



Hopes Fulfilled or Dreams Shattered? From resettlement to settlement Conference November 23rd - 28th, 2005

Background Paper

Refugee Family Reunification

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This background paper has been prepared to inform discussion at this conference and does not necessarily represent the views of the Centre for Refugee Research.

Refugee family reunification

Introduction:

“I want to talk to Mr. John Howard and ask him to take everything away from me, but in return please bring my son here, and put him in a camp. Even if I don’t get to see him, at least I’ll know that he’s safe in the hands of Australian Government and close to me. I just want to protect my son in any way. I’m so depressed, my daughter is in Jordan and I haven’t seen her in seven years. My family is dispersed, my daughter has two children that I haven’t seen and my son is in Iran. My other son and I waited for so long in Indonesia when my husband was in Australia. We left our country and we had no choice.”

(Rania in Leach & Mansouri 2004; 105).

The above quote by one of the refugees in Australia succinctly explains that a critical policy review is essential in terms of the Australian Government’s refugee family reunification policy. Although Australia historically has a positive international reputation for its policies on refugees, recently this Government has come under increasing criticism for its policy changes, such as the policies on mandatory detention, border protection and temporary protection (Marston, 2003). One of the prime concerns has been the restriction on family reunion for the refugees on temporary protection visas as the psychological impacts of family separation are well documented (Leach & Mansouri, 2004). Moreover, some critics claim that long term separation may lead to the breakdown of family relationships (Refugee and Immigration Legal Centre Inc n.d.). Despite deep concerns about the impact of the family separation the Government of Australia has adopted a harsh family reunification policy for refugees. In this paper I will critically analyse and evaluate the refugee family reunification policy of the Australian Government against the backdrop of various international existing policies regarding the family reunion of refugees. Three case studies of refugee experiences will be presented to demonstrate the impact of the family reunification policy of the Australian Government.

Refugee family reunification policy in Australia:

“Between March 1994 and 19th October 1999, all refugees for resettlement in Australia- applying through both the onshore and offshore programs- were granted permanent residence in Australia” (Ecumenical Migration Centre 2003; 59). But from 20th March, 1999 onwards Australia started a new policy of granting temporary protection visas to refugees who arrive in Australia without proper documentation (DIMIA, 2005). So from 20th March 1999, the policy of the Australian Government towards people seeking asylum on the Australian mainland is such that these asylum seekers may be granted one of two types of refugee visas:

- If they arrive lawfully in Australia and are found to be owed protection they will generally be granted a permanent protection visa (PPV).
 - If they arrive unlawfully in Australia and are found to be owed protection they will generally be granted a temporary protection visa (TPV) in the first instance. This provides temporary residence for three years.
- (DIMIA, 2005)

However, this new policy of categorising asylum seekers has created two classes of refugees in Australia (Fernandes, 2002). According to the Australian policy refugees on TPVs are eligible for only a restricted range of benefits and services (Fernandes, 2002). The policy restricts them from reuniting with their families (Fernandes, 2002). As a result “they cannot sponsor their immediate family members who they claim live under treacherous conditions in their country of origin or a neighboring country” (Fernandes, 2002; 1). Moreover, they are unable to travel overseas to visit their family members either in their country of origin or in a safe third country as they are not granted multiple entry visas (Fernandes, 2002). On the other hand, refugees who receive PPVs are entitled to the same range of benefits and support as permanent residents or citizens of Australia (Fernandes, 2002). Hence the refugees on PPVs are allowed to travel overseas and have the right to reunite with their families.

The refugees who are granted PPVs can be reunited with family members in one of two ways:

- By sponsoring the relative under the Family Immigration Category, which requires provision of a sizeable financial contribution by the sponsor in Australia, and where the points test applies under the Concessional category.
- By nominating the relative under the Refugee and Special Humanitarian Program, which is less financially onerous, and which is not subject to points test.

(RRWG Sub-Committee on Immigration 1993; 8)

However, the Australian policy on TPVs was amended with further changes to the Migration Regulations in October 2001 (DIMIA, 2005). Since September 27th 2001, a new immigration law was passed which states that “unauthorised arrivals” who qualify to be Convention Refugees and have resided in a country, since leaving their home country, for at least seven days where they could have sought and obtained effective protection, will not be able to seek a permanent protection visa (Marston, 2003). This implies, under the TPV policy regime, that the asylum seekers arriving in Australia “unlawfully” who fall into this category may never be eligible to be reunited with their families.

Impact of this policy on families:

In order to tease out the impact of this current family reunification policy of the Australian Government I have conducted interviews with some refugees on TPVs and PPVs in Australia. One of the interviewees is on a TPV and the other two interviewees are on PPVs.

Case study1:

The interviewee on a TPV is a 20 year old unaccompanied minor. He said he is the eldest son in his family. He is living alone in Australia and the rest of his family members are in Africa. According to his culture 'family' includes all the relatives in the extended family. The support of the family members is crucial in every aspect of their lives. He was in detention for two years and has recently been granted a temporary protection visa. When asked how he was keeping in touch with his family members he said it was very difficult and frustrating for him. Since the place where his family lives has no telephone facility, the only way to stay in touch was by sending letters through the Red Cross¹. But it takes a long time for his family to receive his letters and reply. It is because the Red Cross only works in his country of origin intermittently as this organisation travels to different countries. Within those two years of detention he received just one letter from his family. He expressed deep anxiety for his family members as he is not currently aware of their whereabouts. The latest information he has is that the restaurant his family used to own in Africa is no longer owned by them. He does not know where they are now. He said he will look for some people from his community who will go to that country and ask them to find out about his family members. He said living as a refugee in Australia without family is very difficult for him. He and his family members are always worried about each other. He expressed deep sorrow about being separated from his family,

“It would be lovely to hear their voices even on the phone...I always think about them. But there's nothing really I could do”.

The mental stress of this unaccompanied minor is easily understandable. Because of the restriction on travelling overseas for the refugees on TPVs he cannot go to his home country and find his family members. Even if he can find out about his family, with the help of his community people, it is highly likely that he will be separated from his family for a minimum of three more years (as TPV is granted for three years). It is extremely disheartening and stressful for a minor to be separated from his family for so long, especially if he comes from a background where family support is crucial in every aspect of their lives.

Case study2:

The second interviewee was a 22 year old unaccompanied minor from Afghanistan. He recently gained a permanent protection visa. He said he has a big family consisting of his parents, four sisters and three brothers. They all had to flee Afghanistan because they belong to the minority ethnic group, Hazara. All his family members are now in Pakistan. He fled alone to Australia because his family could not afford more money to pay the

¹ He said the Red Cross in Sydney provides the facility for the refugees in detention to send letters to their relatives.

trafficker. He has been in Australia for four years. He spent three years on a temporary protection visa. Staying in touch with his family is also difficult for him. When he was on the TPV he used to call his family at two to three month intervals. But he said it was expensive for him. He said being in Australia with no family members around is very difficult for him. He said,

“Sometimes I feel very lonely. I left my family and best friends. Everything is very different in Australia...but after getting PPV I feel very happy and relaxed. Now my family can come to me.”

He went to Pakistan to apply for his family to join him in Australia under the Refugee and Special Humanitarian Program. But he said it has been almost six to seven months since they applied and they have still not received any response. One of Javed's sisters is physically disabled. So the High Commission of Australia in Pakistan asked for documents of her disability. He is anxious that if his sister is rejected, there will be lot of problems for their whole family to reunite.

For him, life in Australia without his family has been very difficult. He has already spent four years in Australia without his family. Even though the status of permanent residency in Australia will allow his family to join him, the possibility of his disabled sister being rejected on health grounds remains a prime concern. The possible rejection may cause serious mental stress for the separated family members. The Refugee Council of Australia argues that, excluding a close family member on health grounds can mean a lifetime separation for that family which creates an intense sense of guilt and anguish for the refugee in Australia.

Case study3:

Another interviewee was a 57 year old man from Iraq. All his five children and his wife are living in Greece. He was a Chief Aircraft Engineer in Iraq. Because of his political involvement he was threatened and persecuted in Iraq. So he and his family fled to Greece. From Greece he applied to be resettled in Australia but his application was rejected four times. He has been in Australia for six years. Now he has received a permanent protection visa. He said,

“Though I am 57, I look like a 70 year old man. I am not relaxed...time pass very slowly...everyday I think of them...every small problem seems big for me because of the situation...I am becoming weak...I need someone to look after me.”

After gaining the permanent residency status he feels somewhat relaxed. He says that, “after PPV I am hopeful that sooner or later my family will join me”. He applied for family reunion through the Refugee and Special Humanitarian Program. But only his wife and two youngest children's application has been approved by DIMIA. The

applications of his other children have been rejected on the grounds that they do not come under the dependant children category.

Because of the policy of detention and temporary protection visa this interviewee has already spent six years in Australia without his family. The rejection of the applications of his other two children is an example of the “narrow interpretation of family” (Refugee Council of Australia, 2001; 3) by DIMIA. However, the Refugee Council of Australia argues that, “...in many cultures, “dependency” does not cease when a son or daughter reaches the age of 18; rather, it is common for a young person to be seen as an integral part of the nuclear family unity until they marry” (2001;4). Therefore, it is sensible and justifiable to analyse dependency of children based on the cultural background of that particular society.

All these case studies prove that the policy of detention and temporary protection visas prohibits refugees from reuniting with their families for several years. With no right to family reunion and overseas travel, the TPV policy regime seems like a “secondary detention” for refugees (Centre for Applied Social Research, 2003). Refugees have described this situation as “slowly dying again” (Centre for Applied Social Research, 2003). It is well documented that the long term separation from family members is causing serious mental health problems for the refugees (Centre for Applied Social Research, 2003). A New South Wales observation study on the psychological impact of temporary protection visas found that thoughts about family induced a sense of guilt among participants because refugees in Australia believed they were relatively safe and comfortable while their partners and children were in constant danger (Fernandes, 2002; Marston, 2003;26). This becomes evident in refugees quotes from Fernandes (2002):

“Is this fair? What is the use of living here while our families are burning in Afghanistan?” (p. 5)

“I cannot sleep till 4am because of my anxiety. Thoughts of my children are driving me insane. To add to this I share my room with 12 people” (p.5).

Moreover, a study was conducted by McMichael & Ahmed (2003) on the resettled Somali women in Melbourne who were mostly accepted as humanitarian entrants under the Women at Risk Visa which operates in response to the vulnerability of women. The study revealed that women’s vulnerability was not mitigated as most of the women expressed difficulty raising children alone mostly because of their lack of familiarity with the Australian culture and inability to assist their children with school work (McMichael & Ahmed, 2003; 140). Overall, this study demonstrated that the family separation had caused sadness, loneliness and depression among these women (McMichael & Ahmed, 2003). It is indeed a failure of the Australian Government, its inability to facilitate full resettlement of this vulnerable group of women in order to be able to kick-start a new life with sound mental and physical health.

Sadly, the impact on mental health is not the end of suffering for the refugees. Many have paid with their lives in the hope of being reunited with their families (Amnesty International, 2005). In order to justify this claim the Amnesty International Australia narrates the story of Mohammad Hashim Al Ghazzi who was granted a TPV after being detained for 11 months (Amnesty International, 2005). However, the TPV policy did not allow him to travel outside Australia or sponsor his family. With a desperate hope of being reunited, Muhammad's wife and three children attempted the long and dangerous journey to him (Amnesty International, 2005). The boat they boarded sank between Indonesia and Australia in October 2001 (Amnesty International, 2005). Nothing worse can happen for a refugee than to lose all his family members just because they all wanted to stay together in a safe country.

Another important point to note is that, even for the refugees on PPVs it is not very easy to go through the procedure of family reunification application. As stated earlier, the refugees on PPVs can apply for family reunion in two ways, either by sponsoring the relative under the Family Immigration Category or by nominating the relative under the Refugee and Special Humanitarian Program. The Refugee Resettlement Working Group points out the difficulties attached to the application procedure for family reunification for refugees on PPVs. According to the paper presented by the Refugee Resettlement Working Group both application procedures are difficult for the refugees to go through. Sponsoring relatives under the Family Immigration Category² is often expensive for the refugees. On the other hand, the Refugee and Special Humanitarian Program, which exempts financial expenses, is difficult for the refugees to access because of the limits of the existing quota system based on the geographic location. Moreover, the family members of the applicants need to fulfill certain criteria such as English language proficiency, educational attainment, and employment skills, under the Concessional component of the Refugee and Special Humanitarian Program. The Refugee Resettlement working Group argues that to fulfill all these criteria may be very difficult for the family of the refugees because the situation in the home country may not be favorable for them to possess all these skills. Overall, the current application procedure makes it difficult for a refugee family to be reunited in Australia.

Review of the Australian refugee family reunification policy:

Leach and Mansouri (2003) pointed out that the TPV policy regime has effectively created two classes of refugees: those assessed offshore and granted full settlement services and permanent protection, and those assessed onshore and granted temporary protection visas with no family reunion rights and a punitively reduced access to settlement services (p. 6). In order to analyse the validity of this discriminatory policy it is necessary to explore the reasons behind the adaptation of the policies.

When the TPV was introduced the Minister for Immigration stated:

² Assurance of Support Bond:	Principal applicant	\$3500
	Each additional person included in application	\$1500
	Medicare charge per person	\$ 822

“Australia simply cannot afford to be seen as a potential soft target by forum shoppers and the increasingly sophisticated people smuggling rackets...the legislation will prevent unauthorised arrivals from obtaining permanent protection visas and the benefits particularly family reunion, which appear to attract traffickers and forum shoppers” (Refugee Council 2003;1).

This statement by the Minister of Immigration explains that the restricted benefits such as the ban on travelling overseas and family reunion attached to the temporary protection visas has been introduced with the intention of the Australian Government to deter unauthorised arrivals in Australia. For this intention to be based on valid grounds the number of unauthorised arrivals in Australia has to be increasing significantly. However, the statistics do not prove that Australia is facing the challenge of increasing numbers of asylum seekers. From July to November 2001 there were 1212 unauthorised asylum seekers, in 2000-01 there were 4141 in 1999-00 there were 4175 and in 1998-99 there were 921 boats arrivals in Australia (DIMIA 2001; Fact Sheet 81 in Bailey 2002;6). Thuy Do, a researcher at the Australian National University, found that in 2000 Australia ranked 32nd in the number of refugees hosted, while on a per capita basis was ranked 39th (Raper, 2002). Moreover, “according to the UNHCR’s January December 2002 statistical report, the number of asylum seeker applications Australia received was 6, 013 a decrease of 51% from 2001” (p.21, Ecumenical Migration Centre, 2003). All these statistics prove that Australia is not being flooded by refugees. Therefore, the harsh policy for refugees on TPVs, of restriction of family reunion and travelling overseas in an attempt to discourage unauthorised arrivals in Australia, is highly unjustifiable.

Moreover, the issue of arriving “unlawfully” is also very important here. The refugees facing this discriminatory right to family reunion are the asylum seekers who arrived in Australia without proper documentation; which the Australian Government refers to as unlawful. Hence, these asylum seekers are called “illegal boat people” (Leach & Mansouri, 2003) and restricted to many facilities as a punishment. However, the former Justice of the Federal Court, Marcus Enfeld argued that,

“People do not arrive illegally. That is a mistake. A person is entitled under Australian and international law to make an application for refugee asylum in a country when they allege that they are escaping from persecution...That is simply the law” (Crock & Saul, 2002;4).

In contrast, the Government of Australia has been ignoring this humane law in order to fulfill its so called national interest. This is very unfortunate indeed.

Furthermore, the Australian Government’s intention of screening out the “genuine refugees” (Bailey, 2002), mostly on the basis of their mode of arrival (Leach & Mansouri, 2003) and valid documentation is highly unjustifiable. It is evident that, “refugees rarely have time to prepare travel documents or obtain visas before they seek asylum”(Feller et al, 2004;22).Being a signatory State of the 1951 Refugee Convention

Australia has some obligations³ to not penalise asylum seekers for their illegal entry into the country (Frank, 2003). However, the Australian Government has maintained its arrogance in ignoring its obligation to protect this vulnerable group of people.

Refugees' right to family reunification:

The 1951 Convention does not incorporate the principle of family unity in the definition of the term refugee (Handbook on procedures and criteria for determining refugee status, 1979). But the recommendation in the Final Act of the Conference "recommends Governments to take the necessary measures for the protection of refugee's family, especially with a view to:

- 1) Ensuring that the unity of the refugee's family is maintained particularly in cases where the head of the family has fulfilled the necessary conditions for admission to a particular country.
- 2) The protection of refugees who are minor, in particular unaccompanied children and girls, with special reference to guardianship and adoption.

(Handbook on procedures and criteria for determining refugee status, 1979; 43)

The United Nations High Commission for Refugees has emphasised the importance of family reunification as it recommended that, "Respecting the unity of the family is one of the principal means of protecting the refugee's family. This requires not only taking measures, including national legislative measures, to maintain the unity of the family, but also to reunite families that have been separated" (UNHCR, Family protection issues, para 27 in DIMIA, 2002; 191).

Various regional⁴ and international instruments recognise the family as the basic unit upon which society is organised and its right to protection by society and by the State (DIMIA, 2002). For example, the Universal Declaration of Human Rights (UDHR, Article 16(3)) and the International Covenant on Civil and Political Rights (ICCPR, Article 23(1)) provide in identical terms that, "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State"(p.178, DIMIA, 2002). Similarly the International Covenant on Economic, Social and Cultural Rights (ICESCR, Article 10(1)) provides that: "The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependant children..." (DIMIA, 2002; 179).

Provisions relating to the protection of the family in the context of children's rights are contained in the Conventions on the Rights of the Child (CROC). For example, Article

³ Article 31, Refugee Convention states that, "a contracting state is not to impose penalties on an asylum seeker for their illegal entry if they are coming directly from a territory where their life or freedom was threatened".

⁴ The African Charter on Human and People's Rights (Article 18), the American Convention on Human Rights (Article 17(1)), and the European Convention for the Protection of Human Rights and Fundamental Freedoms (Articles 8 and 12; DIMIA, 2002).

9(1) of CROC states that a child shall not be separated from his or her parents against their will, except when such separation is necessary for the best interests of the child. (DIMIA, 2002; 179)

There is widespread recognition in the international community of the particular vulnerability of unaccompanied minors (UNHCR, Guidelines on policies and procedures in dealing with unaccompanied children seeking asylum in Europe, para 2 in DIMIA, 2002; 179).

UNHCR Guidelines on Reunification of Refugee Families (para5), states that, even though there is no universal concept of the family group, however, many would agree that it consists at least of the 'nuclear family' of husband, wife and their dependant children (DIMIA, 2002). However, "A flexible definition of the term family, which takes into account the element of dependency among other family members, should be used. The situation of the elderly in this context should receive special attention" (UNHCR, Family Protection Issues, June 1999 Para 27 in DIMIA, 2002; 180).

Evaluation of Australian policy towards family reunification of refugees:

Australia created its own version of the UN Refugee Convention by adopting a series of visa classes, especially designed to 'stop the hordes of refugees trying to come to Australia' (Smit 2003; 2). Usually Temporary Protection, as it is used in Europe and as permitted by various UNHCR's ExCom Conclusions, is granted to asylum seekers as a group when they are fleeing an emergency that is self-evidently causing forced displacement or when the number of arriving asylum seekers threatens to overwhelm the administrative capacity of receiving states" (Human Rights Watch, 2002;1). Australia is the only country in the world to grant temporary status to refugees who have been through a full asylum determination system and who have been recognised as genuinely in need of protection for 1951 Refugee Convention reasons (Human Rights Watch, 2002;1).

A key difference in the TPV in other countries is that the refugees on TPVs are entitled to family reunion. For example, in the United States, temporary protection is a status that exists in addition to (and not in lieu of) regular refugee status (Human Rights Watch, 2002; 1). And in the United States, refugees on temporary protected status are entitled to family reunion (Human Rights Watch, 2002). Members of the EU harmonised their use of temporary protection in their Directive on Minimum Standards for giving Temporary Protection, and in non-EU European countries domestic legislation contains a similar view of temporary protection (Human Rights Watch, 2002;1). In Norway temporary protection, which includes a right to family reunion, is given one year at a time, but automatically becomes permanent if it is renewed four times (Human Rights Watch, 2002;1). In Switzerland, temporary protection affording a right to family reunion is granted to specific nationalities after consultations with other Governments, non-Governmental organisations, and UNHCR (Human Rights Watch, 2002; 1). After five years, all temporary protection holders have the right to apply for permanent status

(Human Rights Watch, 2002; 2).

Moreover, the TPV holders in general are entitled to certain basic elements of protection such as, “admission to safety in the country of refuge; respect for basic human rights, with treatment in accordance with internationally recognised humanitarian standards; protection against refoulement; and repatriation” (Heilbronner et al, 1997; 248). The international human rights treaties set out standards to which domestic laws and practices must conform (Charlesworth, 2002). However, a major difference is observed between the human rights and refugee rights instruments set out by the international community and Australia’s policy and practice of refugee law. By restricting family reunion of the refugees Australia is neglecting the fundamental rights of human beings even though as a party to all the human rights treaties it is expected that the laws and practices in Australia complies with them (Charlesworth, 2002).

According to Raper (2002), “a good asylum system must accomplish two goals. First, it must give protection to those who leave their homes because they fear persecution or serious danger. Second, it must preserve the integrity of the state which welcomes these foreigners at risk” (p.4). Hence, “border control has to be reconciled with the asylum system’s basic purpose which is human rights protection” (Raper, 2002; 4). Therefore, the challenge for the Australian Government is to “balance the need for measures which protect refugee families with measures which permit national refugee and humanitarian programs that are orderly, protect those most in need, minimise abuse, and are sustainable in terms of resources and community support” (DIMIA, 2002; 188). However, to accept this challenge the Australian Government needs to make some fundamental changes in the refugee policy.

Recommendations:

The above description and analysis proves that the current policy of the Australian Government towards family reunion of refugees is first of all discriminatory (for the refugees on TPVs) and secondly the programs available to apply for family reunion for refugees on PPVs are often very strict and restrictive. There should be more places available in the Refugee and Humanitarian Program to apply for family reunion. If the situation is such that there are overwhelmingly more refugees from a certain geographic location, the share of these refugees in the quota system should be increased. Unaccompanied minor refugees should be given special consideration to reunite with their family members.

Many times, those who are fleeing leave their families behind, hoping that if and when they acquire refuge status, their families can join them in a country of asylum (Feller et.al 2004; 33). But the TPV policy regime prohibits them fulfilling their desire to be reunited with their families. The Government should abolish the temporary protection visa and provide permanent protection to all the refugees who satisfy the criteria of Convention Refugees. The Australian Government needs to remember that,

“Refugees are people with an identity, a past, a history, a cultural heritage and they are people who have been forced out of their countries by political turmoil, ethnic wars, religious, social and gender persecution” (Lacroix, 2004;147).

Therefore, the refugee policy formulation should be based on a “sound moral basis” (Sidoti, 2002).

Conclusion:

The time has come for the Australian Government to make some fundamental changes in the refugee policy. Countries like the USA, and members of the European Union do not have a refugee policy that restricts family reunion. It is expected that border control should be given priority to maintain the nation’s sovereignty, but that should not happen at the cost of humanity. The vulnerability of refugees must be kept in mind before the Government imposes harsh policies as the refugees have suffered enough and this suffering must come to an end.

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1. **Ahmed & McMichael**, 2003, *Family Separation: Somali Women in Melbourne*, [online], Available: www.deakin.edu.au/arts/cchr/rsg/pdfs/Celia%20McMichael.pdf.

This article focused on the refugee resettlement and the impact of family separation on resettlement. The writers focused on the resettled Somali women in Melbourne who were mostly accepted as humanitarian entrants under the Women at Risk Visa which operates in response to the vulnerability of women. This article is an extremely useful reference as it highlights the problems faced by refugee women, without their families, in a different country with a completely different culture.

2. **Dr. Barnes, D.**, *A life devoid of meaning; Living on a Temporary Protection Visa in Western Sydney*, Centre for Refugee Research, University of New South Wales, Western Sydney Regional Organisation of Councils Ltd., Australia, 2003.

This article reveals the experience of the refugees on Temporary Protection Visas in Western Sydney, based on an observational study. The mental stress suffered by the refugees on TPVs because of the family separation is well documented in this paper.

3. **Leach, M.**, 2003, "*Disturbing practices*": *Dehumanizing asylum-seekers in the refugee "crisis" in Australia, 2001-2002*, [online], Available: http://www.findarticles.com/p/articles/mi_go1656/is_200305/ai_n9011160.

This book contains a collection of individual testimonies focusing on the experiences of their pre and post flight to Australia. This book also includes the in-depth interviews conducted by the research assistants in order to highlight the difficulties faced by the refugees because of family separation. This is a very useful reference to analyse the impact of the Australian Government's refugee policy.

4. **Marston, G.**, 2003, *Temporary Protection Permanent Uncertainty: the experiences of refugees living on temporary protection visas*, Centre for Applied Social Research, RMIT University.

This paper explains the nature of the temporary protection visa regime and the impact of this policy on the refugees. This is an extremely well researched paper that provides a critical review of the Australian Government's policy on Temporary Protection Visas and the impacts of this policy; such as the restriction on family reunion.

5. **Refugee Council of Australia**, 2001, *ROCA Discussion Paper on family unity and family reunification obligations in relation to family*, [online], Available: http://www.refugeecouncil.org.au/html/position_papers/FAMILY_UNITY.html. This discussion paper by the Refugee Council of Australia highlights some extremely useful case studies with an attempt to focus on the flaws of the Australian Government's refugee family reunification policy. This paper provides excellent

arguments against the current flaws associated with the Australian refugee family reunification policy.

6. Refugee resettlement working group, 2004, *Immigration issues related to refugee resettlement*, RRWG Sub-Committee on Immigration.

This paper is presented by the Refugee Resettlement Working Group. This paper excellently captures the problems associated with the current Australian family reunion programs available for the refugees on Permanent Protection Visas. This is a very useful reference to tease out the flaws associated with the current family reunion programs for the refugees on PPVs.