

# CHALLENGING AUSTRALIA to WELCOME the STRANGER

## DEEPENING OUR REFLECTION

*The time has come for a vision of Australia guided by a new principle that encompasses not only what Australia can do for itself but also what Australia can do for the world.*

Kevin Rudd, in *Monthly*, 2006.

**So what can Australia do now for the world's refugees?  
Honour our obligations. Create policies that fit the facts**

## SOME RELEVANT FACTS

- 1. We are obliged to accept and protect refugees.** We have signed and ratified the international treaties which establish their rights. We breach our obligations to refugees by
  - \* preventing boats carrying them from entering Australian waters;
  - \* delaying the processing of their claims for protection, e.g. Sri Lankans, Afghans;
  - \* keeping them in mandatory detention for long periods, e.g. years.
  - \* denying them access to judicial review under Australian law, on Christmas Island.
- 2. Many negative attitudes to refugees** are based on ignorance of the facts and uninformed assumptions fuelled by sections of the media and political -fear campaigns about border control, people smugglers and population growth.
- 3. Asylum seekers are not enemies** against whom we need to protect our borders.
  - \* They are very vulnerable people seeking a safe place to live.
  - \* 90% of people arriving by boat have been declared genuine refugees.
- 4. The increased numbers seeking our protection** are the result of continuing violent oppression in home countries. For example:
  - **Afghanistan:** Security worsens daily. Taliban are forcibly recruiting young men. Hence an exodus to escape this. Amnesty International, June 2010.
  - **Sri Lanka :** 11,000 Tamil people arbitrarily detained in rehabilitation camps, with torture widely reported. Civilians (notably young Tamil men, journalists, Muslims, unionists, human rights defenders, ethnic minorities) are at constant risk of arrest, abduction, forced disappearance, killings.

*Amnesty International, June 2010.*

- 5. Population increase in 2008-2009**

* Natural factors: births minus deaths	157,800
* Permanent migration	171,320
* Temporary migration	27,480
* Total humanitarian intake	<b>13,507</b>

Of these 13,507 places= in the annual quota, only **6000** were assigned to refugees.

- 6. Is there a queue overseas? No.** Wherever UNHCR registers people as refugees, Australian Government officials choose whom to accept or reject. **Those who have been waiting longest there have no priority claims on our protection.**

## CREATING POLICIES TO FIT THE FACTS

**We know bad policy has ruined many lives. For the future, let us avoid the mistakes of the past and find better ways to honour Australia's obligations as an international citizen.**

- 1. Focus policy on our obligation to protect refugees rather than on the people smugglers.**  
The Refugee Convention prohibits penalising asylum seekers because of the way they arrive or because they have no documents.
- 2. Receive the small number of refugees seeking our protection** wherever they land on our shores, including Christmas and other islands.
- 3. Process their claims promptly**, as promised (thirty days), with right of appeal to the judicial system under Australian law.
- 4. Publicly reject the fallacy that asylum seekers are illegal immigrants.** Under international law they are exercising a legal right. If they were migrants they would have no need to seek protection.
- 5. Outlaw discrimination against any specific group or individual** from a particular country, ethnic group or other identification. The suspension of process, while their homeland situations remained unchanged, discriminated against Afghans and Sri Lankans, prolonging their trauma.
- 6. Shoulder Australia's burden of responsibilities** without deflecting them onto impoverished neighbouring countries.
- 7. Avoid any policy, local or regional, which would warehouse refugees** in detention centres for long periods, increasing their suffering and denying them a future.
- 8. Increase funding and services for resettlement of refugees**, to support their insertion into the Australian community and enable them to contribute their knowledge and skills to the common good.
- 9. House asylum seekers** where all essential services and community support are readily available, to reduce the traumas of detention and isolation, hasten the processing of claims and greatly reduce the costs of meeting our obligations.
- 10.** The excision of islands from the migration zone is a legal fiction enabling us to deny that asylum seekers have landed on our shores and so have a claim on our protection.  
**Cancel this dishonourable, self-serving strategy.**
- 11.** A regional approach to meeting the needs of refugees cannot succeed without reliable long-term cooperation by countries seriously committed to the project. **If this is not forthcoming, Australia's obligations remain unchanged and must be honoured.**