

Three refugee issues requiring urgent change in 2022

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The situation for refugees in Australia and around the world continues to deteriorate. Their needs require the urgent attention and action of Australia's Parliamentarians.

Since 2017, a wide range of participants from across the Australian refugee sector and movement have been working together to articulate a platform for reform of Australian refugee policy. The Platform for Change was developed for the 2019 Federal election and updated and refined for the 2022 election. It can be viewed here: <https://www.refugeecouncil.org.au/platform-change/>.

While the Platform for Change outlines the key areas that need reform over the next Parliamentary term, there are matters that require immediate attention and action in 2022. Looking to the immediate needs of refugees and people seeking asylum, we have identified three pressing needs which require priority attention.

Priority 1: Finding real and lasting solutions for people still stuck in Australia's offshore processing system

- More than nine years after offshore processing re-started, 1,384 people remain in limbo as at 1 April 2022. The great majority of them have refugee status. 216 people remain offshore in PNG or Nauru. 1,168 people are in Australia after medical transfers and, while the majority live in the community on short-term visas or in community detention, six people remain detained.
- The six people who remain in closed detention need to be released urgently. Their ongoing detention after enduring years of mistreatment in Nauru and PNG has no justification and is causing great harm.
- In March 2022, the Australian Government accepted New Zealand's offer to resettle refugees from offshore processing, nine years after the offer was first made. This agreement covers the resettlement of 450 refugees from Nauru and Australia over three years from July 2022. Even if all of the current applications for resettlement to the United States (around 275) and private sponsorship to Canada (around 159) are accepted, more than 500 people affected by the offshore processing policy will be left with nowhere to go. More resettlement options need to be secured urgently. While people wait for a durable solution, they need to have access to a safety net. Currently, people in this group who live on short-term bridging visas have no access to basic income and casework support and are struggling to survive.

What is needed:

- 1.) Immediate release from closed detention in Australia of people previously transferred from Nauru and PNG for medical treatment.
- 2.) Resettlement places urgently negotiated and finalised.
- 3.) Safety net support for people in Australia awaiting a lasting solution.

Priority 2: Ending Temporary Protection

- The temporary protection system is unnecessary, expensive and unfair.
- Australia has found more than 19,000 people to be in need of refugee protection but has granted them only temporary visas (Temporary Protection Visas or TPVs, and Safe Haven Enterprise Visas or SHEVs). This bars them from ever becoming Australian citizens and reuniting with their families. They need to re-apply for protection after three or five years and engage in a full reassessment of their refugee needs, putting a significant and unnecessary burden on the already stretched resources of the Department of Home Affairs. The reassessment process also further harms people as they have to re-live their trauma repeatedly, hampering their ability to settle and move on. Around 2,400 people



are still waiting for a decision on their first application (submitted at least 4½ years ago) and another 6,500 are waiting for decisions on subsequent protection visas.

- Refugees from Afghanistan and Myanmar, places where the Government has acknowledged people cannot safely return, are included in those granted only temporary protection.
- The current policy has a theoretical pathway to permanency which, in practice, few refugees can complete. Even if current legislation is not repealed, the Australian Government can reform the visa pathway requirements to enable refugees on temporary visas to access permanent options.
- This can be done by amending the existing Skilled Independent (Subclass 189) visa to create a stream for TPV and SHEV holders who have demonstrated a commitment and contribution to the Australian economy and society, so they can live and work in Australia permanently. This would be similar to the recent amendment to the Subclass 189 visa to meet the requirements of New Zealand citizens and Hong Kong and British National Overseas passport holders with four years' residency in Australia.

What is needed:

- 1.) Repeal of the temporary protection system and immediate transfer of temporary protection visas to permanent visas.
- 2.) Family reunion spaces made available for TPV and SHEV holders who have been separated (most of whom have been for a decade or more).
- 3.) If the legislation is not repealed, urgent amendments to be made to allow TPV and SHEV holders to access other permanent options.

Priority 3: Reinstating Australia's Refugee and Humanitarian Program

- In the pre-election Budget in 2019, the Morrison Government planned an annual Refugee and Humanitarian Program of 18,750 places, budgeting for 75,000 visas over four years. More than 28,000 of these places have since been lost, through an annual cut of 5,000 places from 2020 and 13,382 visas not being issued over the past two years. In 2020-21, just 5,947 refugee visas were issued, the fewest in 45 years. As the 2020-21 Migration Program exceeded its target of 160,000 places, we know that the COVID-19 pandemic was only part of the reason for this shortfall.
- Since 2021, we have seen a groundswell of support for refugees as Australians learned about the impacts of the Taliban's takeover of Afghanistan and the invasion of Ukraine. Australians have inundated support services with offers of assistance, offering employment, housing and donations of goods and cash, offering to be involved in sponsoring, welcoming and befriending refugees.
- This national expression of goodwill towards refugees is being limited by the restricted number of places available through the Refugee and Humanitarian Program, exacerbated by cuts to the program.
- The announcements of humanitarian visas for refugees from Ukraine and additional 16,500 places for refugees from Afghanistan in the 2022 Federal Budget support individuals impacted by those conflicts. However, Australia must restore the annual Refugee and Humanitarian Program back to its 2013 level of 20,000 places if we are to adequately respond to others.
- This increase in the annual program would reinstate lost visas and create more room in the program for refugees from recent and protracted conflicts in Myanmar, Ethiopia, Syria, Iraq, Democratic Republic of Congo, Eritrea, South Sudan, Yemen and Venezuela.

What is needed:

- 1.) Restoration of the lost refugee visas, with the annual program restored to its 2013 level of 20,000 places per year to create more refugee places for those fleeing conflicts in Myanmar, Ethiopia, Syria, Iraq, Democratic Republic of Congo, Eritrea, Yemen and Venezuela.