

SYDNEY LAUNCH OF REFUGEE WEEK 2009 – ADDRESS BY JOHN GIBSON, PRESIDENT OF REFUGEE COUNCIL OF AUSTRALIA

Thank you all for coming along. It's great to see so many people here on such an important day. I would first like to acknowledge the traditional owners of the land on which we gather, the Gadigal people of the Eora nation and pay my respects to their tribal elders, past and present.

The theme of Refugee Week 2009 is *Freedom from Fear*. We've just had an inspirational address, the life story of Yasmeen Fatimah, which displayed all the hallmarks of resilience, courage and survival, ultimately achieving safety and the creation of a new life. Her story, as a Rohingya woman, would be mirrored by the other individual stories of the Burmese minorities, of people from various parts of the Middle East, Africa, South America and other parts of Asia.

Her story resonates throughout the generations of refugees, which are represented in the audience today. I might just mention my son's grandmother, my mother-in-law, who as an 18-year-old woman fled before the advance of the Soviet Army on foot for a few hundred kilometres, then by boat to Poland. She survived the firestorm of the bombing of Dresden. Another refugee convoy followed, then four years of displacement in a displaced persons camp in southern Germany, before she finally arrived in Australia, like many people, in that wave of refugees after the war and found freedom from fear in Australia. She is one of 740,000 people who have come to Australia as refugees or humanitarian migrants since Federation.

Earlier this year, the Refugee Council completed a literature review on "The economic, civic and social contributions of refugees and humanitarian entrants", which set out the history and the stories of many great Australians and many lesser known Australians, who have come here as refugees. Among them is the person who launched Refugee Week in Sydney last year. Les Murray, as an 11 year old boy, with the help of a people smuggler, crossed the border into Austria in the depth of night, at risk of being caught any moment by the Hungarian border guards after the Soviet invasion. Les made his way to Australia and has become an iconic figure, as we all know.

The theme of Refugee Week, *Freedom from Fear*, has essentially two important components. One has already been discussed, of Yasmeen's experience of finally achieving safety and protection. The other component is a recognition of continuing and constant fear, which Yasmeen talked about, of living in camps or in urban situations, with fear of being sent back at any moment. I think it's very important that we see that this theme of Refugee Week engages Australia's domestic response – how it deals with asylum seekers and boat arrivals and people who have come here as part of the refugee resettlement program – and how it also engages Australia's contribution to the international response to displacement and the movement of refugees. I think it's fair to say, in the context of how we treat asylum seekers, that we have certainly put in the past the element of deterrence and punishment which was so much a feature of the previous administration. The government acknowledges the importance of strong border protection but also, I think it's fair to say, the constant theme has been the emphasis on humane treatment for people who do arrive. I think it's important that we acknowledge the push factors, the fact that according to UNHCR there was a 12% increase in 2008 in the number of people moving for fear of their lives.

I don't know if you read an article in the Sydney Morning Herald and the Melbourne Age a couple of months ago about an Afghan man, Asmatullah Mohammadi, who had the misfortune to be one of the people picked up by the Tampa. He was sent to Nauru, was processed under a very flawed system and was removed to Afghanistan, in fact removed back to a situation of persecution where he lived in an area where he was at constant risk from the Taliban. He was one of the people who were in the first boats after September last year, who arrived in Australian waters and were taken to Christmas Island. At long last, he was assessed and was

given a protection visa. He actually came back a second time, because the persecution simply hadn't disappeared. The Afghan Ambassador commented, in the context of push factors, that part of the reason for the movement of Afghans has been the expulsions from Iran and the instability in Pakistan. That just goes to support the proposition that people living in protracted situations in countries of first asylum are still exposed to considerable risk.

I think we must acknowledge and recognise the importance of regional cooperation and dialogue. The government has considerably increased its core funding of UNHCR. It has appointed Peter Woolcott, a senior DFAT official, to coordinate its international response to people movements. But with all these things we should never lose sight of the plight of individuals, of people who are seeking freedom from fear. It's their experiences and perceptions that matter.

Today it is appropriate that the Refugee Council of Australia is launching a study called "The Search for Protection: Resettled refugees reflect on seeking asylum in Asia and the Middle East". It's a survey commissioned by the Refugee Council, written by Leah Kent, and Dr Jamileh Abu Duhou and supported by Caritas Australia. It is a significant contribution to understanding what it is like for people who live in protracted refugee situations, both camps and urban environments. It deals with the situation of a number of respondents – Karen who lived in camps on the Thai-Burma border, Chin respondents from Malaysia and India, and Iraqi respondents who lived in Syria and Jordan, all of whom arrived in Australia within the past two years. One constant theme is this constant sense of insecurity. Freedom of movement was greatly restricted in Thailand but, in all the situations, refugees reported a lack of work rights and residency status and a concern about just ensuring basic survival, always being at risk of being removed to their country of origin and to possible persecution. It is my pleasure to launch this study at this point, as part of Refugee Week, and I would encourage you all to read it. It's an important work because it essentially throws into stark relief these issues of why it is that people move, and why it is that people are in situations which seemingly don't have any end in sight.

Let me say a few things about the domestic changes in refugee policy. I think we have to recognise the pendulum began to swing back in 2005 when the Liberal moderates achieved some significant and important changes but the policy remained substantially the same. I think that's where the change has been in the last year and a half, a clearly more humane approach. Australia was the only country in the world which forced individuals to justify that they had a continuing fear before being allowed to remain. Temporary Protection Visas (TPVs), as I think we would all now acknowledge, were actually an incentive for people to move in an unauthorised fashion. This was particularly so of women and children whose husbands and fathers were given TPVs in Australia and couldn't bring them here. Thankfully, TPVs have now been removed. Other issues which the government has flagged or proposed include:

- Complementary protection.
- The shift in onus in relation to justifying detention.
- The Community Care Pilot, which has now become an ongoing program to provide casework support, as well as assisted voluntary returns for those people who don't qualify for protection.
- A more transparent process of legal support and representation for offshore processing on Christmas Island.
- The proposed abolition of detention debts, which is currently before the Parliament. We are the only country in the world that imposes a debt on people who are incarcerated in detention centres as unauthorised arrivals. It is a breach of Article 29 of the Refugees Convention, and it should be done away with forthwith.
- And of course there is the Pacific Solution which we all know is now dead and buried.

The theme, *Freedom from Fear*, is essentially one of a humane response. That has been a central feature of the bipartisan support for Australia's offshore refugee and humanitarian program, the refugee resettlement program which now brings up to 13,750 people every year to these shores. This has been one of the very admirable features of our political life over the last 10 years. Now is the time for the same level of bipartisanship in relation to asylum issues and in relation to the treatment of unauthorised boat arrivals. And there is a precedent. Some of you in this room will remember in the late 1970s and early 1980s, when the first significant numbers of Indo-Chinese arrived by boat on our northern shores, the then Fraser Coalition Government was supported, in the difficult context of the Cold War, by the Labor Opposition. There was fairly bipartisan support to unauthorised boat arrivals. I think that the past experience is significant now, and I would call upon the Opposition, the Greens and the two independent senators to embrace the same level of bipartisanship displayed in the early 1980s, because nothing has significantly changed. We are dealing with people who are essentially fleeing from persecution. I would like to refer, as I nearly wind up, to Russell Broadbent, who is one of the Coalition moderates who produced those early and important changes in 2005. He commented at the time when Malcolm Turnbull was toying with the idea of calling for the reintroduction of TPVs and his comment essentially was "I thought we had dealt with those issues; I thought they were a thing of the past". I think it's fair to say that Russell's comments reflected the view of the fair-minded majority of Australians, that we didn't want to return to the divisive, destructive debate around Tampa, children overboard and the Pacific solution. Now is the time for understanding, restraint and, as with the 1980s, a genuine spirit of bipartisanship. After all we are dealing with the most vulnerable individuals at a time of great economic instability and insecurity. Yasmeen emphasised very much the importance of the individual experience.

I would like to refer to a news item from the Cairns Post, headed "Open Hearts for Refugees". It's an article about a Cairns skipper, who was in charge of an offshore oil rig support ship working off Broome. It begins:

A Cairns skipper is urging people to think twice before condemning asylum seekers after a first-hand encounter with an unseaworthy vessel carrying nearly 60 Afghans.

Paul Smith, the skipper of The Lady Sandra, an offshore oil rig support ship working off the Broome coast in Western Australia, came to the rescue of an overloaded boat on April 25.

He said the encounter had changed his view about asylum seekers after seeing the "sheer desperation" and "personal risks taken" by those on board.

"Regardless of personal feelings on how refugee boats and their unfortunate and desperate human cargo should be treated, the plight of 56 persons onboard a small and unseaworthy vessel cannot be ignored," he said.

"The crew of The Lady Sandra were quick to respond and offer assistance as soon as possible. All crew onboard were touched by this experience and were moved by the plight of these people who could be so desperate to set sail with so very little.

"These people did not have suitcases or bags and their worldly possessions were what they were wearing."

Mr Smith said the cramped boat had no toilets or safety equipment, little food and water, inadequate navigation equipment and was 120 miles off course but had no communication facilities. He said it had nearly run out of fuel and it was leaking badly.

"Their desperate situation is a tragedy and before we condemn the refugee problem on our northern shores, we need to fully understand the plight of these people," he said.

"Once we saw people in that situation, it really makes you think differently."

I think those words of an Australian who has first hand knowledge of what it is like to be in the situation of having seen people who have arrived on our shores, I think those words have a very important resonance. On that note, thank you all very much for being here and I'd like to formally launch Refugee Week. Thank you.