

#4

It is the HUMAN RIGHT of every man, woman and child to seek asylum. Article 14 of the 1948 United Nations Universal Declaration of Human Rights states: "Everyone has the right to seek and to enjoy in other countries asylum from persecution."

Asylum-seekers have the right to be assessed by the UN High Commission for Refugees (UNHCR) or by any country like Australia which is a signatory to the 1951 UN Convention on Refugees. To gain refugee status, asylum-seekers must prove persecution in accordance with the Convention. It can be on grounds of ethnicity, religion, political opinion or activism, for example being a trade unionist. Deportation to danger by the host country is a breach of the Convention known as refoulement.

#5

The UN REFUGEE CONVENTION does not consider how an asylum-seeker arrives in determining claims for protection and refugee status. It is not "illegal" to arrive by boat, it is no crime to seek asylum. Despite this, those who arrived by boat were sent to Nauru or Manus island (PNG). These countries allowed detention centres to be set up on their territory in return for money. PNG's Supreme Court ordered the closure of the Manus detention centre because locking up people without trial was unconstitutional. Despite this, some were later detained in... Bomana, a detention centre in Port Moresby built by Australia. Others live in poverty and unsafe conditions.

#6

PASSING THE BUCK. The United States under an agreement negotiated in 2016 has taken a number of refugees from these islands, but this deal is effectively exhausted, and it excluded people from many Muslim countries.

#7

PNG and Nauru will not offer permanent resettlement. The offer from New Zealand to take 150 refugees per year is welcome but yet to be acted upon. Australia must take responsibility for the remaining refugees and bring them here.

Those remaining on the islands suffer abuse by the police and attacks by some locals. Refugee women have been raped and refugee children sexually abused.

#8

Australia is not being "overrun" by asylum-seekers. No more than 20,000 were ever granted protection in any one year (2014). In the year to 30 June 2019, Australia's population grew by 240,000 due to net overseas migration. 538,000 people arrived to live in Australia, while 298,000 people left Australia to live overseas. Mostly refugees prefer to stay close to the country they flee from and millions remain in countries such as Jordan, Turkey, Lebanon and Pakistan.

#9

People who come by boat are not "QUEUE JUMPERS". There are no queues in war zones in Syria, Iraq or Afghanistan. To travel to embassies or UN offices can be dangerous. The process of obtaining visas or a passport is often corrupted and attempting to leave may constitute criminal offences under dictatorships, leading to persecution, incarceration, torture or worse.

#10

MANDATORY DETENTION is imposed on all asylum-seekers who arrive by boat while those who come by plane are not detained. Since the Labor government introduced mandatory detention in 1992, the punishing of the innocent to supposedly deter others continues. Increasingly punitive measures have been added by successive governments, both Coalition and Labor.

#11

PEOPLE SMUGGLERS are sometimes employed by asylum-seekers in our region because they are the only people who can get them to Australia. Very few boats now arrive but that means thousands of people who were in transit are stuck in Indonesia and Malaysia without rights or support. Australia under Prime Minister Tony Abbott banned any UNHCR recognised refugees in Indonesia from coming to Australia. They are at the mercy of the police and can work only in the underground economy, often exploited.

For several decades Australian refugee POLICY has been a race to the bottom. The Coalition government often with the support of Labor:

- Claims its policies prevent the drowning of refugees at sea. But not only have Australian authorities deliberately failed to rescue boats in danger, the present policies force asylum-seekers to take other routes that are just as lethal. Boat turnbacks are dangerous.
- Deports people to the dangers from which they fled. Only TIMELY RESETTLEMENT and an increase in the refugee intake can save lives.
- Detains refugees indefinitely offshore and deports refugees to danger
- Practises the reckless, secret and dangerous policy of towing back boats to Indonesia
- Blocks claims by legislation, legal challenges and judicial reviews
- Violates Commonwealth law by refusing to enforce health and safety provisions in facilities it controls in Australia, Nauru and PNG
- Breaches international criminal law by abusing human rights
- Gives up people to jurisdictions where they are unprotected by the rule of law

## CONCLUSION

Australia is the 10th richest country in the world, measured by gross domestic product per person. We should increase our refugee intake to 50,000 a year once the pandemic is over.

RAC recognises that Aboriginal and Torres Strait Islander people have a connection to country and a culture that stretches back at least 60,000 years.

Immigrants have also been part of this country's history and have contributed to its development. Refugees are part of this story, too. We must leave behind the politics of fear and loathing, the dog whistle, the obsession with deterrence and the demonisation of asylum seekers.

Many refugees will be tomorrow's citizens. They are welcome here.

# WHAT WE FIGHT FOR

Established in 2000, Refugee Action Collective RAC is a democratic grass roots collective representing a broad cross section of Australian society. It is a member of the nationwide Australian Refugee Advocacy Network ARAN.

RAC fights for the human rights of asylum seekers and refugees and calls on Australia's governments to:

- End the cruel practice of mandatory detention that violates fundamental human rights and contravenes United Nations conventions to which Australia is a signatory
- Cease indefinite detention
- End offshore processing of asylum-seekers in PNG or on Nauru, Christmas Island or elsewhere – bring them to Australia
- Ensure that people brought to the mainland for medical or other health treatments receive it
- Release all detainees into the community from detention centres and hotel detention – it is damaging their physical and mental health and leaves them vulnerable to COVID-19
- Abolish Temporary Protection Visas and grant permanent protection with full rights to work, welfare and education to refugees
- Stop attempts to transfer Australia's duty to provide protection under international law to other states, none of which is keen to take up the task
- Cease incarcerating and detaining asylum-seeker and refugee children anywhere, on and offshore, and stop breaking up families
- Review all ASIO assessments, restore judicial review of decisions and stop attempts to ignore medical doctors' decisions to bring sick people to a suitable place for treatment, including mainland Australian hospitals
- Compensate all who have suffered as the result of their detention, enduring physical or psychological harm, including special assistance to children who have been detained to help them recover from their ordeal and obtain a good education
- Accept at least 50,000 refugees per year as a demonstration of Australia's real capacity, it being one of the richest countries in the world
- De-criminalise "people smuggling" and implement treaties dealing with safety of lives at sea



## PRIYA & NADES FAMILY

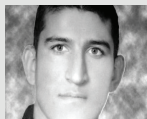
The family, including two Australian born children was living in Biloela Queensland until their home was raided by Border Force early one morning. Since then, they have been detained in conditions of unbearable cruelty and eventually were taken to remote Christmas Island. The people of Biloela have campaigned for their return to this community where they lived, worked and contributed. The Minister of Immigration David Coleman could free them but refuses to do so.



FAYSAL ISHAK AHMED 27, died from a fall caused by a seizure. He had suffered repeated seizures on Manus Island, but was denied medical treatment and told he was malingering. He fell and struck his head during a seizure.



HAMID KHAZAEI 24, died from a minor infection of a cut foot. His transfer to Australia was delayed by resistance from the Department of Immigration and by the time he was moved, he was septic and suffered a heart attack.



REZA BARATI 24, was murdered by at least two security guards and other staff at the Manus Island detention centre in February 2014. He was attacked with a wooden pole spiked with nails and then had a rock dropped on his head.

The above are just three of the 13 deaths in offshore detention that have occurred during the last seven years.



Refugee Action Collective (VIC)

[www.rac-vic.org](http://www.rac-vic.org)

 [www.facebook.com/racvic](https://www.facebook.com/racvic)

 [@racvictoria](https://twitter.com/racvictoria)

## HOW TO SUPPORT?

**Attend** our meeting every **Monday 6.30pm** to assist with the campaign to broaden the movement for refugee rights, check [www.facebook.com/racvic](https://www.facebook.com/racvic) or call **0403 013 183** for meeting details and upcoming events

**Join** RAC-Vic emailing list, go to: [www.rac-vic.org/subscribe](http://www.rac-vic.org/subscribe)

**Donate**, deposit directly to Westpac Bank  
BSB: 033 062 Account No: 633488  
or send a cheque to: Refugee Action Collective-Vic  
PO Box 578 Carlton South Vic 3053



# REFUGEE FACTS

#1

DETENTION, especially prolonged indefinite detention damages mental and physical health. Half of those in Australian detention centres have self-harmed, one in four in Alternative Places of Detention (like the Mantra Detention Hotel & Kangaroo Point) have self-harmed. Australian of the Year Patrick McGorry called Australian detention centres "factories for producing mental illness". Amnesty International said conditions in Australia's offshore detention centres "amount to torture".

#2

Refugees brought to Australia from PNG and Nauru for medical treatment under MEDEVAC laws, have often not received it. They have now been imprisoned for over 7 years. Their physical and mental health continues to deteriorate in detention, and they are unable to protect themselves from the risk of Covid-19.

#3

The COST of keeping asylum seekers from our shores is very high, \$10 billion over four years according to an audit commissioned by the Australian Government. This is a waste of money. Some asylum-seekers living in the community in Australia can work but have no access to welfare if unemployed. Those who arrived after 13 August 2013 aren't allowed to work. Releasing refugees from detention would save billions. Giving refugees the right to work and access welfare would be a powerful blow against poverty.