



Refugee Council
of Australia

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VULNERABLE PEOPLE WILL SUFFER UNDER COALITION'S PLANNED REFUGEE POLICY

The Federal Opposition is proposing a refugee policy which it knows will result in harm to vulnerable children, women and men fleeing persecution, torture and violence, the Refugee Council of Australia (RCOA) says.

RCOA chief executive officer Paul Power said the reintroduction of the worst of the previous Government's refugee policies would occur in full knowledge of the impacts of long-term detention, of families in crisis being indefinitely separated and of people living in constant fear of being return to persecution.

"Past policy makers were perhaps not fully aware of the short-term and long-term impacts of the policies they were implementing," Mr Power said. "This time around, there is no excuse for ignorance. We all know what will happen when people seeking protection are used as a cynical deterrence to others who may think Australia is a nation which protects the tortured and abused.

"We are deeply concerned that the Coalition's approach is based on punishing victims and offers no constructive response to the pressing needs of people seeking protection.

"It is hard to see this new Coalition policy as anything other than a shameful attempt to use vulnerable people to score cheap political points."

RCOA is very concerned about the future treatment of refugee children. Australians spoke out about the detention of children in the past, leading to the 2005 amendment to the migration act by former Prime Minister John Howard adding *The Parliament affirms as a principle that a minor shall only be detained as a measure of last resort*. This approach by the Coalition will wind back those amendments and see children being detained, as there is not enough non-detention accommodation on Christmas Island- which has led to the current government moving families to the mainland instead of detaining children.

"The proposal to keep all boat arrivals on Christmas Island means that refugee children who have fled to Australia for protection will once again be put in high security facilities or back in Pacific Island camps. Even John Howard agreed in the end that this was unacceptable. To go back to those days would be a human rights tragedy for Australia." Mr Power said.

The policy proposals of Temporary Protection Visas (TPVs), the 45 day rule for work rights and keeping all boat arrivals in offshore detention is a step back to the worst of past Australian policies. The proposal for work for welfare for asylum seekers is a breach of Article 23 of the Refugees Convention as it does not accord recognised refugees as given to Australian nationals.

"This is a clear example that the Coalition is unable to learn from the policy mistakes of the past," Mr Power said.

The proposal that TPVs could be as short as 6 months shows an alarming lack of knowledge of the history of the protection system. "The idea that refugee situations are likely to change in a short period of time is just not the case, either now or historically. For the post-war Eastern European refugees who entered Australia, the situation they fled did not change for 45 years. Many Latin American refugees from the 1970s had to wait 20 years for the situation to change enough for them even to consider a visit to their former home."

The policy document itself shows a wilful misrepresentation of the facts, by using the term 'illegal' 24 times in referring to boat arrival asylum seekers.

"The Coalition continues to wilfully misrepresent the facts despite receiving expert legal advice that under both Australian domestic law and international law it is not a crime to enter Australia without a visa for the purpose of seeking asylum. It is in no way illegal or a crime to seek asylum."

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The Refugee Council of Australia represents
non-government organisations and
individuals working with and for refugees
in Australia and around the world

A brief analysis of the policy proposals:

Temporary protection visas

John Howard himself had to step back from TPVs because:

- it puts unsustainable pressure on the Department of Immigration in continually reprocessing claims
- has been shown to increase boat arrivals because of the lack of family reunion
- increased the number of women and children making the perilous journey by boat
- reduces chances for successful settlement e.g. hard to find work on a temporary visa

Offshore and third country processing

- Will lead to children being detained behind razor wire in the Christmas Island high security detention or as there is not enough non-detention accommodation – which has led to the current government moving families to the mainland instead of detaining children.
- Will significantly increase costs – The Oxfam report “A price too high” found that the Pacific Solution cost over \$1 billion or around \$500,000 per person processed.
- The Howard government were unable to find third countries willing to resettle people from the Pacific solution. The Abbott proposal to resettle people in other countries has already been proven to fail.

45 day rule for work rights

Statistics from the Department of Immigration show that people who apply for refugee status after 45 days are more likely to be refugees. This policy proposal targets exactly the wrong people

