

Labor for Refugees

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LABOR IN GOVERNMENT - REFUGEES AND PEOPLE SEEKING ASYLUM

Labor for Refugees is made up of party members and trade unionists who, in 2001, committed themselves to updating and improving Labor Party Policy on refugees and people seeking asylum. We are largely rank and file activists in the party, many who have been with Labor for Refugees since 2001. While we do not speak for the Labor Party in a formal sense, our aims have broad support. We have successfully argued for improvements to Labor's National Platform at successive National and State Conferences, and we liaise with the responsible Ministers. Since coming to office, the Labor Government, in accordance with previously adopted policy, has offered permanency to those on Temporary Protection Visas and Safe Haven Enterprise Visas.

We are pleased to note the following commitments in the 2023 National Platform, building on significant steps forward at previous Conferences, to:

- give the highest priority to the humane, durable, and timely resettlement of refugees subject to third country resettlement agreements;
- work across the region to support and resettle refugees using safe, orderly pathways;
- give appropriate consideration to UNHCR refugee registrations to assist Indonesia and the UNHCR to work through the backlog;
- work cooperatively with the international community to find durable solutions to the global refugee crisis and deploy our statecraft to advance the cause for peace and human security;
- reintroduce the appropriate references to the Refugees Convention into the Migration Act 1958;
- appoint a Special Envoy for Refugee and Asylum Seeker Issues with responsibilities for advancing Australia's interests and ensuring Australia plays a global role in the resettlement of displaced people;
- initiate a parliamentary inquiry into immigration detention;
- aspire to progressively increase our humanitarian intake to 27,000 a year; and
- progressively increase the complementary resettlement intake (which includes community sponsorship programs) to 10,000 places per year.

In addition, the Platform states that:

- *the assessment and review of protection claims will be underpinned by robust, efficient and transparent processes which that ensure fair and consistent outcomes, including access to review which allows for the consideration of additional material, and access to independent advice. The highest priority will be allocated to action the orderly and fair resolution of the backlog of cases subjected to the fast-track assessment process.*

It also commits Labor to enshrining into law the '90-day rule'* and other principles bearing on the humane treatment of people seeking asylum. (*detaining people seeking asylum for health and security checks for no more than 90 days in normal circumstances, then granting them bridging visas with work and study rights while their claim is assessed). Detention that is indefinite or otherwise arbitrary is not acceptable.

Nauru & PNG

Since the Federal Labor Government came to power in May 2022, progress has been made on the processing of claims for asylum. Nauru now has a small number of people seeking asylum in its detention centre, but the Government still pays \$320 million a year to MTC, an American company with an appalling record of detaining people in the United States. *"In mid-November, just seven weeks after the Nauru deal, authorities in Texas opened multiple investigations into allegations that MTC engaged in 'fraudulent conduct and pandemic profiteering' by deceiving the state government and collecting millions of dollars for in-prison therapeutic programming it did not provide."* (Guardian 6.1.23). It is not clear why MTC is being paid so much to maintain an almost empty detention centre. At the time of writing, 80 refugees remain in PNG. 52 are on pathways to the US, Canada and NZ. Some of the remaining are unwell and being cared for in a private hospital in PNG. Some want to stay with wives and families in PNG. Caritas PNG provides updates on their health and welfare. Those who are unwell should be offered transfer to Australia for specialist refugee health care or alternatively, Australia should offer specialist refugee health services to PNG.

Permanent Residency

The Government has offered permanency to those on Temporary Protection Visas and Safe Haven Enterprise Visas. Some 6,000 of the 19,000 on these temporary visas have so far been given permanent residency. There are a further 12,000 refugees who arrived by boat (called by the Coalition the “legacy caseload”) whose fate remains uncertain after many years. The 2023 National Platform states that those on bridging visas should have work and study rights while they wait for the outcome of their application for asylum. As refugees move into the Australian community, they face challenges such as access to housing, employment, physical and mental health services, English language support, and transport. Some State governments have health and welfare support systems in place, but the Federal Government needs to restore the subsistence income support abolished by the Coalition Government.

Despite progress, there is still much to be done.

Over the past two decades respect for international law and convention has been eroded in Australia. The Government needs to:

- Significantly increase funding to support the United Nations High Commissioner for Refugees to improve orderly regional processing and resettlement in the region.
- Appoint a children’s advocate independent of the Department of Home Affairs, legislate to impose mandatory reporting of child abuse in detention, and recognise the role of state child protection authorities.

Beyond this, Labor for Refugees NSW/ACT will continue to advocate for further policy reforms to:

1. Ensure no children are kept in detention ever again. Rather, they will be placed into community-run reception centres together with their families.
2. Increase Australia’s humanitarian intake progressively to 50,000 per year.
3. Ensure the closing of off-shore processing centres Nauru and PNG and the transfer of all detainees to Australia for on-shore processing. This measure will provide savings of up to \$1 billion per year to be spent on other priorities.
4. Ensure the provision of legal aid for people seeking asylum.
5. Ensure that the provisions of the UN Refugee Convention and UN human rights instruments, to which Australia is signatory, are included in Australian asylum seeker and refugee domestic law and policy.
6. Achieve the cooperation required to reach sustainable regional processing arrangements and reject policies which turn away asylum-seeker boats.
7. Maintain levels of foreign aid sufficient to address the root causes, improve conditions and the rule of law in the places from which people are escaping.
8. Where short periods of detention are unavoidable, Labor for Refugees will work to ensure the mandatory reporting of abuse in detention and the establishment of an independent commission to inform the public on the facts on refugees and people seeking asylum.

BECOME A MEMBER

By joining Labor for Refugees, you will be supporting a change in ALP policy compatible with the policy objectives as follows:

1. All people seeking asylum to be treated with compassion and justice, and in accordance with Australia’s international obligations.
2. The right of all people seeking asylum in Australia to have their status as refugees assessed on Australian soil, under the Australian legal system.
3. People seeking asylum to be accommodated in government run and urban-based reception centres. When a formal application for refugee status has been made and security, health and identity checks are complete, asylum seekers are free to move out of reception centres and to stay in supportive communities. The time in detention not to exceed 30 days without judicial review and the right of appeal.

The link to our membership form is www.labor4refugees.com/membership