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MEDIA RELEASE

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FORCED RETURN OF IRANIAN ASYLUM SEEKERS

The Refugee Council of Australia is deeply troubled by the announcement today by the Minister for Immigration, Mr Ruddock, that he has successfully negotiated a deal with the Government of the Islamic Republic of Iran that will pave the way for involuntary return of failed asylum seekers. "I concede that it may be normal practice for failed asylum seekers to be returned to their country of origin" said Margaret Piper, RCOA's Executive Director, "but there are very particular issues about return to Iran that make this deal so worrying."

Iran has, for some time, been resisting forced return from Australia, knowing that if it were to accept the 190 or so failed asylum seekers from Australia, it would be hard for it to resist the appeal from European states to return the tens of thousands of Iranian asylum seekers there. "Iran is an inherently unstable country" continued Ms Piper, "where the Government has the unenviable task of trying to walk a fine line between the hard line fundamentalist clerics and the those in the community who are pressing for reform. The return of thousands of people disgruntled with the country and their forced return has the potential to destabilise the country further."

The Council's concerns extend beyond this point. Ms Piper went on to explain that there are many other reasons to condemn the deal, not least:

* the absence of systematic consideration of humanitarian claims in Australia. Whereas most asylum states look not only at whether a person fits the very particular definition of a refugee but also at whether there are other compelling reasons not to return that person, such as the fact that they might be exposed to human rights violations, Australia does not do this. "The non-compellable Ministerial discretionary powers in Australia are not a sufficient safeguard," said Ms Piper, "We need an administrative determination of humanitarian claims. These people have had no substantive consideration about whether they will face systematic discrimination and harassment on return to Iran";

* the lack of consideration given to the implications of the February High Court decision about access to judicial review. Many of the Iranians may now have avenues of appeal that were previously denied to them. They have a right use these;

* the failure of the Australian Government to explore other options for the Iranians. "There are many more countries in the world than just Australia and Iran. If they cannot stay here and do not want to go back, are there other countries that might benefit from their skills and willingness to settle?" asked Ms Piper. "Surely these options should be explored before any Iranians are forced to return;

"One also has to ask what has the Government given Iran to make it change its mind? And also why was not this aid forthcoming years ago to help Iran deal with its own significant internal problems and the challenge of hosting 212 million refugees?

"What we have here is a situation where the Australian Government has focused only on its own selfish interests. We haven't considered the stability of a country of vital geopolitical importance in the Middle East and we certainly have not considered the fears of the asylum seekers who have been traumatised by the years they have been held in detention in this country," Ms Piper concluded..