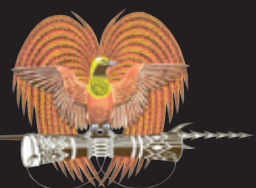


NATIONAL REFUGEE POLICY



Government of Papua New Guinea



Minister's foreword



As Papua New Guineans, we are proud of our tradition of providing assistance to people in need. Whether our bond with those needing help is through blood, language, culture or simple common humanity, we do not turn our backs.

For decades we have welcomed Melanesian refugees from across the border, and more recently we have welcomed non-Melanesian refugees too.

Papua New Guinea is a strong regional leader in providing humanitarian protection to some of the world's most vulnerable people.

Asylum seekers have fled situations of persecution, war, torture and rape. They simply want to rebuild their lives in peace and safety.

Papua New Guinea is rich in natural resources but we are still developing our national economy and institutions. The national government is first and foremost focussed on enhancing the welfare and fulfilment of our own people, but is also committed to fulfilling its humanitarian obligations. Therefore this policy supports our nation's and our people's needs, as well as helping to protect refugees.

It focuses on building refugees' self-sufficiency and enabling them to make a contribution to Papua New Guinea's economic development. Many refugees have skills and experience that are in short supply and greatly needed by Papua New Guinean businesses.

International studies have consistently shown that over time refugees provide a net positive benefit to their new home country. Most become committed citizens, who have qualities of resilience, initiative and entrepreneurialism. They create jobs and additional revenue for their host governments.

Looking to the future, this policy considers options to further leverage the benefits and skills that refugees can bring. In releasing this policy, Papua New Guinea is contributing to national development and proudly displaying its humanitarian credentials to the world. I commend this policy to you.

Rimbink Pato, OBE, LLB, MP
Minister for Foreign Affairs and Immigration
June 2015

Introduction

As Melanesians, Papua New Guineans have a strong tradition of helping those in need. We have hosted refugees from Indonesia's Papua and West Papua provinces for almost 50 years. We are now working to help them to attain the full rights and responsibilities of Papua New Guinean citizenship.

Recent changes to irregular migration flows have resulted in small numbers of spontaneously arriving asylum seekers in Papua New Guinea. Papua New Guinea has also partnered with regional countries to contribute to the processing and settlement of refugees, including under the Regional Resettlement Arrangement.

Refugee status is determined in accordance with the Refugee Status Guidelines incorporated under Papua New Guinean law within the Migration Regulation 1979.

Papua New Guinea is committed to continue to support refugees. We do so in a way that benefits our economy, national development and security.

Refugees simply want to re-establish a normal life. Like all of us, they want certainty, stability, hope, and a sense of belonging together with their family.

This policy outlines 5 key policy principles that guide Papua New Guinea's approach to managing refugee issues into the future and meeting its international obligations under the 1951 Convention on the Status of Refugees and related 1967 Protocol.

Arrangements for non-refugees are not addressed within this policy and are covered in existing law.



West Papuan dancers at the World Refugee Day 2015.

Key policy principles

- 1 Papua New Guinea recognises the rights of refugees in accordance with its commitments under the 1951 Convention on the Status of Refugees and related 1967 Protocol, and the Principles of this National Refugee Policy, and incorporates these within national legislation.
- 2 Papua New Guinea is committed to working with other countries and international organisations to provide protection to refugees and combat people smuggling, trafficking in persons and related transnational crime.
- 3 Papua New Guinea may enter into arrangements with other countries or international organisations for processing asylum seekers' claims and where appropriate settlement of refugees.
- 4 Papua New Guinea embraces the skills and qualities of refugees, supports them to become self-sufficient and offers them the opportunity to become citizens.
- 5 Papua New Guinea contributes to global refugee support efforts and targets for international resettlement refugees with appropriate skills required by PNG for national development.



West Papuan children in PNG.

Policy Principle 1 :

Papua New Guinea recognises the rights of refugees in accordance with its commitments under the 1951 Convention on the Status of Refugees and related 1967 Protocol, and the Principles of this National Refugee Policy, and incorporates these within national legislation.

In 1986 Papua New Guinea formalised its commitment to refugee protection by acceding to the 1951 Convention on the Status of Refugees and its related 1967 Protocol. Papua New Guinea will continue to review and refine its legislation to ensure that our commitments under the Convention and the principles of this National Refugee Policy are fully reflected in domestic laws. Refugees are entitled to most of the same rights as Papua New Guineans under the National Constitution.

Papua New Guinea has already implemented significant legislative amendments, including to: remove citizenship application fees for refugees; establish a refugee status determination process; create a refugee visa; give work rights to refugees; enable regional processing arrangements for asylum seekers; and criminalise people smuggling and trafficking.



West Papuans in East Arwin.

Policy Principle 2:

Papua New Guinea is committed to working with other countries and international organisations to provide protection to refugees and combat people smuggling, trafficking in persons and related transnational crime.

As a leader in the Pacific, Papua New Guinea commits to cooperate with regional partners to provide protection to refugees and help address push factors in refugee source countries. Papua New Guinea actively participates in: the Bali Process on People Smuggling, Trafficking in Persons and Related Trans-National Crime; the Pacific Immigration Directors' Conference; the Special Meeting on Irregular Migration in the Indian Ocean; and other key fora.

Papua New Guinea has close and ongoing cooperation with the United Nations High Commissioner for Refugees, the International Organization for Migration, and other international organisations, for the protection of asylum seekers and refugees.

As part of the global refugee protection framework, Papua New Guinea is a signatory to relevant international instruments, including: the Universal Declaration of Human Rights; the International Covenant on Civil and Political Right; the Convention on the Rights of Children; The Convention on the Elimination of all Racial Discrimination; the Convention on the Elimination of all Forms of Discrimination against Women; and the International Covenant on Economic, Social and Cultural Rights. Papua New Guinea will consider accession to other relevant treaties.



2014 annual meeting of the Pacific Immigration Directors Conference, hosted by Papua New Guinea.

Policy Principle 3:

Papua New Guinea may enter into arrangements with other countries or international organisations for processing asylum seekers' claims and where appropriate settlement of refugees.

PNG may enter into arrangements with like-minded countries or international organisations for processing asylum seekers' refugee claims and where appropriate settlement of refugees either in PNG or a third country.

Under such arrangements, responsibility for all costs, including travel, processing, temporary stay and/or settlement will be agreed in advance.

The Government of Papua New Guinea makes the final determination of who is permitted to be processed and settled here. Durable solutions for those not eligible to remain in Papua New Guinea will be arranged with relevant parties.



Manus Regional Processing Centre for asylum seekers.

Policy Principle 4:

Papua New Guinea embraces the skills and qualities of refugees, supports them to become self-sufficient and offers them the opportunity to become citizens.

National benefit

Papua New Guinea's support for refugees assists PNG to achieve its national development goals, as articulated in Vision 2050.

Many refugees have skills, qualifications and experience that are in short supply within Papua New Guinea's workforce and will provide economic development benefits, including through skills transfers to Papua New Guineans.

Even those that do not have professional skills have different experiences, ideas and entrepreneurialism that can drive innovation, improve farming or production practices or create new business niches in Papua New Guinea.

Many refugees establish businesses that create new job opportunities for local people and generate revenue for the Government.



A successful West Papuan.

Self-sufficiency

The most important objective of Papua New Guinea's support for refugees is self-sufficiency.

While Papua New Guinea has an abundance of natural resources, its economy and institutions are still developing. Local unemployment remains high and Papua New Guinea does not have a comprehensive social security system. Refugees must become able to support themselves. In order for refugees to be accepted within Papua New Guinea they must not be perceived to be provided special treatment or distinct advantages over local people.

Employment

In order to become self-sufficient refugees must be able to work or otherwise secure their livelihood. The Government of Papua New Guinea has removed the requirement for refugees to hold a work permit and thus work without restriction. Refugees are not given preferential access to jobs and are expected to compete for jobs, just like Papua New Guineans.

Business

Refugees may start a business if they have, or attain, the means to do so. They may establish a business independently through the Investment Promotion Authority, or as a joint venture with Papua New Guineans. Many refugees are well placed to identify and fill needs within the Papua New Guinean economy.

Farming

As most land in Papua New Guinea is traditionally owned, refugees who wish to engage in traditional farming must do so on designated state land. The National Government has allocated 6,000 hectares of land at East Awin in Western Province for long-term Melanesian refugees to support themselves through traditional farming. Refugees may also enter into arrangements with land owners to obtain access for farming in accordance with appropriate laws.



COPP (Community Orientation Preparatory Program) for transferees on Manus Island.

Targeted support

Refugees may be provided with targeted support to enable them to become self-sufficient. This may include training in English, Tok Pisin and Papua New Guinean culture. The specific support that may be provided is determined by the Immigration and Citizenship Service Authority based on each refugee's circumstances and, where relevant, funding support from partner governments or international organisations.

Refugees have access to the same public health, education and housing and employment services as Papua New Guineans.

Family reunion

Some refugees have fled persecution without their families and strongly desire to be reunited with them. Once refugees have successfully established themselves and become self-sufficient they are permitted to sponsor their families to join them through regular migration processes.

Refugees who can not become self-sufficient

Papua New Guinea will seek assistance from the United Nations High Commissioner for Refugees or other resettlement countries to find durable solutions for spontaneously arriving refugees who have complex support needs that prevent them from becoming self-sufficient.

Rights and responsibilities

Refugees share most of the same Constitutional and legal rights as Papua New Guineans. This includes, amongst others, the rights to liberty, freedom of movement, privacy, protection under the law and freedom of religion. Refugees are not provided rights that are restricted to citizens, including the right to vote, hold public office or acquire freehold land.

Refugees also share the same responsibilities as other residents of Papua New Guinea. They must respect our laws, maintain the peace, respect other people, respect our cultures and traditions, and respect our Christian heritage.



First meeting with West Papuan community with UNHCR regional representative.

Citizenship

After 8 years living in Papua New Guinea refugees are able to fully commit to their new home country and take up citizenship (if they meet eligibility requirements). This accords them all of the same rights and privileges as other Papua New Guineans.

The National Government has recently removed the citizenship application fee for refugees. The Immigration and Citizenship Service Authority, with assistance from the United Nations High Commissioner for Refugees, is currently working to assist all refugees in Papua New Guinea to be registered and apply for citizenship or a visa. Once they take up citizenship they will no longer be refugees and instead will be fellow Papua New Guineans, sharing the culture of their new home country.



First meeting with West Papuan community with UNHCR regional representative.

Policy Principle 5:

Papua New Guinea contributes to global refugee support efforts and targets for international resettlement refugees with appropriate skills required by PNG for national development.

Papua New Guinea is committed to continuing to provide humanitarian support for refugees, fully implement our obligations under the 1951 Convention on the Status of Refugees and its related Protocol, and make our contribution to international burden sharing. We will leverage the qualities and potential of refugees to benefit our nation.

Papua New Guinea will explore options to invite refugees from camps around the world, who have appropriate skills to contribute to national development, to resettle in Papua New Guinea. Priority will be given to refugees and their families that have skills that are in high demand in Papua New Guinea.



Kigeme Refugee Camp.