Refugee resettlement to Australia: what are the facts?

Elbritt Karlsen
Law and Bills Digest Section

Contents

What is a refugee ................................................................. 2
What is resettlement? ............................................................... 2
How does the UN refugee agency decide who should be resettled? 2
Does Australia accept all refugees referred to it by the UN refugee agency? 3
Is there a queue? ................................................................. 4
Does Australia only take people from refugee camps? 4
Is resettlement the ‘right way’ to seek asylum? 4
How many refugees does Australia accept for resettlement? 5
How does Australia’s intake compare to other resettlement countries? 5
How does Australia’s refugee resettlement compare to its overall migrant intake? 6
How are visas under the Humanitarian Program distributed? 7
Are all Humanitarian Program visas for refugees? 7
Does Australia increase its intake for specific groups of refugees? 8
Should Australia increase its Humanitarian Program? 9
Does Australia contribute to the number of refugees requiring resettlement? 10
Do boat arrivals take the places from other refugees? 11
Can resettled refugees be reunited with family members? 12
Where are refugees resettled from? 13
How many refugees does Australia resettle from Indonesia? 14
How many refugees does Australia resettle from Malaysia? 16
What is a refugee

The *1951 Convention relating to the Status of Refugees* (the 1951 Refugee Convention) is the key international legal document defining who is a refugee, their rights and the legal obligations of countries that are signatories to the 1951 Refugee Convention.\(^1\) Article 1A(2) of the 1951 Refugee Convention defines a ‘refugee’ as:

- a person who is outside his country of nationality or habitual residence
- has a well-founded fear of persecution because of his race, religion, nationality, membership in a particular social group or political opinion, and
- is unable or unwilling to avail himself of the protection of that country, or to return there, for fear of persecution.\(^2\)

A Convention ‘refugee’ is different from an ‘asylum seeker’ because the former has had their asylum claims assessed and been found to satisfy the above definition. This assessment can be done by a country that has acceded to the 1951 Refugee Convention or by the United Nations High Commissioner for Refugees (UNHCR). There is no such thing as a ‘genuine refugee’. A refugee by technical definition is simply someone who has been recognised as satisfying the above Convention definition. Further, a person is a refugee within the meaning of the 1951 Convention as soon as they satisfy the above definition. This might actually occur before their refugee status is formally determined by a country or the UNHCR. Refugee status is therefore declaratory in nature—in that, a refugee does not become a refugee because they have been recognised to be one but rather, they are recognised because they are a refugee.\(^3\)

What is resettlement?

‘Resettlement’ is the term used to describe ‘the transfer of refugees from the country in which they have sought refuge to another State that has agreed to admit them’.\(^4\) Broadly speaking, resettlement is a mechanism which provides protection to refugees whose life, liberty, safety, health or other human rights are at risk in the country where they sought refuge.\(^5\) For example, a refugee and his family in China facing imminent return to the country from which they fled (North Korea) may urgently require resettlement to a resettlement country (such as USA, Canada or New Zealand) to avoid being forcibly returned to persecution. Similarly, a vulnerable young boy who fled persecution in Ethiopia to a Tunisian refugee camp after his family were killed may require resettlement to another country (such as Denmark or Norway) which has special programs set up to assist unaccompanied minors.

Resettlement is one of three durable solutions UNHCR is mandated to implement in cooperation with countries that have signed the 1951 Refugee Convention. The other two durable solutions to the plight of refugees are local integration (in the country of refuge) and voluntary repatriation (return to one’s home country). UNHCR will only consider resettlement if the other two options are not available.

How does the UN refugee agency decide who should be resettled?

Not every refugee will be eligible for resettlement. The seven categories (or criteria) used by UNHCR to select refugees for resettlement include:

- **Legal and/or Physical Protection Needs** of the refugee in the country of refuge (this includes a threat of refoulement)
- **Survivors of Torture and/or Violence**, where repatriation or the conditions of asylum could result in further traumatization and/or heightened risk, or where appropriate treatment is not available
- **Medical Needs**, in particular life-saving treatment that is unavailable in the country of refuge

---

2. Article 1A(2) of the 1951 Refugee Convention.
4. UNHCR, UNHCR Master Glossary of Terms, UNHCR website, June 2006.
5. UNHCR, ‘Frequently asked questions about resettlement’, 2012, UNHCR website.
• **Women and Girls at Risk**, who have protection problems particular to their gender

• **Family Reunification**, when resettlement is the only means to reunite refugee family members who, owing to refugee flight or displacement, are separated by borders or entire continents

• **Children and Adolescents at Risk**, where a best interests determination supports resettlement, and

• **Lack of Foreseeable Alternative Durable Solutions**, which generally is relevant only when other solutions are not feasible in the foreseeable future, when resettlement can be used strategically, and/or when it can open possibilities for comprehensive solutions.  

---

**Does Australia accept all refugees referred to it by the UN refugee agency?**

No. Though the UNHCR recommends or refers people for resettlement, the ultimate decision to grant a visa rests with Australia’s Immigration Department. Australia has four offshore refugee category visas: Refugee (visa subclass 200); In-Country Special Humanitarian (visa subclass 201); Emergency Rescue (visa subclass 203); and Woman at Risk (visa subclass 204).

Applications for an Australian refugee category visa (whether self-referred or referred by UNHCR) must be made on the prescribed form which is available from Australian overseas missions and from the Department’s website. Applicants are expected to provide as much documentation as possible (including certified copies) at the time of application to assist in identity verification. The application must be lodged outside Australia at an Australian diplomatic or trade mission and will be processed at designated Australian missions around the world. Unsuccessful applicants receive a letter indicating that one or more of the legal criteria have not been met. Though there is no mechanism to appeal an adverse decision, unsuccessful applicants may re-apply.

It is not known how many people lodged offshore refugee visa applications in 2015 (it was approximately 35,000 in 2013–14) but the average processing time for refugee visas from time of application to the grant of visa in 2014–15 was approximately 14 and a half months (62.7 weeks).

Refugees seeking to enter Australia on a Refugee visa (subclass 200) must satisfy numerous criteria that are more onerous than onshore Protection visas. For instance, in addition to being subject to persecution and meeting health, character and national security requirements, the Minister must be satisfied that there are ‘compelling reasons for giving special consideration to granting the visa’ having regard to:

• the degree or severity of persecution to which they are subject

• the extent of their connection with Australia

• whether another country can provide for the applicant’s settlement and protection from persecution and

• the capacity of the Australian community to provide for their permanent settlement.

Also, the Minister must be satisfied that their permanent settlement would be the appropriate course for the applicant and would not be contrary to the interests of Australia. Moreover, the visa grant must be consistent with ‘the regional and global priorities of the Commonwealth in relation to the settlement of persons in Australia on humanitarian grounds’. In other words, there must be a visa available under the Humanitarian Program for the given program year.

---


9. This requires an assessment of the nature of any family or social ties the applicant has in Australia.

10. In assessing this factor the Department takes into account whether the applicant has a proposer, and if so, the level of assistance the proposer is likely to be able to provide, other support that may be available to the applicant from relatives, friends and community organisations in Australia, the applicant’s likely employment prospects, taking into account their work history, qualifications and English language ability.


12. DIBP, PAM3–Migration Regulations: Assessing offshore humanitarian (Class XB) visa applications, LegendCom database.
Is there a queue?
Asylum seekers can lodge an application to be granted an Australian offshore refugee category visa of their own volition without UNHCR involvement. However, it is not known how many such applications are made and successfully lead to visa grant. The reality is that the majority of asylum seekers who have fled persecution will, by practical necessity, register with UNHCR for protection, assistance, and if necessary (and if deemed eligible) resettlement to another country.

If UNHCR assesses a refugee to be eligible for resettlement it does not mean that they have joined an orderly ‘queue’, and that they will be guaranteed resettlement to another country when their ‘number comes up’. Though refugees may be assessed by UNHCR as eligible for resettlement, in reality they face a potentially indefinite waiting period for a resettlement country to offer them a resettlement place (depending on the urgency of their individual needs). This process has been likened to a hospital triage system in which needs are constantly reassessed in order to prioritise the most acute cases. Moreover, the ultimate decision as to whether they will be granted a refugee visa is dependent on the country which has agreed in principle to resettle them.

Of the 145 States Parties to the 1951 Refugee Convention, only about 30 participate in the UNHCR resettlement program and accept quotas of refugees on an annual basis. UNHCR estimates there are currently approximately 80,000 resettlement places offered by resettlement countries around the world but that there are currently in excess of one million refugees in need of resettlement.

Does Australia only take people from refugee camps?
No. There is no requirement under Australian law that a person be registered with UNHCR prior to applying for an Australian refugee category visa but in practice most have been recognised as refugees by the UNHCR and have been referred to Australia’s Immigration Department for resettlement (UNHCR referred cases). However, that does not mean that Australia only accepts refugees from UNHCR camps. Despite the iconic image of refugees living in white tents in a sprawling emergency camp, the reality is that over 60 per cent of the world’s 19.5 million refugees live in urban environments.

Is resettlement the ‘right way’ to seek asylum?
The perception that resettlement is the ‘right way’ to seek protection has been described as ‘misguided’. This is because refugees do not have a right to be resettled and countries (including Australia) are not legally obligated under the 1951 Refugee Convention or any other international instrument to accept refugees for resettlement.

Refugee resettlement is a voluntary scheme coordinated by the UNHCR which facilitates burden and responsibility sharing amongst countries that are party to the 1951 Refugee Convention. Significantly, UNHCR emphasises that resettlement should complement and not be a substitute for the provision of protection to persons who apply for asylum under the Convention (for example, spontaneous arrivals such as asylum seekers arriving by boat).
How many refugees does Australia accept for resettlement?

As the following table indicates, the number of offshore refugee category visas granted since 1975 has varied greatly, the highest number being in the early 1980s under the Fraser Government when Australia granted 20,795 visas (mostly to Indochinese), and the lowest being 1,238 ten years later under the Hawke Government. From 2000 onwards, the Government has slightly increased the annual quota of refugee visas to its current level of around 6,000 visas—where it has remained for the last ten years (with one notable exception). The most dramatic increase was under the former Labor Government in 2012 when the number of offshore refugee visas granted doubled to over 12,000 in one year in response to the recommendation of the Expert Panel on Asylum Seekers.21

<table>
<thead>
<tr>
<th>Year</th>
<th>Refugee visas granted</th>
<th>Year</th>
<th>Refugee visas granted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1976–77</td>
<td>8,124</td>
<td>1997–98</td>
<td>4,010</td>
</tr>
<tr>
<td>1978–79</td>
<td>12,750</td>
<td>1999–00</td>
<td>3,802</td>
</tr>
<tr>
<td>1979–80</td>
<td>17,677</td>
<td>2000–01</td>
<td>3,997</td>
</tr>
<tr>
<td>1980–81</td>
<td>20,795</td>
<td>2001–02</td>
<td>4,160</td>
</tr>
<tr>
<td>1983–84</td>
<td>12,426</td>
<td>2004–05</td>
<td>5,511</td>
</tr>
<tr>
<td>1984–85</td>
<td>9,520</td>
<td>2005–06</td>
<td>6,022</td>
</tr>
<tr>
<td>1985–86</td>
<td>7,832</td>
<td>2006–07</td>
<td>6,003</td>
</tr>
<tr>
<td>1986–87</td>
<td>5,857</td>
<td>2007–08</td>
<td>6,004</td>
</tr>
<tr>
<td>1987–88</td>
<td>5,514</td>
<td>2008–09</td>
<td>6,499</td>
</tr>
<tr>
<td>1988–89</td>
<td>3,574</td>
<td>2009–10</td>
<td>6,003</td>
</tr>
<tr>
<td>1989–90</td>
<td>1,238</td>
<td>2010–11</td>
<td>5,998</td>
</tr>
<tr>
<td>1990–91</td>
<td>1,497</td>
<td>2011–12</td>
<td>6,004</td>
</tr>
<tr>
<td>1991–92</td>
<td>2,424</td>
<td>2012–13</td>
<td>12,012</td>
</tr>
<tr>
<td>1993–94</td>
<td>4,315</td>
<td>2014–15</td>
<td>6,002</td>
</tr>
<tr>
<td>1994–95</td>
<td>3,992</td>
<td>2015–16</td>
<td>6,000 (planned)</td>
</tr>
<tr>
<td>1995–96</td>
<td>4,643</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


It is relevant to note that family members included in the application of a refugee who has successfully applied for an offshore refugee visa (subclass 200) will generally also be granted the same visa. Thus, it would perhaps be inaccurate to say that Australia currently grants approximately 6,000 offshore refugee category visas to ‘refugees’ each year. Family members (that is, normally a refugee’s partner and dependent children) inevitably take up a considerable number of visas available for grant but they are not necessarily persecuted and ‘refugees’ in their own right.

How does Australia’s intake compare to other resettlement countries?

Australia has been involved in the UNHCR resettlement program since 1977 and has consistently ranked as one of the top three resettlement countries in the world. This ranking reflects the number of places made available by various countries for refugee resettlement through UNHCR’s resettlement program. This number is influenced by a number of factors including a country’s ability to share the international responsibility for refugees taking into account the number of asylum seekers arriving spontaneously at a country’s borders, of which Australia has comparatively few.22

The following table shows the number of refugees who were resettled in 2015 (assisted by UNHCR):

<table>
<thead>
<tr>
<th>Country of resettlement</th>
<th>Number of persons resettled</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States of America</td>
<td>52,583</td>
</tr>
<tr>
<td>Canada</td>
<td>10,236</td>
</tr>
<tr>
<td><strong>Australia</strong></td>
<td>5,211</td>
</tr>
<tr>
<td>Norway</td>
<td>2,220</td>
</tr>
<tr>
<td>Germany</td>
<td>2,097</td>
</tr>
<tr>
<td>Sweden</td>
<td>1,808</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1,768</td>
</tr>
<tr>
<td>Finland</td>
<td>964</td>
</tr>
<tr>
<td>New Zealand</td>
<td>756</td>
</tr>
<tr>
<td>France</td>
<td>700</td>
</tr>
<tr>
<td><strong>All others</strong></td>
<td>3,550</td>
</tr>
<tr>
<td><strong>Grand total</strong></td>
<td><strong>81,893</strong></td>
</tr>
</tbody>
</table>


How does Australia’s refugee resettlement compare to its overall migrant intake?

Permanent migrants enter Australia via one of two distinct programs—the Migration Program for skilled and family migrants or the Humanitarian Program for refugees and humanitarian entrants. The number of refugees who are resettled each year from overseas is normally less than five per cent of Australia’s permanent Migration Program. In fact, the number of visas currently allocated to UNHCR assisted refugees is the lowest percentage of the Migration Program for more than twenty years (only 3.2 per cent). The following table compares the number of permanent visas granted to refugees (resettled from overseas with UNHCR assistance) with the number of permanent visas granted to migrants under the Migration Program over the last twenty years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Migration program</th>
<th>Resettled refugees</th>
<th>% of migration program</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994–1995</td>
<td>76,500</td>
<td>3,992</td>
<td>5.2%</td>
</tr>
<tr>
<td>1995–1996</td>
<td>82,500</td>
<td>4,643</td>
<td>5.6%</td>
</tr>
<tr>
<td>1996–1997</td>
<td>73,900</td>
<td>3,334</td>
<td>4.5%</td>
</tr>
<tr>
<td>1997–1998</td>
<td>67,100</td>
<td>4,010</td>
<td>5.9%</td>
</tr>
<tr>
<td>1998–1999</td>
<td>67,900</td>
<td>3,988</td>
<td>5.8%</td>
</tr>
<tr>
<td>1999–2000</td>
<td>70,200</td>
<td>3,802</td>
<td>5.4%</td>
</tr>
<tr>
<td>2000–2001</td>
<td>80,610</td>
<td>3,997</td>
<td>5.0%</td>
</tr>
<tr>
<td>2001–2002</td>
<td>93,080</td>
<td>4,160</td>
<td>4.5%</td>
</tr>
<tr>
<td>2002–2003</td>
<td>108,070</td>
<td>4,376</td>
<td>4.0%</td>
</tr>
<tr>
<td>2003–2004</td>
<td>114,360</td>
<td>4,134</td>
<td>3.6%</td>
</tr>
<tr>
<td>2004–2005</td>
<td>120,060</td>
<td>5,511</td>
<td>4.6%</td>
</tr>
<tr>
<td>2005–2006</td>
<td>142,930</td>
<td>6,022</td>
<td>4.2%</td>
</tr>
<tr>
<td>2006–2007</td>
<td>148,200</td>
<td>6,003</td>
<td>4.1%</td>
</tr>
<tr>
<td>2007–2008</td>
<td>158,630</td>
<td>6,004</td>
<td>3.8%</td>
</tr>
<tr>
<td>2008–2009</td>
<td>171,318</td>
<td>6,499</td>
<td>3.8%</td>
</tr>
<tr>
<td>2009–2010</td>
<td>168,623</td>
<td>6,003</td>
<td>3.6%</td>
</tr>
<tr>
<td>2010–2011</td>
<td>168,685</td>
<td>5,998</td>
<td>3.6%</td>
</tr>
<tr>
<td>2011–2012</td>
<td>184,998</td>
<td>6,004</td>
<td>3.2%</td>
</tr>
<tr>
<td>2012–2013</td>
<td>190,000</td>
<td>12,012</td>
<td>6.3%</td>
</tr>
<tr>
<td>2013–2014</td>
<td>190,000</td>
<td>6,501</td>
<td>3.4%</td>
</tr>
<tr>
<td>2014–2015</td>
<td>189,097</td>
<td>6,002</td>
<td>3.2%</td>
</tr>
<tr>
<td>2015–2016</td>
<td>190,000 (planned)</td>
<td>6,000 (planned)</td>
<td>3.2%</td>
</tr>
</tbody>
</table>

Sources: E Karlsen and J Phillips, Seeking asylum: Australia’s humanitarian program, Background note, Parliamentary Library, 2011; J Phillips and J Simon-Davies, Migration to Australia: a quick guide to the statistics, Quick guide, Parliamentary Library, updated 27 June 2016; Ministerial press releases (various years); Immigration Department, Australia’s refugee and humanitarian program, fact sheet 60 (various years); DIBP, ‘The Special Humanitarian Programme(SHP), DIBP website; P Dutton, Restoring integrity to refugee intake, media release, 12 May 2015.
How are visas under the Humanitarian Program distributed?

In early May each year, when announcing its annual Federal Budget, the Government traditionally reveals how many permanent visas will be granted in the forthcoming financial year under its Humanitarian Program. However, at the end of 2014, section 39A was inserted into the Migration Act 1958. This new provision enables the Minister to specify by way of disallowable legislative instrument the minimum number of visas under the Humanitarian Program for a financial year. Thus, the number of visas to be made available under the Humanitarian Program for the next three years (to mid-2019) has already been revealed.

The numbers of visas available for grant under the ‘Humanitarian Program’ are shared or distributed amongst the following groups of people:

- Refugees and their families who have already arrived in Australia by boat or plane (eligible to apply for a permanent visa)
- Refugees and their families who will be ‘resettled’ from overseas, and
- Humanitarian entrants and their families seeking to enter Australia from overseas.

In the 2015-16 financial year, the Government has maintained the annual intake quota under the Humanitarian Program at 13,750 places. Though official statistics on visa grants are yet to be released by the Department, it is expected that of these, 6,000 visas will be given to refugees that are resettled to Australia with assistance from the UNHCR. Another 5,000 will be given to humanitarian entrants under the Special Humanitarian Program (SHP). Though onshore visa grants are not specifically allocated planning places, based on these figures it appears the Government is estimating that some 2,750 onshore permanent protection visas will be granted in 2015–16.

Are all Humanitarian Program visas for refugees?

No. Places available to SHP visa entrants (currently 5,000) should be distinguished from places allocated to refugees. The SHP visa is for people who are subject to substantial discrimination amounting to gross violation of human rights in their home country—not for refugees fleeing persecution for a Convention reason. When introduced in 1981, the SHP was designed specifically for people who were ‘quasi-refugees’ who were unable to return to their home country for fear of substantial discrimination. Substantial discrimination involves a lower threshold than persecution. It might involve:

- arbitrary interference with the applicant’s privacy, family, home or correspondence
- deprivation of means of earning a livelihood, denial of work commensurate with training and qualifications and/or payment of unreasonably low wages
- relegation to substandard dwellings
- exclusion from the right to education
- enforced social and civil inactivity
- removal of citizenship rights
- denial of a passport, or
- constant surveillance or pressure to become an informer.

Visa applicants under the SHP must also be supported by a proposer (an Australian citizen, permanent resident or eligible New Zealand citizen, or an organisation that is based in Australia) who is responsible for their settlement. This could include airfares for them to travel to Australia, providing accommodation upon arrival.

assisting them to find permanent accommodation, and providing information and orientation assistance. The Government does not pay the travel costs for people who are granted an SHP visa.

Traditionally, most of the places available under the SHP are taken up by family members of refugees and humanitarian entrants already in Australia. Overseas refugees normally receive less than 50 per cent of the annual allocation of visas under the Humanitarian Program. The following table compares the number of visas granted to refugees (resettled from overseas with UNHCR assistance) with the number of visas that have been granted under the Humanitarian Program over the last 20 years:

<table>
<thead>
<tr>
<th>Program year</th>
<th>Humanitarian Program (permanent) visas granted</th>
<th>Resettled refugees</th>
<th>% of Humanitarian Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994–95</td>
<td>14,858</td>
<td>3,992</td>
<td>27%</td>
</tr>
<tr>
<td>1995–96</td>
<td>16,252</td>
<td>4,643</td>
<td>29%</td>
</tr>
<tr>
<td>1996–97</td>
<td>11,902</td>
<td>3,334</td>
<td>28%</td>
</tr>
<tr>
<td>1997–98</td>
<td>12,055</td>
<td>4,010</td>
<td>33%</td>
</tr>
<tr>
<td>1998–99</td>
<td>11,356</td>
<td>3,988</td>
<td>35%</td>
</tr>
<tr>
<td>1999–00</td>
<td>15,860</td>
<td>3,802</td>
<td>24%</td>
</tr>
<tr>
<td>2000–01</td>
<td>13,733</td>
<td>3,997</td>
<td>29%</td>
</tr>
<tr>
<td>2001–02</td>
<td>12,349</td>
<td>4,160</td>
<td>34%</td>
</tr>
<tr>
<td>2002–03</td>
<td>12,119</td>
<td>4,376</td>
<td>36%</td>
</tr>
<tr>
<td>2003–04</td>
<td>13,603</td>
<td>4,134</td>
<td>30%</td>
</tr>
<tr>
<td>2004–05</td>
<td>12,988</td>
<td>5,511</td>
<td>42%</td>
</tr>
<tr>
<td>2005–06</td>
<td>13,836</td>
<td>6,022</td>
<td>44%</td>
</tr>
<tr>
<td>2006–07</td>
<td>12,902</td>
<td>6,003</td>
<td>47%</td>
</tr>
<tr>
<td>2007–08</td>
<td>12,825</td>
<td>6,004</td>
<td>47%</td>
</tr>
<tr>
<td>2008–09</td>
<td>13,414</td>
<td>6,499</td>
<td>48%</td>
</tr>
<tr>
<td>2009–10</td>
<td>13,756</td>
<td>6,003</td>
<td>44%</td>
</tr>
<tr>
<td>2010–11</td>
<td>13,799</td>
<td>5,998</td>
<td>43%</td>
</tr>
<tr>
<td>2011–12</td>
<td>13,759</td>
<td>6,718</td>
<td>49%</td>
</tr>
<tr>
<td>2012–13</td>
<td>20,019</td>
<td>12,012</td>
<td>60%</td>
</tr>
<tr>
<td>2013–14</td>
<td>13,768</td>
<td>6,501</td>
<td>47%</td>
</tr>
<tr>
<td>2014–15</td>
<td>13,756</td>
<td>6,002</td>
<td>44%</td>
</tr>
<tr>
<td>2015–16</td>
<td>13,750 (planned)</td>
<td>6,000 (planned)</td>
<td>44%</td>
</tr>
</tbody>
</table>


Does Australia increase its intake for specific groups of refugees?

Successive governments have made ad-hoc announcements that specific groups of refugees are to be resettled to Australia. Often these announcements are in response to mounting public pressure for humanitarian intervention. Occasionally these statements may inadvertently give the impression that such intakes will be in addition to Australia’s annual humanitarian intake quota, but that is not always the case. For example, the Coalition Government’s announcement on 3 October 2013 that a ‘further’ 500 Syrian refugees would be resettled in Australia in response to the UNHCR’s call for a coordinated international effort to resettle Syrian refugees was not in addition to but rather, came out of, Australia’s existing annual intake quota under the Humanitarian Programme (that is, the 13,750 places).

Similarly, on 13 December 2012, the former Labor Government announced that Australia would offer locally engaged Afghan employees at risk of harm due to their employment in support of Australia’s mission in
Afghanistan resettlement to Australia. In the 2013–14 financial year, some 800 visa places were subsequently allocated to at-risk locally engaged Afghan employees (LEE) and their families. However, these too were not in addition to but rather, came out of Australia’s existing annual intake quota under the Humanitarian Programme.

In contrast, on 9 September 2015, the Australian Government announced that it would make 12,000 visas available in response to the conflicts in Syria and Iraq. While these places are in addition to the annual Humanitarian Programme intake (currently 13,750 places), they are not technically an increase to the annual Humanitarian Programme. Rather, these additional 12,000 places are being offered under a parallel initiative to supplement the annual Humanitarian Programme quota. The 12,000 additional places are available to refugees in need of resettlement (located in Lebanon, Jordan and Turkey), many of whom are referred by UNHCR, and to persons proposed under the SHP. Though it is not entirely clear, it appears that these 12,000 places will be filled over a number of years.

**Should Australia increase its Humanitarian Program?**

The number of permanent visas available under the Migration Program (for skilled and family migrants) has been steadily increasing in recent years to 190,000 visas per annum. In contrast, the number of visas available under the Humanitarian Program has been maintained at a relatively steady number between 12,000 and 13,000 since 2000. The most significant departure from this trend was in 2012–2013 when the former Labor Government, acting on a recommendation of the Expert Panel on Asylum Seekers, increased the Humanitarian Program to 20,000 visas with 12,000 being specifically allocated to the resettlement of overseas refugees. In making this recommendation, the Expert Panel on Asylum Seekers considered that there were a number of benefits in increasing the Humanitarian Program:

- it would serve Australian national interests and international engagement
- it would enhance the scope of cooperation with regional partners
- it would give greater hope and confidence to asylum seekers in the region that regular migration pathways and international protection arrangements provide a practical, realistic and better alternative to dangerous boat voyages to Australia
- it would enable Australia to assist in meeting growing humanitarian needs in the region in a fair and timely way
- it would support Australian strategies to encourage other international resettlement countries to assist in more expansive ways, and
- it would contribute to the strengthening of regional cooperation on asylum issues.

The Expert Panel was also of the view that if the policy directions recommended in its report (such as regional processing in Nauru and PNG) were effective in reducing the number of maritime asylum seekers arriving, the Humanitarian Program should be progressively further increased to 27,000 places within five years taking into account Australia’s prevailing economic circumstances, the impact of the earlier increase and progress in achieving more effective regional cooperation arrangements.

However, within six months of coming into power in 2013, the current Coalition Government announced that, acting upon an election commitment, it had reduced the number of refugees that would be resettled in 2013–14 from 12,000 to 7,000. This meant the total Humanitarian Program would be reduced to 13,750 visas, bringing it more in line with historical trends. One of the reasons cited for the reduction was the cost associated with the increase, although the Immigration Department has stated that it is not possible to provide an individual costing...
for resettlement, noting that ‘there is no per head resettlement figure as the cost for resettling each case varies’. 37

In making the recommendation for the expansion of the Humanitarian Program, the Expert Panel relied upon advice received from the Department of Finance and Deregulation which estimated the cost of the initial increase of 6,250 places to bring the program to 20,000 places to be in the order of $1.4 billion over four years (or $350 million per annum). 38

Over the last few years, there have been consistent calls for the Humanitarian Program to be increased. 39 In December 2014, in the context of negotiations with cross-benchers to secure passage of the Government’s controversial Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014, the Immigration Minister committed to taking all reasonably practicable measures to ensure the grant of at least 16,250 visas in 2017–18 and 18,750 visas in 2018–19. 40 According to the Minister, the increase of 7,500 places would cost ‘more than $100 million to be funded by offsets that I have committed to within my portfolio’. 41

**Does Australia contribute to the number of refugees requiring resettlement?**

It is not yet known whether Australia’s policy of regional processing (currently in Papua New Guinea (PNG) and Nauru) may ultimately contribute to the number of refugees requiring resettlement, as some commentators have suggested.

According to UNHCR, successful local integration from the refugee perspective requires a preparedness to adapt to the lifestyle of the host country without having to abandon one’s own cultural identity. From the viewpoint of the host country, it requires willingness for communities to be welcoming and responsive to refugees and for public institutions to meet the needs of a diverse population. It also requires opportunities for refugees to become citizens and to enjoy full and equal participation in society. 42

Former UN High Commissioner for Refugees, Antonio Guterres, expressed concerns about the ability of non-Melanesian refugees to successfully integrate into PNG. 43 Academic scholars have similarly expressed scepticism regarding the viability of settling refugees in PNG. For example, Professor Ben Saul from the University of Sydney is of the view that refugees are unlikely to be physically safe in PNG and their basic rights to have access to health care, education, work, social security and an adequate standard of living will not be sufficiently protected. If such rights were to be guaranteed a different problem would inevitably arise—inequality between refugees and PNG citizens. 44 At time of writing, less than twenty refugees had settled into PNG society. 45

As the Government of Nauru is only issuing refugees with temporary visas, the Australian Government has entered into a Memorandum of Understanding with the Government of Cambodia to voluntarily settle refugees

---


38. Expert Panel on Asylum Seekers, *Report of the Expert Panel on Asylum Seekers*, op. cit., p.143. In the broader context it is perhaps relevant to note the Department of Finance and Deregulation also estimated the cost of establishing the regional processing centre on Nauru to be in the order of between $1.2–$1.4 billion over four years.

39. Such as members within the Australian Labor Party; members of the Nationals’ Federal Council; the Australian Greens; Independent MP Nick Xenophon; Anglican Archbishop of Sydney Glenn Davies; and a diverse group of 35 high-level policymakers and experts. See further: Australia21 et al, ‘Beyond the boats: Building an asylum and refugee policy for the long term’, November 2014.


44. B Saul, *Rudd’s PNG plan unlikely to comply with international law*, The Conversation, 20 July 2013.

45. M Brissenden, ‘Return home or settle in PNG the only options available to Manus detainees: Dutton’, *ABC AM*, transcript, Australian Broadcasting Corporation (ABC), 18 August 2016.
processed by Nauru in Cambodia. However, concerns have also been raised about Cambodia’s willingness and capacity to provide protection. To date all but one of the five refugees transferred to Cambodia from Nauru have reportedly subsequently left Cambodia.

If these concerns prove to be well-founded (and there is little prospect of the refugees voluntarily repatriating to their home countries) some of these refugees may end up having to be resettled, presumably with the assistance of the UNHCR. In this context it is relevant to note that in 2015, UNHCR put forward over 134,000 refugees for resettlement to participating resettlement countries (representing a 28 per cent increase from 2014) resulting in close to 82,000 departures. Of the refugees put forward by the UNHCR for resettlement in 2015, 16 per cent were located in the Asia and Pacific region. Malaysia had the fifth highest number of refugees submitted for resettlement, with over 7,000 people put forward by the UNHCR. The substantial demand for resettlement in the region was largely due to the high proportion of countries that have not signed the 1951 Refugee Convention, the absence of national legal frameworks and procedures for refugee protection, limited local integration opportunities, and the lack of prospects for voluntary return.

Australia may arguably end up being the destination country for some of these regionally settled refugees due to the nexus that already exists between them and Australia—as was the case with the majority of refugees processed in Nauru under the Howard Government. When the Government engaged in regional processing in PNG and Nauru from 2001–2007, some 1,153 people subsequently required resettlement. A number of resettlement countries ultimately agreed to accept these refugees with the assistance of the UNHCR including New Zealand (401), Sweden (21), Canada (16), Denmark (6) and Norway (4). However, the majority—705 refugees (or 61 per cent) ended up being resettled in Australia.

Similarly, the decision by the former Labor Government to intercept a vessel carrying asylum seekers headed for Australia (later transferred to an Australian Customs vessel, the Oceanic Viking and taken to Indonesia), resulted in over 70 refugees requiring resettlement following their refusal to disembark in Indonesia. A number of resettlement countries ultimately agreed to accept these refugees with the assistance of the UNHCR including USA (22), New Zealand (13), Norway (3), and Canada (2). Again, a proportion of these refugees ended up being resettled in Australia (22 or 16 per cent).

**Do boat arrivals take the places from other refugees?**

No. It is true that since 1996 the onshore and offshore components of Australia’s Humanitarian Program have been numerically ‘linked’. Broadly speaking, this means that when the Government allocates the number of visas that will be available under the ‘Humanitarian Program’ (13,750 in 2015–16) the visas are distributed in a way that accommodates ‘spontaneous arrivals’, such as those arriving undocumented by boat or plane. In other words, onshore protection visa grants to refugees who have arrived by boat or plane are deducted from the SHP annual quota (5,000 in 2015–16). However, this does not mean that the number of visas available for refugees to be resettled declines. Rather, the linkage causes a strain on the number of places available to humanitarian entrants under the SHP.

The following table illustrates the reduction in SHP visa grants (for humanitarian entrants and immediate family members of resettled refugees) over the last ten years which in some years is commensurate with fluctuating

---


50. Ibid.


53. DIBP, *‘The Special Humanitarian Program’ (SHP)*, DIBP website.
Refugee resettlement to Australia: what are the facts?

Onshore permanent protection visa grants. Refugee category visas granted to resettled refugees have remained relatively steady (noting a dramatic increase in 2012 by the former Labor Government):

<table>
<thead>
<tr>
<th>Year</th>
<th>Offshore visa SHP visa grants</th>
<th>Onshore protection visa grants</th>
<th>Offshore refugee visa grants (resettled)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002–2003</td>
<td>7,280</td>
<td>866</td>
<td>4,376</td>
</tr>
<tr>
<td>2003–2004</td>
<td>7,668</td>
<td>1,896</td>
<td>4,134</td>
</tr>
<tr>
<td>2004–2005</td>
<td>6,585</td>
<td>4,601</td>
<td>5,111</td>
</tr>
<tr>
<td>2005–2006</td>
<td>6,836</td>
<td>5,215</td>
<td>6,022</td>
</tr>
<tr>
<td>2006–2007</td>
<td>5,275</td>
<td>2,243</td>
<td>6,003</td>
</tr>
<tr>
<td>2007–2008</td>
<td>5,026</td>
<td>2,434</td>
<td>6,004</td>
</tr>
<tr>
<td>2008–2009</td>
<td>4,586</td>
<td>3,266</td>
<td>6,499</td>
</tr>
<tr>
<td>2009–2010</td>
<td>3,244</td>
<td>4,697</td>
<td>6,003</td>
</tr>
<tr>
<td>2010–2011</td>
<td>2,981</td>
<td>4,818</td>
<td>5,998</td>
</tr>
<tr>
<td>2011–2012</td>
<td>714</td>
<td>7,038</td>
<td>6,004</td>
</tr>
<tr>
<td>2012–2013</td>
<td>503</td>
<td>7,504</td>
<td>12,012</td>
</tr>
<tr>
<td>2013–2014</td>
<td>4515</td>
<td>2,775</td>
<td>6,501</td>
</tr>
<tr>
<td>2014–2015</td>
<td>5,007</td>
<td>2,747</td>
<td>6,002</td>
</tr>
<tr>
<td>2015–2016</td>
<td>5,000 (planned)</td>
<td>2,750 (planned)</td>
<td>6,000 (planned)</td>
</tr>
</tbody>
</table>

Source: Immigration Department Annual Reports (various years); DIBP, ‘The Special Humanitarian Programme(SHP)’, DIBP website; P Dutton, Restoring integrity to refugee intake, media release, 12 May 2015; DIBP, ‘Onshore Humanitarian Programme 2015–16’, DIBP website.

Can resettled refugees be reunited with family members?

It is widely recognised that family reunification is a critical factor in the successful settlement of a refugee in their country of asylum. Resettled refugees can apply to be reunited with family members in two ways—either through the SHP or through the family stream of the regular Migration Program.

In 2015–16 the Government appears to have allocated 5,000 visas under the SHP to be shared amongst the following groups of people:54

- immediate family members of refugees who have been granted permanent protection visas in Australia55
- family members (such as siblings and parents) of refugees who have been resettled from overseas, and
- humanitarian entrants (and their immediate family members)—that is, people who are subject to substantial discrimination amounting to gross violation of human rights in their home country.56

Though it is not publicly known how many applications currently remain outstanding for family reunification (also known as ‘split family’), in August 2012 there were some 16,300 outstanding split family SHP applications and a significant backlog, with delays in family reunion expected to exceed 20 years.57 In 2012–13, the former Labor Government, acting on a recommendation of the Expert Panel on Asylum Seekers, removed the right of refugees who had arrived by boat to propose family members under the SHP. This policy shift was considered necessary to (amongst other things) ease the pressure on the SHP backlog and create an incentive for asylum seekers to seek protection earlier and closer to their country of origin.

However, it is not entirely clear whether refugees already in Australia waiting to be reunited with family members abroad will greatly benefit from the additional places made available under the SHP.58 In May 2014, the Minister announced that of the 13,750 places available in the 2014–15 financial year, a minimum of 4,000 places would be provided under the SHP component for families of offshore humanitarian entrants.59

---

54. DIBP, ‘The Special Humanitarian Programme(SHP)’, DIBP website.
55. Under the SHP, declared immediate family members might include the refugee’s spouse or de facto partner (including same sex partner), dependent children, parents or siblings. Family members of boat arrivals who arrived on or after 13 August 2012 are currently ineligible to apply.
56. S Morrison, Stopping the boats to help Iraqis and Syrians, op. cit.
58. In 2012–13 only 503 SHP visas were granted (due largely to the large numbers of protection visas granted onshore). While 5,007 SHP visas were granted in 2014–15, it is not known how many of these were granted to ‘split family’ applicants.
59. S Morrison, 20,000 places for those most in need of protection, media release, 13 May 2014.
2014, this number had increased to 5,000 visas. However, though there were 5,000 places available under the SHP, the Minister subsequently allocated a minimum of 4,400 places for Iraqi nationals (including ethnic and religious minorities) and Syrian nationals (including those living in countries such as Lebanon) ‘predominantly out of the SHP’.

In 2014–15, the majority (58 per cent) of visas available under the SHP were again granted to Iraqi and Syrian nationals, but it remains unclear how many were granted to those waiting to be reunited with family members.

As mentioned, refugees can also sponsor family members through the family stream of the regular Migration Program, though visa application charges apply and applicants can also experience significant delays in processing times. When the former Government removed the right of refugees who had arrived by boat to propose family members under the SHP, it simultaneously made available 4,000 additional visas to family members sponsored by refugees under the family stream of the Migration Program. In 2012–13, approximately 1,000 visas were subsequently granted to family members of protection visa holders.

Before the current Government announced the removal of the 4,000 places in December 2013, another 1,000 visas were granted to family members of protection visa holders in 2013–14. It is not yet known whether the Government’s decision to remove the 4,000 additional places had the effect of simply shifting the existing backlog to the family stream of the Migration Program.

Where are refugees resettled from?

On a global level, over the last ten years refugees from Myanmar, Iraq, Bhutan and Somalia have been the target of a large number of UNHCR resettlement submissions to resettlement countries like Australia. However, the magnitude of the Syrian crisis has meant that Syria became the largest country of origin in 2014 and 2015, with some 80,000 refugees having been referred to countries for resettlement since the outbreak of the conflict in early 2011. Other top countries of origin referred to countries in 2015 include the Democratic Republic of the Congo (20,527), Iraq (11,161), Somalia (10,193) and Myanmar (9,738). These four countries and Syria accounted for almost 80 per cent, or four out of five, UNHCR submissions in 2015.

Australia decides the size and regional composition of its resettlement program taking into account information on global resettlement needs and priorities from the UNHCR, the views of stakeholders including states and territories, and by considering the views of the Australian community. With respect to the latter, each year the Refugee Council of Australia engages in a national consultation process and prepares a submission on issues the Government should consider in planning the coming year’s refugee program.

The Minister determines the number of places to be allocated including the regions, nationalities and ethnic or religious groups that will be the focus of the program each year. Consistent with previous years, in 2014–15 more than half of Australia’s offshore refugee quota was filled by the resettlement of refugees and their families from Afghanistan, Myanmar and Iraq. The following table shows the number of offshore Convention refugees (by country of birth) resettled to Australia in 2014–15:

<table>
<thead>
<tr>
<th>Country of birth</th>
<th>Numbers of refugee visas granted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>1,604</td>
</tr>
<tr>
<td>Myanmar</td>
<td>1,182</td>
</tr>
<tr>
<td>Iraq</td>
<td>1,004</td>
</tr>
<tr>
<td>Syria</td>
<td>647</td>
</tr>
<tr>
<td>Congo (DRC)</td>
<td>318</td>
</tr>
<tr>
<td>Iran</td>
<td>269</td>
</tr>
<tr>
<td>Somalia</td>
<td>261</td>
</tr>
<tr>
<td>Eritrea</td>
<td>252</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>181</td>
</tr>
</tbody>
</table>

60. ‘There will be 6,000 places for refugees referred by the UNHCR, including 1,000 places for women at risk and their dependants and 5,000 for people proposed by their close family in Australia under the SHP’: S Morrison, Stopping the boats to help Iraqis and Syrians, op. cit.

61. S Morrison, Stopping the boats to help Iraqis and Syrians, op. cit.


64. DIBP, Annual report 2013–14, DIBP website, Canberra, 2014, p. 58.


66. For further information and previous years’ submissions see: Refugee Council of Australia (RCOA), ‘Annual consultations’, RCOA website.
Since July 2009, the Government has allocated a nominal 12 per cent of the refugee category allocation of the offshore program to Woman at Risk (subclass 204) visas. This visa subclass is for females who are subject to persecution or are registered as being of concern to the UNHCR. They must also be living outside their home country, not have the protection of a male relative, and be in danger of victimisation, harassment or serious abuse because of their gender. In 2014–15, the Government granted 1,000 Woman at Risk visas. The top five countries of birth for women granted these visas were Afghanistan, Myanmar, Congo (DRC), Eritrea, and Ethiopia.

<table>
<thead>
<tr>
<th>Year</th>
<th>Woman at risk visa grants</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001–02</td>
<td>478</td>
</tr>
<tr>
<td>2002–03</td>
<td>504</td>
</tr>
<tr>
<td>2003–04</td>
<td>393</td>
</tr>
<tr>
<td>2004–05</td>
<td>841</td>
</tr>
<tr>
<td>2005–06</td>
<td>995</td>
</tr>
<tr>
<td>2006–07</td>
<td>980</td>
</tr>
<tr>
<td>2007–08</td>
<td>819</td>
</tr>
<tr>
<td>2008–09</td>
<td>788</td>
</tr>
<tr>
<td>2009–10</td>
<td>806</td>
</tr>
<tr>
<td>2010–11</td>
<td>759</td>
</tr>
<tr>
<td>2011–12</td>
<td>821</td>
</tr>
<tr>
<td>2012–13</td>
<td>1,673</td>
</tr>
<tr>
<td>2013–14</td>
<td>1,052</td>
</tr>
<tr>
<td>2014–15</td>
<td>1,009</td>
</tr>
</tbody>
</table>

Source: Immigration Department Annual Reports (various years).

How many refugees does Australia resettle from Indonesia?

The majority of boats carrying asylum seekers to Australia depart from Indonesia, primarily because of its close geographical proximity to Australia. Though there are varying estimates of the number of refugees and asylum seekers in Indonesia, UNHCR estimates that Indonesia hosts approximately 13,829 asylum seekers and refugees as at 29 February 2016 (up from 9,500 in mid-2014). More than half of all the asylum seekers registered by UNHCR in Indonesia were from Afghanistan. The remainder were from countries such as Myanmar, Somalia, Sri Lanka, Iran, Palestine, Pakistan and Iraq. While Indonesia is not a party to the 1951 Refugee Convention, it has a long tradition of hosting asylum seekers and refugees. An immigration regulation ensures that refugees and asylum-seekers can stay temporarily in the country until their refugee status can be confirmed and appropriate solutions found for them. UNHCR continues to be the primary provider of protection and assistance to refugees and asylum seekers, undertaking responsibility for finding durable solutions, such as resettlement.

As at February 2016, more than 4,000 people were detained, including women and children. They are kept in 13 immigration detention centres and some 20 makeshift detention facilities across Indonesia. In addition to those who are detained for illegal entry or exit, ‘over the past two years UNHCR has been challenged by the increasing number of asylum seekers and refugees who have “self-reported” to immigration authorities to be detained because they cannot financially support themselves. This creates a range of problems, most notably severe overcrowding in detention facilities’. UNHCR estimates that ‘the average waiting period from registration to
first instance interview [for refugee status determination] ranges from 8 to 20 months depending on the priority and complexity of the case. 73

Australia resettled only 560 UNHCR referred refugees from Indonesia during the period 2001 to February 2010. 74

The following table provides a yearly break-down of the number of refugee visa grants since 2001:

<table>
<thead>
<tr>
<th>Years (calendar and financial)</th>
<th>Visa grants</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>2</td>
</tr>
<tr>
<td>2002</td>
<td>39</td>
</tr>
<tr>
<td>2003</td>
<td>100</td>
</tr>
<tr>
<td>2004</td>
<td>103</td>
</tr>
<tr>
<td>2005</td>
<td>48</td>
</tr>
<tr>
<td>2006</td>
<td>13</td>
</tr>
<tr>
<td>2007</td>
<td>87</td>
</tr>
<tr>
<td>2008</td>
<td>45</td>
</tr>
<tr>
<td>2009</td>
<td>95</td>
</tr>
<tr>
<td>2010–11</td>
<td>480</td>
</tr>
<tr>
<td>2011–12</td>
<td>181</td>
</tr>
<tr>
<td>2012–13</td>
<td>605</td>
</tr>
<tr>
<td>2013–14</td>
<td>600</td>
</tr>
<tr>
<td>2014–15</td>
<td>450 (planned)</td>
</tr>
<tr>
<td>2015–16</td>
<td>450 (planned)</td>
</tr>
</tbody>
</table>

Source for calendar years 2001–2009: Departmental advice provided to the Parliamentary Library in 2010; source for financial years 2010–2016: Answers to questions at Budget Estimates hearings;75 transcript of interview with the Immigration Minister. 76

Though resettlement of UNHCR referred refugees from Indonesia has substantially increased over the last decade, in November 2014, the Government announced that it would only resettle 450 refugees annually from Indonesia in future and no one who registered with UNHCR on or after 1 July 2014. 77 This measure was designed to reduce the movement of asylum seekers to Indonesia and encourage them to seek resettlement in countries of first asylum. 78 However, as noted above, the number of asylum seekers and refugees in Indonesia has increased since this announcement was made, largely due to regional influences. 79

According to UNHCR, in 2015 a total of 610 refugees were resettled from Indonesia to resettlement countries such as Australia, New Zealand, Canada, and the US (a decrease from 836 in 2014). 80 While precise figures are yet to be released by the Department, UNHCR figures reportedly indicate that of these 610 resettlements, Australia accepted 425 refugees from Indonesia in 2015. 81

73. Ibid.
74. Senate Legal and Constitutional Affairs Committee, Answers to Questions on Notice, Immigration and Border Protection portfolio, Additional Estimates, 2009–10, Question 118, 9 February 2010. Note that out of this caseload, five people were granted Partner (subclass 100) visas.
77. S Morrison, Changes to resettlement another blow to people smugglers, media release, 18 November 2014.
79. The UNHCR 2016 Factsheet explains that ‘a marked increase in the number of registrations by UNHCR occurred in May 2015 following the rescue at sea of nearly 1,000 Rohingyas from Myanmar’. The media reported that Australia’s decision not to accept refugees who had registered with UNHCR after 1 July 2014 meant that Australia would not take the Rohingyas who reached Indonesia after fleeing persecution in Myanmar during the refugee and trafficking crisis in South-East Asia last year’. See: J Topsfield, ‘Indonesia appeals to Australia to accept more refugees’, The Sydney Morning Herald, 15 March 2016; L Murdoch, ‘Desperate killings at sea: Rohingya fleeing Myanmar’, The Sydney Morning Herald, 17 May 2015.
81. J Topsfield, ‘Indonesia appeals to Australia to accept more refugees’, op. cit.
How many refugees does Australia resettle from Malaysia?

Malaysia is not a party to the 1951 Refugee Convention but according to the UNHCR, as at August 2015, there were close to 154,000 asylum seekers, refugees and other persons of concern to UNHCR residing in Malaysia, the vast majority of whom were from Myanmar (143,000). As at the end of August 2015, some 5,900 refugees had been accepted for resettlement to a variety of resettlement countries, including Australia.

In 2009–10, Australia granted 340 visas to refugees awaiting resettlement in Malaysia. All were to refugees from Myanmar. Australia granted 490 refugee visas to refugees awaiting resettlement with UNHCR assistance in 2010–11. Of these, the vast majority (438) were from Myanmar.

On 25 July 2011 the Australian and Malaysian governments signed an Arrangement which provided for the transfer from Australia to Malaysia of up to 800 asylum seekers and for Australia to accept 4,000 additional refugees from Malaysia (1,000 over four consecutive years commencing 2011–12). However, when the High Court ruled invalid the Minister’s declaration of Malaysia as a country to which asylum seekers could be sent, the former Labor Government was forced to put the Arrangement on hold. Nonetheless, former Prime Minister Julia Gillard pledged that the Government would continue to honour the commitment to resettle 4,000 refugees from Malaysia. However, the additional 4,000 places would be drawn from the existing annual Humanitarian Programme quota.

Thus, in 2011–12 Australia granted 1,350 visas to refugees awaiting resettlement in Malaysia, and another 1,350 in 2012–13. The Department expected that it would resettle around 1,000 people in Malaysia in 2013–14 but final figures confirming actual grants have not yet been made publicly available. During the period 1 February 2015 to 31 January 2016, Australia resettled 600 refugees from Malaysia (and granted an additional 500 SHP visas to persons in Malaysia).