

Saving lives at sea: the asylum seeker expert panel reports

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After two weeks of assessing the evidence, discussing policy and reporting on fieldwork, The Conversation's [asylum seeker expert panel](#) has made its findings.

Using information from our [research repository](#), and arising from discussion had on the [group blog](#), our panel of academics has drafted a position tailored to the Houston panel's [Terms of Reference](#). Whether this expert advice will be heeded remains to be seen, but this statement will remain on the public record as a fair, humane and workable policy approach to asylum seekers losing their lives at sea.

As a nation dependent upon migration for its past success and its future prosperity and as a proud party to human rights treaties, Australia should be a leader in the Asia Pacific, working in partnership with its neighbours to implement fair and just measures in responding to asylum seekers in the region.

Australia must reject deterrence as the governing framework as being both unethical in relation to persecuted people and unworkable in relation to discouraging an illicit market in irregular migration. It must recognise that the continual increase in border security measures can enhance the likelihood of death for the most vulnerable groups, including women and children.

Australia can effectively manage asylum seekers without generating fear or financial deficit, compromising the rule of law, or outsourcing its rightful responsibilities to other countries or private contractors.

Preventing risky journeys

We can prevent asylum seekers risking their lives by travelling to Australia by boat if we create and sustain multiple opportunities for seeking protection throughout the Asia Pacific region. These opportunities must be effective, efficient, and more attractive than continuing with irregular journeys.

We should enhance regularised travel for asylum seekers by redressing visa processes which unnecessarily restrict travel access for main asylum groups including Iraqis, Afghans, Iranians and Sri Lankans.

We should enhance onshore procedures for efficient and effective processing of asylum claims.

As an alternative to detention, we should implement procedures that require regular reporting by onshore applicants after necessary health and security checks have been completed.

We must work towards parity in processing time and protection outcomes for those making asylum claims in transit countries and those making such claims onshore in Australia. This should involve bringing the situation for all those seeking asylum up to highest existing standards in the region or better, reducing any incentive for making onward journeys.

Source, transit and destination countries

Australia should be the lead, co-ordinating country in responding to asylum seekers in the Asia Pacific. We can do so through mobilising similar countries such as New Zealand, Canada and the USA, along with our proximate neighbours, to develop a program of action that is geared for future challenges.

As part of coalition forces in current key countries of origin such as Afghanistan and Iraq, Australia should recognise and honour our moral obligations in responding to irregular flows generated by conflict in the region.

Recognising the importance of regional solutions, Australia should [prioritise asylum seekers](#) in the Asia Pacific.

Respecting international obligations

All asylum and border control processes must be consistent with Australia's international obligations. These obligations should be promoted as a matter of pride and prominence in all measures.

Recognising the likely increase in prosperity and growth throughout this region, Australia as a human rights leader should encourage other nations in the region to become parties to the [Refugee Convention and Protocol](#) and enhance their capacity to provide protection.

Short-term measures

Australia should cease its practice of reducing the number of offshore special humanitarian places made available through its refugee and humanitarian resettlement program each year by the number of onshore protection visas granted that year.

Australia should [at minimum double](#) its annual refugee and humanitarian resettlement program and seriously consider a larger intake.

Medium-term measures

Australia should negotiate with regional governments for the establishment of asylum claim processing centres in countries such as Indonesia, Pakistan and Malaysia so that asylum seekers do not need to travel further afield in order to access protection.

Australia should work with regional governments to find [regional solutions](#) to refugee protection.

Countries that agree to provide refugee protection – including Australia – should provide [air transport](#) from origin and transit countries to destination countries for all persons assessed as being in need of protection. Providing an opportunity for legal and safe passage to Australia could help reduce unauthorised entries.

Long-term measures

Australia should negotiate with OECD and middle-income countries to increase their refugee intake and take diplomatic initiatives to support an embargo on the sales of arms to conflict areas.

We should support efforts by governments, the United Nations, and other organisations, especially civil society groups, to prevent conflicts, to resolve existing conflicts and to rebuild societies after conflicts.

Legislative requirements

It is already within the power of the executive government to ensure that all Australia's international obligations towards asylum seekers are honoured. However, under existing domestic law, it is also within the power of the government to act contrary to Australia's international obligations in many respects if it chooses to do so. Therefore, legislation should be passed which expressly incorporates the Refugee Convention and Refugee Protocol and all human rights treaties to which Australia is a party into Australia's domestic law without change.

Read the rest of The Conversation's asylum seeker coverage:

[Asylum seekers and Australia: the evidence](#)

[The Conversation panel on asylum seekers: meet the experts](#)

[Infographic: global refugee populations 1975-2010](#)

[Refugee intake starts in the region: making a difference in regional burden sharing](#)

Refugees and asylum seekers in Malaysia: the good, the bad and the unexpected

What does the Australian public really think about asylum seekers?

Resettling refugees: the evidence supports increasing our intake

What role does Australia play in accepting the world's refugees?

Who are Australia's 'boat people', and why don't they get on planes?

Uncomfortable truths: busting the top three asylum seeker myths

There's no evidence that asylum seeker deterrence policy works

There's more to regional collaboration than the Malaysia Arrangement

How immigration policy harms asylum seekers' mental health

Asylum seekers in Indonesia: why do they get on boats?

Preventing deaths at sea: asking the experts on asylum seekers