

Good Shepherd Position Paper on Asylum Seeker Policy

The treatment of asylum seekers in Australia needs a humanitarian solution Everybody has a right to live in peace and freedom – with dignity and respect

Policy Change

The Australian Government, on April 9, suspended the processing of new asylum applications from Sri Lanka (for three months) and Afghanistan (for six months), because of the “evolving circumstances in these two countries” .

“The combined affect of this suspension and the changing circumstances in these two countries will mean that it is likely that, in the future, more asylum claims from Sri Lanka and Afghanistan will be refused. The situations in both Sri Lanka and Afghanistan are evolving. Sri Lanka is a country in transition after two decades of conflict, with hopes for further improvement and stabilisation in conditions,” according to a statement released by the Minister for Immigration and Citizenship, Senator Chris Evans, Minister for Foreign Affairs, Stephen Smith MP and the Minister for Home Affairs, Brendan O’Connor MP.

The Ministers said, “the situation in Afghanistan is also evolving, including with respect to Afghan Hazaras. The Taliban's fall, durable security in parts of the country, and constitutional and legal reform to protect minorities' rights have improved the circumstances of Afghanistan's minorities, including Afghan Hazaras.”

The statement also said that asylum seekers currently on Christmas Island will continue to have their claims processed and will not be subject to the suspension.

On April 19 the Federal Government announced that within weeks it will reopen one of the most controversial Howard-era detention centres. The detention centre at the RAAF base at Curtin, near Derby, was closed eight years ago, but will now be used to accommodate single male Sri Lankan and Afghan asylum seekers who have had their claims suspended.

Afghanistan Still Dangerous

Good Shepherd Australia New Zealand (GSANZ) opposes these two recent policy changes and says the Government has failed to treat asylum seekers with the dignity owed to all human beings.

GSANZ agrees that the conditions in Afghanistan and Sri Lanka have altered, but the situation continues to be very dangerous and uncertain for civilians, and particularly minority groups, in both countries. It is this uncertainty that forces people to flee their homes, families and country.

There is ample evidence that contrary to the Ministers’ assertions, the Taliban has not fallen in Afghanistan and continues to fight for control of parts of the country and Hazaras are still a vulnerable minority. As well, the war in Afghanistan, supported Australia, remains a great threat to civilians. There are also many claims that the Tamils face genocide in their own country. Certainly, thousands of Tamils are forced to live in overcrowded camps in Sri Lanka.

While it is difficult to find official figures on the number of civilians killed in Afghanistan in the last decade, the UN Assistance Mission in Afghanistan (UNAMA), which monitors the impact of war on civilians, has warned of the increasing number of civilian casualties over the past three years. More than 2,400 civilians lost their lives as a result of armed violence in 2009. UNAMA also recorded 385 civilian deaths in January and February 2010 – an almost 30% percent increase on the same period last year. It also attributed 55% of the total civilian deaths in the first two months of this year to anti-government elements and 39% to pro-government Afghan and foreign forces.

Long Term Detention Threatens Safety of Asylum Seekers

GSANZ fears that these two recent policy changes will reopen an unjust chapter of mandatory detention, where asylum seeker claims are delayed for long periods of time and where people are sent to a facility which is located in one of the remotest places in Australia, where the asylum seekers may not have effective access to services and support. These health and welfare services are vital as many refugees and asylum seekers arrive in Australia suffering from trauma and even torture from their experiences in their countries of origin.

The new policy means that Afghan and Sri Lankan asylum seekers arriving on Christmas Island after April 9 will have to wait for long periods of time in detention before their claims are processed. There is ample evidence produced in the past decade that illustrates the result of prolonged detention on adults, and importantly, on children.

Australian of the Year and leading mental health expert, Professor Patrick McGorry, has described detention centres for asylum seekers as "factories for producing mental illness". He called on the Government to move away from mandatory detention and allow asylum seekers to live in the community.

The final days of the Howard Government were marked by reports and claims of terrible mental illness, abuse and social dysfunction suffered by asylum seekers in detention. GSANZ appeals to the Rudd Government and the Coalition, led by Mr Tony Abbott, not to return to immigration policies which fail to show compassion and respect for human beings.

Figures Misleading

GSANZ is concerned that the policy changes relating to Afghan and Sri Lankan asylum seekers have been an election-year response to community concerns that are fuelled by political scaremongering and sensationalist media claims, with little scrutiny of facts and figures. The figures are not as overwhelming as many politicians would have the community believe.

In the first six months of 2009 there were 17 industrialized countries which had more asylum seekers arrive than Australia. Australia accounted for just over 1% of all people seeking asylum in the industrialized world in the first six months of 2009. Source: UNHCR 2009

These policy changes are decisions which will harm, not just asylum seekers. They are harsh measures which will create confusion, stress and division in the Australian society. GSANZ calls on the Australia Government to respect the Universal Declaration of Human Rights and UN Refugee Convention, to which it is a signatory.

GSANZ asks the Federal Government to reverse its decision to suspend the processing of all immigration claims for new arrivals from Sri Lanka and Afghanistan and we invite the Government to explore new and just ways for processing Sri Lankan and Afghan nationals.