



Refugee Council of Australia

6 November 2013

Stop using 'illegal' label: 138 groups appeal to PM

Prime Minister Tony Abbott has received an appeal from 138 organisations asking him to stop the Australian Government's use of the term "illegal maritime arrivals" for asylum seekers arriving by boat.

The joint letter, coordinated by the Refugee Council of Australia (RCOA) and supported by non-government agencies, faith-based organisations and community groups, was sent to the Prime Minister yesterday.

RCOA chief executive officer Paul Power said the letter was developed in response to requests from concerned Australians wishing to see a joint response to last month's decision of the Australian Government that Government staff and contractors must use the term "illegal maritime arrivals" when referring to asylum seekers arriving by boat.

"It is very clear, and senior members of the Government have acknowledged this, that it is not illegal to seek asylum," Mr Power said.

"The use of the word 'illegal' ignores the reality that, in legal and practical terms, the flight of asylum seekers to a place of safety is quite different to normal movements of migrants and that the intent of the Refugee Convention is to ensure that states do not block the paths of people escaping persecution.

"While language is important, the joint letter reflects a growing sense of disquiet among many Australians about the nation's response to people seeking protection from persecution. It also reflects concerns that the official use of such dehumanising language to refer to highly vulnerable people has implications for Australia's social cohesion."

Mr Power said the strong support from faith-based organisations was significant.

"Sixty-three organisations from four faith traditions have signed the letter and, I am sure, many other faith-based organisations would support its sentiments," he said.

"Many Australians who have strong concern for the care of dispossessed people are deeply troubled by recent directions in Australian policy and particularly object to the use of inflammatory terms to refer to people who have little opportunity to defend themselves."

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A JOINT APPEAL TO THE PRIME MINISTER ABOUT THE USE OF THE TERM ‘ILLEGAL MARITIME ARRIVALS’

Dear Prime Minister,

On behalf of the many Australians who believe in the importance of protecting people fleeing persecution, we write to voice our objection to the Australian Government's recent decision to refer to asylum seekers who enter Australia by boat as "illegal maritime arrivals".

You and members of your Cabinet are well aware that seeking asylum is not illegal under Australian or international law. Article 31 of the Refugee Convention makes it clear that contracting states, including Australia, must not impose penalties on people who arrive without authorisation to seek refugee protection. This Article recognises that very few of the world's refugees get the opportunity to cross borders with prior permission and that rules which regulate normal migration flows must be suspended where those crossing the border believe they have a well-founded fear of persecution.

The Refugee Convention was drafted in the aftermath of World War II as the world reflected in horror on the fate of people who had their paths blocked as they attempted to flee Nazi persecution in Europe. The fundamental principles of the Refugee Convention are as important today as they were when drafted in 1951. Nations which value freedom must ensure that those fearing persecution have the opportunity to get to a place of safety and have their cases for protection considered fairly.

When you were sworn in as Prime Minister, it was pleasing to hear you speak about your plans to govern for all Australians, to work for the good of the nation and to do your best not to leave anyone behind. You would be well aware, from your previous experience as a Minister, that the Australian community's expectations of a Government are far higher than its expectations of an Opposition. A Government's leadership – whether positive or negative –has a profound impact on the nation.

While some people may believe there is political value in engaging in negative rhetoric about asylum seekers arriving without valid visas, the long-term implications of this approach must be considered very carefully. We cannot see how the Government's use of harsher rhetoric against people seeking asylum will assist Australia to remain a cohesive and diverse nation.

Like many Australians, we have grave concerns that legitimising the use of "illegal" in this context may incite fear and hatred in the community. Already aware of a disturbing number of acts of violence against asylum seekers this year, we are worried by the prospect of intolerant elements of Australian society being emboldened to increase their bullying of vulnerable new arrivals.

We are particularly concerned to hear that the Minister for Immigration and Border Protection instructed his Department to tell staff and contractors to use the term "illegal maritime arrivals" when referring to asylum seekers who arrived by boat. It is deeply disturbing that people of good conscience should be required, for political purposes, to use such dehumanising language.

While your Government continues to take a tougher line against asylum seekers, we note a shift in sentiment in Europe towards people fleeing by boat, illustrated by the decision of the Italian Government to declare a national day of mourning after the recent tragic loss of 366 lives at sea. We hope this small shift grows, reversing the strong trend over the past decade of wealthier nations pushing responsibility for the protection of refugees back to poorer nations.

Pope Francis succinctly described this phenomenon when he visited Lampedusa in July and warned of a culture of comfort in which we become deaf to the cries of the suffering and part of a “globalisation of indifference”.

The Australian Government does have a choice. It can listen to the most strident voices in Australian society and implement its policies in a harsh and punitive manner or it can work towards its objectives in ways that place a much higher value on cooperation, diplomacy, respect and honesty. We ask you, for the sake of highly vulnerable people and for the good of our nation, to take the better path.

This letter is supported by the following organisations:

<i>Refugee Council of Australia (letter coordinator)</i>	<i>Catholic Archdiocese of Melbourne, Office of Justice and Peace</i>
<i>ACT Council of Social Service Inc</i>	<i>Catholic Archdiocese of Sydney, Justice and Peace Office</i>
<i>ActionAid Australia</i>	<i>Catholic Diocese of Maitland-Newcastle, Social Justice Council</i>
<i>Adventist Development and Relief Agency (ADRA) Australia Ltd</i>	<i>Catholic Diocese of Parramatta, Social Justice Office</i>
<i>Anglicare NT</i>	<i>Catholic Diocese of Toowoomba, Social Justice Commission</i>
<i>ANGLICARE Sydney</i>	<i>Catholic Justice and Peace Commission, Archdiocese of Brisbane</i>
<i>Association for Services to Torture and Trauma Survivors (ASeTTS)</i>	<i>Catholic Religious Australia</i>
<i>Asylum Seeker Resource Centre</i>	<i>Catholic Social Services Australia</i>
<i>Asylum Seekers Centre of NSW</i>	<i>Centacare Catholic Family Services, Adelaide</i>
<i>Australian Catholic Migrant and Refugee Office</i>	<i>Central Victorian Refugee Support Network</i>
<i>Australian Catholic Social Justice Council</i>	<i>Centre for Human Rights Education, Curtin University</i>
<i>Australian Council of Social Service</i>	<i>Centre for Refugee Research, University of NSW</i>
<i>Australian Jewish Democratic Society</i>	<i>Christian Brothers Tasmania</i>
<i>Australian Lawyers for Human Rights</i>	<i>Coalition for Asylum Seekers, Refugees and Detainees (CARAD)</i>
<i>Australian Lutheran World Service</i>	<i>Community Queensland</i>
<i>Australian National Committee on Refugee Women</i>	<i>Companion House Assisting Survivors of Torture and Trauma</i>
<i>Australian Refugee Association Inc</i>	<i>Darwin Asylum Seekers' Support and Advocacy Network</i>
<i>Australia-Tamil Solidarity</i>	<i>Diversitat</i>
<i>Ballarat A.R.A. Circle of Friends</i>	<i>Doctors for Refugees</i>
<i>Ballarat Catholic Diocesan Social Justice Commission</i>	<i>Edmund Rice Centre, Sydney</i>
<i>Ballarat Community Health</i>	<i>Edmund Rice Network Tasmania</i>
<i>Balmain for Refugees</i>	<i>Ethnic Communities' Council of Victoria</i>
<i>Baptcare</i>	<i>Faithful Companions of Jesus Sisters, Province of Asia-Australia</i>
<i>Blue Mountains Refugee Support Group</i>	<i>Federation of Ethnic Communities' Councils of Australia</i>
<i>B'nai B'rith Australia / New Zealand</i>	<i>Footscray Community Legal Centre</i>
<i>Border Crossing Observatory</i>	<i>Friends of the Earth Australia</i>
<i>Bridge for Asylum Seekers Foundation</i>	<i>Geelong Refugee Action and Information Network</i>
<i>Brigidine Asylum Seekers Project</i>	<i>God's Dwelling Place Bethany City Church</i>
<i>Brisbane Refugee and Asylum Seeker Support Network</i>	
<i>Buddies Refugee Support Group, Sunshine Coast</i>	
<i>Burmese Rohingya Community in Australia</i>	
<i>Canberra Refugee Support</i>	
<i>CASE for Refugees</i>	
<i>Castlemaine Rural Australians for Refugees</i>	

Good Shepherd Australia New Zealand
 Horn of Africa Relief and Development
 Agency
 House of Welcome Ballarat
 Humanitarian Crisis Hub
 Humanitarian Research Partners
 Indo-China Refugee Association
 Indooroopilly Uniting Church
 Institute of Sisters of Mercy, Australia and
 Papua New Guinea
 International Commission of Jurists
 Australia
 International Society For Human Rights
 Australia Inc
 Islamic Council of Victoria
 Jesuit Refugee Service Australia
 Jesuit Social Services
 Jewish Aid Australia
 Kommonground Inc
 Lentara UnitingCare Asylum Seeker
 Program
 Liverpool Women's Health Centre
 Lutheran Church of Australia
 Lutheran Community Care SA & NT
 Marist Sisters
 Melaleuca Refugee Centre Torture and
 Trauma Survivors Service of the NT
 Melbourne Zen Group
 Mercy Refugee Services (Mercy Works Ltd)
 Migrant Resource Centre of South Australia
 (MRCSA)
 Missionaries of the Sacred Heart
 NSW Council for Civil Liberties
 NSW Council of Social Service
 NSW Teachers Federation
 NT Council of Social Service
 Oxfam Australia
 Pax Christi Australia
 Pax Christi Australia (NSW Branch)
 Pax Christi Queensland
 Pax Christi Victoria
 Peace and Social Justice Network, Victoria
 Regional Meeting, Religious Society of
 Friends (Quakers)
 Presentation People for Justice, Ballina
 Presentation Sisters in Western Australia
 Presentation Sisters Lismore
 Presentation Sisters Queensland
 Queenscliff Rural Australians for Refugees
 Refugee Advice and Casework Service
 Refugee Advocacy Network
 Rural Australians for Refugees, Bendigo
 Rural Australians for Refugees, Daylesford
 and District
 Sanctuary Australia Foundation
 SCALES Community Legal Centre
 Settlement Council of Australia
 Sisters of Charity of Australia
 Sisters of Mercy, Brisbane Congregation
 Sisters of the Good Samaritan
 Society of Jesus (Jesuits)
 Sophia's Spring, Uniting Church, East
 Brunswick
 South Australian Council of Social Service
 South Australian Refugee Health Network
 St Anthony's Family Care
 St Vincent de Paul Society, National
 Council of Australia
 Surf Coast Rural Australians for Refugees
 Survivors of Torture and Trauma
 Assistance and Rehabilitation Service
 (STTARS)
 Sydney Multicultural Community Services
 Tasmanian Asylum Seeker Support
 Tasmanian Catholic Justice and Peace
 Commission
 Tasmanian Council of Social Service
 Townsville Multicultural Support Group
 Union of Australian Women Victoria
 Uniting Church in Australia, Northern Synod
 Uniting Church in Australia, Queensland
 Synod
 Uniting Church in Australia, Synod of
 Victoria and Tasmania
 Uniting Church in Australia, Synod of
 Western Australia
 Uniting Church SA
 Uniting Justice Australia
 Vietnamese Overseas Initiative for
 Conscience Empowerment (VOICE)
 Welcome to Australia
 Western Australian Council of Social
 Service
 Western Sydney Community Forum
 Wyndham Community and Education
 Centre
 Wyndham Legal Service