

Continuing to hold refugees and people seeking asylum in PNG is unjust, inhumane and unnecessary. The major reasons are:

### **1. Health**

Refugees and people seeking asylum have now been held in PNG by the Australian Government for ten years. They have been subjected to harsh physical conditions that have taken a toll on their physical health. They have been subjected to enormous psychological stress due to the deprivation of their liberty, the arbitrary and indefinite nature of that deprivation, the inability to reunite with their families, the inability to progress their lives, the endless waiting, the helplessness, and the complete uncertainty of if, or when, they will ever be free and able to continue their lives. Not surprisingly, this has taken an enormous toll on their mental health. Apart from their own psychological distress, it has been compounded by watching the distress of their companions, seeing others self-harm, attempt suicide and take their lives through self-immolation. What they have endured is horrific. The incidence of severe psychological distress and mental illness amongst these refugees and people seeking asylum is the highest ever recorded; higher than rates recorded in war zones and refugee camps across the world. The United Nations has correctly described what they have been subjected to as torture.

To add to this, they are also denied adequate medical care. The medical care available to them in PNG is well below the standard of medical care available to the general population in Australia, including regional and rural Australia. Specialist mental health care is close to non-existent.

By continuing to leave them stranded in PNG, the Australian government is continuing to actively harm their physical and mental health. This must stop. The solution is to bring them to Australia while awaiting resettlement and provide them with proper medical care.

### **2. Safety**

The refugees and people seeking asylum living in PNG are not safe. The situation in Port Moresby is particularly dangerous. The refugees and people seeking asylum stand out as different and are targeted by gangs in Port Moresby. It is not safe for them to leave their accommodation and they have even been attacked in their accommodation. It is a common occurrence for refugees to be beaten up and robbed by gangs, and several men have required hospitalisation for their injuries.

### **3. Resettlement**

There are third country resettlement options available to some of the refugees. These include the US, Canada and New Zealand. However, it is not acceptable to leave them languishing in PNG while awaiting resettlement for the following reasons:

- A. It is likely to take years for resettlement to occur. Resettlement in Canada has been a very slow process. A 'quick' resettlement takes two years. Many of those who have applied have not even been assessed yet by Mosaic, let alone referred to Canadian Immigration or accepted for resettlement. Resettlement in the US is all but finished. The arrangement with NZ is for 150 refugees to be resettled each year over three years. It is likely to take longer than this. The arrangement with NZ was signed off one year ago and, to date only around 60 people have been resettled in NZ. Even three years is far too long, given that we deprived them of their liberty, actively harmed their physical and mental health and denied them adequate medical care for 10 years already.
- B. A substantial number of people will not be accepted for resettlement in either the US, Canada or NZ either because they do not engage with the resettlement process, they do not have refugee status or on other grounds. This number is likely to be between 50 and 75.

- C. Some of the refugees and people seeking asylum are so mentally unwell that they are unable to engage with any resettlement process. Many have severe depression and are at the stage where they do not communicate with anyone, they barely leave their room, and they spend most of the day lying on their bed. They are not well enough to engage in interviews, tell their stories of persecution and torture, fill in forms, or to weigh up options and make major life decisions. They will never be able to engage in a resettlement process unless they are brought to Australia for mental health care. Otherwise, they will simply stay in their rooms until they commit suicide or die from other causes.

It is unconscionable to leave these refugees and people seeking asylum in PNG for years, allowing their mental and physical health to further deteriorate. The only justification for not transferring individuals to Australia is if their transfer to another country for resettlement is imminent, or if they choose to remain in PNG. All those still trapped in PNG should be given the option to come to Australia.

#### **4. Deterrence**

The argument that they must be held offshore as a 'deterrent', lest the boats should start again, is a political fabrication and false. Boats are prevented from coming to Australia by an effective naval blockade and by boat turn-backs. Bringing refugees from PNG to Australia will make no difference to boat arrivals. More than 1,100 refugees and people seeking asylum have been previously brought to Australia from Nauru and PNG, predominantly for medical care, and that did not 'restart the boats'. Bringing the last 80 or so will make no difference. Even if the threat of 'never to be resettled in Australia' has some deterrent value for those who may now be considering trying to reach Australia, continuing to hold people in PNG who arrived 10 years ago has no deterrent value.

#### **5. Cost**

While the above arguments are far more important than the cost, holding refugees and people seeking asylum offshore is an extraordinary waste of public funds. The recent contract with US prison operator MTC is for \$420 million dollars for three years. That is a lot of money to spend on potentially depriving people of their liberty, denying them adequate medical care and actively causing them harm – all of this is unnecessary, and not consistent with Australia's commitment to fairness.

#### **6. Political Risk**

Unless the situation of refugees and people seeking asylum being trapped in PNG is resolved, it will drag on for years. The consequences of this include:

- It will keep refugee issues in the spotlight and provide opportunities for the Coalition and the right wing media to attack the Labor Government.
- There will inevitably be deaths from suicide, assault or inadequately treated medical illness. This will result in intense media coverage and embarrassment for the Government.
- There will be ongoing criticism from the United Nations, UNHCR and other respected bodies and ongoing harm to Australia's international reputation.
- There will be ongoing campaigns by refugees and refugee advocates that keep the issue alive in the media and social media.
- There are glaring inconsistencies between the Labor Government's actions and its National Platform which will be highlighted.

Bringing refugees and asylum seekers to Australia while awaiting resettlement is entirely consistent with the current ALP National Platform. More significantly, keeping refugees and asylum seekers in PNG is clearly inconsistent with the ALP National Platform. It is understood that the Policy Platform is sometimes considered as 'aspirational' in that it is a list of things that the

ALP would like to achieve but that some of them will take time and resources and cannot be done straight away. However, this is a completely different situation where the Government is currently doing something (abandoning people in PNG) that is completely contrary to the National Platform. See relevant quotations (in italics) from the March 2021 ALP National Platform and comments on how this compares to the current situation here [PNG, Nauru and ALP Policy](#).

## **7. Nauru**

The Government is to be commended on finally transferring the refugees and asylum seekers from Nauru to Australia, having subjected them to 10 years of uncertainty and trauma. (June 2023)

## **8. PNG**

The previous Coalition Government tried to 'wash their hands' by ending the formal arrangement with PNG and then denying all responsibility for the refugees and asylum seekers there. The current Labor Government appears to be continuing the same stance. This is reprehensible, both morally and legally under the Refugee Convention. The Australian Government placed the refugees and people seeking asylum there under arrangement with the PNG Government, Australia funded the arrangement, provided staff to the centres and contracted private providers to provide the required services. Refugees have almost no prospect of integration with the local community, where they are not wanted by the local community and where they have no prospect of making a future for themselves there (with the exception of a few individuals who have married local women and had children). They need resettlement in a safe and welcoming country, and finding safe futures for them is still Australia's responsibility.

In its recent submission to the Senate Legal and Constitutional Affairs Legislation Committee Inquiry into the Migration Amendment (Evacuation to Safety) Bill 2023, the UNHCR is unequivocal in its statement that Australia is responsible for the refugees and asylum seekers in PNG. (see [Sub24](#))

Note: Prior to the ending of the agreement with PNG in December 2021, the refugees and asylum seekers in PNG were offered the option of being transferred to Nauru. However, they were not provided with accurate information about what the consequences of accepting that offer would be. Many believed it would only mean further years in limbo. Some of the information provided to them was misleading, and they were not in a position to make an informed decision. They should now be offered the same options as those who were held on Nauru.

Australia has abandoned people in PNG. The Australian Government needs to re-engage with the PNG Government on this matter to work constructively together to find humane and viable resettlement options.

The Australian Government has recently transferred those trapped on Nauru. It needs to take a similar approach for those trapped in PNG.

### **Solution**

The solution is to offer all of the refugees and asylum seekers in PNG the option of being transferred to Australia while awaiting resettlement.

When they are transferred to Australia, they should be placed in the community (but not in locked detention as this would further traumatise them) and provided with adequate support and the medical care that they require.

This would end their unjust entrapment in PNG, bringing an end to years of harm and trauma, providing them with safety, the medical care that they require to restore their mental and physical health and thereby increase the likelihood of them being successfully resettled in a third country. It would also end a shameful chapter in Australia's relationship with PNG.