



World Refugee Day. 20 June 2020

“Refugees are mothers, fathers, sisters, brothers, children, with the same hopes and ambitions as us—except that a twist of fate has bound their lives to a global refugee crisis on an unprecedented scale.”
Khaled Hosseini

20 June 2020 is World Refugee Day

On this day, IEU members call attention to the plight of those fleeing conflict or persecution and remind governments that all people seeking asylum are entitled to the full range of human rights and protections.

World Refugee Day is an international day designated by the United Nations to honour refugees and asylum seekers. It acknowledges the strength and courage of people who have been forced to flee their home country to escape conflict or persecution.

Currently, there are at least 70.8 million people around the world who have been forced to flee their home. The majority of these are children.¹

United Nations Refugee Convention: Australia has an obligation.

People seek asylum in Australia for protection. It is not safe to return home. Australia becomes their home and as such the Australian Government must ensure that a basic safety net is provided.

The United Nations Declaration of Human Rights states, *“Everyone has the right to seek and to enjoy in other countries asylum from persecution”*. As signatory to the United Nations Refugee Convention, Australia has a responsibility to protect all those seeking asylum.

The *Convention Relating to the Status of Refugees*, also known as the *1951 Refugee Convention* or the *Geneva Convention of 28 July 1951*, is a United Nations multilateral treaty that defines a refugee, and sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum. The *Refugee Convention* builds on *Article 14 of the 1948 Universal Declaration of Human Rights*, which recognizes the right of persons to seek asylum from persecution in other countries. As signatory to the United Nations Refugee Convention, Australia has a responsibility to protect asylum seekers.

The rights contained in the 1951 Refugee Convention include:

- The right not to be expelled, except under certain, strictly defined conditions.
- The right not to be punished for illegal entry.
- The right to work.
- The right to housing.
- The right to education.

¹ www.UNHCR.org

- The right to public relief and assistance.
- The right to freedom of religion.
- The right to access the courts.
- The right to freedom of movement within the territory.
- The right to be issued identity and travel documents.

Impact of COVID 19

The COVID-19 pandemic is affecting almost every country across the globe, and creating a multitude of challenges for the entire world community. Refugees and people seeking asylum face particular vulnerabilities. Specific concerns include: maintaining safety measures in overcrowded camps and detention centres; lack of access to countries of asylum or resettlement due to border closures; and lack of income support for those who have lost their jobs. In particular, there are several significant issues directly affecting refugees and asylum seekers in Australia.

1 - Crowded immigration detention facilities

There are grave concerns for people in immigration detention facilities, particularly those who have been transferred from offshore facilities to Australia for medical treatment and those detained long term.

The Commonwealth Department of Health has nominated people in detention as one of the several groups at risk of serious infection from COVID 19.

The majority of closed immigration facilities, including hotels that are being used as alternative places of detention to accommodate people transferred from PNG and Nauru, are currently overcrowded. People in these facilities are not able to maintain social distancing. A number of people in immigration detention have compromised immune systems and chronic medical conditions.

2 - Lack of a financial safety net and medicare access

For the past two years, an increasing number of people seeking asylum have lost access to financial and casework support under *Status Resolution Support Services (SRSS)* because of deliberate program redesign. Many do not have access to Medicare, either because of a delay or refusal to renew Bridging Visas or through Federal Government policy.

This situation is growing worse by the day as people seeking asylum and other temporary visa holders lose their only form of income. Charities, which could not cope with the demand for emergency assistance before the pandemic, are now overwhelmed because of the spread of COVID-19.

Unstable housing as a result of destitution impedes people's ability to adequately self-isolate. Lack of access to the Pharmaceutical Benefits Scheme means many cannot afford to purchase vital medications. This can further compromise people's general health and increase their need for hospital admission, which is challenging when the health system is experiencing increased demand due to COVID-19.

The Government's COVID 19 response package has provided *JobSeeker* payments to help support people who have lost their jobs or face reduced hours because of the pandemic. While Australian citizens and permanent visa holders can access *JobSeeker* payments, people seeking asylum on Bridging Visas cannot. Refugees on temporary visas (TPVs and SHEVs) can access the equivalent of *JobSeeker* via *Special Benefit*, but they face limitations.

The Government's wage subsidy program JobKeeper is not available to temporary visa holders, including refugees on TPVs and SHEVs and people seeking asylum on Bridging Visas, all of whom cannot return home.

3 - The threat of losing legal status and access to support

The current visa system, which sees people apply for a Bridging Visa renewal face either months-long delays or refusals without clear reasons, means that people who have made every effort to engage in the process face being forced into an irregular status, with no rights or entitlements.

While community legal centres continue to operate remotely, many charities and volunteer organisations which assist people in filling forms related to visa applications and renewals have had to suspend these services. This creates a significant barrier for people to remain lawful and maintain their access to rights that are linked to visas, such as Medicare and work rights.

4 - The threat of uncertainty of visa status

People found to be refugees but granted only a Temporary Protection Visa (TPV) or a Safe Haven Enterprise Visa (SHEV) continue to have no certainty about their visa status, and their job security during the economic downturn. Despite working very hard to try to keep their jobs, some have already lost their employment due to the COVID-19 pandemic. It is clear many more will lose their employment in the near future.

The pandemic has also made it even harder for SHEV holders to try to find appropriate work in a designated regional area. And without ongoing employment, they are much less likely to meet the work experience requirements of the few permanent visas that may be available to them even if they do meet the SHEV pathway.

The Federal Government must ensure the basic safety net for refugees, people seeking asylum and other migrants.

On World Refugee Day, IEU members call upon the Federal Government to ensure that all people seeking asylum in Australia are protected from the health and economic impacts of COVID 19 by:

1. Providing safe accommodation via residence determination using many of the vacant accommodation facilities within the community.
2. Ensuring access to medical treatment supported by Medicare and PBS.
3. Extending *Job Seeker* support to those on bridging visas currently ineligible for a financial safety net.
4. Applying flexibility to visa conditions and deadlines and simplifying bridging visa grants and renewals in order to prevent people from losing legal status and access to support, including access to education for school aged children.

COVID-19 does not discriminate on the basis of citizenship or visa status.

On World Refugee Day, IEU members can act to ensure that all people living in Australia have the means to survive, maintain a roof over their heads and stay well during this pandemic.

Only in doing so, can we ensure Australia emerges from the pandemic with a resilient, healthy and cohesive community.