

Factsheet

THE AUSTRALIA-UNITED STATES REFUGEE RESETTLEMENT DEAL

Last updated: September 2019

So far some 619 refugees have been resettled in the United States from Nauru and Papua New Guinea's Manus Island. Their resettlement is the result of a 2016 bilateral agreement that offered a durable solution for those refugees who are subject to the Australian Government's position that no asylum seeker arriving by boat would be settled in Australia.

What is the Australia–United States refugee resettlement deal?

In November 2016, the United States agreed to consider resettling refugees held in Australia's offshore processing centres on Nauru and Manus Island, as well as those who have been transferred back to Australia for medical reasons. The agreement was made by Australian Prime Minister Malcolm Turnbull and then-US President Barack Obama. While President Donald Trump has publicly criticised the deal, the US has continued to honour it, by 'extreme vetting' and permanently resettling refugees during his term in office.

Is the US a signatory to the Refugee Convention?

The US has not ratified the 1951 Convention relating to the Status of Refugees, but it has ratified the 1967 Protocol to the Convention, which requires it to apply the provisions of the Refugee Convention.

What is the nature of the arrangement between Australia and the US?

While no formal details are available, it is a bilateral arrangement between Australia and the US, agreed at the [executive](#) level. It does not require parliamentary approval. UNHCR is not a party to the arrangement. Reports indicate that the US undertook to consider resettling up to 1,250 refugees. Former US Deputy Secretary of State Heather Higginbottom has [stated](#) that the US made the agreement to 'relieve the suffering of these refugees'. A leaked [transcript](#) of a telephone call between Prime Minister Turnbull and President Trump in January 2017 indicates that the US is ultimately not obliged to resettle 'any' of the refugees.

The US will determine the total number of refugees it is willing to resettle. The exact number may depend on eligible applicants clearing US authorities' 'extreme vetting' procedures. The US will pay for the costs of resettlement, including flights and accommodation.

How many refugees have been resettled in the US from Manus and Nauru?

After processing was paused in [mid-2017](#), the first [54 refugees](#) were resettled in the US in September 2017. As at 22 August 2019 a total of [619 refugees](#) have departed for the US.

How many refugees and asylum seekers remain held on Manus and Nauru?

As at late August 2019, there were [around 300](#) refugees and asylum seekers on Nauru, and [around 350](#) refugees and asylum seekers in Papua New Guinea. There were also [1,084](#) refugees and asylum seekers from Manus and Nauru in Australia to receive medical treatment or accompany those who are receiving treatment.

How did UNHCR respond to this deal?

In 2016 the UN refugee agency, UNHCR, welcomed the announcement as a ‘much-needed, long-term solution for some refugees who have been held in Nauru and Papua New Guinea for over three years and who remain in a precarious situation.’ However, it expressed grave concern for people on Nauru and Manus Island who have not been found to be refugees but who nevertheless remain vulnerable.

In July 2017 the UN High Commissioner for Refugees Filippo Grandi issued a statement criticising the Australian government’s refusal to honour an understanding that vulnerable refugees with close family ties would be allowed to resettle in Australia in exchange for the UNHCR’s assistance in the relocation of refugees under the US-Australia resettlement deal. The High Commissioner stated that UNHCR ‘has no other choice’ but to endorse the deal in order to avoid prolonging the uncertainty faced by refugees on Manus and Nauru.

What will happen to people who are found not to be refugees?

This remains unclear. UNHCR has [expressed](#) grave concern for these people.

See also Kaldor Centre Factsheets on [Offshore Processing](#) and the [Australia-Cambodia Agreement for refugees in Nauru](#).