



# Refugee Council of Australia

## **BULLETIN FOR MEMBERS AND SUPPORTERS**

**December 14, 2007**

Welcome to the latest bulletin from the Refugee Council of Australia (RCOA). We welcome feedback, ideas or information worth sharing. Please contact us at [info@refugeecouncil.org.au](mailto:info@refugeecouncil.org.au).

*Paul Power, CEO, Refugee Council of Australia*

### **NEWS FROM THE REFUGEE COUNCIL**

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#### **Election brings sweeping political change**

The November 24 Federal election has substantially changed the Australian political environment. Nearly all of the politicians in key immigration policy roles have changed or will change shortly:

- Kevin Andrews, the former Minister for Immigration and Citizenship, is now an Opposition backbencher;
- Teresa Gambaro, the former Assistant Minister for Immigration and Citizenship, lost her seat (Petrie) in the House of Representatives.
- Tony Burke, the former Shadow Minister for Immigration, Integration and Citizenship, is now Minister for Agriculture, Fisheries and Forestry.
- Senator Andrew Bartlett, the Democrats spokesperson on immigration, did not retain his Queensland Senate seat and will step down when the Senate changes on June 30.
- Senator Kerry Nettle, the Greens spokesperson on immigration, is unlikely to retain her NSW Senate seat, though counting is continuing.

Laurie Ferguson, the former Shadow Minister for Multicultural Affairs, remains involved in immigration policy as the new Parliamentary Secretary for Multicultural Affairs and Settlement Services.

While there are and will be many different analyses of the election results, there were some interesting results for those of us interested in promoting a humane refugee policy and community harmony.

- The two Victorian Liberal MPs who spoke out on refugee policy and voted against the Designated Unauthorised Arrivals Bill last year, Petro Georgiou and Russell Broadbent, fared better than any of their Victorian colleagues. While the Coalition's vote dropped by 5.7% in Victoria, the two-party-preferred swings against Mr Georgiou and Mr Broadbent were just 0.1% and 0.2% respectively.
- The public reaction to the failed attempt by Liberal Party members in the NSW seat of Lindsay to divide voters on religious lines was very clear. Australians are sick of cynical wedge politics.

#### **The new team in Canberra**

The new Minister for Immigration and Citizenship is **Senator Chris Evans**, a WA Senator and Leader of the Government in the Senate. He is new to the immigration portfolio, having served in shadow portfolios including resources and energy, family services, indigenous affairs, social security and defence. In his maiden speech to the Senate in August 1993, Senator Evans emphasised fundamental human rights and that the state's rights should not be given priority over the rights of the people. For information about the new Minister, see <http://www.minister.immi.gov.au/biographical/index.htm>

Senator Evans will be assisted in his role by **Laurie Ferguson**, Parliamentary Secretary for Multicultural Affairs and Settlement Services – see <http://www.aph.gov.au/house/members/biography.asp?id=8T4>

On the Opposition benches, the two key contacts on refugee policy will be:

- **Senator Chris Ellison**, Shadow Minister for Immigration and Citizenship - [http://parliinfoweb.aph.gov.au/piweb/view\\_document.aspx?ID=13796&TABLE=BIOGS](http://parliinfoweb.aph.gov.au/piweb/view_document.aspx?ID=13796&TABLE=BIOGS); and
- **Christopher Pyne**, Shadow Minister for Justice, Border Protection and Assisting Shadow Minister for Immigration and Citizenship - <http://www.aph.gov.au/house/members/biography.asp?id=9V5>

With new people in nearly all the key roles affecting refugee policy, it will take some time to work out where the possibilities for change lie. The Refugee Council is working actively with others to begin constructive dialogue with both the new Government and the new Opposition. At Christmas functions in Melbourne and Sydney, Senator Evans said that some change would be on the agenda but that any process of change must be capable of gaining broad Australian community support.

### **Annual consultations for Intake Submission**

The Refugee Council team has been very busy over the past two months conducting community consultations in all eight states and territories of Australia. We are gathering views, issues and ideas for our annual submission to the Minister for Immigration, outlining community views of issues to be taken into account for Australia's 2008-09 Refugee and Humanitarian Program. The range of issues raised is broad but at the top of the agenda all over Australia are issues of housing, employment and family reunion. We are still collecting views and ideas. To have your say, please contact our National Policy Director, Anna Samson, on (02) 9211-9333 or [policy@refugeecouncil.org.au](mailto:policy@refugeecouncil.org.au)

The Minister for Immigration is expected shortly to invite public submissions on the Refugee and Humanitarian Program, with the likely deadline being mid-February. The submission process is expected to be advertised on the Minister's website - <http://www.minister.immi.gov.au>  
We would encourage interested organisations and individuals both to make their own submission and to pass on concerns to us for inclusion in the Refugee Council submission.

### **RCOA welcomes beginning of the end of the 'Pacific Solution'**

The new Federal Government's decision to settle seven Burmese Rohingya refugees from detention in Nauru to a new life in Brisbane is a welcome sign that the so-called "Pacific Solution" is being dismantled. See RCOA's media release: <http://www.refugeecouncil.org.au/newsevents/media.html>

### **RCOA AGM Public Forum focuses on refugee resettlement debate**

The Refugee Council's AGM Public Forum in Sydney on November 19 focused on the future of refugee resettlement policy in Australia, following the destructive comments about African integration in October by the then Immigration Minister Kevin Andrews. The speakers, Ajang Biar (Sydney), Dr Melika Sheikh-Eldin (Melbourne) and Kevin Liston (Adelaide), agreed that the community sector must work together to lobby for humanitarian need remaining the key criterion for refugee resettlement in Australia, rejecting any political attempts to push the agenda of "integration potential". All speakers spoke about the Australian community's excellent record of welcoming refugees and supporting them in their adjustment to life in their new country. Kevin Liston said the time had come for non-government organisations to speak more proudly and confidently of the community's work and achievements in refugee resettlement.

At the AGM, Dr Melika Sheikh-Eldin (AMES Victoria) and Paris Aristotle (Foundation House) were elected to the Refugee Council Board. They replace James Chol (formerly of Springvale Community Aid and Advice Bureau) and David Manne (Refugee and Immigration Legal Centre), both of whom did not seek reappointment.

### **Refugee Council annual report**

The Refugee Council's 2006-07 Annual Report is now available. The report can be downloaded from <http://www.refugeecouncil.org.au/resources/reports.html>.

### **Membership and financial support of our work**

As a small not-for-profit organisation with no core funding, the Refugee Council needs continuing support from the public, through membership and donations. In a changing political environment, the need for an informed and independent voice on refugee policy is more important than ever. For more information about making a tax-deductible donation to support our work or becoming a member of the Refugee Council, see <http://www.refugeecouncil.org.au/getinvolved/index.html>

### **Thank you for your support throughout 2007**

As 2007 draws to a close, the board and staff of the Refugee Council of Australia would like to thank all of our members and supporters throughout Australia and internationally for all the support and encouragement given to us during the year. We wish you all a happy Christmas holiday season and we look to your continuing support in 2008.

## NEW RESEARCH, STATEMENTS AND PUBLICATIONS

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### **Promoting Refugee Health – online resources**

Produced by the Victorian Foundation for Survivors of Torture, this resource is to assist doctors and other health professionals in working with clients of a refugee background. Available online at [www.foundationhouse.org.au/publications.php](http://www.foundationhouse.org.au/publications.php)

### **Latest Issue of Transcultural Psychiatry: Refugees and Forced Migration**

Published in September 2007, this issue features an article by Derrick Silove, Patricia Austin, and Zachary Steel entitled “*No Refuge from Terror: The Impact of Detention on the Mental Health of Trauma-affected Refugees Seeking Asylum in Australia*”. This issue also presents articles from international authors on various aspects of forced migration. Articles can be viewed online at: <http://tps.sagepub.com/current.dtl>

### **Refugees International: Burmese Refugees – End the Exploitation of Burmese in Thailand**

Read this latest report issued on November 29 which highlights the continued issues faced by Burmese living in Thailand and policy recommendations for expanded resettlement options. The report can be found at: <http://www.refugeesinternational.org/content/article/detail/10319/>

### **Research with refugee communities: Going around in circles with methodology**

Published in the May 2007 issue of *The Australian Community Psychologist*, this paper explored the challenges and various research methodologies used when conducting research with refugee communities. The article can be viewed online at: [http://www.groups.psychology.org.au/Assets/Files/GuerinGuerinb\\_19\(1\)2.pdf](http://www.groups.psychology.org.au/Assets/Files/GuerinGuerinb_19(1)2.pdf)

### **New documentary launched: “Women in Harmony”**

Produced by Sarah Tartakover and funded by the Victorian Multicultural Commission this new documentary examines the lives of three women from Melbourne’s western suburbs. Karen, Sudanese and Australian, the women tell the stories of their lives and challenges in Australia. The documentary was launched at the Sun Theatre in Yarraville on December 9.

### **African Think Tank calls for more effective help for emerging communities**

Congratulating the newly elected Rudd Government, the African Think Tank (ATT) has called for a review of the effectiveness and quality of settlement services to date with a particular focus on language and employment services. ATT also recently coordinated a community meeting in the Melbourne suburb of Flemington to address issues of concern arising between African residents on the Flemington Housing Commission estate and local police. The meeting was attended by over 350 local residents providing an opportunity for the community to voice their concerns and develop a number of strategies to address current challenges. To view ATT’s statements, please visit <http://www.att.org.au/media.html>

## REFUGEE ISSUES IN THE MEDIA

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### **A busy person’s digest of some of the recent Australian media coverage of refugee issues:**

(Inclusion in this summary does not imply that RCOA agrees with the article’s content or vouches for its accuracy)

#### **Nauru fears gap when camps close**

Concerns have been raised that the sudden closure of detention facilities on Nauru will leave a significant gap in the local economy which has become dependent on the income from the facilities since the “Pacific Solution” was established. While the closure of the camps will be welcomed by human rights advocates, a careful transition will need to be made to alleviate the impact on Nauru. (*The Age*, 11 December)

#### **Refugee status given to Burmese**

The newly elected Rudd Government has moved quickly to grant refugee status to the seven Burmese on Nauru with the possibility they may be resettled in Australia before the end of the year. Immigration Minister, Senator Chris Evans has said the “Pacific Solution” has been a costly failure and as the

Government moves to dismantle the policy, it is believed that Sri Lankan refugees on Nauru may also be resettled in Australia. (*The Age*, 10 December)

### **Australian deputy prime minister hints that refugee swap deal with US will be scrapped**

In a statement to the media, Deputy PM Julia Gillard has said Australia will deal with its own caseload of asylum seekers rather than pursue a previously agreed deal with the US to 'swap' refugees as a deterrent. (*AP*, 10 December)

### **New government sends home 16 Indonesian asylum seekers**

Immigration lawyer David Manne, has raised concerns that the group of Indonesian people rescued from a fishing vessel in November may not have had the opportunity to seek independent legal advice about their applications. In a public statement, Immigration Minister Senator Chris Evans has said that the Department of Immigration was satisfied the group's claims did not activate Australia's protection obligations. (*The Age*, 8 December)

Minister's statement: <http://www.minister.immi.gov.au/media/media-releases/2007/ce07001.htm>

### **Frightened man's dream: to call Australia home**

Australian friends and supporters of a deported Kosovar refugee have called on the new Australian Government to consider allowing the man back to his home in Hobart. As Kosovo is once again mired in tensions about independence, the deported refugee who was brought to Australia in 1999 during Operation Safe Haven still has no stable home and no means to make his own living. (*Sydney Morning Herald*, 8 December)

### **Kath and Kim star helping refugees**

Actor and comedian Jane Turner has been visiting refugee camps in Darfur and continues to raise awareness for Australians for UNHCR and helped to launch their Star Appeal which enables people to buy gifts such as books and pencils for refugee children. (*Today Tonight*, 7 Network, 6 December)

### **Villawood letter sparks lawyer's criticism**

Lawyers for an Iraqi detainee who was also jailed in Darwin for people smuggling claim they have received an "intimidatory" letter from the Australian Government Solicitor's office regarding the publication of information relating to the case in the media. (*Sydney Morning Herald*, 6 December)

### **Sudanese migrant named Volunteer of the Year**

Mary Mamour from Blacktown has been awarded NSW's Volunteer of the Year. Ms Mamour came to Australia in 2003 and helped establish the Sudanese Action Group. She has assisted many other Sudanese refugees to find employment and establish themselves in the Australian community. (*ABC News Online*, 5 December)

### **Australia urged to spend billions on aid**

World Vision CEO, Tim Costello has urged the Labor Government to revisit the issue of environmental refugees saying "We are honour-bound to pick up some of the pieces, particularly environmental refugees, that may be finding new homes." (*ABC News Online*, 4 December)

### **Australian Government withdraws from UN Committee Against Torture hearing**

Philip Lynch, Director of the Human Rights Law Resource Centre, highlights the Government's withdrawal from appearing before the United Nations Committee against Torture less than a week before the review. While the reason given was that the Government was in 'caretaker mode', this decision could be seen as a means of avoiding scrutiny over human rights issues such as indigenous health, the high proportion of indigenous incarceration and Australia's immigration policy during the election campaign. (*The Age*, 4 December)

### **Iraqi asylum seeker remains locked up, one year after need for protection confirmed**

Twelve months after the Department of Immigration found it owed protection obligations to an Iraqi asylum seeker, the man remains detained in Villawood Detention Centre. The department redrafted the decision and has sought a criminal history clearance document from Iran, where the man stayed briefly. The man who served a 4 year sentence for people smuggling and has also been described as an Iraqi

'Oskar Schindler' assisting people to flee the brutal rule of Saddam Hussein. (*Sydney Morning Herald*, 3 December)

### **African refugees are willing and able to contribute – Opinion**

Freelance writer Saeed Saeed speaks about the skills, qualifications and experiences African refugees bring to Australia and that assumptions about lower education levels and capacity for learning are based on falsehoods. Research conducted at La Trobe University shows that more Africans migrate to Australia with upper tertiary qualifications than migrants from countries with English as a first language. Innovative community-based employment programs such as Given the Chance at Melbourne's Ecumenical Migration Centre are progressive and provide real solutions for refugees. (*The Courier Mail*, 2 December)

### **Pacific Solution to be abolished**

While there has been no timeframe issued for the closure of detention facilities on Nauru, the newly elected Labor Government has promised to end the Pacific Solution. Boat arrivals will continue to be intercepted and processed on Christmas Island which together with Cocos Island and Ashmore Reef will remain excised from Australia's migration zone. The Government has not yet confirmed whether it will accept the 72 Sri Lankan refugees on Nauru for resettlement in Australia. (*The Age*, 1 December)

### **Accord threatened as refugees struggle with police**

Following scuffles between police and youths on an inner city estate in Melbourne, community leaders and police management are attempting to meet the challenges in rebuilding fractured community relations. (*The Age*, 30 November)

### **Wrongly detained for two years, then cut adrift**

A Chinese Falun Gong follower has been released from Villawood Immigration Detention Centre after it was revealed there was an error in the Department of Immigration which failed to inform the asylum seeker of a decision by the Refugee Review Tribunal to refuse his application. The man has been issued a bridging visa without the right to work and has no access to income support and when released, detention centre staff gave him \$200 and called him a taxi. Outgoing Immigration Minister Kevin Andrews has called for a review of 450 detainees to determine if other errors have been made and has described the situation as a "legal process gone mad". (*Sydney Morning Herald*, 29 November)

### **Rudd confirms immigration detention will continue**

Despite vowing to create a more compassionate Australia, Prime Minister-elect, Kevin Rudd has stated that immigration detention will continue, but that the spirit and letter of the UN Refugee Convention will apply in the future. Mr Rudd has also said that an orderly migration system is necessary and there is no alternative but to have an enforcement mechanism as part of that system. (*The Age*, 28 November)

### **Detention centre's future lies with Cabinet: Snowdon**

Christmas Island Shire President and local residents have called on the \$400 million detention facility to be used in a more humane way, saying the facility was a political project and a waste of taxpayers' money. Member for Lingiari, Warren Snowdon, has said decisions regarding the future of the facility will rest with the new Immigration Minister, Prime Minister and Cabinet. (*ABC News Online*, 27 November)

### **Nauru detainees make appeal to Rudd**

Sri Lankan refugees who have been awaiting a resettlement outcome on Nauru for over a year have called on the newly elected Rudd government to make a rapid decision about their settlement in Australia or a third country. Mark Getchell from the International Organisation for Migration (IOM) has urged the Australian Government not to make any changes to policy which would send a message to people smugglers that Australia could be a target. "If a Labor government is going to make a decision to replace Nauru with something then all I would say, and hope for, is that whatever it is replaced with does not in anyway motivate people to get on boats again. Whatever Nauru has done, it has stopped that from happening," he said. (*SBS News Online*, 26 November)

### **Christmas Island residents want end to mandatory detention**

Urging the newly elected Labor government to process all new arrivals in the community, Christmas Island Shire President has welcomed the move to house three Indonesian fishing families in community

housing instead of the detention facility which has held two Vietnamese asylum seekers for over a year. (ABC News Online, 26 November)

### **Refugee arrive after six-year wait in Indonesia**

Three Afghan and Iraqi refugees who have languished in Indonesia for the past six years have arrived in Australia and are among some 112 who are being processed for resettlement in Australia. Of between 3000 and 4000 asylum seekers intercepted en route to Australia, 300 have been resettled in Australia. (News.com.au, 25 November)

### **Nauru tells Australia: We don't want your refugees**

Nauruan Foreign Affairs Minister, David Adeang said he is awaiting the outcome of Australia's federal election and will urge the elected government to resolve the situation for refugees and asylum seekers detained on Nauru. (The West Australian, 23 November)

### **Asylum bid likely to sink**

Sixteen Indonesian people from three families rescued off the coast of WA are unlikely to be successful in their asylum claims says ANU's Professor James Fox as the families belong to a "poorest of the poor" ethnic group of sea gypsies and the basis of their claim would be largely economic. (The Australian, 23 November)

### **Rudd to turn back boat people**

In the lead up to polling day, Opposition Leader Kevin Rudd has taken a tough stance on asylum seekers saying that, if elected, a Labor government would turn boats back and continue the policy of detention as a deterrent against unauthorised arrivals. (The Australian, 23 November)

### **Navy saves 16 from sinking boat off WA**

Sixteen people, including 10 children have been rescued by an Australian naval vessel off the north-west coast of WA. It is believed the group will be taken to Christmas Island and it is not yet known whether they will lodge protection claims. Greens Senator Bob Brown has urged that the group be permitted access to the Australian legal system. (ABC North West Australia, 21 November)

### **International coalition calls for end to detention of refugee children**

To coincide with Universal Children's Day, the International Coalition on Detention of Refugees, Asylum Seekers and Migrants (ICD) has launched a position paper calling for the end of the use of immigration detention for children. A coalition of church groups, non-government organisations and human rights groups, the ICD highlights the psychological harm caused by detention and claims that the practice contravenes international human rights laws. (Independent Catholic News, 20 November)

### **Iraqi footballers seek asylum**

Three Iraqi footballers and their assistant coach have disappeared into the community in an effort to seek asylum in Australia, according to team officials. The men continue to hold valid visas and were in Australia to compete in a pre-Olympic trial match. (SBS World News, 19 November)

### **Ombudsman says more serious detention cases yet to be made public**

In reviewing the case of Vietnamese refugee Tony Tran, the Commonwealth Ombudsman has revealed that there have been some 200 cases in which the Department of Immigration and Citizenship has wrongfully detained Australian citizens and residents. (Lateline, ABC TV, 13 November)

### **Bungle lead to five-year illegal detention**

Department of Immigration and Citizenship officials have admitted to wrongfully detaining a former Vietnamese refugee for five years. Tony Tran, 35, is now pursuing a compensation case in the Victorian Supreme Court and two years after his release he is still awaiting an apology from the Federal Government. While Mr. Tran was in detention from 1999 to 2005, he was severely abused by another detainee and his son was placed in foster care. (The Age, 13 November)