

Australia: Howard government cynically “tweaks” its anti-refugee policy

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In a partial about-face reeking of hypocrisy and electoral calculations, the Howard government last week announced that it would allow more than 9,000 refugees living in Australia on three-year Temporary Protection Visas (TPVs) to apply for permanent residency visas. After depriving TPV holders of every basic legal and democratic right for the past five years, since introducing the temporary visas as part of its anti-refugee measures in 1999, the government was claiming—on the eve of calling a federal election—to welcome asylum seekers.

Refugees on temporary visas have to apply for the renewal of their status every three years, never certain of the outcome. This insecurity has made it extremely difficult to obtain decent work and accommodation. Despite being recognised as refugees fleeing persecution—mostly from Iraq, Iran and Afghanistan—they have been barred from bringing their spouses and children to Australia, placing them under continuing personal strain. They have no right to leave the country, even to visit their families or dying relatives, without being denied reentry.

Moreover, they have no political or social rights. They cannot vote or draw social security benefits, except for a Special Benefit, which is stringently means-tested and reviewed every 13 weeks, making a mockery of their right to security and protection under the international Refugee Convention. The Convention explicitly prohibits the use of such measures to deter asylum seekers from seeking to enter a country.

Rather than abolishing the TPV regime, however, the government is, in the words of Immigration Minister Amanda Vanstone, “tweaking” it. While some TPV refugees might qualify for student or spouse visas, most will have to seek places under the Regional Skilled Migration Scheme, for which they must live in rural

areas and hold a job there for 12 months. Even then, there is no guarantee of acceptance—skills, health and sponsorship tests must be satisfied.

Those who fail to qualify will remain on TPVs. Hundreds of the temporary visas are about to expire and may not be renewed. Rather than possibly deport hundreds of TPV holders to the war-torn Middle East in the lead-up to the election, Vanstone announced that they could also apply for a new Return Pending Visa (RPV). These visas would give them 18 months to either leave Australia or qualify for a permanent immigration visa before being deported.

While Vanstone presented the shift as evidence of the government’s “generous” and “humanitarian” approach to refugees, it is primarily designed to give rural employers access to a captive cheap labour force. She specifically emphasised that those expected to be granted visas were “working in lower-skilled positions” and, most importantly, “engaged in seasonal work”. Accordingly, refugees may qualify if they work for several employers during a year—permitting itinerant harvesting work—and those with poor English and those aged over 45 may be accepted.

Combined with existing regional-specific immigration programs, the new scheme will give rural employers access to virtual indentured labourers, who cannot quit their job or reject any terms and conditions for fear of losing their last chance of gaining residency. They will be forced to live in regions where populations have declined, precisely because of poor job prospects, low pay and the steady deterioration of basic services.

Thousands of TPV holders are already working for low pay as fruit pickers and abattoir workers in regional areas. Farm lobby groups, meat processing companies and other businesses have been demanding the policy

modification for months in order to avoid losing highly-valued workers.

As well as accommodating to pressure from businesses, Vanstone's announcement is another indicator of a deepening of popular sentiment against the government. As recently as January this year, the government refused to allow TPV holders to apply for new visa categories introduced at that time to tie immigrant workers to regional employers. But in regional and country towns, as well as throughout the major metropolitan centres, ordinary people have become increasingly opposed to the TPV system. In some cases, they have formed close friendships with refugee workmates and families.

Among the asylum seekers now eligible to seek permanent residency are those whom, during the last federal election campaign in 2001, Prime Minister John Howard and key ministers vowed would "never" be allowed to set foot on Australian soil. Refugees were demonised—accused of throwing their children into the ocean and of being likely terrorists. Naval warships were deployed to turn back their boats or transport them to detention camps on isolated Pacific islands.

Vanstone boasted that the government was now in a position to modify the TPV system, because it had stopped further refugee boats arriving. The government's main "deterrent" proved to be the sinking of one boat, codenamed the SIEV X (Suspected Illegal Entrant Vessel X), which went down in the waters between Indonesia and Australia on October 19, 2001—drowning 353 people, including 150 children. Among the victims were at least five women and 13 children who were forced to embark on the perilous journey as the only way to join their husbands and fathers in Australia. The men had arrived by boat earlier and won refugee status, only to be told that, under the TPV conditions, they could not apply for family reunion visas.

A study conducted at RMIT University last year into the experiences, well-being and prospects of TPV holders found that they suffered continuing despair, depression and deep uncertainty. Family separation was the primary cause of distress, followed by discrimination from employers and landlords in the private rental market, and difficulties in obtaining affordable and culturally appropriate medical care. The study recommended the abolition of TPVs.

Refugee advocacy and church groups have condemned the government for not scrapping the TPV system altogether, and for restricting the revamped scheme to refugees already living in Australia, not future arrivals. They pointed out that the changes discriminate against the jobless and all those in capital cities.

Uniting Justice national director Elenie Poulos commented: "Under the government's changes, vulnerable TPV refugees who have not been able to work and who do not have family or close community connections are unlikely to obtain a visa. The needy and vulnerable are likely to be left unaffected... The attempt [by government ministers] to portray themselves as a caring government lacks credibility as long as they continue to espouse policies that deter and punish people fleeing persecution and harm."

The Labor Party, however, welcomed the changes, while pointing to the hypocrisy of the government's belated u-turn. In January, Labor's annual conference defeated calls for the scrapping of TPVs, instead proposing to shorten their length to two years. Responding to Vanstone's announcement, shadow immigration minister Stephen Smith described Labor's model as "sensible" and "fair".



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