

Australia's refugee policy

Since World War Two ended in 1945, Australia has accepted more than 700,000 refugees and people in humanitarian need. The largest group were the Displaced Persons who came from camps in Europe. Between 1947 and 1954, 170,000 displaced persons, mainly from Poland, settled in Australia.

Australia established its first Department of Immigration in 1945, with Arthur Calwell as Minister. However, it was not until 1977 that a comprehensive policy on refugees was adopted, setting out the objectives and mechanisms for an ongoing program. That program was developed by the Coalition government led by Malcolm Fraser, with Michael Mackellar as Minister for Immigration and Ethnic Affairs.

On 24 May 1977, Mackellar outlined the basic principles underlying the new policy. These principles still underpin Australia's refugee policy:

1. Australia fully recognises its humanitarian commitment and responsibility to admit refugees for resettlement.
2. The decision to accept refugees must always remain with the Government of Australia.
3. Special assistance will often need to be provided for the movement of refugees in designated situations or for their resettlement in Australia.
4. It may not be in the interest of some refugees to settle in Australia. Their interests may be better served by resettlement elsewhere. The Australian Government makes an annual contribution to the United Nations High Commissioner for Refugees (UNHCR) which is the main body associated with such resettlement.

The new policy was developed at a time when Australia was confronting the displacement of people from Vietnam after the defeat in 1975 of the US-backed regime in South Vietnam. By 1979, there were well over 300,000 Indo-Chinese refugees in camps in South-East Asia. As a signatory to the United Nations' *1951 Convention Relating to the Status of Refugees* and to the subsequent *1967 Protocol*, Australia had obligations to refugees who arrived on Australian soil as well as to those in camps off-shore. We accepted a moral responsibility as part of an international effort co-ordinated by the United Nations but with targets set by us.

Under the UN convention, a country's obligations begin after an asylum seeker has entered a signatory country. The core obligation is to not send someone back into a situation of possible persecution. Another important obligation is not to penalise asylum seekers for entering a country without authorisation. The 1967 Protocol extended coverage to refugees throughout the world. Australia ratified the Convention in 1954 and the Protocol in 1973.

In 1976, Australia also responded to crises in East Timor and Lebanon by taking in hundreds of refugees fleeing those situations.

The process through which the Australian government decided on its refugee policy is indicative of how significant changes in policy are developed by those in power in our democracy.

Two critical vehicles are the committee system and the Cabinet – and, of course, public opinion matters to both.



Parliamentary committees, drawing on governing and non-governing parties, are important as a system of review and recommendation. In 1976, the Senate Standing Committee on Foreign Affairs and Defence reported on 'Australia and the Refugee Problem'. It recommended as a matter of urgency 'an approved and comprehensive set of policy guidelines and the establishment of appropriate machinery' to deal with refugees. The Liberal/National Country Party (the Coalition) had promised in its platform during the 1975 federal election campaign that it would overturn the previous 'ad hoc' approach.

In Cabinet on 23 May 1977, Michael Mackellar sought endorsement of 'a general policy relating to resettlement of refugees' and approval of 'formal arrangements for the mechanisms required'. The Prime Minister had requested preparation of the submission and the first draft was considered by an inter-departmental committee in March. Cabinet considered the issues and mechanisms, and also the financial costs, economic implications, possible responses from public opinion and the role of State and local governments. Public opinion was taken into account, with one Cabinet document referring to criticisms of existing refugee policy on the part of 'the media, private citizens, voluntary agencies and pressure groups'.

While more than 140 countries have ratified the UN convention and protocol on refugees, only nine have programs for resettlement. On a per capita basis, Australia is one of the most generous in terms of resettlement of refugees.

A difficulty for governments is the need to maintain public support for the humanitarian program, with its current intake of around 13,000 per year, and to maintain the integrity of the program, on one hand, while dealing with unauthorised arrivals of asylum seekers who are mostly found to be genuine refugees but who arrive via highly exploitative and dangerous people smuggling networks, on the other.

Further reading

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