

ASYLUM SEEKERS IN AUSTRALIA: HEALTH, HUMAN RIGHTS, AND GLOBAL HEALTH GOVERNANCE

*Sarah Ann Borg*¹

ABSTRACT

This brief addresses the Australian government policies regarding asylum seekers. Australia should honour human rights obligations, and address the need for global governance and burden-sharing of refugees to ensure the best health attainable for asylum seekers. Four proposed policy changes are discussed: introduce a time limit on mandatory detention only allowing time for health and security assessments and refugee status screening, allow those in community detention and those on bridging visas to work in rural and remote areas of need without having to be subject to approval, improve conditions at offshore processing facilities, and stop resettlement in other countries. By working to improve the determinants of health for asylum seekers, honouring human right obligations, and addressing the need for global governance of refugees and its responsibility in burden-sharing, Australia can improve conditions for asylum seekers worldwide.

INTRODUCTION

Population movement is an integral part of a globalised society². There are a multitude of reasons as to why people migrate, including globalisation, degradation of the environment, conflict, and violence³. 28.4 million people had been forcibly displaced from their homes due to persecution, conflict, violence, and human rights violations by the end of 2013. This includes 16.7 million refugees, and 1.7 million asylum applications⁴.

The burden of refugees is a global issue. Solutions are: deportation home once conditions permit, or, if not possible, integration in the first country of asylum, or resettlement in a third country. Because of the increasingly prolonged nature of many

¹ Sarah Ann Borg, Student of Master of Science in Public Health, The London School of Hygiene and Tropical Medicine

² Haroon S. *The health needs of asylum seekers*. London: 2008.

³ Guise A. Globalization, social change, and health. In: Hanefeld J, editor. *Globalization and Health* Second ed. England: McGraw Hill Education; 2015.

⁴ United Nations High Commissioner for Refugees. *UNHCR Global Trends 2013*. Geneva, Switzerland: 2014.

modern conflicts, time spent as a refugee can be long, and more than half of that the refugees that the United Nations High Commissioner for Refugees (UNHCR) are responsible for have been in exile for over five years⁵.

Ideally, sharing of the number of refugee resettlements amongst developed countries that are better able to cope with and provide for refugees, particularly in terms of their health, is required. Burden-sharing distribution criteria have been based on justice-based systems, based on indicators like receiving-country gross domestic product (GDP), size, or population, or outcome-based indicators, basing distribution on the consequences of hosting, or on the standard of protection and assistance received by refugees⁶.

Australia receives a comparatively small number of asylum applications. In 2013 13,559 asylum seeker applications were received, constituting just over 1% of the global applications for asylum that year. 86% of refugees worldwide are hosted by developing countries, and Pakistan hosts the highest number of refugees in the world⁷. Pakistan has the second highest refugee burden compared to its economic resources at 745 refugees per 1 USD GDP per capita. Australia's refugee burden on a per capita basis is ranked 68th⁸.

In 2013 Australia's asylum seeker arrival numbers peaked, reflecting a global increase in refugees, with unrest contributing to rising numbers from Afghanistan, Iran, Somalia, and in particular, Syria, one of the main drivers of increased refugees since 2012⁹. On the 2014 Inquiry Questionnaire for Children and Parents in Detention, the most common reasons for seeking asylum in Australia were fear for life, terrorism, government persecution, being stateless, religious persecution, and war¹⁰.

⁵ United Nations. Refugees: *Overview of forced displacement*: United Nations, ; 2015, <http://www.un.org/en/globalissues/briefingpapers/refugees/overviewofforceddisplacement.html>.

⁶ Boswell C. *Burden-sharing in the New Age of Immigration*. Migration Policy Institute [Internet]. 2003; 2015(20 March), <http://www.migrationpolicy.org/article/burden-sharing-new-age-immigration>.

⁷ United Nations High Commissioner for Refugees. *UNHCR Global Report: Hosting the World's Refugees*. 2013.

⁸ United Nations High Commissioner for Refugees. *At-a-glance: Who takes the most asylum claims?* 2013, March 21, 2015. , <http://www.sbs.com.au/news/article/2011/01/05/glance-who-takes-most-asylum-claims>.

⁹ United Nations High Commissioner for Refugees. *UNHCR Global trends 2012, Displacement: The New 21st Century Challenge*. 2013.

¹⁰ Australian Human Rights Commission. Australian Human Rights Commission, *The Forgotten Children National Inquiry into Children in Immigration Detention*. Sydney NSW: 2014.

Asylum seekers worldwide are vulnerable to health inequalities as they have a higher likelihood of having been exposed to conditions predisposing to poor health; like trauma, stress, arduous journeys to get to Australia, poor nutrition, and possibly poor health care in their home country. A causal relationship between confinement in immigration detention, implementation of stringent asylum processing procedures, and temporary asylum with adverse mental health outcomes has been demonstrated¹¹. This policy brief focuses specifically on some of the Australian government policies regarding this group of people, how these policies impact on the determinants of health and human rights, their implications for global health governance, and how these policies could possibly be improved.

PROBLEM DESCRIPTION

An asylum seeker refers to, “*A person who has applied for asylum under the 1951 Refugee Convention on the Status of Refugees on the ground that if he is returned to his country of origin he has a well-founded fear of persecution... He remains an asylum seeker for so long as his application or an appeal against refusal of his application is pending.*” A refugee is, “*an asylum seeker whose application has been successful.*” An economic migrant is a person who leaves their country to seek employment in another country¹².

44% of air arrivals and 90% of boat arrivals to Australia are found to be genuine refugees¹³. However, asylum application processing often takes considerable time during which asylum seekers wait in uncertainty. This in the setting of likely previous trauma can lead to or exacerbate mental illness¹⁴. Asylum seekers are restricted in terms of the determinants of health: education, income and social status, racism, health literacy, social participation and social support networks, healthy living conditions, discrimination and culture, early life factors, individual behaviours and lifestyle factors, and access to health care^{15 16}.

¹¹ Silove D, Austin P, Steel Z. *No refugee from terror: The impact of detention on the mental health of trauma-affected refugees seeking asylum in Australia*. *Transcultural Psychiatry*, 2007;44(3):359-93.

¹² Mitchell H. *The distinction between asylum seekers and refugees*, 2006, <http://www.migrationwatchuk.org/briefingPaper/document/70>.

¹³ Systems Program Evidence and Knowledge Section of the Department of Immigration and Citizenship Australia. *Asylum statistics—Australia: Quarterly tables—March Quarter 2013*. Belconnen ACT: 2013.

¹⁴ Hadgkiss E, Lethborg C, Al-Mousa A, Marck C. *Asylum Seeker Health and Wellbeing Scoping Study*. Melbourne, Victoria: 2012.

¹⁵ Ibid.

As of 28 February 2015, 1,994 people were in immigration detention facilities, including 1840 in immigration detention on Australian mainland and 154 in immigration detention on Christmas Island. There were 26,586 asylum seekers living in the community on a bridging visa. There were 742 detained on Nauru and 1,004 detained on Manus Island in Papua New Guinea (PNG)¹⁷.

This brief details four areas that should be addressed. These are outlined below:

Indefinite and mandatory detention

Asylum seekers who arrive by planes must have valid visas to do so. They are not subject to mandatory detention. Those who arrive by boat do so because they are not in possession of a valid visa and they are subject to mandatory detention¹⁸. Under the Migration Act non-citizens in Australia without valid visas are mandatorily detained¹⁹. Detained non-citizens remain in detention until they are granted a visa or removed from Australia²⁰. In comparison with other countries' immigration detention systems, Australia's is one of the most restrictive in that it is mandatory, there is no time limit, and one is not able to challenge their detainment in a court of law²¹.

The Australian Human Rights Commission (the Commission) and the United Nations Human Rights Committee have raised concerns that Australia's mandatory detention breaches international human rights obligations²². Under article 9(1) of the International Covenant on Civil and Political Rights, "*No one shall be subjected to arbitrary arrest or detention.*"²³ And under article 37(b) of the Convention on the Rights of the Child, "*No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be*

¹⁶ Guise A. Globalization, social change, and health. In: Hanefeld J, editor. Globalization and Health Second ed. England: McGraw Hill Education; 2015.

¹⁷ Department of Immigration and Border Protection. Immigration Detention and Community Statistics Summary February 28, 2015.

¹⁸ The Royal Children's Hospital Melbourne. Asylum seekers Victoria 2015, http://www.rch.org.au/immigranthealth/clinical/Asylum_seekers/.

¹⁹ Commonwealth Consolidated Acts. Migration Act 1958 - Sect 189.

²⁰ Commonwealth Consolidated Acts. Migration Act 1958 - Sect 196.

²¹ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

²² Ibid.

²³ International Covenant on Civil and Political Rights 1966, <http://www.austlii.edu.au/au/other/dfat/treaties/1980/23.html>.

*used only as a measure of last resort and for the shortest appropriate period of time.*²⁴.
Australia has Signed and Ratified both of these documents^{25 26}.

The Australian Minister for Immigration has acknowledged that detention negatively impacts the wellbeing and mental health of asylum seekers²⁷. It has been established that indefinite detention increases risk of and exacerbates mental illness, and that there is a strong association between length of time in detention and mental health decline²⁸.

In terms of the determinants of health, asylum seekers in detention generally cannot earn a living, and if and when they can work they face barriers because of prolonged unemployment gaps on their resumes. Restricted participation in aspects of life that shape self worth and identity like education, religion, and culture, impact on social participation and support networks²⁹. Living conditions are often unhealthy, particularly at offshore processing sites. Those in the community often experience racism and discrimination³⁰. Positive health behaviours are inhibited by detention, living in a state of uncertainty, unemployment, and lack of adequate support. Access to health care is often inadequate in offshore processing facilities, and mental health services are limited for all asylum seekers in detention³¹.

Inability to work whilst in community detention and restrictions to work on a bridging visa

There are two alternatives to closed immigration detention facilities. Community detention permits asylum seekers to live in specific community residences. These people can move freely about the community, however, have conditions attached to their

²⁴ Convention on the Rights of the Child, <http://www.austlii.edu.au/au/other/dfat/treaties/1991/4.html>.

²⁵ Human Rights Web. Signatures to the United Nations Covenant on Civil and Political Rights 1997, <http://www.hrweb.org/legal/cprsig.html>.

²⁶ UNICEF. Convention on the Rights of the Child 2005, http://www.unicef.org/crc/index_30229.html.

²⁷ Families to be considered for bridging visas but 'no advantage' principle applies [press release]. 2013

²⁸ Douglas B, Wodak J. Refugees and asylum seekers: Finding a better way: Contributions by notable Australians. Australia: 2013.

²⁹ Australian Medical Students' Association. The National Inquiry into Children in Immigration Detention 2014 Submission. 2014.

³⁰ Hadgkiss E, Lethborg C, Al-Mousa A, Marck C. Asylum Seeker Health and Wellbeing Scoping Study. Melbourne, Victoria: 2012.

³¹ Australian Human Rights Commission. Australian Human Rights Commission, The Forgotten Children National Inquiry into Children in Immigration Detention. Sydney NSW: 2014.

residence determination, and are not permitted to work³². Bridging visas are temporary visas that allow asylum seekers to live in the community while waiting for their claims to be assessed. As of December 2014 there were roughly 28,000 asylum seekers on bridging visas³³. In December 2014, the federal government announced that those on bridging visas would be granted work rights on individual approval from Immigration Minister, Scott Morrison. However, there have been serious concerns that these work rights will not be approved³⁴. An optimistic five minute review of each application, signing applications for eight hours a day, five days a week, would take five and a half years just for existing applications, assuming that each asylum applicant applies to work. Asylum seekers not permitted to work have been found to have poorer mental health outcomes³⁵.

This impacts the health determinants of income and social status, and social participation and support networks. Finance assistance payments for asylum seekers and refugees in the community are at a level below the Henderson Poverty Line (89% of the lowest Australian welfare payment). Asylum seekers can experience exclusion from social support and social participation due to unemployment, and lack of funds for social activities³⁶.

Poor conditions at offshore processing facilities

Offshore processing was reinstated by the Australian government in 2012 as a response to the increasing number of asylum seekers coming via dangerous sea journeys and resultant deaths at sea³⁷. In September 2013, Australia launched Operation Sovereign Borders, an initiative that includes the interception of asylum seeker boats travelling to

³² Australian Human Rights Commission. Alternatives to detention, <https://www.humanrights.gov.au/alternatives-detention>.

³³ The Special Broadcasting Service (SBS). Fears over bridging visa work rights. The Special Broadcasting Service (SBS) [Internet]. 2014 March 24 2015, <http://www.sbs.com.au/news/article/2014/12/12/fears-over-bridging-visa-work-rights>.

³⁴ Ibid.

³⁵ Betts N, Buisson E, Grover P, Linghanathan A, Martin T, Roy A, et al. Australia's Humanitarian Programme 2015-16 and Beyond. 2015.

³⁶ Hadgkiss E, Lethborg C, Al-Mousa A, Marck C. *Asylum Seeker Health and Wellbeing Scoping Study*. Melbourne, Victoria: 2012.

³⁷ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

Australian shores and detaining them at offshore processing centres in Nauru and on Manus Island³⁸.

In June 2013 UNHCR noted hot and overcrowded conditions, hygiene concerns, and insufficient division between single adult males and families at centres in Nauru and PNG³⁹. UNHCR has expressed concerns surrounding deteriorating physical and mental health of asylum seekers on Manus Island, limited medical services available, the time it takes to access medical treatment, and limited medication access⁴⁰. Manus island has a high malaria prevalence and the conditions have been found to be below international standards⁴¹. The Commission has stated that the harsh, hot, and remote location is not appropriate for children and pregnant women and has voiced health concerns regarding these groups having to take anti-malarias.

The UNHCR has stated in regards to these offshore processing centres that, *“The physical conditions within detention, together with the slowness of processing and the lack of clarity regarding safe and sustainable solutions for refugees were likely, together, to have a serious and negative effect on the health and welfare of people transferred from Australia”*⁴².

Prolonged detention of asylum seekers in temporary facilities subject to harsh climates, inadequate privacy, with access to only basic facilities, breaches international human rights regulations⁴³. Detention in harsh, overcrowded conditions, absence of meaningful activities and insufficient health services available, negatively impacts mental health⁴⁴

³⁸ IRIN. *Australia pushes on with asylum seeker deterrence*. IRIN [Internet]. 2014 March 23, 2014, <http://www.irinnews.org/printreport.aspx?reportid=100768>.

³⁹ de Boer R. Health care for asylum seekers on Nauru and Manus Island. 2013.

⁴⁰ Andrew & Renata Kaldor Centre for International Refugee Law. Factsheet. Offshore processing: conditions 2014.

⁴¹ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013.

⁴² IRIN. *Australia pushes on with asylum seeker deterrence*. IRIN [Internet]. 2014 23 March 2014, <http://www.irinnews.org/printreport.aspx?reportid=100768>.

⁴³ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

⁴⁴ Ibid.

⁴⁵. Many children in offshore facilities have been found to be in physical, psychological and developmental distress⁴⁶.

Resettlement in developing countries

In 2013, a Regional Settlement Arrangement with the PNG government was announced. Those arriving unauthorised via boat would be transferred for processing to PNG, and if granted asylum they would be resettled there. The same year, a Memorandum of Understanding with Nauru was signed by the Australian Government, enabling refugees to be settled in Nauru⁴⁷.

In September 2014, Australia proposed a deal in which asylum seekers who were transferred from Australia to Nauru will be settled in Cambodia⁴⁸. The Australian government has promised the Cambodian government 35 million USD in aid as a financial reward⁴⁹. Cambodia is known to be a corrupt nation. It is 156th out of 175 countries on the Transparency International list, and according to Human Rights Watch, has “...a terrible record for protecting refugees and is mired in serious human rights abuses”⁵⁰.

The UNHCR has expressed concerns regarding the resettlement of refugees in other countries, “Where they may not be able to access fundamental rights,” enabling countries like Australia to rid themselves of their responsibilities as per the 1951 Refugee Convention⁵¹. Via transferring asylum seekers to third world countries and

⁴⁵ Steel Z, Silove D, Brooks R, Momartin S, Alzuhari B, Susljik I. *Impact of immigration detention and temporary protection on the mental health and temporary protection on the mental health of refugees*. British Journal of Psychiatry. 2006; 188:58-64.

⁴⁶ Australian Human Rights Commission. Australian Human Rights Commission, *The Forgotten Children National Inquiry into Children in Immigration Detention*. Sydney NSW: 2014.

⁴⁷ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013.

⁴⁸ Doherty B CL. *Australia's refugee deal with Cambodia uncertain as almost all refuse offer*. THE GUARDIAN [Internet]. 2015, March 20, 2015, <http://www.theguardian.com/australia-news/2015/jan/22/australias-refugee-deal-with-cambodia-uncertain-as-almost-all-refuse-offer>.

⁴⁹ Rawlinson S. Asylum seekers, refugees and Cambodia's “national” interest. New Mandala [Internet]. 2014, March 17, 2014, <http://asiapacific.anu.edu.au/newmandala/2014/10/27/deal-or-no-deal-asylum-seekers-refugees-and-cambodias-national-interest/>.

⁵⁰ Doherty B CL, *Australia's refugee deal with Cambodia uncertain as almost all refuse offer*. THE GUARDIAN [Internet]. 2015, March 20, 2015, <http://www.theguardian.com/australia-news/2015/jan/22/australias-refugee-deal-with-cambodia-uncertain-as-almost-all-refuse-offer>.

⁵¹ Crothers L, Laughland O. , *Asylum seekers: Morrison to sign resettlement deal with Cambodia*. THE GUARDIAN [Internet]. 2014. , <http://www.theguardian.com/world/2014/sep/24/asylum-seekers-morrison-will-sign-resettlement-deal-with-cambodia>.

avoiding its international human rights obligations, Australia is offloading its asylum seeker burden to countries less capable of coping with them⁵².

There are roughly 10,000 asylum seekers in Indonesia hoping to find passage to Australia⁵³. In November 2014 the immigration minister of Australia, Scott Morrison, announced that asylum seekers in Indonesia registered with the UNHCR after July 2014 will be unable to be resettled in Australia, even if granted refugee status⁵⁴. The Refugee Council of Australia's chief executive, Paul Power has been quoted as saying this move, *"Will damage Australia's relationship with Indonesia... The Indonesia government doesn't have the resources to keep asylum seekers... We're making the situation much worse by refusing to help our neighbours."*⁵⁵

Indonesia has not ratified the UN Refugee Convention. By ratifying the convention, Indonesia could expect international help in dealing with refugees. However, ratifying this convention could result in Indonesia being overburdened by increased refugee numbers. By not signing this convention, Indonesia can thus "pass on" refugees to another country that has a greater capacity to help, such as Australia⁵⁶.

UNHCR encourages burden-sharing, as many developing countries offering asylum have difficulty coping with large numbers of refugees⁵⁷.

POLICY OPTIONS

Introduce a time limit on mandatory detention only allowing time for health and security assessments and refugee status screening. Previously proposed time limits have been 30-

⁵² Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

⁵³ Budisatrijo A. Asylum seekers stuck in Indonesia limbo. BBC News [Internet]. 2014, March 24, 2015, <http://www.bbc.co.uk/news/world-asia-30373794>.

⁵⁴ Australian Customs and Border Protection Service. Operation Sovereign Borders 2014.

⁵⁵ Farrell P. , *Asylum seekers registered with UNHCR in Indonesia blocked from resettlement*. THE GUARDIAN [Internet]. 2014. , <http://www.theguardian.com/australia-news/2014/nov/18/asylum-seekers-registered-with-unhcr-in-indonesia-blocked-from-resettlement>.

⁵⁶ Sulaiman Y. , *Why Indonesia shrugged off Australia's move to bar refugees*. THE CONVERSATION [Internet]. 2014, <http://theconversation.com/why-indonesia-shrugged-off-australias-move-to-bar-refugees-34533>.

⁵⁷ United Nations High Commissioner for Refugees. Sharing the Burden: Capacities and Contributions of Host Countries In: Diallo K, editor. UNHCR Statistical Yearbook 2005. Geneva: United Nations High Commissioner for Refugees (UNHCR); 2007.

90 days^{58 59}. After this, asylum seekers should be moved to the community (either under community detention or in the community under a bridging visa) in Australia whilst waiting for their application to be processed. This time limit could be subject to extension if determined necessary on an individual basis in a court of law. In all European Union (EU) Member States except for Malta, asylum seekers are not routinely detained and are typically allowed to reside in the country while their claims are processed⁶⁰. Expected outcomes of this option are that it will lead to improvement in mental health, asylum seekers can potentially integrate with the local community, and it will be cheaper than running closed detention facilities⁶¹. This option may potentially require more staffing to undertake timely health and security assessments, and refugee status screening.

Allow those in community detention and those on bridging visas to work in rural and remote areas of need without having to be subject to approval. Positives are improvements in the determinants of health, giving asylum seekers a purpose and income, and addressing wider health and socioeconomic implications of lack of finances and social inclusion. Allowing those in the community to work will improve mental health as well as decreasing the likelihood of asylum seekers to work illegally⁶². This could benefit the regional economy as well as provide jobs in areas of need. It has been seen that when allowed to integrate locally, asylum seekers and refugees contribute actively to the local economy and society as workers and consumers⁶³. A negative to this approach is that it could potentially attract economic migrants falsely claiming to be asylum seekers. However, if those on bridging visas are restricted to only working in areas in need of jobs, this still benefits the region and doesn't "steal jobs" from

⁵⁸ Betts N, Buisson E, Grover P, Linghanathan A, Martin T, Roy A, et al. Australia's Humanitarian Programme 2015-16 and Beyond. 2015.

⁵⁹ Burnside J., *The reality of boat people and a solution to the asylum seeker "problem"*. THE BIG SMOKE [Internet]. 2014, March 17, 2015, <http://thebigsmoke.com.au/2014/04/07/reality-boat-people-solution-asylum-seeker-problem/>.

⁶⁰ European Union Agency for Fundamental Rights. Fundamental rights: challenges and achievements in 2012. Luxembourg: 2013.

⁶¹ Australian Human Rights Commission. Alternatives to detention, <https://www.humanrights.gov.au/alternatives-detention>.

⁶² Betts N, Buisson E, Grover P, Linghanathan A, Martin T, Roy A, et al. Australia's Humanitarian Programme 2015-16 and Beyond. 2015.

⁶³ United Nations High Commissioner for Refugees. Sharing the Burden: Capacities and Contributions of Host Countries In: Diallo K, editor. UNHCR Statistical Yearbook 2005. Geneva: United Nations High Commissioner for Refugees (UNHCR); 2007.

citizens⁶⁴.

Improve conditions at offshore processing facilities. The conditions at Nauru and Manus Island's offshore processing centres have been found to be inadequate. Better living infrastructure is required, as well as increased medical staff, including mental health staff, and increased provision of medical equipment and medications. This will improve living conditions and access to health care. A more transparent and stringent review of these sites is required with frequently monitored and assessed protocols regarding facility conditions and health provisions that the government promises to adhere to. Negatives are that this requires funding from the Australian government.

Stop resettlement in other countries. This option safeguards human rights and upholds Australia's international obligations⁶⁵. By working together with the UNHCR, Australia can help take a fairer sharing of the international refugee burden. Australia is a developed country, capable of coping with a higher number of refugees than it currently takes. Australia is better equipped and has more capacity to accommodate asylum seekers and refugees than developing nations. This will decrease pressure on countries with scarcer resources like PNG, Nauru, Cambodia, and Indonesia⁶⁶ and will improve the relationship between Australia and Indonesia. This will also improve Australia's international reputation. This option does not recognise the sovereign interests of Australia to control its borders and ensure national security⁶⁷. As well, by accepting the asylum seekers in Indonesia, this decreases the pressure on Indonesia to ratify the UN Refugee Convention. However, there is a need for Australia to balance the priority of maintaining its borders' sanctity with its human rights obligations to asylum seekers⁶⁸.

⁶⁴ Mares P., Refuge Without Work GriffithReview [Internet]. 2014, <https://griffithreview.com/articles/refuge-without-work/>.

⁶⁵ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

⁶⁶ United Nations High Commissioner for Refugees. *Sharing the Burden: Capacities and Contributions of Host Countries* in: DIALLO K, editor. UNHCR Statistical Yearbook 2005. Geneva: United Nations High Commissioner for Refugees (UNHCR); 2007

⁶⁷ Australian Human Rights Commission. Asylum seekers, refugees and human rights: Snapshot Report 2013. 2013.

⁶⁸ Bailey J., *Australia and asylum-seekers: is a policy of protection in the "national interest"?* 2002, <http://motspluriels.arts.uwa.edu.au/MP2102jb.html>.

CONCLUSION AND RECOMMENDATIONS

Some of the policy options recommended are more feasible than others. Introducing a time limit on mandatory detention is something done in many other developed countries, as demonstrated by the majority of EU member states. This option is feasible, and economically favourable. Allowing asylum seekers to work in the community has risks of attracting economic migrants, however will vastly improve the determinants of health of asylum seekers, and strategies can be employed to help mitigate any foreseen influx of economic migrants, like restriction of work to only rural and regional areas of need. Improving conditions at offshore processing facilities will require funding for analysis, making, and implementation of protocols, as well as actually altering the conditions at the facilities. This option is thus less feasible as it requires a significant effort from the Australian government. By honouring its share of the refugee burden and ceasing intentions to resettle asylum seekers intended for Australia in developing countries instead, Australia will improve its reputation and international relations as well as improving health determinants of refugees. Unfortunately, the Australian government reverently guards its sovereign interests to control its borders and thus may disregard this option.

By working to improve the determinants of health for asylum seekers, honouring human right obligations, and addressing the need for global governance of refugees and its responsibility in burden-sharing, Australia can improve conditions for asylum seekers worldwide.