

IMMIGRATION

A fair and humane migration program

The Greens recognise that Australia is a country of unceded First Nations lands, and except for First Nations people we are all migrants or descended from migrants. Today, around 30 percent of our population was born overseas, and 20 percent of those born in Australia have at least one parent who was born overseas.

At the end of 2020 there were 82.4 million people around the world who had been forcibly displaced from their homes as a result of persecution, conflict, human rights violations or environmental disasters - 26.4 million of whom had been recognised as refugees. As these numbers continue to increase, Australia has a responsibility to do more to respond. Yet our annual humanitarian intake continues to decrease.

Many migrants, refugees and people seeking asylum live in Australia without adequate health and welfare safety nets. Our treatment of people seeking asylum who arrived by boat remains a humanitarian calamity. As a wealthy, multicultural country, we can, and should, do better.

THE GREENS WILL:

- ▲ **End offshore detention** and support refugees and people seeking asylum in Australia
- ▲ **Abolish temporary protection visas** and reintroduce permanent protection
- ▲ **Increase Australia's humanitarian intake** to 50,000 people per year
- ▲ **Abolish the Australian Border Force** and Operation Sovereign Borders
- ▲ **Push for a faster, fairer, and more affordable family reunion visa system** that actually reunites families

PAYING FOR OUR PLAN

By making billionaires and big corporations pay their fair share of tax and winding back handouts to big polluters, we can build a better life for all of us.

1 in 3 big corporations pays no tax and many big corporations and billionaires send their profits offshore tax free.

The Greens will tax billionaires with a new 'billionaires tax', require big corporations making excessive profits to pay a 'corporate super-profits tax' and axe billions of dollars in handouts to the coal, oil and gas giants that are driving the climate crisis.

When big corporations and billionaires pay their fair share, everyone can have the services they need for a better life.

A COMPASSIONATE AND GLOBALLY RESPONSIBLE REFUGEE PROGRAM

Refugees and people seeking asylum have long contributed to Australian culture and society.

The Greens will end offshore detention, work towards a genuine regional solution, increase our humanitarian intake, better support refugees in Australia, and end temporary protection visas to meet our human rights obligations and provide a safe haven for those who need it.

Under our plan for a humane refugee program, the Greens will:

- end Australia's cruel and unnecessary offshore detention regime;
- offer resettlement in Australia to all refugees and people seeking asylum who were detained offshore in Nauru and Papua New Guinea;

- increase Australia's humanitarian intake to 50,000 people per year (Australia currently allocates 13,750 places per year, but only accepted 5,947 refugees into the program last year¹);
- provide an additional 20,000 permanent humanitarian places for people fleeing conflict and persecution in Afghanistan, and an additional 20,000 permanent humanitarian places for people fleeing conflict and persecution in Ukraine;
- reinstate a single statutory Refugee Status Determination (RSD) process with access to full and independent merits review;
- abolish temporary protection visas (TPV) and safe haven enterprise visas (SHEV) and provide permanent protection for people, with the safety nets and opportunities that permanent

¹Asylum Seeker Resource Centre 2022, *Federal Budget a missed opportunity for fairness as refugees and people seeking asylum are once again left behind*, ASRC, Melbourne

- visas provide, so that they can rebuild their lives in Australia for the long-term;
- grant current TPV and SHEV holders with a Permanent Protection visa;
 - limit onshore held immigration detention for people seeking asylum to a maximum of 7-days to allow for health and security checks, unless otherwise ordered by a court for public order, public health, or national security concerns;
 - provide all refugees and people seeking asylum with access to adequate income support, work rights, health care, education, cultural and settlement services so they can live in our communities with dignity;
 - create a program to allow for the private sponsorship of 10,000 refugees per year in addition to our annual humanitarian intake, based on Canada's Private Sponsorship of Refugees program²;
 - establish an internal target for LGBTIQ+ refugees - as Australia currently does for women at risk³ - and provide dedicated funding and appropriate support for refugees who are fleeing persecution in their home countries based on their sexuality, gender identity, or intersex status, with \$40 million over four years funding for local organisations and sponsor groups working on LGBTIQ+ refugee

- resettlement within the private sponsorship of refugees program;
- provide \$500 million over four years to support the UNHCR and partner countries in our region to assess people's claims for asylum made from Indonesia and Malaysia in a timely fashion, and provide a 'dignity package' which would allow access to healthcare, education, English classes and work permits while people wait for their assessments and resettlement; and
 - provide \$60 million to establish a Royal Commission into Australia's onshore and offshore immigration detention facilities.

ABOLISH THE AUSTRALIAN BORDER FORCE

The Australian Border Force is a quasi-military law enforcement agency responsible for customs functions, as well as immigration detention, both onshore and offshore, and boat turnbacks as part of Operation Sovereign Borders (OSB).

Returning people seeking asylum to the situations they were compelled to risk their lives to escape is not humane or responsible policy.

Boat turnbacks are inhumane and illegal⁴.

The Greens will abolish the Australian Border Force, and terminate all activities conducted specifically for Operation Sovereign Borders.

²Immigration, Refugees and Citizenship Canada 2009, *Guide to the Private Sponsorship of Refugees Program*, Government of Canada, Ottawa

³Department of Home Affairs 2021, *Subclass 200, 201, 203 and 204 Refugee category visas*, Australian Government, Canberra

⁴Moreno-Lax, V. 2017, *The Interdiction of Asylum Seekers at Sea: Law and (mal)practice in Europe and Australia*, UNSW, Sydney

To protect our coastlines, oceans, environment, and economic activity, and for search and rescue of people in trouble in Australia's waters, the Greens will create a dedicated civil maritime agency, the Australian Maritime Service (AMS).

Maritime operations regarding contraband (e.g. drug importation), piracy, robbery or violence at sea, and maritime terrorism will be shared between the ADF and police agencies, as appropriate.

This policy also includes the reestablishment of the Australian Customs Service to manage border traffic and trade measures.

FIXING A BROKEN FAMILY REUNION VISA SYSTEM

Australia has a rich history of welcoming migrants. However, it can be expensive, difficult, and time-consuming for people to bring their family members to Australia, with some family reunion visa applicants waiting for up to fifty years⁵.

In addition to long waiting lists, family reunion visas require that the sponsor meet an income requirement, and a 'balance of family test' that requires at least half the applicant's children to be living permanently in Australia⁶. This includes children of unknown whereabouts or undetermined living status.

⁵Department of Home Affairs 2021, *Submission to the Inquiry into the efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions*, Australian Government, Canberra

⁶Department of Home Affairs 2020, *Balance of family test*, Australian Government, Canberra

The current non-contributory parent visa has a waiting list of more than 30 years⁷. This means many applicants have little to no chance of being accepted within their lifetimes.

The Australian Government applies Ministerial Direction 80 to effectively prevent people seeking asylum who arrived by boat from obtaining family reunion visas. This has resulted in the punitive and arbitrary separation of families fleeing conflict and persecution.

The current policy framework causes social and economic exclusion, and disproportionately impacts women, people with disabilities, low income families, and those with children living across multiple countries.

That is why the Greens initiated the recent inquiry into the efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions⁸ by the Senate Legal and Constitutional Affairs Committee (the Senate Committee).

On 29 March 2022, after a 13-month long inquiry, the Senate Committee, which was composed of Liberal, Labor, and Greens members, delivered its report with recommendations that:

- as a matter of urgency, the Department of Home Affairs develops a long-term strategy to update its system for the processing of visas; **to improve its**

⁷Department of Home Affairs 2021, *Parent visas - queue release dates and processing times*, Australian Government, Canberra

⁸Legal and Constitutional Affairs References Committee 2022, *The efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions*, Australian Parliament House, Canberra

efficiency, to reduce its complexities, reduce waiting times substantially, and to provide greater transparency for applicants; and that

- the Australian Government appropriately resources the Department of Home Affairs to undertake, urgently, the development of the strategy and its timely implementation, as outlined in Recommendation 1.

In balance of power the Greens will push to ensure the recommended urgent revision and reorienting of Australia's family reunion visa system is conducted, and negotiate to ensure the system is made faster, fairer, and more affordable than it currently is by adopting the Greens' additional recommendations⁹ that:

- the definition of family for the purposes of Australia's family reunion visa system be broadened to enable family reunification beyond the nuclear family;
- the discriminatory balance of family test be removed as a requirement for parent visa application;
- the Government abandon its proposed reforms to English language requirements for partner visas;
- the health requirement for people with disabilities be removed from the *Migration Act 1958*;
- the *Disability Discrimination Act 1992* be amended to remove the exemption it provides for provisions within the *Migration Act 1958*;

- Temporary Protection Visas and Safe Haven Enterprise visas be abolished, and the right for all refugees to a Permanent Protection visa as part of a single statutory Refugee Status Determination process with access to full and independent merits review be reinstated;
- Ministerial Direction 80 be abolished;
- Australia's family reunion visa quotas be increased sufficiently that current backlogs are cleared, and future applications can be processed in reasonable timeframes that are reflective of actual processing times;
- contributory parent visas be abolished and non-contributory parent visas for all applicants be retained and processed in order of application;
- the fee structure of Australia's family reunion visa system be reviewed to make fees more affordable, and in line with the actual administrative costs of processing; and
- mandatory cancellation powers provided under the *Migration Act 1958* be repealed.

These recommendations reflect many of the public submissions made to the Senate inquiry by expert stakeholders and migrant families alike. To read more on the inquiry, and the Senate Committee's findings, please visit: aph.gov.au - inquiry on family and partner visas.

⁹Legal and Constitutional Affairs References Committee 2022, *The efficacy, fairness, timeliness and costs of the processing and granting of visa classes which provide for or allow for family and partner reunions: Additional comments from the Australian Greens*, Parliament of Australia, Canberra

HOW THE GREENS HAVE BEEN FIGHTING FOR YOU

Generations of migrants and refugees have made Australia home, with every single one of us adding to the social, cultural and economic fabric of our nation.

Today, our communities are multicultural, enriched by the breadth of our experiences, hopes and aspirations.

The Greens will continue to celebrate our diversity and work to make Australia a more welcoming and inclusive nation for all of us. We are a party that fights for families and communities, and against inequities and unfairness.

The Greens have also been the strongest voice in the Parliament fighting to reunite families that had been indefinitely separated by harsh COVID-19 border restrictions, including Australians onshore and migrants offshore separated from partners, spouses, and children, careers and incomes.

In the last parliament, it was also the Greens that:

- ▲ fought for adequate safety nets for temporary visa holders in Australia, including New Zealand citizens, affected by the COVID-19 pandemic;
- ▲ fought to save the medevac laws that were introduced by the Greens and brought around 1,000 people to Australia for urgent medical treatment;
- ▲ advocated for refugees and people seeking asylum who have been arbitrarily and indefinitely detained in by the Australian Government in onshore and offshore detention facilities; and
- ▲ travelled to PNG to bear witness to Australia's inhumane offshore detention regime.

FIND ALL OUR POLICIES:

greens.org.au/platform