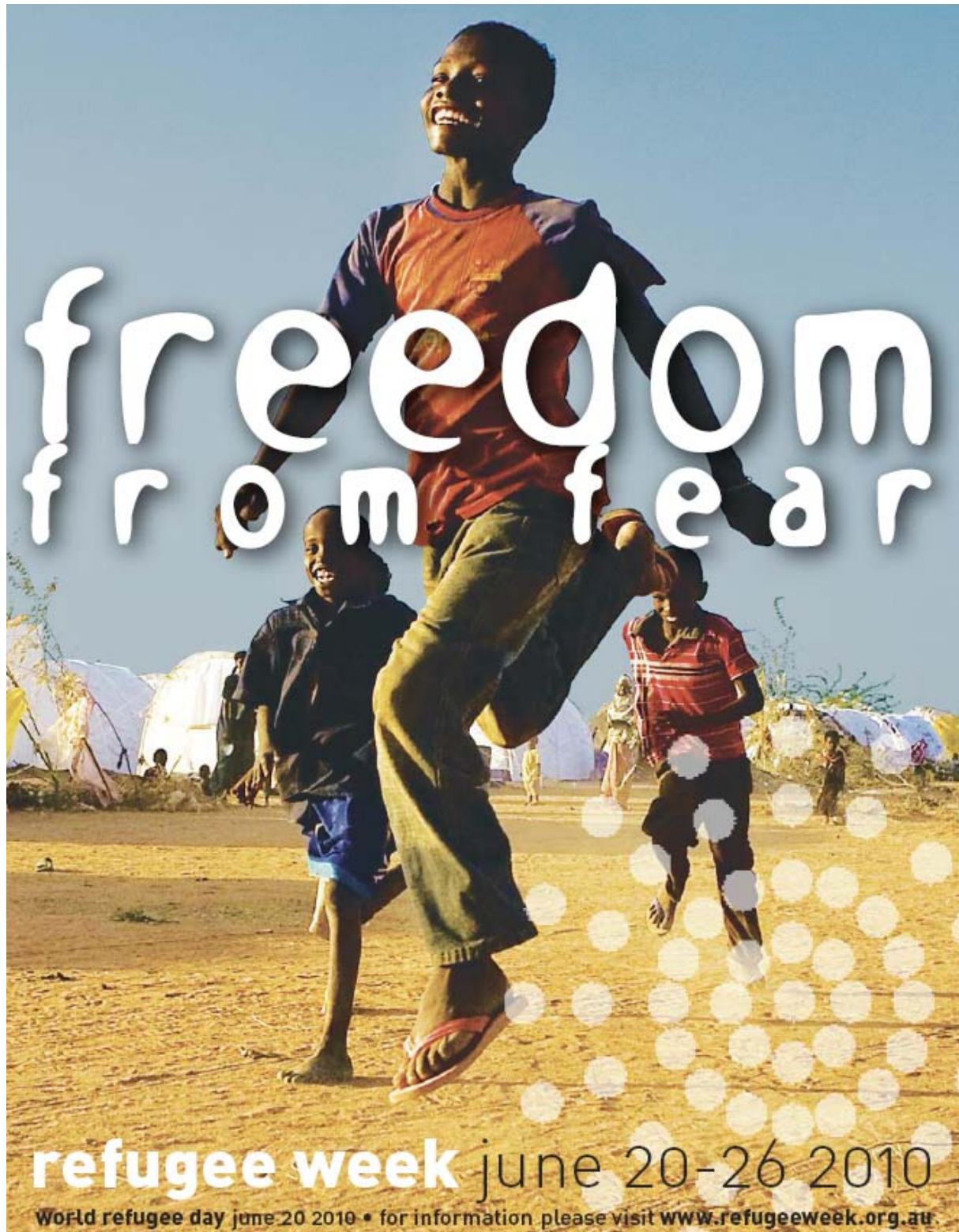


REFUGEE WEEK 2010 MEDIA RESOURCE KIT



Coordinated by



Refugee Council
of Australia

This Resource Kit has been designed to help media personnel prepare for Refugee Week.

The [Refugee Week 2010 Media Resource Kit](#) is broken up into several chapters...

1. Background Information on Refugees in Australia and the world

This chapter includes looking at some key definitions and differences between refugees, asylum seekers and migrants. This chapter also delves into the rights of refugees under the 1948 United Nations Declaration of Human Rights and the 1951 Refugee Convention. Lastly, it details some current trends and patterns of refugees in Australia and the world.

2. What is Refugee Week?

This chapter looks at the aims, logo and theme of Refugee Week.

3. Myths and Facts about Refugees and Asylum Seekers

This chapter highlights some of the common myths about refugees and asylum seekers and aims to correct the record for people seeking accurate information about issues relating to refugees and asylum seekers.

4. Key Contacts

A list of key contacts in each state and territory.

Thanks to our sponsors for their generous support of Refugee Week 2010!

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1. BACKGROUND INFORMATION ON REFUGEES

Who are Refugees?

Until 1951 there was no commonly accepted term for people fleeing persecution. People who fled their country were known as stateless people, migrants or refugees. Different countries treated these people in different ways. Following the mass migrations caused by the Second World War (particularly in Europe) it was decided that there needed to be a common understanding of which people needed protection and how they should be protected.



Children play in Ifo camp, Kenya, as the sun goes down. © UNHCR/E. Hockstein.

The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (commonly known as the Refugee Convention), to which Australia is a signatory, defines a refugee as:

Any person who owing to a 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/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country.

Refugees often have little idea about where they are going. They are running away, not running to.

Those who come to Australia often have scant understanding about our country and the nature of society here.

They have had no opportunity to prepare themselves physically or psychologically for their new life in Australia.

Rarely do refugees have the chance to make plans for their departure: to pack their belongings, to say farewell to their friends and families. Some refugees have to flee with no notice, taking with them only the clothes on their backs. Others, like the family that pretends to be going on a weekend break, have to keep their plans secret from all around them in case they are discovered.

The important parts of this definition are:

- The person has to be outside their country of origin
- The reason for their flight has to be a fear of persecution
- This fear of persecution has to be well founded (i.e. they must have experienced it or be likely to experience it if they return)
- The persecution has to result from one or more of the five grounds listed in the definition
- They have to be unwilling or unable to seek the protection of their country

The United Nations body responsible for protecting refugees and overseeing adherence to this Refugee Convention is United Nations High Commissioner for Refugees (UNHCR).

The Refugee Convention definition is used by the Australian Government to determine whether our country has protection obligations towards asylum seekers. If an asylum seeker is found to be a refugee, Australia is obliged under international law to offer protection and to ensure that the person is not sent back unwillingly to their country of origin.

Rights of Refugees



A young Somali refugee waits with her ration card to receive food at the Hagadera refugee camp in Dadaab, Kenya. © UNHCR/E. Hockstein.

Refugees have certain rights as set out in the 1951 Refugee Convention, which all signatory countries must respect.

The most important of these is protection from being sent back to their country of origin against their will (known as *refoulement* under international law), but there is also a guidance about civil rights and access to employment, education and the legal system.

Refugee status is recognised internationally and a refugee is usually able to travel freely, even if they do not have a passport from their country of origin.

Refugees are able to apply for nationality of their country of residence (or another) after meeting residence requirements. In Australia, if you hold have a permanent protection visa, you can apply for Australian citizenship after two years of permanent residence.

The term refugee is still widely used to refer to anyone who is claiming safety or has migrated for reasons of natural disaster (eg. food, earthquake, drought, famine), to escape poverty or to improve their standard of living. These people are not refugees under international law and should not be referred to as refugees.

What is the difference between an asylum seeker, a refugee and a migrant?

The terms refugee, asylum seeker and migrant are often used together and interchangeably (particularly by the media).

An asylum seeker is a person who is seeking protection as a refugee and is still waiting to have his/her claim assessed.

Every refugee has at some point been an asylum seeker.

A migrant is someone who chooses to leave their country to seek a better life. They choose where they migrate to and they can return whenever they like.

Refugees are forced to leave their country and cannot return unless the situation that forced them to leave improves. Some are forced to flee with no warning; significant numbers of them have suffered torture and trauma. The concerns of refugees are human rights and safety, not economic advantage.



Refugees unable to access water pumps collect dirty water from a local lake in Dadaab, Kenya. © UNHCR/E. Hockstein.



A Somali man builds a makeshift shelter in the new section of Ifo camp, Kenya, to make more space for his family and escape from the heat inside the tents during the daytime hours. © UNHCR/E. Hockstein.

Who are illegal immigrants?

There is no such thing as an illegal person.

Someone may have an undocumented status or be awaiting legal status in relation to a country, but this does not make them illegal. In fact, the largest group of people found to be having illegal status are people who come to Australia legally to work and then overstay their visa.

Asylum seekers are not illegal. They have the right to apply for asylum as set out in Article 14 of the Universal Declaration of Human Rights:

“Everyone has the right to seek and to enjoy in other countries asylum from persecution.”

Refugee Statistics

The latest refugee statistics have been published by UNHCR in their report, ‘2008 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons.’ This document can be viewed on UNHCR’s website at <http://www.unhcr.org/pages/49c3646c4d6.html>

The information on the following page is taken from this report. It is worth noting that the term ‘refugee’ is very specific and applies to only a fraction of the number of people who are forced to flee their homes because of violence. For instance, in 2008 UNHCR reported that there were 26 million people affected by conflict-induced internal displacement. These people are not counted as refugees because they remain within their own country. For more information about internally displaced people and other ‘people of concern’ see <http://www.unhcr.org/pages/49c3646c146.html>

For more information and statistics on Asylum Levels and Trends see <http://www.unhcr.org/4ba7341a9.html>



Statistics at a Glance

The following statistics and statements are reflective of the period January 1 2008 – December 31st 2008.

- There were 42 million forcibly displaced people worldwide at the end of 2008. This figure includes 15.2 million refugees, 827 000 asylum seekers and 26 million internally displaced persons.
- Of the global total of uprooted people, UNHCR cares for 25 million, including a record 14.4 million IDPs – up from 13.7 million in 2007 – and 10.5 million refugees. The other 4.7 million refugees are Palestinians under the UN Relief and Works Agency.
- In 2008, the refugee population under UNHCR's mandate dropped for the first time since 2006. The reason for this is twofold. Firstly, a number of refugees found durable solutions throughout the year (that is, they either returned to country of origin or were integrated into country of asylum.) Secondly, it was noted that estimates for the Colombian and Iraqi refugee populations in Ecuador and the Syrian Arab Republic were revised downwards.
- However, even though the overall total of 42 million uprooted people at year's end represents a drop of about 700,000 over the previous year, new displacement in 2009 – not reflected in the annual report – has already more than offset the decline. The rise of new displacements can be seen in Pakistan, Somalia and Sri Lanka.
- Between 75 and 91 per cent of refugees remain within their region of origin. That is, they are hosted by neighbouring countries. UNHCR notes that only 16% of refugees (1.7 out of 10.5 million) live outside their region of origin.
- The five major refugee hosting countries in 2008 were the same as those in 2007.
- Developing countries are host to four fifths of the world's refugees. UNHCR estimates that half of the world's refugees reside in urban areas and one third in camps. However seven out of the ten refugees in sub-Saharan Africa reside in camps.
- Pakistan is host to the largest number of refugees worldwide (1.8 million), followed by the Syrian Arab Republic (1.1 million) and the Islamic Republic of Iran (980, 000).
- One out of four refugees in the world is from Afghanistan and Afghans are located in 69 different asylum countries.
- Women and girls make up 47% refugees and asylum seekers.
- Forty-four per cent of refugees and asylum seekers are children below 18 years of age.
- Returning Home?* Globally, an estimated 11 million refugees have returned home over the past 10 years; 7.5 million, or 68 per cent, of them with UNHCR assistance. The main countries of return in 2008 included Afghanistan (278,500), Burundi (95,400), Sudan (90,100), the Democratic Republic of the Congo (54,000), Iraq (25,600), and Angola (13,100). The largest number of refugee departures was reported by Pakistan (274,200), the United Republic of Tanzania (110,800), and Uganda (66,800).
- In 2008 South Africa was the main destination for new asylum seekers worldwide, making the country one of the largest recipients of asylum seekers in the world. There were more than 207,000 claims registered in 2008. This was four times the amount in 2007, when 45, 600 individuals sought international protection. Zimbabweans accounted for more than half of all claims submitted in 2008.

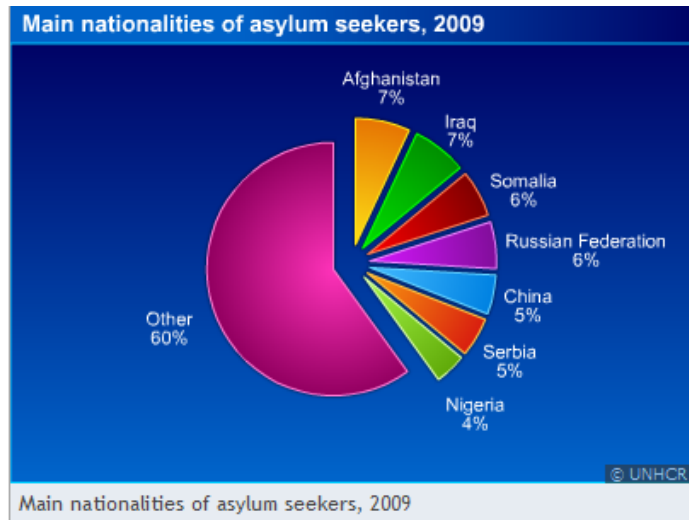
Information taken from "2008 Global Trends: Refugees Asylum Seekers, Returnees, Internally Displaced and Stateless Persons", UNHCR, June 2009

Refugees Around the World

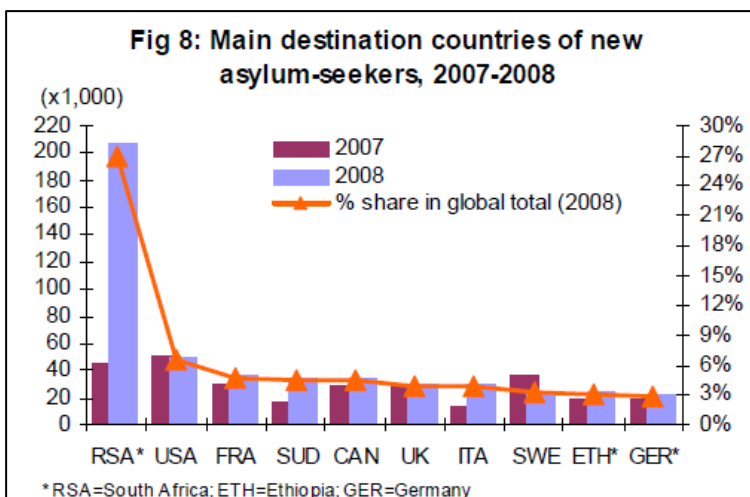
The largest groups of refugees identified by UNHCR around the world at the end of 2009 were from the following countries:

Afghanistan	26,803
Iraq	24,341
Somalia	22,558
Russian Federation	20,361
China	20,100
Serbia	18,597
Nigeria	13,310
Iran	11,479
Pakistan	11,184
Georgia	10,994

Figures drawn from "Asylum Levels in Industrialized Countries 2009," UNHCR, March 2010



Asylum Applications in Industrialised Countries 2009:

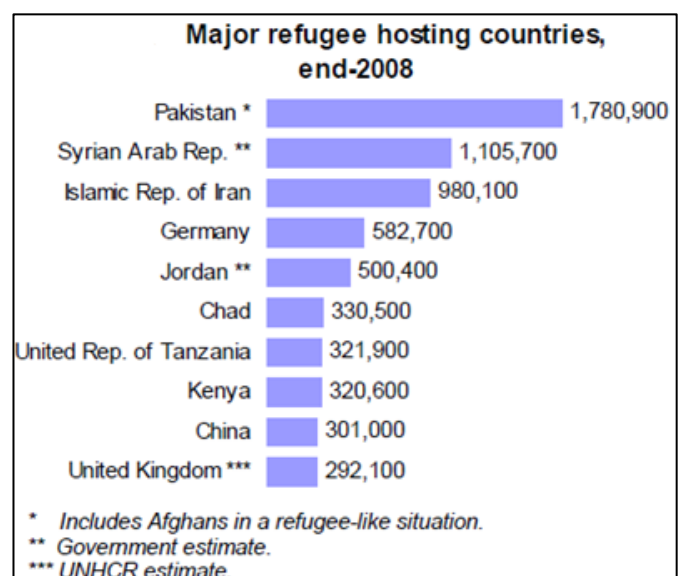


United States	49,020
France	41,980
Canada	33,250
United Kingdom	29,840
Germany	27,650
Sweden	24,190
Italy	17,600
Norway	17,230
Belgium	17,190
Greece	15,930
Australia	6,170

Figures drawn from "Asylum Levels in Industrialized Countries 2009," UNHCR, March 2010

"2008 Global Trends: Refugees Asylum Seekers, Returnees, Internally Displaced and Stateless Persons", UNHCR, June 2009

"The notion that there is a flood of asylum seekers into richer countries is a myth....Despite what some populists claim, our data shows that the numbers have remained stable."
(UN High Commissioner for Refugees Antonio Guterres, UNHCR, March 2010)



"2008 Global Trends: Refugees Asylum Seekers, Returnees, Internally Displaced and Stateless Persons", UNHCR, June 2009

Refugees in Australia

“Australia has a long history of successfully resettling refugees and humanitarian entrants and is recognised as a world leader in refugee resettlement. Since Federation, Australia has offered a permanent home to more than 740,000 refugees and humanitarian entrants who have enriched the nation enormously.”

“Australia’s Refugee and Humanitarian Program 2010-11: Community views on current challenges and future directions,” RCOA, February 2010

Photo: National Archives of Australia: A12111, 1/1957/5/16

Where do Australia’s refugees come from?



Over the years, Australia has assisted refugees from many parts of the world. After the Second World War, most came from countries such as Germany, Poland and the Ukraine. In the 1950s we saw refugees coming from Hungary and in the 1960s many came from Czechoslovakia. In the 1970s refugees started coming from Indochina (Vietnam) and Latin America (Chile and El Salvador), and these groups continued to come well into the 1980s. The 1990s were dominated by the Balkan War, with large numbers coming from Bosnia and Croatia. There were also

Many refugees are not safe in bordering countries, and they must look further afield for protection. Sometimes they will need to take complex and dangerous routes in order to reach a country where they believe they will be safe and can start a new life.

significant numbers of refugees arriving from the Middle East and South Asia during this decade. Many of these people were ethnic and religious minorities or opponents of the Taliban regime in Afghanistan or Saddam Hussein’s regime in Iraq. In the 2000s the majority of entrants coming in under the Refugee and Special Humanitarian Program have come from Africa, in particular Sudan. Refugees have also continued coming from the Middle East and South Asia. The following table provides some insight into the countries of origin of people seeking asylum in Australia in 2009.

Countries of origin of people seeking asylum in Australia, 2009

China	1,186
Afghanistan	940
Sri Lanka	553
Zimbabwe	344
Iran	303
Iraq	288
Pakistan	256
Fiji	253
Malaysia	230
India	213

Figures drawn from “Asylum Levels in Industrialized Countries 2009,” UNHCR, March 2010



Newly arrived Somali refugees in Ifo camp, Dadaab, Kenya. © UNHCR/E. Hockstein.

In 2009, Australia received 6170 asylum applications, just 1.6% of the 377,160 applications received across 44 industrialised nations.

Afghanistan was the single largest source country of people making asylum applications in industrialised countries. The 940 applications lodged in Australia by Afghans made up only 3.5% of the international total of 26, 803. Afghans were four times more likely to lodge an application in Norway than in Australia

How do Refugees come to Australia?

The Refugee Program is for people subject to persecution in their home country and in need of resettlement. Refugees arrive in Australia by two ways: either through the offshore Refugee and Special Humanitarian program or as onshore asylum seekers. The **Refugee Program** is for people subject to persecution in their home country and in need of resettlement. The United Nations High Commissioner for Refugees (UNHCR) refers most applicants under this category for resettlement. The **Special Humanitarian Program (SHP)** targets people who are outside their home country and are subject to substantial persecution and/or discrimination in their home country amounting to a gross violation of their human rights. Applications for the SHP visa (subclass 202) must be supported by a proposer who is an Australian citizen, permanent resident or a community organisation based in Australia. SHP entrants must meet health and character tests and they receive less support than Refugee Visa entrants. In 2008-09 the top five countries of origin for offshore Refugee and Special Humanitarian program entrants to Australia were Iraq, Burma/Myanmar, Afghanistan, Sudan and Bhutan.

Refugees also arrive in Australia as **onshore asylum seekers**, who seek refugee status after arriving in Australia. Most enter as visitors or students. Some arrive without authorisation. Once an asylum seeker has lodged a written application for refugee status with the Department of Immigration Citizenship (DIAC), the application is assessed by an officer of the Department to establish whether the person is eligible for the grant of a protection visa. If the decision is positive, the asylum seeker is granted a protection visa.

2008-09 offshore visa grants by top ten countries of birth

Countries	Number of visa granted
Iraq	2874
Burma/ Myanmar	2412
Afghanistan	847
Sudan	631
Bhutan	616
Ethiopia	478
Congo (DRC)	463
Somalia	456
Liberia	387
Sierra Leone	363

Source: <http://www.immi.gov.au/media/fact-sheets/60refugee.htm#>



Displaced persons in Kibati camp, North Kivu. © UNHCR/P.Taggart.



A mother and child in Parwan province wait to hear if they will benefit from the UNHCR shelter programme that helps thousands of refugees rebuild their lives after returning from Iran and Pakistan. Her family were evacuated from a Kabul public building where they had been squatting. © UNHCR/M.Maguire

In the past 60 years, Australia has offered permanent residency to around 700,000 refugees and others in need of humanitarian protection. At least 7% of Australians have been through the experience of being a refugee or have a parent or grandparent who has. Many former refugees are prominent in Australian business, government, education, the arts, sport and community life. Offering a new start for people in peril has proven to be an important nation building exercise for Australia.

2. WHAT IS REFUGEE WEEK?

Refugee Week has been celebrated in Australia since the 1980s. It provides a platform where positive images of refugees can be promoted in order to create a culture of welcome throughout the country.

Our ultimate aim is to create better understanding between different communities and to encourage successful integration enabling refugees to live in safety and to continue making a valuable contribution to Australia.

The aims of Refugee Week are:

- To educate the Australian public about who refugees are and why they have come to Australia
- To help people understand the many challenges refugees face coming to Australia
- To celebrate the contribution refugees make to our community
- To focus on how the community can provide a safe and welcoming environment for refugees
- For community groups and individuals to do something positive for refugees, asylum seekers and displaced people, within Australia but also around the world
- For service providers to reflect on whether they are providing the best possible services to refugees.



The Western Bulldogs AFL Team celebrates Refugee Week, 2009.
www.westernbulldogs.com.au

Refugee Week is a unique opportunity for us all to experience and celebrate the rich diversity of refugee communities through theatre, music, dance, film & other educational or cultural events which take place all over Australia and highlight the aims of the Week, as outlined above.



Kosovo Roma children living in Roma Mahalla, Mitrovica, doing the UNHCR 'protection' symbol for World Refugee Day in 2008.
© UNHCR/S. Saran.

Refugee Week is an umbrella participatory festival that allows a wide range of refugee community organisations, voluntary and statutory organisations, schools, student groups and faith based organisations to host events during the week. Past events have included football tournaments, public talks and exhibitions as well as music and dance festivals, theatre projects, and film screenings.

Everyone is welcome to participate in promoting the aims of Refugee Week – the more the better! In 2010 the Refugee Council of Australia is encouraging organisations to celebrate a unified Refugee Week. The date coincides with the celebration of World

Refugee Day on June 20 offering greater opportunities for creating awareness of local, national and international issues affecting refugees.

JOIN US IN CELEBRATING REFUGEE WEEK 2010!

When is Refugee Week?

Refugee Week 2010 will be held from **Sunday, June 20 (World Refugee Day) to Saturday, June 26**. Through Refugee Week we aim to provide an important opportunity for asylum seekers and refugees to be seen, listened to and valued.

2010 theme: Freedom From Fear

The theme for Refugee Week in 2010 is "Freedom From Fear."

This motif, which started in 2009 will continue through to 2011 in the lead up to the 60th anniversary of the UN Refugee Convention. Our hope is that by retaining this theme for Refugee Week over three years, we will be able to focus greater attention on the realities of the refugee experience.

It is fear – fear of persecution, fear for their own lives – that makes refugees so different from every other migrant coming to Australia. Refugees are not people who have leisurely decided they'd prefer life somewhere else. They are fleeing their own country because it is no longer safe for them to stay. The key notion here is that they have no real choice. Their lives are in danger.

"Freedom from Fear" in the 1951 Refugee Convention:
Any person who owing to a 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/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country.

"Freedom from Fear" in the preamble of the Universal Declaration of Human Rights:

"the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people."

When refugees flee, they are forced to abandon everything they know and love. They are separated from family members, lose belongings, are left with little or no money. Some are traumatised by what they have experienced. Many spend years in camps, lost in no-man's land whilst their fate is decided. Most have no idea what kind of future awaits them. In seeking refuge in another country refugees are hoping to find freedom from this fear of persecution. They are looking for the opportunity to lead a normal life, as part of a community, where they can live in safety and security, find work and send their children to school. And this is what we can offer them here in Australia.

In choosing as our theme "Freedom from Fear" we are hoping to draw attention not just to the fear that compels refugees to run, but the relief they feel when they are welcomed into another country and given the opportunity to rebuild their lives.

Logo for Refugee Week

In sharing ideas and strategies, the UK Refugee Week Consortium has given permission for its Refugee Week logo to be used in Australia. The many colours in the logo speak of the diversity and energy brought to the welcoming country by refugees from many backgrounds. The logo is available for use by any organisation holding events in conjunction with Refugee Week which are in keeping with the Refugee Week objectives of promoting understanding of refugees and asylum seekers; and celebrating the contributions and achievements of people who have experienced life as a refugee.

Each organisation using the Refugee Week logo is required to inform the Refugee Council of Australia of the event, for inclusion in the national Refugee Week calendar. Events can be registered by sending an email, outlining the event details, to info@refugeecouncil.org.au



3. MYTHS AND FACTS ABOUT REFUGEES AND ASYLUM SEEKERS

“Boat people are illegal immigrants.”

Asylum seekers who arrive in Australia by boat are neither engaging in illegal activity, nor are they immigrants.

The UN Refugee Convention (to which Australia is a signatory) recognises that refugees have a lawful right to enter a country for the purposes of seeking asylum, regardless of how they arrive or whether they hold valid travel or identity documents. The Convention stipulates that what would usually be considered as illegal actions (e.g. entering a country without a visa) should not be treated as illegal if a person is seeking asylum. This means that it is incorrect to refer to asylum seekers who arrive without authorisation as “illegal”, as they in fact have a lawful right to enter Australia to seek asylum.

In line with our obligations under the Convention, Australian law also permits unauthorised entry into Australia for the purposes of seeking asylum. Asylum seekers do not break any Australian laws simply by arriving on boats or without authorisation.



Grateful to have survived the perilous voyage across the Gulf of Aden, a mother embraces her four-month-old infant, who was born in South Yemen's Kharaz refugee camp. © UNHCR/J. Bjorgvinsson.

Australian and international law make these allowances because it is not always safe or practicable for asylum seekers to obtain travel documents or travel through authorised channels. Refugees are, by definition, persons fleeing persecution and in most cases are being persecuted by their own government. It is often too dangerous for refugees to apply for a passport or exit visa or approach an Australian Embassy for a visa, as such actions could put their lives, and the lives of their families, at risk. Refugees may also be forced to flee with little notice due to rapidly deteriorating situations and do not have time to apply for travel documents or arrange travel through authorised channels. Permitting asylum seekers to enter a country without travel documents is similar to allowing ambulance drivers to exceed the speed limit in an emergency – the action would be ordinarily be considered illegal, but the circumstances warrant an exception.

It is also incorrect to refer to asylum seekers as migrants. A migrant is someone who chooses to leave their country to seek a better life. They decide where they migrate to and they can return whenever they like. Refugees are forced to leave their country and cannot return unless the situation that forced them to leave improves. Some are forced to flee with no warning; significant numbers of them have suffered torture and trauma. The concerns of refugees are human rights and safety, not economic advantage.

“Boat people are queue jumpers.”

The idea that boat people are “queue jumpers” is based on misconceptions about how Australia’s Refugee Program and the international refugee resettlement system actually work.

Australia's Refugee Program has two components. The **onshore** component is for people who apply for refugee status after arriving in Australia. Most enter as visitors or students; some arrive without authorisation. The onshore component is a legal obligation which is part of Australia's responsibilities as a signatory to the UN Refugee Convention.

Applying for protection onshore is not a means of "jumping the queue" or bypassing the "correct" process of applying for protection. In fact, applying onshore is the *standard procedure* for seeking protection. According to the definition in the UN Refugee Convention, refugees are persons who are outside their country of origin. This means that you cannot apply for refugee status if you are inside your own country. In order to be recognised as a refugee, you must leave your country and apply for refugee status onshore in another country. Every refugee in the world has, at some point, entered another country to seek asylum.

Because Australia receives so few onshore asylum applications, we can easily admit all of those who reach Australia who are found to be in need of protection. Dozens of poorer countries, however, receive a much larger number of refugees and require assistance from other countries to fulfil their protection obligations. Australia provides this assistance through the **offshore** component of our refugee program. This is a voluntary scheme under which Australia resettles recognised refugees who have been referred by the UN. The offshore component also includes a special visa category for people who might not meet the UN criteria for refugee status but who are nonetheless subject to serious human rights abuses overseas.



A group of women wait outside the Djibouti Refugee Agency office in Yemen to register as asylum seekers. The wait could take days. Once registered, they are transferred to Ali Adeh where UNHCR provides assistance. © UNHCR/J. Bjorgvinsson

The UN resettlement system does not work like a queue. The term "queue" implies that if you join the end, you are guaranteed to reach the front within a certain amount of time. This is not the case. Refugees are prioritised for resettlement according to need, not according to how long they have been waiting. These needs fluctuate and are continuously reassessed. For example, conditions in a refugee-producing country may improve, allowing refugees from that country to return home if they wish; or conditions in a refugee-hosting country may deteriorate, placing the refugees in that country in greater need of resettlement. A person who has been in a refugee camp for one year may be prioritised for resettlement ahead of a person who has been in a camp for 10 years, if the former's need for resettlement is greater.

In 2008, just 88,800 of the world's 15.2 million refugees were resettled – well under 1%. If the mythical resettlement "queue" did exist and all of the world's refugees were in it, a newly recognised refugee would, on current trends, have to wait 170 years for resettlement.

"Asylum seekers who arrive on boats take places away from genuine refugees in overseas camps."

Refugees who seek protection onshore are no less "genuine" than refugees who are resettled from offshore. Refugees who are resettled in Australia, regardless of whether they apply onshore or offshore, must meet the criteria for refugee status outlined in the UN Refugee Convention. These criteria do not make any distinction between those refugees who arrive with authorisation and those who don't.

The myth that onshore applicants take places away from offshore applicants does have some basis in truth. However, this is *not* because onshore asylum seekers are trying to rot the system or "jump the queue" – they have a right to seek asylum onshore and Australia has a legal and moral obligation to protect them. Rather, it is the direct result of Australian Government policy. The onshore and offshore

components of Australia's refugee program are numerically linked, which means that every time an onshore applicant is granted a protection visa, a place is deducted from the offshore program.

The linking policy blurs the distinction between Australia's obligations as a signatory to the Refugee Convention (addressed through the onshore component) and our voluntary contribution to the sharing of international responsibility for refugees for whom no other durable solution is available (addressed through the offshore component). The perception that there is a "queue" which onshore applicants are trying to evade is created by a policy choice which could easily be changed. No other country in the world links its onshore and offshore programs in this way.

"Asylum seekers who arrive by boat present a security threat to Australia."

The majority of asylum seekers who have reached Australia by boat have been found to be genuine refugees. Between 85% and 90% have typically been found to be refugees, compared to around 40% of asylum seekers who arrive via plane with a valid visa. Between July 30 2008 and June 30 2009, 217 refugee assessments on boat arrivals were carried out on Christmas Island. Of these, 206 or 95% were approved and the applicants granted protection visas.¹



Arriving on the shores of Yemen after crossing the Gulf of Aden, a new arrival enjoys his first meal in three days. © UNHCR/J. Bjorgvinsson

The UN Refugee Convention excludes people who have committed war crimes, crimes against peace, crimes against humanity or other serious non-political crimes from obtaining refugee status.² Any person who is guilty of these crimes will be denied refugee status. Additionally, all asylum seekers must undergo rigorous security and character checks before being granted protection in Australia. It is therefore highly unlikely that a war criminal, terrorist or any other person who posed a security threat would be able to enter Australia as a refugee.

It is also improbable that a criminal or terrorist choose such a dangerous and difficult method to enter Australia, given that asylum seekers who arrive through unauthorised channels and without

valid travel documents are subjected to mandatory detention and undergo more rigorous security checks than any other entrants to Australia.

"Mandatory detention of unlawful asylum seekers is essential to maintaining Australia's border security."

Australia is one of few nations in the world which imposes mandatory detention on asylum seekers. In the Western world, this policy is largely viewed as abhorrent, especially as the individual has not committed a crime by seeking asylum and detaining them for this reason breaches international law. In many European nations, only those individuals deemed to be a high security risk are detained.

There is no research to suggest that individuals are likely to abscond when being processed in the community. This is because they have a vested interest in cooperating in order to gain full protection rights. Treating people with dignity and presuming innocence rather than guilt helps to reinforce their trust in the system.³ In 2005, Australia introduced a community-based detention system which allowed a small number of asylum seekers to live unsupervised in the community, supported by the Red Cross. Of the 244 people placed in this program between July 2005 and May 2009, the Department of Immigration and Citizenship reports that only two (less than 1%) have absconded.⁴

“Tightening our borders will stop people smugglers and prevent asylum seekers from making risky journeys.”

Asylum seeker flows are primarily affected by war, unrest, violence and human rights abuse, not domestic policies in refugee-hosting countries. Most people do not wish to leave their homes, families, friends and everything they know and hold dear. They do so as a last resort, because of a need to escape persecution. Asylum seekers are running away, not running to. Their desire for safety for themselves and their families is paramount and they will do whatever it takes to achieve that.

Everyone agrees that we should stop people smuggling ventures that exploit asylum seekers and place them in danger. No one wishes to see asylum seekers board unreliable vessels and make risky journeys to Australia. However, penalising desperate and vulnerable people – who have committed no crime and are in need of protection and support – is not the answer. For refugees fleeing persecution, torture and the threat of death, even the most punitive methods of deterrence employed by Australia will be preferable to the conditions they have left behind.

A policy of deterrence also fails to take into account the conditions which force refugees to flee their homes and undertake risky journeys in the first place. Unless human rights issues in refugee-producing nations are addressed, and regional cooperation on refugee protection is enhanced, asylum seekers will be driven to seek out people smugglers and undertake risky journeys.

“Australia is being swamped by asylum seekers.”

Compared to other refugee-hosting countries, Australia receives a very small number of asylum applications. In 2009, Australia received 6 170 onshore asylum applications, just 1.6% of the 377 160 applications received across 44 industrialised nations. Of these applicants, 2 726 arrived by boat – a mere 0.7% of the total number of asylum applications in industrialised nations. In the same year, over 77 000 asylum seekers arrived by boat in Yemen, a developing country with a GDP per capita of just over \$US1 000 (compared to Australia’s GDP per capita of over \$US45,000)⁵; and almost 1 500 asylum seekers arrived by boat in Malta, a country of less than 420 000 people.⁶

No. of irregular arrivals by sea, by country 2006-09⁷

Country	2006	2007	2008	2009
Australia	60	148	161	2 726
Greece	9 050	19 900	15 300	10 165
Italy	22 000	19 900	36 000	8 700
Malta	1 800	1 800	2 700	1 470
Spain	32 000	18 000	13 400	7 285
Yemen	29 000	29 500	50 000	77 310

Most nations do not break down their asylum seeker statistics by mode of arrival (i.e. sea, land or air). When considering total asylum seeker figures however, Australia’s number of in-country (onshore) claimants is very small. When examining total asylum claims in the developed world between 2005 and 2009, Australia does not once enter the top ten.⁸ Furthermore, countries with much smaller populations than Australia receive far more asylum claims. Sweden, for example, has a population less than half the size of Australia’s but received almost four times as many onshore asylum applications in 2009 (see table below).

No. of onshore asylum applications, by year, by country 2006-09⁹

Country	Total Pop.	2006	2007	2008	2009
Australia	21.9 million	3 520	3 980	4 770	6 170
Austria	8.3 million	13 350	11 920	12 840	15 830
Canada	33.3 million	22 910	28 340	36 900	33 250
Germany	82.1 million	21 030	19 160	22 090	27 650
Sweden	9.2 million	24 320	36 370	24 350	24 190
United Kingdom	61.4 million	28 320	28 300	31 320	29 840
United States	307.7 million	51 880	50 720	49 560	49 020

“Australia takes more than its fair share of refugees.”

The overwhelming majority of the world’s refugees are situated in the developing world in countries neighbouring their own, many in camps but many also living under uncertain and difficult circumstances in urban settings. The UN refugee agency, UNHCR, estimates that only 16% of the world’s refugees seek help outside their region of origin.¹⁰

At the end of 2008, Pakistan was hosting over 1.7 million refugees, asylum seekers and potential asylum claimants. Other developing nations hosting over half a million refugees and asylum seekers include Syria, Iran, Jordan and Venezuela. These figures refer solely to people who have left their own nations and sought assistance in a second country. Germany was the only developed nation to host in excess of half a million refugees. At 582 735 in 2008, Germany’s refugee population dwarfed Australia’s total of 20 919.¹¹



In a cramped basement in Syria's Saida Zeinab neighbourhood, Iraqi and Syrian teacher volunteers give free catch-up classes to Iraqi school children in hopes they will be able to join Syrian students at the start of the school year. © UNHCR/B. Heger.

Australia does, however, make an essential contribution to addressing the global refugee situation. Due to the fact that Australia receives so few onshore asylum claims, Australia has been able to establish the third largest resettlement program in the world behind the USA and Canada. Australia’s resettlement program provides refugees who are unable to return home with a chance at a better life. In 2008, of the 13 507 people granted visas under Australia’s Humanitarian Programs, almost 6 500 were resettled refugees.¹²

“Australia’s refugee program must have strict limits, otherwise we will end up hosting millions of refugees.”

No country in the world hosts “millions” of refugees. Only two countries – Pakistan and Syria – currently host in excess of one million refugees but neither hosts more than two million. The high numbers of refugees in these countries are largely the result of major and prolonged conflicts in Afghanistan and Iraq respectively.

Australia is geographically isolated and, being an island, has no land borders with any other country. These factors make Australia one of the most difficult countries in the world for asylum seekers to reach. Australia also has universal visa requirements and carrier sanctions. Because of this, it is highly unlikely that Australia will ever receive the large numbers of onshore asylum applications that other countries experience.

It is also important to recognise that, even if Australia agreed to resettle every refugee identified by the UN as being in priority need of resettlement (a highly unlikely prospect!), Australia still would not be hosting millions of refugees.¹³ There may be millions of refugees in the world, but no one is suggesting that all of these refugees should be resettled in a third country. Other solutions, such as voluntary repatriation and settlement in countries of first asylum, are preferred to resettlement in a third country.

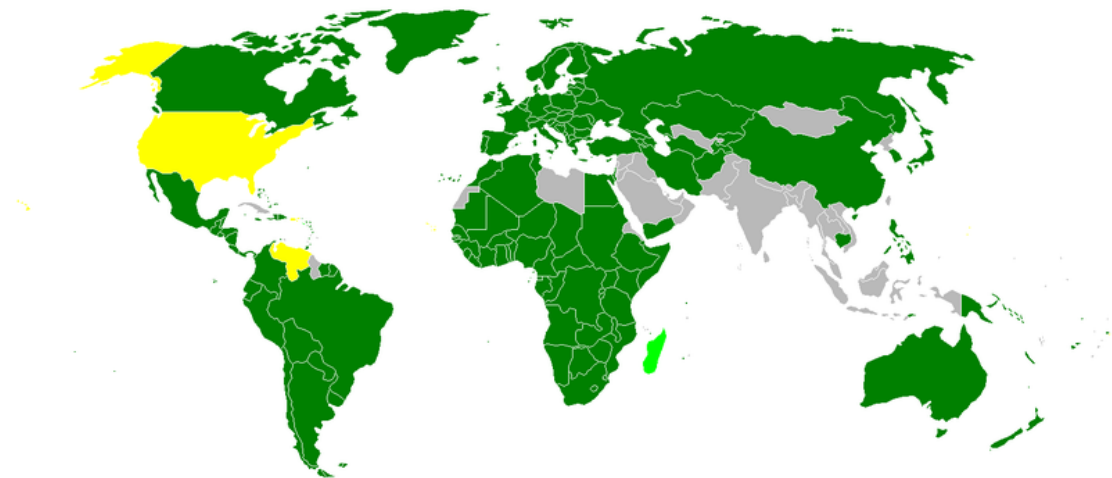
“Asylum seekers should apply for protection outside Australia.”

All human beings have a right to seek and enjoy in other countries asylum from persecution, which makes refugee protection a universal and global responsibility. As a signatory to the UN Refugee Convention and as a member of the international community, Australia shares in this responsibility. There is no reason why Australia should be exempt from receiving and processing onshore asylum claims while expecting other nations to fulfil this responsibility. As a developed nation with well-established systems for refugee status determination and strong settlement support infrastructure,

Australia is well-placed to play a leading role in refugee protection both in the Asia-Pacific region and globally.

Australia plays a particularly important role in the Asia-Pacific, as very few countries in the region are signatories to the Refugee Convention (see map below). If a country is not a signatory to the Convention, it is under no legal obligation to provide protection to refugees. The UN may have a presence in these countries and can assist in determining refugee status, but this is not always the case. Refugees in non-Convention countries are generally treated as illegal immigrants and may face criminal charges, imprisonment or forcible return to their country of origin if they are caught by immigration officials. They are typically unable to work legally, own or rent property, access social security or send their children to school and often face violence, homelessness and destitution.

Signatories to the 1951 Refugee Convention and its 1967 Protocol. Dark green nations are parties to both treaties while light green nations have signed only the Convention, and yellow nations have signed only the Protocol. Non-signatories are marked in grey.



Furthermore, the mere fact that a country is a signatory to the Refugee Convention does not mean that it is able to provide *effective* protection to asylum seekers and refugees. This is especially the case when that country does not have any the necessary resources or commitment to provide a level of protection that is consistent with its obligations under the Refugee Convention. For example, of the countries in the Asia-Pacific which have signed the Convention:

- ✿ China has not passed national legislation to facilitate implementation of its international obligations under the Convention.
- ✿ Cambodia was recently implicated in the forcible deportation of asylum seekers to China (a gross contravention of international refugee law).
- ✿ Papua New Guinea and Timor-Leste are developing countries with limited resources and infrastructure available to implement systems for credible refugee status determination and resettlement.

When Australia fails to fulfil its obligations under the Refugee Convention or other international human rights treaties, it sends a clear message to other countries in the region that these commitments are unimportant. Australia cannot expect other countries to uphold their international legal commitments while we refuse to uphold our own. Improved regional cooperation on refugee protection issues will not occur if Australia does not uphold its obligations under international refugee and human rights law.

“If someone can afford to pay a people smuggler thousands of dollars to travel to Australia, they cannot be a ‘genuine’ refugee.”

Economic status has no bearing on refugee status. A refugee is someone who has a well founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group or political opinion. It makes no difference whether a refugee is rich or poor – the point is that they are at risk of, or have experienced, persecution. Many refugees who come to Australia are educated middle-

class people, whose education, profession or political opinions have drawn them to the attention of the authorities and resulted in their persecution.

“Refugee camps are perfectly safe. Why can’t these people just go there?”



*In Dadaab refugee camp in Kenya, the quantity of water is limited and pumps are unable to handle the capacity needed every day.
© UNHCR E. Hockstein.*

The majority of the world’s refugees live in countries next to their country of origin, many of them in camps. Some camps can hold hundreds of thousands of people, in conditions that are, at best, very difficult. Of the 6 million refugees in what UNHCR classifies as “protracted situations”, the average length of time spent in a refugee camp is 17 years. Food and water supplies are unpredictable and refugee inhabitants are often not allowed to leave or work outside the camp. Violence, especially rape, is common.¹⁴

A growing number of refugees are unable to reach refugee camps or seek refuge in areas where there are no camps (such as urban areas).

“These situations don’t go on forever. Refugees should be granted temporary protection until they can go home.”

The majority of the world’s refugees do eventually return home. This is the most durable solution for the largest number of refugees, both in terms of what is feasible and what is desired by the refugees themselves. UNHCR participates in the voluntary repatriation of thousands of refugees per year, launching programs when they feel conditions in refugee-producing countries have improved so that people are no longer at risk of persecution.

For many refugees, however, this is not possible. Certain ethnic or religious groups have historically been the victims of persecution due to their minority status, for example the Hazaras in Afghanistan. A change in government or an end to general hostilities may not be enough to ensure their safety.

Additionally, past temporary protection policies have been proven to extremely damaging to refugees. The Temporary Protection Visa (TPV) regime, introduced by the Howard Government in 1999, was inhumane, discriminated against some asylum seekers purely because of their method of arrival, caused needless suffering and contravened Australia’s international human rights obligations. Refugees on TPVs were unable to apply for family reunion and could not receive adequate settlement assistance or have the stability and security of permanent protection. The psychological damage caused by TPVs because of these factors has been well documented by medical experts.

Temporary protection is also an ineffective strategy for reducing unauthorised arrivals. In the years that followed the introduction of TPVs, boat arrivals increased dramatically. 3 721 asylum seekers arrived by boat in 1999 and 5 516 asylum seekers arrived in 2001.¹⁵ This represented an increase of 48%. From 2002 onwards boat arrivals began to decrease, however this corresponded with a global decline in asylum seeker numbers.¹⁶

It is also illogical to attribute the fall in boat arrivals to the TPV policy. As this class of visa denied recipients family reunification rights, families of refugees in Australia – the majority of them women and children – were left with no other option to escape persecution than to pay people smugglers and undertake the same journey to Australia. After TPVs were introduced, the proportion of women and children amongst the boat-borne asylum seekers more than tripled, from 12.8% of boat arrivals in 1999, to 27.6 % in 2000, to 41.8% in 2001.¹⁷

“Refugees don’t contribute to Australian society in any meaningful way.”

By definition, refugees are survivors. They have survived because they have the courage, ingenuity and creativity to have done so. These are qualities which we value in Australia. The challenge for Australia is to assist newly arrived refugees to process the experiences of their past and rebuild their lives in Australia. If we do this we will reap the benefits of the qualities and experiences they bring to Australia.

Research carried out by the Refugee Council of Australia has shown that refugees make important economic, civil and social contributions to Australian society. Australia’s refugees and humanitarian entrants have found success in every field of endeavour, including the arts, sports, media, science, research, business and civic and community life. For further information, see

http://www.refugeecouncil.org.au/docs/resources/Contributions_of_refugees.pdf

Just some of the many Australian high achievers who once were refugees include scientists Sir Gustav Nossal and Dr Karl Kruszelnicki, 2009 Victorian of the Year Dr Berhan Ahmed, painter Judy Cassab, comedian Anh Do, filmmaker Khoa Do, author Nam Le, academic Associate Professor My-Van Tran, Dr Anita Donaldson, poet Juan Garrido-Salgado, painter and restaurateur Mirka Mora, actor Henri Szeps, broadcasters Les Murray and Caroline Tran, Australian Rules footballer Alex Jesaulenko, footballer Atti Abonyi, swimmers John and Ilsa Konrads, newspaper editor Michael Gawenda, architect Harry Seidler, business people Sir Peter Abeles, Larry Adler, Ouma Sananikone and Judit Korner, public servant Tuong Quang Luu and politicians Jennie George and Nick Greiner.



Sports broadcaster Les Murray tells of his escape from Hungary as an 11-year-old, at the NSW launch of Refugee Week 2008.
© RCOA.

“Refugees and asylum seekers receive higher social security payments than Australian aged pensioners.”

A refugee who has permanent residency in Australia receives exactly the same social security benefits as any Australian-born person in the same circumstances. Refugees apply for social security through Centrelink like everyone else and are assessed for the different payment options in the same way as everyone else. There are no separate Centrelink allowances that one can receive simply by virtue of being a refugee.

Centrelink payments are calculated at exactly the same rate for both refugees and non-refugees. A single person with no children applying for Special Benefit or the Newstart Allowance (whether or not he or she is a refugee) will receive \$462.80 per fortnight, whereas a single person on an Age Pension payment will receive a fortnightly payment of \$644.20. A single age pensioner therefore receives over \$180.00 more per fortnight more than a single refugee (or a single Australian-born person) who qualifies for Special Benefit or Newstart. Australian citizens and permanent residents with dependent children on lower to middle incomes (including refugees) may also be eligible to receive Family Tax Benefits or Parenting Payments; however none of these allowances are paid at a higher rate than the single age pension.¹⁸

Asylum seekers are not entitled to the same forms of financial support as citizens or permanent residents. The Asylum Seeker Assistance (ASA) Scheme provides assistance to some eligible asylum seekers who are in the process of having their refugee status determined. The ASA Scheme offers income support to cover basic living expenses, at a rate well below Centrelink benefits.

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 - 2 United Nations (1951). *Convention Relating to the Status of Refugees*, <http://www2.ohchr.org/english/law/refugees.htm>; see Article 1F.
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 - 4 Parliament of Australia (2009). *Joint Standing Committee on Migration: Immigration Detention in Australia: Report 2*, <http://www.aph.gov.au/House/committee/mig/detention/report2.htm>; see Chapter 4, “A Robust and Cost-Effective Approach.”
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 - 7 United Nations High Commissioner for Human Rights (2010), *All in the same boat: The challenges of mixed migration*, <http://www.unhcr.org/pages/4a1d406060.html>; and Phillips, J. & Spinks, H. (2010). “Boat Arrivals in Australia since 1976”. Parliament of Australia, Parliamentary Library. <http://www.aph.gov.au/library/pubs/bn/sp/BoatArrivals.htm>. 2009 figure for Australia obtained directly from the Department of Immigration and Citizenship.
 - 8 United Nations High Commissioner for Refugees (2010), *Asylum Levels and Trends in Industrialized Countries 2009*, <http://www.unhcr.org.au/pdfs/AsylumReport2009.pdf>; see p. 7.
 - 9 Ibid, p. 13. Population figures rounded to nearest 100, 000, as of 2008. Population figures obtained from the International Monetary Fund’s *World Economic Outlook Database* (April 2010), <http://www.imf.org/external/pubs/ft/weo/2010/01/weodata/index.aspx>
 - 10 United Nations High Commissioner for Refugees (2009), *2008 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*, <http://www.unhcr.org/pdfs/2008globaltrendsJune09pdf.pdf>; p. 7.
 - 11 Ibid; see Appendices.
 - 12 Department of Immigration and Citizenship (2009), Fact Sheet 60 – Australia’s Refugee and Humanitarian Program, Commonwealth of Australia, <http://www.immi.gov.au/media/fact-sheets/60refugee.htm>
 - 13 Of approximately 15.2 million recognised refugees, UNHCR has identified around 747,500 as being in priority need of resettlement in a third country. See United Nations High Commissioner for Refugees 2009, op. cit.
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 - 17 Evans, C. (2009). *Media Release: Opposition must come clean on Temporary Protection Visas*, <http://www.chrisevans.alp.org.au/news/1009/immimediarelease30-02.php>
 - 18 Rates are current as of May 2010.



4. KEY CONTACTS

If you have any more questions about Refugee Week, please feel free contact the people below.

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