



A HUMANE AND COMPASSIONATE APPROACH TO ASYLUM SEEKERS

What's the issue?

According to the UNHCR, the number of displaced people fleeing from war, conflict or persecution is the highest number since World War II.

The forced displacement of persons around the globe is currently at unprecedented levels. By the close of 2014 an estimated 59.5 million individuals were forcibly displaced around the globe as a result of persecution, conflict, violence and human rights violations. This is 8.3 million persons more than the previous year and the highest recorded annual increase in a single year.

Labor believes that Australia can do more to address this global humanitarian crisis. Labor believes in a compassionate approach to asylum seekers which enables refugees to progress their claims safely and securely.

Labor's Plan

Labor's approach to this policy area involves the following approach:

A leading commitment to UNHCR's work both globally and in South East Asia

A Shorten Labor Government will provide significantly increased annual funding to the UNHCR for its global work program and its work in South East Asia and the Pacific.

At a time when the global humanitarian need is greater than ever, Labor will provide \$450 million over three years to support the important work of the UNHCR.

This funding commitment would place Australia in the top 5 of global contributors to the UNHCR.

Restoring the UN Refugees Convention

Labor will reinstate references to the UN Refugees Convention in the Migration Act to reverse the Abbott Government's retrograde efforts to undermine international law.

Develop an agenda of greater regional cooperation and leadership

A Shorten Labor Government will take a leadership role within South East Asia and the Pacific to build a regional humanitarian framework to improve the situation of asylum seekers.

This would include supporting the UNHCR in providing health and education services to asylum seekers. It would also involve advocating for work rights for asylum seekers, similar to what would have been achieved under the proposed Malaysia Agreement in 2011.

Increase Australia's humanitarian intake

By 2025, Labor will increase Australia's annual humanitarian intake to 27,000 – almost double the current intake under the Abbott Government of 13,750. As part of our commitment to demonstrating leadership in our region, a portion of the program will be dedicated to resettling refugees from the region.

Protecting the interests of children

Labor will work to ensure children are out of detention as soon as possible.

Labor is committed to providing a strong independent voice within government to advocate for the interests of children seeking asylum.

Labor will appoint an advocate independent of the Department of Immigration and Border Protection backed by the resources and statutory powers necessary to pursue the best interests of those children, including the power to bring court proceedings on a child's behalf.

This will not reduce the Minister's obligations in relation to unaccompanied non-citizen children or the ability of other interested parties to take court action against the Minister.

The independent children's advocate will have access to all unaccompanied minors in detention and in the community to ensure their rights

and interests are protected. The advocate will provide regular reports to the Minister and the Parliament.

Labor will legislate to impose mandatory reporting of child abuse in all offshore and onshore immigration detention facilities.

Fast and fair refugee determinations

Labor will reinstate access to the Refugee Review Tribunal and abolish the Independent Assessment Authority established by the Abbott Government.

Currently processing of those in Australia is incredibly slow. As part of restarting processing we would be getting as many people out of detention as soon as possible in particular children and their families.

Under the former Labor Government there was a statutory requirement for the Department of Immigration and Border Protection to report on how many claims were processed within 90 days of a completed application being received. This '90 day rule' was an important accountability measure in ensuring that government operates in a timely way in assessing protection applications. The Abbott Government removed this requirement as part of a package of measures passed by the Senate in December last year.

Labor in government will reintroduce the '90 day rule' into the Migration Act.

Independent oversight of Australian funded processing facilities

Labor will stand firm on maintaining a policy of offshore processing. The previous Labor Government took Australia off the table through regional resettlement arrangements which dealt a huge blow to people smugglers and hobbled the ability of people smugglers to sell the journey to Australia.

Labor does not believe offshore facilities should be run as punitive holding cells. They need to be humane and offer people seeking safety exactly that. Fast and efficient processing should occur so that claims for protection can be determined quickly and fairly.

Labor will implement independent oversight of Australian-funded processing facilities.

Labor will seek the agreement of the governments of Papua New Guinea and Nauru to establish bilateral mechanisms (comprising officials of each relevant jurisdiction) to support the independent oversight of the Australian-funded offshore facilities. It will be important that this function be undertaken in a cooperative way to strengthen bi-lateral relations.

Labor will empower the Commonwealth Ombudsman to provide independent oversight of Australia's onshore detention network.

Labor will continue to ensure that those working in the immigration system enjoy the benefit of whistleblower protections to speak out about maladministration and corruption.

Preventing deaths at sea

The combination of offshore processing and regional resettlement together with the policy of turning back boats has stopped the flow of vessels arriving on our shores. None could have succeeded in isolation but together they have ended a human tragedy.

To ensure that people smugglers are denied the opportunity to offer any incentive to vulnerable people to board unsafe boats to make the dangerous journey to Australia by sea. Provided it can be done so safely, a future Labor Government will retain the option of turning boats around.

Abolishing Temporary Protection Visas (TPVs)

Labor will abolish TPVs which keep people in a permanent state of limbo. Labor will commit to processing people as quickly as possible and placing those found to be genuine refugees on permanent protection visas.

Financial Implications

Labor's proposed package has been costed by the independent Parliamentary Budget Office. Labor's proposed approach is anticipated to cost \$450 million over the forward estimates and will be funded from Labor's package of measures which improve the Budget by \$2.8 billion.

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