A Fair deal for Asylum Seekers

JUSTICE FOR ASYLUM SEEKERS AND REFUGEES

WHAT DO WE BELIEVE?

All members of the human family have equal dignity and inalienable rights as human beings.

In signing the 1951 Refugee Convention, Australia has acknowledged that states shall:
• not impose penalties, on account of their illegal entry, on refugees coming directly from a territory where their life or freedom was threatened (Article 31);
• accord to refugees lawfully staying in their territory the same treatment with respect to assistance as is accorded to their nationals (Article 23);
• issue to refugees lawfully staying in their territory travel documents for travel outside their territory (Article 28).

The Convention on the Rights of the Child prohibits arbitrary detention of children except as a last resort and for the shortest appropriate period of time (Article 37). It protects the right of children to remain under the care of their parents (Article 18), and recognises children’s right to education (Article 28).

"We can’t deter people fleeing for their lives. They will come. The choice we have is how well we manage their arrival, and how humanely.”
Antonio Guterres, UN High Commissioner

WHAT ARE THE ISSUES?

ASYLUM SEEKERS
The Australian Government has violated its treaty obligations:
• detaining people in onshore and offshore detention centres for months and years without hope or future
• abdicating responsibility for those seeking protection by shunting them to off-shore islands under the rule of foreign countries.
• keeping babies, children and families in living conditions which threaten their health and security
• violating the UN provisions for the protection of asylum seekers, the care of children and the rights of all people.

Both major parties say they will maintain offshore detention and boat turnbacks

REFUGEES
The number of people forcibly displaced due to persecution, conflict, violence and human rights violations is now at the highest level since World War II.

2015 in Australia was marked by the implementation of dramatic changes in Australia’s policy, affecting over 30,000 people in the Australian community. These included significant changes to the determination of refugee status, the re-introduction of Temporary Protection Visas and the removal of government-funded legal assistance.

WHAT ARE THE EFFECTS?

ASYLUM SEEKERS
It is clear
• that abuse has occurred
• that appropriate action has not been taken
• that by outsourcing its responsibilities for people fleeing for their lives, the Australian Government has failed to honour its obligations
• that abuse has been institutionalised through bipartisan consensus.

The Government has thus failed:
• to establish relevant human rights standards
• to take action when complaints have been made,
• to oversee the behaviour of the company to whom it has outsourced the responsibility of the Detention Centre.

REFUGEES
There have been significant delays in access to citizenship.

There has been denial of access to further education for those on Temporary Protection Visas.

The Job active program is not meeting the needs of refugee jobseekers

Resettled refugees with disabilities are not receiving prompt and appropriate access to services

There is on-going stress caused by the denial of family reunions to refugees who arrived by boat.
WHAT CAN WE DO POLITICALLY?

WE CAN LOBBY CANDIDATES FOR A SHIFT IN AUSTRALIA’S POLICY:

To honour our commitment to the UN Refugee Convention, and commit to UN provisions for the protection of asylum seekers, the care of children and the rights of all

To abandon the policy of offshore processing and boat turn backs

To amend legislation to ensure regular transparent review of onshore detention to protect human rights and to prevent situations of indefinite detention

To increase negotiations with other countries towards a agreed regional solution, which recognises Australia’s obligations

To increase the refugee resettlement program to 20,000 places in 2016-17 and expand the program progressively in the following four years towards an annual program of 30,000 places

To take special note of the plight of the Rohingya people

To develop a new approach to humanitarian family reunion, reducing existing processing times for family reunion applications

To abandon the reintroduction of temporary protection and convert all temporary visas into permanent protection visas.

To expedite the processing of citizenship applications as a matter of urgency

To reinstate Government funded legal assistance

WHAT CAN WE DO PERSONALLY?

WE CAN

Raise the issues in conversation with friends, with an emphasis on people in greatest need

Engage in reflection on relevant questions, e.g. use of scapegoating, role and responsibility of ordinary citizens

Promote a more sophisticated approach to discussions, recognising that human rights must underpin decisions that are made

Invite guest speakers who can lead a discussion the rights of asylum seekers and refugees, and on the current realities and injustices being suffered

Assist in practical ways – financially, as a volunteer, through prayer, and companionship

FOR MORE INFORMATION

Australian Human Rights Commission
www.humanrights.gov.au/

Refugee Council of Australia
www.refugeecouncil.org.au/

Australian Catholic Social Justice Council
www.acsjc.org.au#

ACOSS:
www.acoss.org.au

St Vincent de Paul Society:
www.vinnies.org.au#

Gillian Triggs, in her reflection on Refugee Week, highlights the contribution refugees make to Australia:

Refugee Week is a wonderful opportunity to celebrate the major contribution that refugees make to Australia. These refugees have managed to overcome significant obstacles, to forge a new life for themselves and their families in Australia. Obstacles that most of us in Australia would find it difficult to even contemplate.

Refugees risk their lives to escape conflict and persecution. This requires incredible physical, mental and emotional strength”.

NetAct

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Your voice strengthens our voice