# ANU CENTRE FOR EUROPEAN STUDIES

# Policy Notes

Issue 5, 2019

# PPCEUMI Policy Brief 4: Australian Migration and Integration Policy

**On 19 March 2019, the Erasmus+ Jean Monnet network Policy, Politics, Culture: EU Migration and Integration (PPCEUMI) hosted a Migration Policy Dialogue at the National University of Singapore entitled 'Immigration Anxieties in Europe, Singapore and Australia: Facts and Frictions'.**

In this Policy Note, Nicholas Simoes da Silva, a Research Associate at the ANU Centre for European Studies, offers a summary and analysis of two of the panellists' discussion of Australian migration and integration policies.

The panellists who spoke about Australia were:

> Associate Professor Laurence Brown (ANU College of Arts and Social Sciences; Adjunct ANUCES)

> Ms Anne McNaughton (ANU College of Law; Adjunct ANUCES)

## Associate Professor Laurence Brown

Brown's presentation focused on seeking to understand the historical shifts in Australia's migration policy and the reconfiguration of recent migration debates in Australia away from asylum seekers and towards restrictions on permanent migration. He sought to explain Australia's immigration policies over past fifty years as a product of the interplay of population, policy and politics. He suggested that the 2019 election reframed migration politics towards concerns over population and sustainability, offering an opportunity for politicians to reconfigure migration policies.

Australia has three primary classes of migrants: permanent, temporary and irregular. Australia's permanent migration program saw around 190,000 people granted permanent residency annually between 2012 and 2018. Before the election, however, Prime Minister Scott Morrison announced that the number of residency visas would be lowered to 160,000 per year. This was despite government data from April 2018 suggesting that such a reduction in permanent migration would result in a $4 billion loss to the Australian economy. At that time, such a reduction was seen as a significant economic risk. The shift in government policy therefore reflected a reframing of the debate away from the economic benefits of migration and towards population and

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*This Policy Note is the part of the Jean Monnet Erasmus+ network: Policy, Politics, Culture: EU Migration and Integration (PPCEUMI).*

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sustainability concerns, a theme returned to later.

Temporary migrants comprise the largest cohort of migrants in Australia, with around 200,000 arrivals annually and a total population of over 2.3 million people at any given time. Around 1.6 million of these migrants have working rights, including international students, New Zealand migrants, temporary skilled migrants and temporary agricultural labourers. Such temporary migrants are also the primary source for the permanent migration program, as a large number of migrants who came here for study and those sponsored by an employer seek to transition to a permanent residency visa. Thus, most permanent migrants have lived in Australia for a substantial period of time before gaining permanent residency rights.

Irregular migrants, often referred to as asylum seekers, comprise the smallest stream of migrants. However, over the past two decades, such migrants have been the focus of debates over migration policy and posed significant challenges for policy makers. This is because irregular migration is a symbolic flow that has shaped perceptions and undermined the legitimacy of migration governance since the 2001 Tampa incident, which was central in the 2001 Australian Federal election. This is despite the fact that there were just 5000 irregular maritime arrivals in 2001. Even at the peak of such arrivals, in 2012 and 2013, around 20,000 asylum seekers arrived by boat in Australia. These asylum seekers represented 1.1% of the temporary migrants in Australia at that time. The focus of policymakers and voters on irregular migration, while simultaneously allowing high and increasing volumes of permanent and temporary migration, is

a notable feature of the Australian model of migration. This reflects a balance between a pursuit of high migration with the imposition of significant restrictions.

In Australia, the challenge for policymakers has reconfigured over the past half-century through the interplay of three policy pressures: a strong economy, strong social cohesion and robust national security. Policymakers have tended to focus on one or two of those at any particular time. In the period following the Second World War, policymakers pursued migration to provide labour for nation-building, reflecting a migration policy driven by economic needs. In the 1970s, as migrants gained political power and the white Australia policy was ended, there was a focus on integration and social cohesion as well as labour. In the 1990s, policymakers shifted to attracting skilled labour as part of a strong focus on economic prosperity. More recently, national security has come to dominate migration policy making and has reconfigured the policy structures underpinning Australia's migration policy.

The shift away from ensuring integration and social cohesion is reflected in the Commonwealth Government's proposed part-privatisation of visa processing under a one-billion-dollar tender, which will also result in privatisation of some integration services. Following the tender, the Department of Home Affairs will focus on security at the border, with integration being outsourced to other Commonwealth agencies, the states, NGOs, or the private sector. To see the significance of this shift during a period of high migration, one can contrast Australia's moves to those in the EU, where states have focused heavily on integration and social cohesion following the 2015-16 influx of asylum seekers.

A notable feature of migration politics in Australia is the focus on symbolism by political leaders. Brown used the case study of Operation Sovereign borders under which ships were intercepted at sea and 'turned back'. When Scott Morrison announced the policy as immigration minister, the flow of boats coming to Australia had already dropped by 90%. The Government was therefore able to take credit for something that had already happened. The key policy change that had resulted in the fall in boat arrivals had been the removal of access to residency for migrants arriving by boat under the Rudd Government. The symbolism of the 'Stopping the Boats' campaign is reinforced by the fact that the Government is today dealing with much larger numbers of asylum seekers than in 2011-12, but they are arriving by air.

The effect of recent migration politics in Australia was that, in the lead up to the 2019 Federal election, strong borders and security were key to the Liberal Party campaign. Moreover, migration is no longer seen as an economic good for Australia, instead commonly being viewed as causing unsustainable population growth. In the run-up to the election, both State and Federal political leaders started to engage with migration policy on this basis, calling for reduced migration quotas and requirements that new migrants live in rural or regional areas for a period after arrival. The dialogue represents a historically notable shift from debating asylum seekers to debating Australia's permanent migration quotas that had previously largely gone unquestioned.

## Ms Anne McNaughton

McNaughton's presentation focused on mutual recognition of professional and educational qualifications in Australia. She first reflected on the sense of anxiety many individual professionals feel in seeking to move to another country for work or in seeking to move from the temporary migration pathway to permanent residence. Professional services have requirements for bringing people from overseas to work, particularly in the regulated services sectors. Free trade agreements, such as the proposed EU-Australia FTA, now often contain chapters on services that include some kind of mutual recognition arrangement and an institutional structure to manage equivalence between countries' professional services regulations. The focus on mutual recognition of professional qualifications belies the fact that stakeholders, such as those in a profession who want to bring skilled migrants to Australia to take up roles in law, engineering and architecture, still identify visas as the biggest obstacle to movement of professionals.

This challenge is difficult to overcome, given visa requirements are driven by broader perceptions of temporary and permanent migration rather than profession-specific rules. A significant tension therefore arises between giving effect to FTAs and Mutual Recognition Agreements (MRAs), and the visa settings and requirements related to selected skilled workers. In Australia, attempts to improve market access for professionals encounter the dominant narrative around excessive migration and national security threats. In particular, to the extent they result in fewer available visas for foreign staff, apprehensions around significant migration pose challenges for professional services firms. Such firms are competing nationally and transnationally to attract skilled professionals, and frequently find ensuring access to visas for staff a substantial challenge. This produces the tension between economic interests and the politics of migration in Australia. It is not feasible to remove obstacles posed by visa requirements simply for the purpose of facilitating international economic integration in trade in services. However, the policy goal of increasing trade in services has a legitimate claim to wanting to be able to move labour freely, subject to international arrangements and agreements.

Finding a way forward to achieving reasonable labour force mobility for professionals in the context of politicised and visceral migration anxieties underpinned by national security concerns has proven difficult. The recent calcification of migration policy settings has worked against increased trade in services. Finding the balance is a challenge demanding collective attention, particularly given the proliferation of MRAs and the obligations on states they create. A particular difficulty is that while migration policy is created in the public arena by government, the regulation of professional services occurs privately – the regulators are private regulators formed from members of the profession, with some public regulation sitting alongside these private rules in co-regulated professions. Ongoing dialogue is therefore needed between the public sphere and the private bodies engaged in the services delivery. Given that FTAs target 'behind the border' barriers such as domestic regulations, it is necessary to establish relationships vertically, between regulators, state and federal governments, as well as horizontally between regulators. The alternative is that the economic and political promises of FTAs and MRAs are not realised, as has been the case in the Asia-Pacific region.

## Conclusion

Both McNaughton's and Brown's presentations speak to a migration policy in flux and under pressure to deliver on a range of competing demands. As Brown's presentation demonstrated, a degree of triangulation has always been present in Australia's migration policy. The pressures of economic policy, social cohesion, national security and an amorphous sense of border 'control' have historically presented competing narratives of migration.

The competing demands on migration policy have also been evident in the EU, where the European Commission's policies on migration promise to achieve multiple challenging objectives simultaneously. Member states and Union institutions have increasingly promised strong borders and security while also seeking to guarantee social cohesion and immigration that supports economic growth. The proliferating demands placed on EU migration policy was underlined by incoming European Commission President Ursula von der Leyen creation of a Vice-Presidency portfolio titled 'Protecting our European Way of Life.' The portfolio's incoming commissioner, Greece's Margaritis Schinas, will be responsible for migration, security, employment and education, that is almost all the possible demands historically placed on migration policy.

The EU's October 2019 update on the now four-year-old European Agenda on Migration reflected a European migration policy grown bloated with the demands placed on it. The update suggested EU migration policy was aimed at, among other things, increased solidarity among member states; support for third countries in preventing migrant arrivals; large aid programs for countries of origin that would deliver economic growth and jobs; and stronger external borders. It also suggested the Commission regretted the 'stalled' EU Blue Card, an EU-wide residence and work visa that would have made the Union 'more attractive and enhance[d] the EU's competitiveness.' The EU's muddled migration policy reflects the difficulty of seeking to achieve multiple policy objectives at once in a policy area that is rarely able to tolerate so many competing narratives.

The challenge of such policy triangulation has also grown in Australia over the past decade. While not new, as the old binary debates over a 'big' or 'small' Australia demonstrate, concerns about population and sustainability have become more salient in Australian political discourse. Prime Minister Scott Morrison's promise to cut permanent migration even as the economy weakens and professional services firms demand increasing access to international labour markets suggests the sidelining of economic considerations in Australian migration policy. But, as Brown's presentation also showed, the dual focus on permanent and humanitarian migration obscures the enormous and growing class of temporary migrants in Australia. Such migrants are central to Australian economic prosperity and the foundation of a multicultural Australia. Indeed, their increasing number suggests the long-term victory of a multicultural and 'big' Australia.

However, the decline in the number of permanent residency visas available to temporary migrants suggests a precarious and uncertain future for too many temporary migrants. The path from a temporary visa to permanent residency, let along to citizenship, is an increasingly narrow and winding one. The growing number of long-term temporary migrants will potentially present serious challenges to social cohesion and risks creating a permanent underclass of people in Australia. The growth of temporary migration and the closing of paths to citizenship pose a fundamental question to us all: what sort of country will we be if millions of people resident in this country have no legal or political right to Australia's future?

Co-funded by the
Erasmus+ Programme
of the European Union

## Policy, Politics, Culture: EU Migration and Integration network (PPCEUMI)

*PPCEUMI is concerned with the analysis of policy and governance reforms based on explorations of existing EU approaches and the experiences of third countries such as the USA, Singapore, Australia and New Zealand. It provides a comprehensive avenue to improve the EU and its member states' implementation of best practice. Policy- and solution-oriented, PPCEUMI focuses on the immediate period of pre- and point-of-arrival of migrants, as well as the longer term process of integration. PPCEUMI welcomes interested academic members wishing to participate in network activities or publications. For further information, visit* **http://bit.ly/PPCEUMI** *or email* **europe@anu.edu.au**

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