



Refugee Council
of Australia

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AUSTRALIA-MALAYSIA DEAL UNDERMINES REGIONAL PUSH FOR REFUGEE PROTECTION

Yesterday's signing of a deal between Australia and Malaysia to swap asylum seekers and refugees sets a very bad precedent for future regional cooperation on refugee protection, the Refugee Council of Australia (RCOA) says.

RCOA chief executive officer Paul Power said the deal undermines efforts to encourage governments to focus on refugee protection needs in the Asia-Pacific region.

"The Bali Process ministerial meeting in March appeared to signal a breakthrough, with governments in the region finally agreeing in principle to work together to share responsibility for protecting refugees," Mr Power said.

"The Australian Government worked hard to achieve a step forward in regional cooperation on refugee issues, they have undermined this by rushing to a self-serving bilateral deal with Malaysia. This transfer deal is a cynical political fix for the Australian Government, clearly designed to respond to pressure from the Opposition.

"The clear message to the region is that the complex challenges of refugee protection in Asia are much less important than domestic political considerations. Unfortunately, this continues years of negative regional leadership from Australia which has seen billions of dollars spent on interception, detention and 'anti-smuggling' initiatives while the causes of refugee movements – the lack of security in Asia for many people fleeing persecution – remain largely unaddressed.

"Asylum flows and protection issues are complex. It is time that our two major political parties stopped telling Australians there are easy fixes. Humane policy in line with our international obligations will not threaten national security, will not open floodgates and will be more fiscally responsible than the current practices of remote detention and ongoing payments to Malaysia under this deal.

"Having read the text of the deal, RCOA remains very concerned for the safety of the men, women and children Australia will send to Malaysia. There is enormous responsibility on local authorities to implement the provisions of this agreement. How will the two governments ensure that all police or immigration officials who may have contact with the transferred asylum seekers will know and understand this person's rights as opposed to the usual treatment of approximately 100,000 other refugees and asylum seekers in Malaysia?

"The deal appears to be framed in exemption from prosecution rather than granting asylum seekers lawful status or explicit permission to work. In Malaysia today, even UN recognised refugees cannot work without breaking domestic law. There will need to be special treatment for those transferred in order for their basic human rights to be met."

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The Refugee Council of Australia represents
non-government organisations and
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in Australia and around the world