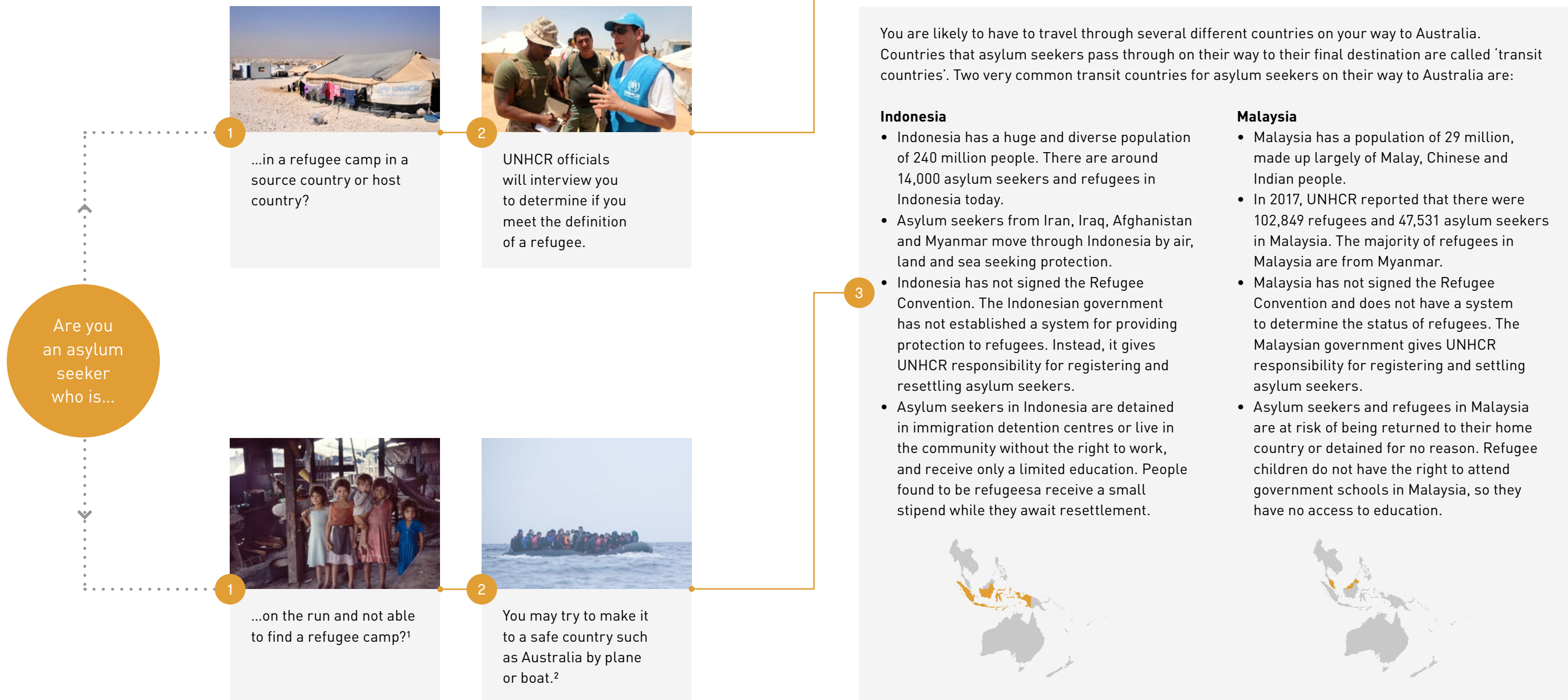


THE PROCESS OF SEEKING ASYLUM IN AUSTRALIA TODAY: A FLOW CHART

Australia's policies regarding asylum seekers have changed a lot since Federation. As of July 2017, Australia has a Liberal federal government, and Operation Sovereign Borders is ongoing.

The following flow-chart puts you in the position of an asylum seeker living somewhere around the world. It shows the processes that you would go through as a result of the Australian government's policies, depending on your circumstances.



¹ Photo by Linda Hess Miller
² Photo by Mstyslav Chernov
³ Photo by Mark Knobil

ASYLUM SEEKER FLOW-CHART

Are you going to travel by...



4 ...plane?
Note: This would usually only be possible if you were able to obtain a visa – for example, a tourist visa or a working visa.




4 ...boat?
Note: You would probably only travel by boat if you did not have access to a visa. You would probably have to pay a 'people smuggler', which is a person who transports people to a country illegally.

Did you arrive in Australia by boat...

5 Once you are in Australia, you can submit a written application for refugee status with the Department of Immigration and Border Protection. This application will be assessed by an officer of the department. If your application is accepted, you will be granted a permanent protection visa. If your application is rejected, you can apply to have the decision reviewed by the Refugee Review Tribunal.

6  If all your appeals are rejected, you will be deported back to your home country. You may be placed in immigration detention while you wait to be deported.

5 ... before July 2013?
This means that you arrived **BEFORE** Kevin Rudd's Labor government announced that asylum seekers who arrive by boat without valid visas would no longer ever be settled in Australia.
Your claim for refugee status is part of what is known as the 'legacy caseload'. You are still waiting today for a decision on your refugee status.
While you wait, you are subject to some form of immigration detention. This could be:
1. Onshore closed immigration detention (where you are not allowed to leave the facility); or
2. Community detention (if you are eligible). This involves living in community-based accommodation while you wait for an outcome on your visa application. While you wait, you can work and study, within certain limitations.



5 ... after July 2013?
This means that you arrived **AFTER** Kevin Rudd's Labor government announced that asylum seekers who arrive by boat without valid visas would no longer ever be settled in Australia.
You will:
• Have your boat turned around, if it is safe to do so;
• Be deemed by the Australian government to be an 'Illegal Maritime Arrival' (IMA);
• Be transferred to an offshore detention facility in Papua New Guinea or Nauru;
• Have your application for refugee status assessed under the domestic law of PNG or Nauru;
• Not be settled in Australia – instead, if you are found to meet the definition of a refugee, you will be temporarily settled in PNG or Nauru; and
• Also have the option of returning to your home country or being resettled in Cambodia.

