

Destination anywhere? Factors affecting asylum seekers' choice of destination country

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Executive summary

- At the end of 2011 there were over 16 million refugees and asylum seekers worldwide. By far the majority of these are hosted in the developing world, close to the refugee-producing hotspots. However significant numbers do make their way to developed countries to apply for asylum.
- In the context of increasing numbers of asylum seekers arriving in Australia by boat in recent years, there has been much debate about the impact of certain policy measures on numbers of arrivals, and the relative significance of 'pull' versus 'push' factors in influencing the rate of arrivals.
- There is a growing body of research (albeit largely from outside Australia) into the issue of asylum destination choice—that is, the extent to which asylum seekers are able to exercise choice when it comes to their destination country, and their reasons for choosing certain countries over others.
- This research reveals a number of common themes, chief among them being that asylum seekers generally have limited options available to them, and choices are made within a very narrow field of possibilities. Their choices and their journeys are often strongly influenced by the people smugglers, or agents, they engage to assist them.
- Where asylum seekers are able to exercise choice in determining their destination country, factors such as the presence of social networks, historical ties between the countries of origin and destination, and the knowledge or belief that a certain country is democratic, where human rights and the rule of law are likely to be respected, are highly influential.
- Policies and processes relating to the asylum procedure in destination countries are generally not well known and therefore not highly significant in influencing choice of destination. This represents a major challenge for governments which are attempting to curb flows of asylum seekers through changes to asylum policy.

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Introduction

The arrival of asylum seekers on Australian shores, particularly those who arrive irregularly by boat, has for many years been a matter of significant political and public concern. This concern has ebbed and flowed in line with the numbers of boat arrivals, and corresponding attempts to crack down on people smuggling and deter asylum seekers from journeying to Australia. In Australia, after a period of relative quiet in the middle of the last decade, the issue has been very much back on the policy agenda as numbers of arrivals have steadily increased over the last four years.¹

In the current debate, much discussion has centred on perceived 'pull factors', which are assumed to draw asylum seekers to Australia. Changes to asylum policy made by the Rudd Government in 2008, such as the abandonment of offshore processing and Temporary Protection Visas (TPVs), have been accused of acting as pull factors, as have Australia's comparatively generous welfare arrangements, and relatively high refugee recognition rates. However, beyond a simple correlation between policy changes and the numbers of boat arrivals at certain points in time, little empirical evidence has been presented to demonstrate that such pull factors are actually at play.

There is a small but growing body of literature examining the choices made by refugees and asylum seekers at various stages of their journeys, and the factors influencing their choice (to the extent they are able to make such a choice) of one destination country over another. Most of the research in this field has been undertaken in the European context. There is a significant gap in the research when it comes to asylum seekers who have made their way to Australia.² Nonetheless, the literature provides some insights into the choices made by asylum seekers which should be of interest to policy makers in Australia. While every asylum seeker's circumstances, journey and choices are different, numerous studies have concluded that a series of common factors influence where an asylum seeker goes upon leaving their country of origin.

This paper examines the literature on refugee and asylum seeker choice of destination, and provides an overview of the key factors that figure in such peoples' decision-making. It then considers the extent to which attempts at deterring asylum seekers from arriving can be successful, given what is known about the nature of asylum migration, and the factors that influence the choice of destination country.

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1. For statistics on asylum seekers arriving by boat, and discussion of some key policy responses, see J Phillips and H Spinks, *Boat arrivals in Australia since 1976*, Background note, Parliamentary Library, Canberra, updated 30 January 2013, viewed 30 January 2013, http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2012-2013/BoatArrivals
 2. The lack of Australian research was acknowledged in the Report of the Expert Panel on Asylum Seekers, which recommended the establishment of a 'well-managed and adequately funded research program engaging government and non-government expertise'. See *Report of the Expert Panel on Asylum Seekers*, Australian Government, Canberra, 2012, pp. 18 and 46, viewed 13 December 2012, http://expertpanelonasylumseekers.dpmc.gov.au/sites/default/files/report/expert_panel_on_asylum_seekers_full_report.pdf

Outflows of refugees and asylum seekers

The Universal Declaration of Human Rights states that 'everyone has the right to seek and to enjoy in other countries asylum from persecution'.³ People leave their countries and seek asylum for many reasons—political persecution, ethnic persecution and gender-based violence are just a few examples of the complex and varied factors which compel people to flee their homes and seek refuge in another country. As long as people continue to suffer such persecution, refugees will remain a global reality. While the numbers of asylum seekers and refugees worldwide rise and fall from year to year, it is highly unlikely that the figure will ever fall to zero. According to the Office of the United Nations High Commissioner for Refugees (UNHCR) there were 42.5 million forcibly displaced people worldwide at the end of 2011. This included 15.4 million refugees and 895 000 asylum seekers.⁴

The 1951 United Nations Convention Relating to the Status of Refugees (the Convention) defines a refugee as any person who:

... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.⁵

An asylum seeker is a person who claims to be at risk of persecution but has not yet been determined to be a refugee.

It is important to distinguish between a refugee or asylum seeker and an 'economic' migrant. Global migration flows are complex and people move between countries for a wide range of reasons. A driving factor for many migrants is economic opportunity and the prospect of greater prosperity. This is true for many 'irregular' migrants as well as for those who migrate through official channels. The nature of asylum and refugee flows means that movements are often irregular. That is, individuals may cross a border without authorisation, often using the services of a people smuggler. However not all irregular migrants are asylum seekers—many are simply people on the move in search of greater opportunity. For this reason, irregular migratory flows are often termed 'mixed

3. United Nations, *Universal Declaration of Human Rights*, Article 14(1), viewed 18 June 2012, <http://www.un.org/en/documents/udhr/>

4. United Nations High Commissioner for Refugees (UNHCR), *Global Trends 2011*, UNHCR, Geneva, 2011, p. 2, viewed 18 June 2012, <http://www.unhcr.org/4fd6f87f9.html>
The total figure also includes internally displaced persons (IDPs), returned refugees and IDPs, and stateless persons. The figure of 15.4 million refugees does not include the 4.8 million Palestinian refugees under the care of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).

5. United Nations, *1951 Convention Relating to the Status of Refugees*, Article 1A(2), viewed 14 June 2012, <http://www.unhcr.org/3b66c2aa10.html>

migration', as they involve a combination of migrants seeking better economic opportunities and higher standards of living, as well as asylum seekers in search of protection from persecution.⁶

While asylum seekers and refugees may use similar modes of travel to other irregular migrants, it is important to remember that refugees are not simply economic migrants. While refugee-producing countries tend to be underdeveloped, with high rates of poverty and poor health outcomes, it is not these factors which generate large refugee populations. A 2005 study of factors affecting asylum migration to industrialised countries over a ten year period examined possible causes of population outflows in the top ten countries of origin for asylum seekers in Europe. It identified eight possible 'push' factors, ranging from 'persecution' factors such as repression of minorities and civil war, to 'development' factors such as poverty and low life expectancy. After rating the relative importance of each push factor for each of the top ten countries of origin, the authors concluded that 'it is quite obvious that indicators of conflict are far more significant than indicators of development. Repression of minorities and ethnic conflicts are the only factors present in all of the top sending countries'.⁷ Refugees may be poor (although this is not always the case) but it is their experience of persecution and threat to safety that compels them to leave their home and seek asylum.

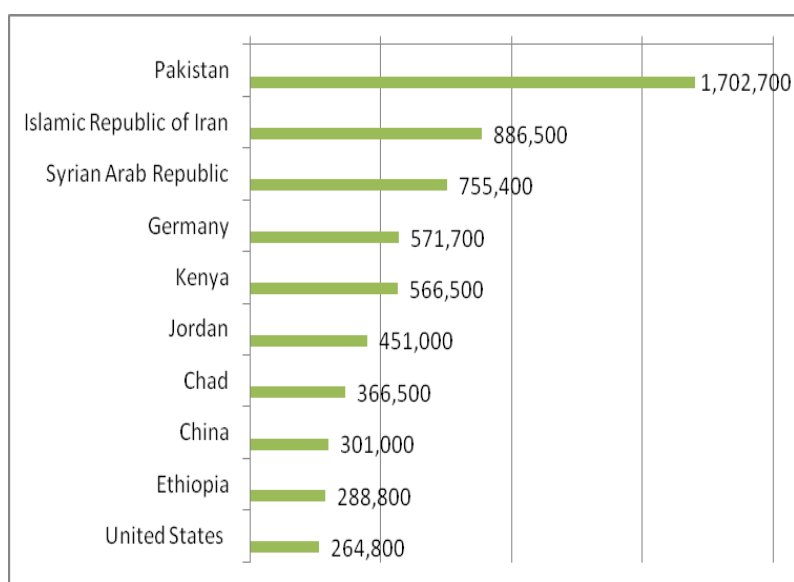
In the Australian context, warfare has been a significant 'push' factor for many asylum seeker arrivals. The majority of asylum seekers arriving in Australia irregularly by boat in recent years have been from Afghanistan, Iran, Iraq and Sri Lanka.⁸ Three of these four countries (Afghanistan, Iraq and Sri Lanka) have either recently experienced, or continue to experience, the effects of war. The other, Iran, is characterised by high levels of repression and human rights abuses.⁹ While there is no doubt that warfare generates large numbers of refugees, it is important to remember that a person is usually not considered to be a refugee under the Convention definition simply because they flee a war zone. Applicants for refugee status must still prove they that have suffered, or are at risk of suffering, persecution.¹⁰

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6. See UNHCR, *Mixed migration*, UNHCR website, viewed 13 November 2012, <http://www.unhcr.org/pages/4a16aac66.html> and *All in the same boat: the challenges of mixed migration*, UNHCR website, viewed 13 November 2012, <http://www.unhcr.org/pages/4a1d406060.html>
 7. S Castles and S Loughna, 'Trends in asylum migration to industrialized countries, 1990–2001', in G Burjas and J Crisp (eds), *Poverty, International Migration and Asylum*, New York, Palgrave Macmillan, 2005, p. 60.
 8. The largest source country for protection visa applicants who arrive by air is China, although the success rate for this group is quite low. See Department of Immigration and Citizenship (DIAC), *Asylum trends, Australia 2010–11*, DIAC, Canberra, 2011, p. 26, viewed 20 December 2012, <http://www.immi.gov.au/media/publications/statistics/asylum/ files/asylum-trends-aus-annual-2010-11.pdf>
 9. Amnesty International, *Annual Report 2011, The state of the world's human rights: Iran*, Amnesty international, London, 2011, viewed 20 December 2012, <http://www.amnesty.org/en/region/iran/report-2011>
 10. Although in some circumstances, such as a mass exodus due to civil war or strife, it is impossible to conduct individual status determination, and large groups of people will be granted prima facie refugee status. See UNHCR, *Protecting refugees Q&A*, UNHCR , viewed 20 December 2012, <http://www.unhcr.se/en/who-we-help/refugees/protecting-refugees-qa.html>

Where do they go?

The number one factor determining where refugees go when they leave their country of origin is geography. Most of the world's refugees and asylum seekers are hosted in developing countries, in close proximity to the major refugee-producing countries. For the last several years Pakistan has been the number one refugee-hosting country, reflecting the fact that neighbouring Afghanistan has been the number one refugee-producing country. In 2011, around one in four refugees worldwide originated from Afghanistan, with 95 per cent of them being hosted by Pakistan and Iran. Pakistan was host to 1.7 million refugees in 2011, with the second and third largest refugee populations being hosted in Iran (886 500) and Syria (750 000).¹¹ As shown in Figure One, only two western developed countries were in the list of the top ten refugee hosting countries at the end of 2011—Germany (fourth place) and the United States of America (tenth place). When calculated according to GDP, no western developed countries are in the top ten (see Figure Two).¹²

Figure One: Top ten refugee hosting countries, end 2011

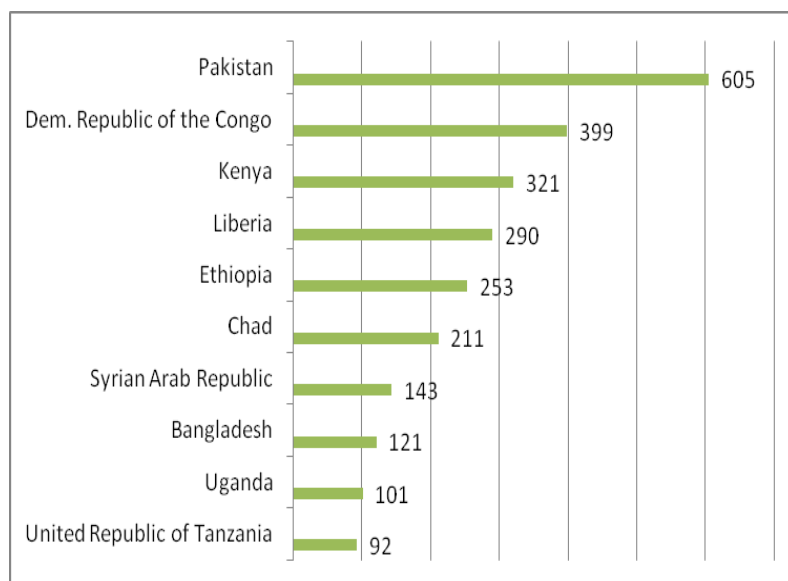


Source: UNHCR, *Global Trends 2011*

11. UNHCR, *Global Trends 2011*, op. cit., p. 12

12. UNHCR, *Global Trends 2011*, op. cit., p. 14

Figure Two: Number of Refugees per 1 USD GDP per capita, end 2011



Source: UNHCR, *Global Trends 2011*

Secondary movement from countries of first asylum

While by far the majority of refugees and asylum seekers remain in their region of origin, not moving far from their home country, some do move further afield in search of permanent protection. A small number of asylum seekers are able to travel directly from their country of origin to an industrialised country with an established asylum processing system. This route largely depends on the asylum seeker being able to acquire a passport and a visa (or in some cases fraudulent documents) to travel to the destination country and then making a claim for protection sometime after arrival. In Australia more claims for protection have historically been received onshore—that is, from people who have arrived in Australia with a valid visa and subsequently applied for protection—than from people who arrive irregularly by boat.¹³

For other refugees and asylum seekers, difficulties in accessing visas or transport to industrialised countries, and the urgency of their flight from their country of origin, mean that they typically flee initially to a neighbouring country and then make their way somewhere else. This is generally termed 'secondary movement'. It is this secondary movement that has led some commentators to accuse asylum seekers of 'country shopping', as it is assumed that a refugee who has reached a

13. This was the case for each program year up until 2010–11. See Department of Immigration and Citizenship, *Asylum Trends Australia 2010–11*, op. cit., p. 2.

In 2011–12 asylum application from those who arrived by boat (7379) exceeded applications from those arriving by air (7036) for the first time. See DIAC, *Annual Report 2011–12*, Commonwealth of Australia, Canberra, 2012, p. 131, viewed 19 October 2012, viewed 15 November 2012, <http://www.immi.gov.au/about/reports/annual/2011-12/pdf/>

neighbouring country has found protection, and any onwards movement is driven purely by choice, or economic concerns, rather than a need to find safety.¹⁴

In fact, there are numerous reasons why a refugee or asylum seeker may move on from the country of first asylum. While refugees, on arrival in a neighbouring country, may find sanctuary from the immediate threat which forced them to flee their homeland, many continue to feel unsafe. For example, a study of refugees in Lebanon transiting on their way to a final destination observes that 'to most refugees 'safety' means to find oneself under the protection of a state or an organization'.¹⁵ The participants in this study did not believe they could find this safety in Lebanon and therefore did not intend to stay there. This is the experience of many asylum seekers and refugees, particularly in countries where their presence is tolerated, but they have no legal status (such as Malaysia and Indonesia), as discussed further below.

Many of the countries which host large refugee populations are not signatories to the Convention. While this does not necessarily preclude the possibility of a refugee finding safety, it does make finding a meaningful protection outcome more challenging. Pakistan, which hosts more refugees than any other country, is not a signatory to the Convention. While the UNHCR is active in Pakistan, and conducts refugee status determination there, it is concerned that:

The core protection challenge in Pakistan is the absence of a specific legal regime for the protection of refugees ... Individually recognized refugees and asylum-seekers have difficulty in accessing basic facilities and essential services including education, health care and work in Pakistan. Many of them have limited income opportunities so they must survive through informal work arrangements.¹⁶

Additionally, refugees in non-signatory countries may be at risk of *refoulement*—being forcibly returned to their country of origin. Pakistan and Iran have been accused of forcibly returning refugees to Afghanistan and Syria has been reported to have *refouled* refugees to Iran and Iraq.¹⁷

In 2002 Human Rights Watch conducted interviews with Afghan and Iraqi refugees who had made their way to Australia by boat, in order to determine their reasons for leaving their country of first asylum. According to the resulting report, the overriding factor leading refugees and asylum seekers to leave their immediate region was the lack of a legal framework for providing them with

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14. For example see M Bachelard and L Taylor, 'Indonesia lashes opposition over asylum policy', *The Sydney Morning Herald*, 17 July 2012, p. 1, viewed 15 November 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F1783755%22>
 15. N Doornbos, A Kuijpers and K Shalmashi, *Refugees on their way to a safe country*, Centre for Migration Law, University of Nijmegen, 2001, p. 10., viewed 15 November 2012, <http://home.medewerker.uva.nl/n.doornbos/bestanden/Refugees%20on%20their%20way%20to%20a%20safe%20country.pdf>
 16. UNHCR, *2012 UNHCR country operations profile—Pakistan*, UNHCR website, viewed 30 January 2013, <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e487016&submit=GO>
 17. US Committee for Refugees and Immigrants (USCRI), *World refugee survey 2007*, USCRI, 2007, pp. 70, 97 and 117, viewed 30 July 2012, <http://www.refugees.org/resources/refugee-warehousing/archived-world-refugee-surveys/2007-world-refugee-survey.html>

protection. This lack of legal status created numerous risks, from the risk of *refoulement*, to the risk of harassment or arrest by authorities, as well as difficulties in accessing basic services such as health care, education, housing and access to employment.¹⁸ In some cases, respondents reported the persecution which had caused them to flee their country of origin continued even once they had fled to a neighbouring country.¹⁹ It is not uncommon for security forces or militia groups from persecuting states to be active in neighbouring states—the Taliban is known to be active in Pakistan for instance, meaning many Afghan refugees do not find sanctuary from persecution there.²⁰

The Human Rights Watch report also found that refugees faced significant difficulties in accessing resettlement opportunities, due to factors such as lengthy delays in processing, or being unable or unwilling to approach foreign embassies or UNHCR offices. One respondent told of attempting to enter a UNHCR office in Tehran, only to be arrested by security guards for not having a residence permit, imprisoned, and ultimately forcibly returned to Afghanistan.²¹

A study of irregular secondary movements of Somalis away from their region and towards Europe found similar factors, in particular lack of legal status and long-term settlement opportunities, contributed to onwards travel:

Safety from conflict, anarchy or persecution was sought by everyone, as well as long-term (not necessarily permanent) solutions for their lives. Nearby countries instead offered short-term solutions, and greatly restricted what could be achieved in terms of settlement once outside Somalia.²²

For the participants in this study of Somali refugees, being a refugee was about more than finding safety from the immediate threat which had forced them to flee. It was about finding a place in which they could rebuild their lives and 'secure their wider needs and work towards normality'.²³ The author concludes that had they been able to do this in their countries of first asylum, it is likely that few would have left to seek asylum elsewhere.

Once refugees and asylum seekers leave their regions of origin, they may face continuing difficulties in countries further afield. For example, those who make their way to south-east Asia find themselves unable to gain legal status, at risk of arrest, without access to services, and with little

18. Human Rights Watch, *"By invitation only": Australian asylum policy*, New York, 2002, p. 3, viewed 12 July 2012, <http://www.hrw.org/reports/2002/australia/>

19. Ibid.

20. European Asylum Support Office, *Country of origin information report, Afghanistan: Taliban strategies—recruitment*, European Union, Luxembourg, 2012, viewed 31 August 2012, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/european-asylum-support-office/bz3012564enc_complet_en.pdf

21. Human Rights Watch, op. cit., p. 27.

22. S Zimmerman, 'Irregular secondary movements to Europe: seeking asylum beyond refuge', *Journal of Refugee Studies*, vol. 22, no. 1, 2009, p. 84.

23. Ibid. p. 93.

prospect of being resettled, in places such as Malaysia and Indonesia.²⁴ Refugees and asylum seekers in Malaysia are particularly vulnerable as:

Malaysian law makes no distinction between refugees and undocumented migrants. Refugees are vulnerable to arrest for immigration offences. They may be subject to detention, prosecution, whipping and deportation.²⁵

Without legal status and the personal freedoms and opportunities that accompany such status, people will, unsurprisingly, feel compelled to keep moving until they reach a country in which a legal framework exists for the protection of refugees. For many, this means making their way to the industrialised countries of Europe, North America and Australia.

While many industrialised countries are becoming increasingly alarmed by the onwards movement of asylum seekers away from their regions of origin, it is important to note that the numbers of asylum seekers making their way to industrialised countries are actually very small. In 2011, out of a global refugee and asylum seeker population of over 16 million, an estimated 441 300 claims for asylum were lodged in the 44 industrialised countries for which UNHCR maintains statistics (Europe, USA, Canada, Japan, South Korea, Australia and New Zealand). Of these, 327 200 claims (74 per cent) were received by the 38 countries in Europe.²⁶ The largest single recipient of asylum claims was the US, with 74 000, followed by France (51 900) and Germany (45 700). Australia ranked number 13, with 11 510 claims (2.6 per cent of the total).²⁷

'Choice' of destination

When examining the 'choices' made by asylum seekers in relation to destination countries, it must be remembered that for many, choices are limited, and sometimes do not exist at all. One of the dominant themes which emerges from the literature in this area is that refugees and asylum seekers make choices within a very limited field of options. Their ability to make decisions about their journey and their destination is constrained by factors such as geography, finances, available travel routes (for example flights, accessible land borders), visa options, and the networks and routes used by people smugglers. It is also important to remember that refugee movements almost always

24. S Taylor and B Rafferty-Brown, 'Difficult journeys: accessing refugee protection in Indonesia', *Monash University Law Review*, vol. 36, no. 3, 2010, pp. 138–61, viewed 19 July 2012, <http://search.informit.com.au/documentSummary;dn=201204414;res=APAFI>; Human Rights Watch, op. cit., p. 27. Similar issues are faced by asylum seekers in transit countries in the Middle East. For example see N Dornbas, A Kuijpers and K Shalmashi, op. cit.

25. UNHCR, *2012 UNHCR country operations profile—Malaysia*, UNHCR website, viewed 30 January 2013, <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4884c6&submit=GO>

26. UNHCR, *Asylum levels and trends in industrialized countries 2011*, UNHCR, Geneva, 2012, p. 2, viewed 30 July 2012, [http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4e9beaa19&query=asylum levels and trends](http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4e9beaa19&query=asylum%20levels%20and%20trends)

The 38 countries in Europe include the 27 member states of the European Union as well as Albania, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Montenegro, Norway, Serbia, Switzerland, Macedonia and Turkey.

27. Ibid. p. 20.

involve an element of chance and this is often more important in influencing the eventual destination country than choice:

No study of refugee movement would be complete without some mention of the determining role that chance plays in the entire process. From being in the wrong place at the wrong time, to meeting an agent, to reading a particular newspaper article, any event has the potential to influence a refugee's choice of country.²⁸

Further, refugees' decision-making is a dynamic and flexible process. Decisions are made on the run, and may change according to circumstances encountered during their journey, or information (real or rumoured) heard along the way. Thus, a person may leave their country of origin with an intention of travelling to a particular destination, but change these plans due to encountering obstacles in reaching that country, or seizing opportunities which arise to travel to another country.

Notwithstanding the complexities inherent in the decision-making processes of asylum seekers and refugees, and the choices (or lack of choices) available to them, existing research into how and why decisions are made reveals a number of common themes. First, decisions about where to go are not always made by refugees themselves but rather are often determined, or at least heavily influenced, by others. In some cases the decision is made by a family member, but for many the destination is chosen by the 'agent' or people-smuggler engaged to get them to a place (any place) of safety. Second, where refugees and asylum-seekers are able to make their own decisions regarding destination countries, their choices are heavily influenced by the existence of social and family networks in the destination country. Third, asylum seekers' knowledge of potential destination countries is usually extremely limited, although such knowledge may increase throughout their journeys, particularly during time spent in transit countries.

The role of 'agents'

One of the dominant themes which emerges from the literature in this area is the crucial role of 'agents', or smugglers, in influencing, or often actually determining, an asylum seeker's destination.²⁹ It is becoming increasingly common for asylum seekers to use the services of an agent. Indeed, many researchers have noted that the increasingly restrictive immigration policies of industrialised countries over the last two decades have made it a virtual necessity for asylum seekers to use the services of an agent to gain access to such countries.³⁰

28. R Barsky, *Arguing and Justifying: Assessing the Convention refugees' choice of moment, motive and host country*, Ashgate Publishing, Aldershot, 2000, p. 186.

29. Much of the literature uses the term 'agent' in preference to 'smuggler' as it is viewed as being more encompassing of the various activities such a person may perform. An agent's role may be limited to procuring travel documents, and not extend to arranging travel. In other cases, agents may take on a more active smuggling role and facilitate travel, or actually travel with asylum seekers (sometimes as guides, and often so that false documents can be repossessed on arrival ready to be used again for future clients).

30. See for example K Koser, 'Social networks and the asylum cycle: the case of Iranians in the Netherlands', *International Migration Review*, vol. 31, no. 3, 1997, pp. 591–611, viewed 23 August 2012, <http://www.jstor.org/stable/2547287>; J Morrison and B Crosland, *The trafficking and smuggling of refugees: the end*

The role played by agents in asylum seekers' journeys varies greatly depending on factors such as the countries of origin and destination, the financial resources available to asylum seekers and their capacity to pay, and the time available to people to plan their flight. In some cases, the role of the agent may be limited to supplying travel documents, such as passports and visas. In other cases, the agent may arrange travel either by booking tickets on planes, ferries, buses or trains, or arranging clandestine travel for people who do not have documents allowing them to access regular transport routes. In some cases agents may actually travel with the asylum seeker for some, or all, of the journey.³¹

While very little qualitative research has been done in the Australian context, one study found that the majority (25 out of 27) of asylum seekers interviewed had Australia chosen as their destination by the smuggler they engaged.³² This general finding is consistent with international research. A study undertaken for the Refugee Council of the United Kingdom in 2010 found that agents were a critical determinant of destination outcome for asylum seekers who had travelled to the UK. Of the 43 people interviewed about their reasons for coming to the UK, two thirds had used an agent. Less than a third of participants had specifically chosen the UK as their destination, but had ended up there as a result of either seizing opportunities which arose to obtain travel documents, or, most commonly, because the agent they used made the decision for them:

The single most important reason that many asylum seekers do not choose to come to the UK is that this destination decision is increasingly made by others, in particular agents who provide access to travel documents and facilitate the journey.³³

Further, the research found that many participants who had their destination chosen for them, were not told where they would be going until they were in transit, or in some cases, after arrival.³⁴

Even in cases where people have a degree of choice about their destination, the research shows that agents strongly influence that decision making process. Many respondents in the UK study were 'actively encouraged' to travel to the UK by agents who espoused the benefits of life in the UK and offered information (not always accurate) about recognition rates and asylum procedures.³⁵ These

game in European asylum policy?, UNHCR Working Paper No. 39, 2001, viewed 23 August 2012, <http://www.unhcr.org/3af66c9b4.html>

31. H Crawley, *Chance or Choice? Understanding why asylum seekers come to the UK*, Refugee Council of the United Kingdom, London, 2010, p. 18, viewed 31 August 2012, <http://www.refugeecouncil.org.uk/policy/position/2010/18jan2010>; V Robinson and J Segrott, *Understanding the decision-making of asylum seekers*, UK Home Office Research, Development and Statistics Directorate, London, 2002, p. 19, viewed 31 August 2012, http://www.irr.org.uk/pdf/understand_asylum_decision.pdf
32. R Richardson, 'Sending a message? Refugees and Australia's deterrence campaign', *Media and International Australia*, no. 135, 2010, pp. 7–18, viewed 5 November 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22library%2Fjrnart%2F1099900%22>
33. H Crawley, op. cit., p. 27.
34. Ibid., p. 27.
35. Ibid., p. 32.

findings reinforce those of earlier studies of asylum seekers in the UK which also found agents to be crucial in determining, or at least strongly influencing, the country of destination.³⁶

Agents have also been found to be significant in asylum migration to other European countries, and to North America. Research conducted with asylum seekers in the Netherlands found that several had their destination chosen for them by people smugglers. Furthermore, some had actually wanted to go elsewhere but had been given no other choice but to go to the Netherlands by the smugglers they engaged.³⁷ This 'negative channelling' by agents has been reported in other studies as well. Agents may deny asylum seekers' access to their preferred country and channel them towards another, either because the preferred country is further away and the asylum seeker cannot afford the journey or because the smuggler does not have established networks in the preferred country.³⁸ This further highlights the lack of control many asylum seekers have over their journey, and their inability to make their own choices when their main imperative is to find a place (in the end, any place) of safety.

Barsky's study of asylum claimants in Canada also highlights the importance of agents in choosing destination countries, although the significance of agents varies greatly between the different country of origin groups interviewed. Amongst the Pakistani applicants interviewed for the study virtually every one had used an agent, who had made all the decisions about their journey, which initially took them to the United States. Interestingly, many of the respondents in this study indicated that, like many asylum seekers, they did not mind which country they went to, as long as they reached a place of safety. However upon reaching the US, with the help of an agent, they then decided not to claim asylum in the US but to travel on to Canada instead. Some respondents indicated that they had wanted to go to Canada all along, but their agent would only take them to the US.³⁹ This again demonstrates the power that agents wield in questions of destination, even in cases where asylum seekers have already formed a preference.

Social networks and historical ties

While much of the research on asylum destination choice finds agents to be a critical factor, this is not universally true. A 2009 study of asylum applicants in Norway, from Eritrea, Iraq and Chechnya, found that agents, while central to *facilitating* the journey taken by many respondents, did not play a significant role in *determining* their destination. Rather, the distinguishing factor for all three groups, which led them to choose Norway over other similar countries, was the presence of social networks.⁴⁰ Similarly, in Barsky's study of claimants in Canada, agents were an important

36. A Gilbert and K Koser, 'Coming to the UK: What do asylum seekers know about the UK before arrival?', *Journal of Ethnic and Migration Studies*, vol. 32, no. 7, 2006, pp. 1209–25, viewed 31 August 2012, <http://www.tandfonline.com/doi/full/10.1080/13691830600821901>; V Robinson and J Segrott, op. cit.

37. K Koser, op. cit.

38. V Robinson and J Segrott, op. cit.

39. R Barsky, op. cit., pp. 237–88.

40. J Breke and M Five Aarset, *Why Norway? Understanding asylum destinations*, Institute for Social Research, Oslo, 2009, viewed 31 August 2012, http://www.udi.no/Global/upload/Nyheter/Nyheter%202009/R_2009_12_web.pdf

determinant of destination for asylum seekers from Pakistan, but not for those from Peru, for whom networks were more important.⁴¹

It has long been understood that social networks play an important role in migratory flows. Social networks can influence migration choices at every stage of the decision-making process—they influence migrant selectivity (who does and does not migrate), migration timing and migration destination.⁴² The effect of the existence of networks in destination countries is often termed 'chain migration', in which an initial group of migrants establishes themselves in a certain country, thereby providing other prospective migrants with the social capital (relationships, knowledge, skills and support) needed to facilitate their migration to the same place. Chain migration has been found to be just as important in influencing asylum flows as it has in influencing other migratory flows:

Like labour migration, the migration of asylum-seekers shows a pattern of chain migration. Asylum-seekers try to go to a person they know (family, village). In organising their journey, they (or their helpers) make extensive use of friendship and kinship networks. The initial group of asylum-seekers often just happens to have arrived in a particular country. When they are found to be successful, others will follow in order to join their families or because they use the same networks and routes and sometimes even the same passports. For almost all interviewees, the most important factor influencing the country of destination for asylum was reported to be the presence of friends, relatives or compatriots in the country.⁴³

The importance of social networks in destination countries has been confirmed by numerous studies into asylum seekers' destination choice. As explained by one study from the UK, the presence of networks in destination countries shapes asylum seekers' decision-making in two ways. First, family and friends in destination countries are an important source of information for asylum seekers about potential destinations. While the information passed on is often limited, and sometimes incorrect, it nonetheless is factored-in to an asylum seekers' decision-making. Second, and more importantly, the prospect of family reunion, and of having a network of family and friends in a country to provide support on arrival, is a significant drawcard for many refugees and asylum seekers.⁴⁴

Some studies, in particular those conducted in Europe, have found that historical ties between countries also play a role in influencing destination choice. In the European context, this generally means colonial ties. Havinga and Bocker have observed that:

When the colonial ties between the countries of origin and destination are systematically examined, it becomes clear that such ties almost always result in overrepresentation (i.e., the

41. R Barsky, *op.cit.*, pp. 192–236.

42. For a more detailed account of the role of networks in migration decision-making see K Koser and C Pinkerton, *The social networks of asylum seekers and the dissemination of information about countries of asylum*, Research Development and Statistics Directorate, UK Home Office, London, 2002, pp. 10–11, viewed 3 September 2012, <http://library.npia.police.uk/docs/hordsolr/socialnetwork.pdf>

43. T Havinga and A Böcker, 'Country of asylum by choice or by chance: asylum-seekers in Belgium, the Netherlands and the UK', *Journal of Ethnic and Migration Studies*, vol. 25, no. 1, 1999, pp. 43–61.

44. V Robinson and J Segrott, *op. cit.*

proportion of asylum-seekers from the former colonies applying to the relevant EU country being larger than the proportion applying elsewhere in the EU).⁴⁵

This is perhaps unsurprising. Colonial ties between two countries mean that there is likely to be an established immigrant population of people from the country of origin already living in the destination country, which will assist with settlement and support. Factors such as common language also serve to make certain countries attractive to asylum seekers from its former colonies, with the language of the former colonial ruler often being an official language of the former colony. There are also often easily accessible transport routes, such as direct flights, between former colonies and their former ruling country. Further, some asylum seekers have expressed a belief that, as their former imperial ruler, the 'motherland' has an obligation to protect them, particularly if they perceive the problems they are fleeing as being linked to divisive colonial rule.⁴⁶

While the existence of social networks is undoubtedly a significant factor in asylum seekers' destination choice, it should be remembered that networks influence decisions in ways that are not always expected. Some studies have found the presence of networks may actually exert a negative influence on the decision-making of some asylum seekers. This may be because of a fear that persecution will continue in a country with strong ties to the country of origin, particularly where the existing immigrant community is predominantly comprised of a different ethnic or religious group, or because of a desire to break with the cultural norms and traditions of the country they are escaping.⁴⁷ Political ties between the origin and destination country may also cause asylum seekers to reject certain countries. For instance Barsky found that some asylum seekers from Peru rejected the United States as a potential destination due to negative perceptions of US involvement in the affairs of Peru.⁴⁸ Nonetheless, while these examples demonstrate that social and other ties affect decision making in complex, and sometimes surprising ways, the inescapable conclusion to be drawn from studies of asylum destination choice is that social networks are overwhelmingly a positive determinant of destination outcome.

Knowledge of destination countries

It is often assumed by politicians and members of the public that asylum seekers are attracted to certain countries because of favourable policies relating to the asylum process and economic support available to refugees. However, research into asylum seekers' knowledge of potential destination countries reveals that this is rarely the case. What asylum seekers know about destination countries, and how this knowledge influences their decision making, is not a straightforward equation. Firstly, how much asylum seekers know about potential destination countries varies greatly depending on their country of origin and the particular destination country under consideration. For example, Barsky's study of refugee claimants in Canada found that the respondents from Pakistan and Peru knew very little about the asylum process in Canada, while

45. T Havinga and A Böcker, *op. cit.*, p. 45.

46. H Crawley, *op. cit.*, p. 17.

47. *Ibid.* p. 30.

48. R Barsky, *op. cit.*, p. 221.

those from Israel and Russia were generally better informed. On the other hand the Peruvian cohort knew more about what life in North America would be like than did claimants from other countries.⁴⁹

Generally, the research shows that asylum seekers know very little of specific asylum policies in potential countries of destination, and much of what they think they know is often incorrect, or only partly correct. For example, Gilbert and Koser interviewed asylum seekers in the UK about what they knew of the country prior to their arrival and found that they knew virtually nothing.⁵⁰ In particular, they knew very little about asylum policy and practice. Similarly, Crawley's research with asylum seekers, also in the UK, found that the overwhelming majority did not know anything about asylum policy, beyond a vague notion that they would be permitted to apply for asylum.⁵¹ Richardson's study of asylum seekers in Australia similarly found that asylum seekers knew little about Australia prior to their arrival.⁵²

While most qualitative studies of asylum destination choice indicate that asylum seekers know little about asylum policy in destination countries, a statistical analysis of asylum applications in Western Europe has suggested that there may be a link between some restrictive policies and application rates.⁵³ For example, it found that low recognition rates for asylum seekers in one year led to lower numbers of asylum applications in future years. However, as the author warns, the variables in this study are crude, and the results should be treated with caution. Furthermore, the same study found that factors discussed above, such as social networks and historical ties, were far more statistically significant than policy measures in influencing destination choice.⁵⁴

For many asylum seekers, the detail of how their asylum claim will be processed is not a significant consideration. What is important is that the destination country is one in which the principles of freedom, democracy, human rights and the rule of law are upheld. The perception that a country is rich, with plenty of economic opportunity, may also factor into an asylum seeker's decision making when considering what is the best place in which to rebuild their lives. It does not follow from this that asylum seekers are simply economic migrants—rather, it indicates, perhaps unsurprisingly, that in making choices about suitable destination countries, the potential for gaining employment and being economically secure is a factor for consideration:

Rich countries are likely to be more generous in their welfare provisions, and low unemployment and high economic growth make it easier to find a job. These countries present the most

49. R Barsky, *op. cit.*

50. A Gilbert and K Koser, *op. cit.*

51. H Crawley, *op. cit.*, p. 38.

52. R Richardson, *op. cit.*, p. 9.

53. E Neumayer, 'Asylum destination choice: what makes some West European countries more attractive than others?', *European Union Politics*, vol. 5, no. 155, 2004, pp. 156–80.

54. *Ibid.*, p. 175.

attractive alternative to the poor living conditions and employment opportunities in the countries of origin.⁵⁵

Barsky argues that for many asylum seekers making their way to North America, the desire to live somewhere peaceful, free, democratic, and abundant with opportunity, is a manifestation of the 'American Dream'. For the asylum seekers in his study Canada (for some, even more so than America), was considered to be a land of opportunity, liberty and equality, in which immigrants are welcomed with open arms.⁵⁶ For asylum seekers from the former Soviet Union the American Dream was a particularly attractive concept and emphasising their desire to fulfil the American Dream was perceived as a powerful strategy in arguing their case for asylum.

Knowledge gained in transit

Evidence suggests that knowledge of potential destination countries, while initially limited and relatively unimportant in the context of the urgency of flight from their country of origin, increases the further along their journey an asylum seeker travels. As Koser and Pinkerton observe, '...for some asylum seekers transit countries have become locations where they can receive and evaluate information for which perhaps they did not have time upon leaving their country of origin.'⁵⁷

However, how this increased knowledge impacts on the choices asylum seekers make during their journey depends in part on the route upon which they have embarked and the limitations imposed by geography. Much of the research in this area has been done in the European context, which, geographically, is very different from the Australia context. Asylum seekers who travel towards Europe have more choice when it comes to their ultimate destination country. People who leave their country or region of origin and make their way towards Europe often do not have a particular country in mind when they set out on their journey.⁵⁸ However on arriving in Europe, they may learn more about processes and policies in the country in which they have found themselves, or about a neighbouring country, and consequently decide to move on.⁵⁹ Barsky has found similar factors at play in North America. His study of asylum claimants in Canada found that some had spent time in the US prior to entering Canada, but had decided, for various reasons, not to claim asylum in the US and instead moved on to Canada.⁶⁰

55. Ibid., p. 164.

56. R Barsky, 'Arguing the American Dream à la Canada: Former Soviet citizens' justification for their choice of host country', *Journal of Refugee Studies*, vol. 8, no. 2, 1995, pp. 126–41.

57. K Koser and C Pinkerton, op. cit., p. 25.

58. Ibid.

59. Although under the Dublin Regulation asylum claims should be processed by the first country of entry into the European Union, so asylum seekers who do decide to move on from one European country to another may find themselves transferred back to the first country of entry to be processed. See

http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/33153_en.htm for further detail.

60. R Barsky, *Arguing and justifying: Assessing the Convention refugees' choice of moment, motive and host country*, Ashgate, Aldershot, 2000.

For those who make their way towards Australia, however, there are very few other options if they are looking for an asylum-receiving country, with an established system for processing and providing legal status to refugees. The only other developed country in the region with an established refugee determination system is New Zealand, which is extremely difficult to reach for asylum seekers travelling via irregular means.⁶¹ Thus, even if potential asylum seekers reach a transit country and become more informed about Australia's asylum policies, their options for deciding on an alternative destination country at that point in their journey are extremely limited.⁶² This is an important consideration in the context of Australian policy-making, raising the question of how effective deterrence measures targeting asylum seekers in transit can be, given the limited choices available to them at that stage of their journey.

Knowledge gained from people smugglers

As discussed above, people smugglers, or agents, are highly influential in determining where asylum seekers go, often making the choice for them, or persuading them that one destination is preferable to another. While the research shows that asylum seekers often have limited knowledge of policies in destination countries, people smuggling networks are generally better informed.⁶³ Indeed, this is relied upon by policy makers in the context of Australia's attempts to deter asylum seekers. Intelligence concerning the information used and distributed by people smuggling networks, including how information about deterrence measures influences their operations, is highly sensitive and rarely made public. Nonetheless, the potential impact of asylum and border policies on people smuggling operations has been alluded to by senior Australian Government officials:

Mr Bowles: I have already said, Senator, that I believe the people-smuggling network [sic] are very attuned to policy positions, attuned to media reporting and attuned to a lot of this sort of stuff. They will be watching and monitoring, I have no doubt, and I think that happens on a range of fronts.⁶⁴

However, even where smugglers have such knowledge the implications of this are far from clear. Koser and Pinkerton, in their study of the role of social networks in the dissemination of information about asylum destination countries, are cautious about the role of people smugglers as a reliable

61. Some asylum seekers have attempted to travel to New Zealand by boat, but have made it only as far as Australia. For example, see D Welch, 'Refugees in Darwin intent on NZ, *The Age*, 11 April 2012, p. 7, viewed 26 October 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F1556585%22>

62. The lack of 'protection space' in the Asia-Pacific region, and the challenges presented by this, has been commented on by the UN High Commissioner for Refugees. See A Guterres, *The changing face of global displacement: responses and responsibilities*, Address to the Lowy Institute for International Policy, Sydney, 14 February 2012, viewed 15 November 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22library%2Fjrnart%2F1423077%22>

63. For a detailed discussion of how people smuggling networks operate, see C Barker, *The people smugglers' business model*, Research paper, Parliamentary Library, forthcoming.

64. M Bowles (Department of Immigration and Citizenship), Legal and Constitutional Affairs Committee, Hansard, 22 May 2012, p. 19, viewed 6 August 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committees%2Festimate%2F6cfc5aee-8ec8-4674-8eb8-d1b15efa6cd5%2F0000%22>

information source for potential asylum seekers, noting that, while they are often highly knowledgeable, 'the extent to which they divulge information varies according to their relationship with the client which can range from the sympathetic to the purely exploitative'.⁶⁵ Similarly, research undertaken for the UK Refugee Council in 2010 points out that smugglers are generally more concerned with financial gain than the best interests of their clients and consequently may 'sell a version of life in a destination country that is misleading'.⁶⁶ While there is a lack of research on this issue in the Australian context, there is anecdotal evidence to suggest that asylum seekers are not always presented with a complete picture, or indeed, any picture, of what to expect upon arrival in Australia by the people smugglers who transport them. In response to questioning at a Senate Estimates hearing in 2011, the Department of Immigration and Citizenship advised that:

Approximately five per cent of the IMAs [Irregular Maritime Arrivals] said people smugglers indicated they would get permanent residence or citizenship. Mostly, however, people smugglers said Australia was a democratic country which accepts refugees and will treat them fairly. Some IMAs indicated they were told nothing about Australia by the people smugglers.⁶⁷

The effectiveness of deterrence measures

Research into asylum seekers' choice of destination country is, of course, not a purely academic exercise. Such research has the potential to be highly instructive for governments which are increasingly determined to deter asylum seekers from arriving in their countries as well as for opposition parties and interest groups keen to either establish or debunk a link between government policy on asylum matters and numbers of arrivals. Indeed, a number of the studies which have been conducted in this field have been commissioned by governments or by lobby groups with an interest in asylum policy.

Over the last three decades, successive Australian governments (along with many other developed, asylum-receiving countries) have attempted to restrict flows of asylum seekers by putting in place measures aimed specifically at deterrence. Deterrence measures can take the form of either heightened border security, making it difficult for asylum seekers to cross the border or changes to asylum policy intended to make a country an unappealing destination for asylum seekers. Deterrence campaigns typically also involve an information component, in which governments attempt to transmit information to potential asylum seekers about the strict border security and asylum policy measures to which they would be subject should they attempt the journey. The problem for policy makers, and for all governments attempting to minimise the impact of so-called 'pull-factors', is that the research generally reveals the role of asylum policy in determining destination choice to be of little significance. A causal link between asylum policy and numbers of

65. K Koser and C Pinkerton, *op. cit.*, p. 14.

66. H Crawley, *op. cit.*, p. 19.

67. Department of Immigration and Citizenship, Additional Budget Estimates Hearing, 21 February 2011, Questions taken on notice, Question no. 142, viewed 22 October 2012, http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/estimates/add_1011/diac/142.pdf

arrivals is far from being established. This has significant implications for governments' attempts at deterrence, particularly where deterrence measures take the form of restrictive or punitive changes to asylum policy.⁶⁸

One of the major limitations of the research in this field is that the studies examining the reasons asylum seekers travel to a certain country are generally based on interviews with asylum seekers and refugees who have reached that country. These are people who have travelled to a certain country despite any deterrence measures governments may have attempted to put in place. Potential asylum seekers who have rejected destinations based on specific policy measures do not, of course, appear in such studies. There is, perhaps not surprisingly, limited empirical research focusing on asylum seekers in countries of origin and transit.

As noted by Doornbos, Kuijpers and Shalmashi in their study of refugees in Lebanon, studies in transit countries are valuable, as they offer 'insights into the selection mechanisms that occur during the journey and determine who does and who does not reach the country of destination'.⁶⁹ A great deal more research is needed in this area but from their limited study the authors observe that the refugees in their study have very little knowledge of western countries, including of how asylum procedures operate, and much of what they think they know does not match with reality. These findings are consistent with studies based on interviews with asylum seekers in destination countries, as discussed above.

It is highly probable that many governments have commissioned research looking at the possibility of certain groups attempting to travel to their countries, and the potential effectiveness of measures aimed at dissuading them, although much of this information would be likely to remain unpublished for obvious reasons. Certainly the Australian Government has investigated the potential success of information campaigns aimed at deterring people from attempting the journey to Australia by boat. For instance, a 2010 study commissioned by the Australian Customs and Border Protection Service looked at what Hazaras in Afghanistan knew about the dangers associated with travelling to Australia in an irregular manner and investigated which methods of communication would be most effective in transmitting a deterrence message. It found that while many are aware of the risks to safety associated with irregular migration using people smugglers, few knew anything about the policy measures they would encounter in Australia such as detention and possible repatriation.⁷⁰

68. There is evidence to suggest that border security measures, such as strict visa controls, border patrols and turnback arrangements are more successful at reducing arrivals, but these measures are generally aimed at *preventing* people from crossing a border, rather than *influencing their decision* about whether to attempt to cross a border. For discussion of the differing effectiveness between these kinds of measures see R Zetter, D Griffiths, S Ferretti and M Pearl, *An assessment of the impact of asylum policies in Europe 1990–2000*, Research, Development and Statistics Directorate, UK Home Office, London, 2003, viewed 29 October 2012, http://www.irr.org.uk/pdf/asylum_policy_impact.pdf

69. N Dornbas, A Kuijpers and K Shalmashi, *op. cit.*, p. 27.

70. Wise Strategic Communications, *Afghanistan counter people smuggling scoping study: Final report*, Wise Strategic Communications, prepared for the Australian Customs and Border Protection Service, Kabul, 2010.

Notwithstanding the many difficulties associated with such research, a number of researchers have investigated the relationship between policy measures aimed at deterrence and numbers of asylum applications and have found little evidence of a direct causal link. There are multiple reasons for this: first, there are difficulties inherent in policy evaluation, such as the fact that a range of policy measures may be introduced at the same time, making it difficult to pinpoint the effect of just one policy; second, the deterrent effects of restrictive policy measures are often counteracted by the stronger forces of certain 'pull factors', such as the presence of social networks; and third, messages of deterrence are not always received by the intended audience, or not received in the way they are intended.

A study of the impact of asylum policies on numbers of arrivals in Europe between 1990 and 2000 emphasised the fact that difficulties inherent in policy evaluation and a resulting lack of rigorous evaluation in this area meant that a direct causal link could not be established.⁷¹ It further found that to the extent that an assessment could be made of the impact of asylum policy on arrivals, while the targeted application of some specific measures may have been successful in reducing applications over the short term, for the most part the effects were limited. This is explained by the fact that patterns of asylum flows are influenced by factors which are largely outside the control of governments—conditions in countries of origin, geography, historical ties and structural factors such as the existence of networks and existing migration patterns.

A statistical analysis of the impact of deterrence measures on asylum applications in 20 OECD countries over a 15 year period also found that attempts at deterrence were ineffective because of the stronger influence of factors which make certain countries attractive to asylum seekers:

... many public policy measures aimed, at least in part, at deterring unwanted migration ... have remained ineffective. This is because the key determinants of an asylum seeker's choice of host country are historical, economic and reputational factors that largely lie beyond the reach of asylum policy makers.⁷²

Other researchers have pointed particularly to the power of social networks and patterns of chain migration in countering attempts at deterrence. For example, Neumayer's analysis of asylum flows in Western Europe suggests that '... once countries have become popular destinations for some time, the network effects imply that they will remain popular, independently to some extent of any policy changes undertaken.'⁷³

Deterrence measures have also been found to have limited impact due to the difficulties involved in getting the message out. As discussed above, asylum seekers are generally not well informed about asylum policy in countries of destination. Deterrence measures are unlikely to successfully deter if the intended audience is unaware of their existence. There is anecdotal evidence that this is the case

71. R Zetter, D Griffiths, S Ferretti and M Pearl, op. cit.

72. E Thielemann, *Does policy matter? On governments' attempts to control unwanted migration*, Working paper 112, The Center for Comparative Immigration Studies, University of California, San Diego, 2004, p. 1, viewed 1 November 2012, <http://personal.lse.ac.uk/thielema/Papers-PDF/CCIS-WP-112-2004.pdf>

73. E Neumayer, op. cit., p. 176.

in relation to recent policy developments in Australia—for example, the International Organization for Migration has commented that many potential asylum seekers in Sri Lanka remain unaware of recent policy changes in Australia with regards to offshore processing in Nauru.⁷⁴

Governments face significant challenges in attempting to transmit messages aimed at deterring potential asylum seekers. Potential asylum seekers often lack access to information sources which are taken for granted in developed countries, such as television, radio and internet. Instead, whatever they know is largely derived from word of mouth and the information gleaned this way is often vague, lacking in detail or simply incorrect.⁷⁵ Even where government-sponsored deterrence campaigns reach their target audience, they may be ignored or disbelieved. Multiple studies have shown, perhaps unsurprisingly, that for asylum seekers and refugees, governments are not trusted information sources:

One of the principal reasons why asylum seekers seem unlikely to attach weight to information disseminated by formal institutions, is that these are not trusted. Interestingly, this does not appear to arise from a concern that institutions in destination countries will provide misinformation in order to deter asylum seekers, rather the issue is a lack of trust of any formal institution. This is exacerbated in cases where asylum seekers have been forced to flee their homes countries because they have experienced fear or persecution.⁷⁶

Information received from friends and family, while scant and often wrong, is more readily believed than information spread by governments. For this reason, the authors of the study quoted above suggest that the best way for governments to disseminate information to asylum seekers is to tap into social networks wherever possible, for example by utilising migrant and refugee community organisations. Even so, they warn that:

...there is growing consensus that the migration of asylum seekers has a momentum of its own, which is hard to stop. Information dissemination per se is unlikely to deter asylum seekers ... At best, information dissemination might mean that those who arrive have a more realistic understanding of what to expect.⁷⁷

A final hurdle facing governments attempting to transmit a deterrence message is that even where asylum seekers receive that message, they often respond to it in ways which are not predicted. Richardson's study of how asylum seekers in Australia receive the message of deterrence shows that many are simply not deterred. In particular, the knowledge that they would be detained upon arrival in Australia did not act as a deterrent for many asylum seekers interviewed in this study. For some, this was because a period of detention in a Western country was preferable to remaining in their countries of origin. Interestingly, some believed that detention by Australian authorities served a

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74. A Hodge, 'Offshore message not getting through to hopeful Sri Lankans', *The Australian*, 27 September 2012, p. 8, viewed 1 November 2012, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressclp%2F1941468%22>
75. R Richardson, op. cit.; V Robinson and J Segrott, op. cit.; K Koser and C Pinkerton, op. cit.
76. K Koser and C Pinkerton, op. cit., p. 15.
77. Ibid., p. 34.

legitimate purpose and was an appropriate response to the spontaneous arrival of asylum seekers. Others knew they would be detained, but had faith that they would be treated and processed in a just and humane manner.⁷⁸

This study also found that even where asylum seekers had had negative experiences in detention, including in Nauru, or where they had been granted only temporary rather than permanent protection (both policies aimed at deterring asylum seekers), the messages they relayed back to friends and family considering coming to Australia remained largely positive. Their negative experiences at the hands of Australia's deterrence policies were 'worth it' because they were now safe.⁷⁹ For these people, nothing that happened to them in Australia could be as bad as what they had experienced at home.

For similar reasons, attempts to deter asylum seekers by pointing out the dangers associated with irregular migration may not always have the intended effect. Interviews with Hazaras in Afghanistan about what they knew of the dangers associated with travelling irregularly to Australia reinforce the finding that potential asylum seekers interpret information and make decisions within the framework of their experiences of danger and persecution. Many Hazaras indicated that they were aware of the risks associated with irregular migration and the use of people smugglers, but that, given the threat of Taliban persecution and regional insecurity, 'the cost benefit analysis clearly favours clandestine migration'.⁸⁰ For some asylum seekers the prospect of remaining where they are is so unthinkable that even the experience of detention, violence and deportation is not enough to stop them from making further attempts to reach their chosen destination.⁸¹ Every choice an asylum seeker makes, beginning with the decision to stay or to flee, contains an element of risk. It should not come as a surprise therefore that asylum seekers do not respond to threats of danger, detention and deportation in ways which policy makers in developed countries might expect.

Conclusion

Governments concerned with controlling their borders often talk about the need for 'orderly migration'. While this is of course an ideal principle, the reality of asylum flows is that they are complex, messy and far from orderly. People who flee their country of origin in fear of their lives do not always have the time or resources to plan their journey in an orderly fashion. They often have little control over their journey and are able to make choices only within a very narrow range of possibilities. Decisions are made on the run, opportunities seized on and control often handed over to people they have paid to get them to a place of safety. This is the context in which debate about how best to reduce the numbers of asylum seekers traveling irregularly to Australia takes place.

78. R Richardson, *op. cit.*, pp. 12–3.

79. *Ibid.*, pp. 14–5.

80. Wise Strategic Communication, *op. cit.*, p. 17.

81. Human Rights Watch, *Stuck in a revolving door: Iraqis and other asylum seekers and migrants at the Greece/Turkey entrance to the European Union*, November 2008, p. 38, viewed 15 November 2012, <http://www.hrw.org/reports/2008/11/26/stuck-revolving-door-0>

By far the majority of the world's asylum seekers and refugees remain in their region of origin, their choice of destination limited by geography, a lack of resource, and for some, a hope that their move is temporary and they will one day be able to return home. For those who make their way further afield to claim asylum in an industrialised country, their ultimate destination is often a consequence of chance rather than choice. Research shows that for many, the decision is made for them by an agent, or smuggler. For those who are able to exercise choice, the most significant factors influencing that choice are the existence of social networks and other historical ties in the destination country. To the extent that the decision is influenced by what asylum seekers know about the destination country, the knowledge that a country is democratic and free is more important than knowledge of specific asylum policy.

While more research is required into the ways in which asylum seekers interpret and respond to messages of deterrence, it is clear from the existing literature that opportunities for governments to curb asylum flows through policies of deterrence are extremely limited. Asylum seekers are often simply unaware of policy measures aimed at discouraging their arrival. Where they are aware of such measures, they respond to them in complex and often unpredictable ways. This represents a considerable challenge for policy makers charged with stemming the flow of asylum seekers and appeasing a public which is increasingly demanding (for various reasons) that the government 'stop the boats'.

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