June 2015, 874 of the 1,230 decisions had been positive (a 71.1% recognition rate). The recognition rate for Nauru was 85.0% (506 positive determinations from 595 decisions) and for Manus Island was 58.0% (368 positive decisions from 635 interim determination assessments).<sup>10</sup>

With an adjustment to the above figures to allow for the fact that Temporary Protection Visas granted in July 2004 have been included in two sets of statistics, we estimate that the total number of boat arrivals given some form of protection between January 1976 and June 2015 is 30,400.

### How many cases remain unresolved?

Of the 69,602 asylum seekers who have entered Australia by boat, it appears from 30 June 2015 immigration detention statistics that 32,111 cases remain unresolved. These comprise 1,060 boat arrivals in Australian detention facilities,<sup>11</sup> 1,189 in community detention, 28,588 in the community on Bridging Visas, 655 in the Nauru detention centre and around 619 people without positive decisions in the Manus Island centre.<sup>12</sup> The June 2015 Operation Sovereign Borders update outlines that, of the 945 people in the Manus Island centre, 87 have had a positive final determination of their refugee status and another 239 have had initial positive assessments.<sup>13</sup>

### Statistical summary

	Arrivals	Recognised	Grant rate
Asylum seekers who arrived by boat, 1 January 1976 to 30 June 2015	69,602		
Boat arrivals recognised as refugees, 1 January 1976 to 30 June 1981 [estimate]		2,011	97.2%
Boat arrivals given temporary or permanent protection, 1 July 1989 to 31 July 2004		9,402	71.3%
Boat arrivals given temporary protection, 1 July 2004 to 30 June 2008		1,100	unknown
Refugees recognised on Nauru and Manus Island, 2001 to 2007		1,153	70.4%
Boat arrivals recognised as refugees, 1 July 2008 to 30 June 2013		14,797	92.0%
Permanent protection visas granted to boat arrivals, July 2013 to June 2015		547	unknown
Temporary visas granted to boat arrivals, September 2013 to June 2015		542	unknown
Refugee determinations on Nauru and Manus Island, July 2013 to June 2015		874	71.1%
(Adjustment to allow for TPVs issued in July 2004) [estimate]		-26	
Cases unresolved as at 30 June 2015 [estimate]	-32,111		
<b>Total number of boat arrivals whose status has been decided [estimate]</b>	<b>37,491</b>	<b>30,400</b>	<b>81.1%</b>

## CONCLUSION

### Refugee recognition rate for Australia's boat arrivals to June 2015: **81%**

From the above statistics sourced from the Immigration Department and the Australian Parliament, we conclude that 37,491 asylum seekers who reached Australia by boat between January 1976 and June 2015 have had some decision about their refugee status. Of these, we estimate that 81.1% (30,400 people) have been given permanent or temporary protection in Australia or elsewhere.

Refugee Council of Australia  
March 2016

## APPENDIX – FURTHER DETAIL ON SOURCES FOR STATISTICS

### Boat arrivals recognised as refugees, 1976 to 1981

In August 1979, Immigration Minister Michael MacKellar reported that 1,554 of the 2,011 Vietnamese asylum seekers who had arrived by boat until that date had been approved for permanent residence status. “The others have temporary entry permits pending further investigations of their applications for refugee status by the Determination of Refugee Status (DORS) Committee”.<sup>14</sup>

According to research conducted by the University of NSW’s Kaldor Centre, the DORS Committee considered 613 asylum applications from Indochinese boat arrivals between its establishment in March 1978 and January 1981. Of these, 555 were accepted as refugees and 58 were not approved for refugee status. Research indicates that all of those who were not found to be refugees were allowed to stay in Australia on humanitarian grounds.<sup>15</sup>

There is no clear information available to RCOA about the status of the remaining boat arrivals to reach Australia before mid 1981. It appears that all remained in Australia. If all but 58 of the 2,069 boat arrivals prior to mid 1981 were recognised as refugees, the recognition rate for this group would have been 97.2%.

### Boat arrivals given permanent or temporary protection, 1 July 1989 to 31 July 2004

An Immigration Department fact sheet issued in 2004 revealed that, as at 31 July 2004, 9,402 of the 13,593 asylum seekers who had arrived by boat between 1989 and 2004 had been given temporary or permanent protection. Another 403 still had not had their status resolved while the remaining 3,788 had been refused asylum and returned home. The refugee recognition rate for the 13,190 people whose status was finally determined was 71.3%.

#### *Boat arrivals since 1989 (as at 31 July 2004)*<sup>16</sup>

Status of boat arrivals	People	
Removed	3,788	28.7%
Granted Temporary Protection Visa	8,175	62.0%
Granted Permanent Protection Visa	1,227	9.3%
<b>Total - Status resolved</b>	<b>13,190</b>	<b>100.0%</b>
Granted Bridging Visa E	74	
Still in detention	281	
Other	14	
Escaped	34	
<b>Grand total</b>	<b>13,593</b>	

### Boat arrivals given temporary protection, 1 July 2004 to 30 June 2008

Immigration Department annual reports show that 1,100 Temporary Protection Visas were issued between 2004-05 and 2007-08.<sup>17</sup>

Year	TPVs granted
2004-05	308
2005-06	277
2006-07	314
2007-08	201
<b>Total</b>	<b>1,100</b>

### Adjustment to allow for TPVs issued in July 2004

The above two sources both include Temporary Protection Visas (TPVs) issued in July 2004. There is no identifiable source for the number of TPVs issued that month. The monthly average for 2004-05 was 26. RCOA has used this figure to adjust the total number of boat arrivals given protection.

### Refugees recognised on Nauru and Manus Island, 2001 to 2007

In February 2008, then Immigration Minister Chris Evans said: “A total of 1,637 people were detained in the Nauru and Manus facilities, of whom 1,153 (or 70%) were ultimately resettled from the OPCs to Australia or other countries. Of those who were resettled, around 61% (705 people) were resettled in Australia.”<sup>18</sup>

## Boat arrivals recognised as refugees, 2008-09 to 2012-13

According to Immigration Department statistics, over the five years to 30 June 2013, Permanent Protection Visas were granted to 14,797 boat arrivals, an overall grant rate after administrative appeal of 92.0%.<sup>19</sup>

Asylum applications determined	2008-09	2009-10	2010-11	2011-12	2012-13	Total
Visa grants	209	2,152	2,721	4,766	4,949	14,797
Refusals	-	26	141	457	669	1,293
<b>Total decisions</b>	<b>209</b>	<b>2,178</b>	<b>2,862</b>	<b>5,223</b>	<b>5,618</b>	<b>16,090</b>
<i>Grant rate</i>	<i>100.0%</i>	<i>98.8%</i>	<i>95.1%</i>	<i>91.3%</i>	<i>88.1%</i>	<i>92.0%</i>

## Permanent and temporary visas granted to boat arrivals, 2013-14 and 2014-15

The Immigration Department's 2015 annual report reveals that the total number of protection or humanitarian visas, either permanent or temporary, granted to boat arrivals in the two years to 30 June 2015 was 1,089.<sup>20</sup>

Visas granted to boat arrivals	2013-14	2014-15	Total
Temporary Protection visa grants	23	44	67
Temporary Humanitarian Concern visa grants	111	21	132
Temporary Humanitarian Stay visa grants	252	91	343
<b>Total – Temporary visas</b>	<b>386</b>	<b>156</b>	<b>542</b>
Permanent Protection Visas	546	1	547
<b>Total</b>	<b>932</b>	<b>157</b>	<b>1,089</b>

## Refugee determinations on Nauru and Manus Island, July 2013 to June 2015

In its Operation Sovereign Borders monthly update for June 2015, the Immigration Department reported: "As at 30 June 2015, there were a total of 945 people in Manus Island RPC and 655 people in Nauru RPC. Of the 635 Refugee Status Initial Determination assessments at Manus Island, 368 were positive and 267 were negative. 129 refugees have been given a positive final determination and 40 of those individuals were residing at the East Lorengau Refugee Transit Centre. 87 were accommodated at Manus RPC, while a further two are in Australia for medical treatment. Of the 595 Refugee Status Determination (RSD) hand downs in Nauru, 506 were positive and 89 were negative. Those with a positive RSD are now living freely within the Nauruan community."<sup>21</sup>

Refugee status determinations	Positive	Negative	Total	Recognition rate
Nauru	506	89	595	85.0%
Manus Island	368	267	635	58.0%
<b>Total</b>	<b>874</b>	<b>356</b>	<b>1,230</b>	<b>71.1%</b>

As at 30 June 2015, those with negative decisions had not had access to administrative or judicial review of those decisions. The review process could potentially result in an overturning of some negative decisions, thereby increasing the recognition rate.

## Cases unresolved as at 30 June 2015

The Immigration Department's June 2015 detention statistics record 1,060 boat arrivals in Australian detention facilities,<sup>22</sup> 1,189 in community detention, 28,588 in the community on Bridging Visas, 655 in the Nauru detention centre and 945 in the Manus Island centre.<sup>23</sup> Of those in the Manus Island centre on that date, 87 had a positive final determination of their refugee status and another 239 had initial positive assessments, according to the June 2015 Operation Sovereign Borders update.<sup>24</sup>

Status of boat arrivals whose cases remained unresolved	Number
Boat arrivals in closed detention facilities in Australia	1,060
People in community detention	1,189
Boat arrivals on Bridging Visas	28,588
<b>Total in Australia</b>	<b>30,837</b>
People in detention in Nauru	655
People in detention in Manus	945
(Refugees with positive final determinations still in Manus detention centre)	-87
(People in Manus detention centre with interim positive determinations)	-239
<b>Total in Nauru and Manus</b>	<b>1,274</b>
<b>GRAND TOTAL</b>	<b>32,111</b>

- 
- <sup>1</sup> Phillips, J. (2014). *Boat arrivals in Australia: a quick guide to the statistics*, 23 January 2014, Australian Parliamentary Library – [http://www.aph.gov.au/About Parliament/Parliamentary Departments/Parliamentary Library/pubs/rp/rp1314/QG/BoatArrivals](http://www.aph.gov.au/About%20Parliament/Parliamentary%20Departments/Parliamentary%20Library/pubs/rp/rp1314/QG/BoatArrivals)  
This document provides figures for boat arrivals (excluding crew) for both calendar years and financial years. There is a discrepancy in the totals of the two sets of figures in this publication – the grand total by calendar year from 1976 to 2013 being 69,445 and the grand total by financial year from 1975-76 to 2013-14 being 69,344. For calculations in this document, we have chosen the higher figure (the total by calendar year). We are aware that the figures do not include all who have attempted to enter Australia by boat. Among those excluded were: 146 people who arrived by boat in October 1981 and ultimately were deported to Taiwan and Hong Kong; people on boats turned back to Indonesia as part of Operation Relex between 2001 and 2006; asylum seekers excluded under the Enhanced Screening Process introduced in 2012; and people on boats turned back to Indonesia, Sri Lanka and Vietnam since late 2013. We have not included these people in this analysis as their claims for refugee status were not comprehensively assessed. In some cases, people denied access to the refugee status determination process in Australia had their refugee status accepted in other jurisdictions.
- <sup>2</sup> Department of Immigration and Border Protection (DIBP) (2014). *Joint Agency Task Force monthly update: July 2014* - <http://newsroom.border.gov.au/releases/joint-agency-task-force-monthly-update-july>
- <sup>3</sup> Phillips, J. (2014). *Boat arrivals in Australia: a quick guide to the statistics*, 23 January 2014, Australian Parliamentary Library. Those who arrived prior to March 1978 were ultimately granted permanent residence. See further information in: Higgins, C. 'Status determination of Indochinese boat arrivals: a 'balancing act' in Australia', *Journal of Refugee Studies* (forthcoming).
- <sup>4</sup> Commonwealth of Australia (1981). Senate Standing Committee on Foreign Affairs and Defence, *Indochinese Refugee Resettlement: Australia's Involvement*, volume 2 - Submission by the Department of Immigration and Ethnic Affairs, Attachment C.
- <sup>5</sup> Department of Immigration and Multicultural and Indigenous Affairs (2004). *Fact Sheet 74a – Boat Arrival Details (on Australian Mainland)* - [http://sievx.com/articles/psdp/DIMIA74a\\_boatarrivals.pdf](http://sievx.com/articles/psdp/DIMIA74a_boatarrivals.pdf)
- <sup>6</sup> Immigration Department annual reports, 2004-05 to 2007-08 <http://www.border.gov.au/about/reports-publications/reports/annual> :  
*Annual Report 2004-05*, Figure 37, p. 95 <http://www.border.gov.au/ReportsandPublications/Documents/annual-reports/diac-annual-report-2004-05-full-version.pdf> ;  
*Annual Report 2005-06*, Table 33, p. 105 <http://www.border.gov.au/ReportsandPublications/Documents/annual-reports/diac-annual-report-2005-06-full-version.pdf> ;  
*Annual Report 2006-07*, Table 40, p. 91 <http://www.border.gov.au/ReportsandPublications/Documents/annual-reports/annual-report-2006-07-complete.pdf> ;  
*Annual Report 2007-08*, Table 41, p. 89 <http://www.border.gov.au/ReportsandPublications/Documents/annual-reports/annual-report-2007-08-complete.pdf>.  
Further Protection Visa figures were excluded because refugees receiving these visas had been given initial Temporary Protection Visas in previous years.
- <sup>7</sup> Evans, C. (2008). Media statement by Minister for Immigration and Citizenship, *Last refugees leave Nauru*. 8 February 2008 <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=ld%3A%22media%2Fpressrel%2FYUNP6%22>
- <sup>8</sup> DIBP (2013). *Asylum Trends – Australia 2012-13*, Table 34, p. 30 and Table 32, p. 29. <https://www.border.gov.au/ReportsandPublications/Documents/statistics/asylum-trends-aus-2012-13.pdf>
- <sup>9</sup> DIBP (2015). *Annual Report 2014-15*, Table 42, p. 137. <http://www.border.gov.au/ReportsandPublications/Documents/annual-reports/DIBP-Annual-Report-2014-15-optimised.pdf>
- <sup>10</sup> DIBP (2015). *Operation Sovereign Borders monthly update: June 2015*. <http://newsroom.border.gov.au/releases/operation-sovereign-borders-monthly-update-june>
- <sup>11</sup> DIBP (2015). *Immigration Detention and Community Statistics Summary, 30 June 2015*, Figure 2, p. 7. <http://www.border.gov.au/ReportsandPublications/Documents/statistics/immigration-detention-statistics-june2015.pdf>
- <sup>12</sup> DIBP (2015). *Immigration Detention and Community Statistics Summary, 30 June 2015*, Table 1, p. 4.
- <sup>13</sup> DIBP (2015). *Operation Sovereign Borders monthly update: June 2015*
- <sup>14</sup> Commonwealth of Australia (1979). House of Representatives Official Hansard No. 34, 21 August 1979, p 373 [http://parlinfo.aph.gov.au/parlInfo/download/hansard80/hansardr80/1979-08-21/toc.pdf/19790821\\_reps\\_31\\_hor115.pdf;fileType=application%2Fpdf#search=%22hansard80/hansardr80/1979-08-21/0173%22](http://parlinfo.aph.gov.au/parlInfo/download/hansard80/hansardr80/1979-08-21/toc.pdf/19790821_reps_31_hor115.pdf;fileType=application%2Fpdf#search=%22hansard80/hansardr80/1979-08-21/0173%22)
- <sup>15</sup> Higgins, C. 'Status determination of Indochinese boat arrivals: a 'balancing act' in Australia', *Journal of Refugee Studies* (forthcoming)
- <sup>16</sup> Department of Immigration and Multicultural and Indigenous Affairs (2004), *Fact Sheet 74a – Boat Arrival Details (on Australian Mainland)*
- <sup>17</sup> Immigration Department annual reports 2004-05 to 2007-08 (see footnote 5).
- <sup>18</sup> Evans, C. (2008). Media statement by Minister for Immigration and Citizenship, *Last refugees leave Nauru*. 8 February 2008. For more detailed statistics, see Phillips, J. (2012). *The 'Pacific Solution' revisited: a statistical guide to the asylum seeker caseloads on Nauru and Manus Island*, Australian Parliamentary Library [http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1893669/upload\\_binary/1893669.pdf](http://parlinfo.aph.gov.au/parlInfo/download/library/prspub/1893669/upload_binary/1893669.pdf)
- <sup>19</sup> DIBP (2013). *Asylum Trends – Australia 2012-13*, Table 34, p. 30 and Table 32, p. 29.
- <sup>20</sup> DIBP (2015). *Annual Report 2014-15*, Table 42, p. 137
- <sup>21</sup> DIBP (2015). *Operation Sovereign Borders monthly update: June 2015*
- <sup>22</sup> DIBP (2015). *Immigration Detention and Community Statistics Summary, 30 June 2015*, Figure 2, p. 7.
- <sup>23</sup> DIBP (2015), *Immigration Detention and Community Statistics Summary, 30 June 2015*, Table 1, p. 4.
- <sup>24</sup> DIBP (2015). *Operation Sovereign Borders monthly update: June 2015*