

OUR DEMANDS

We call on the Labor government to:

1. End mandatory detention of asylum-seekers and refugees. It contravenes United Nations (UN) conventions and other international human rights instruments that Australia has signed and ratified.
2. Cease indefinite detention.
3. Reverse the 2014 ban on refugees and asylum-seekers in Indonesia seeking permanent protection.
4. End offshore processing – bring them to Australia.
5. Provide Australian standards of healthcare to refugees and asylum-seekers, including specialist medical and psychiatric care for all who need it, as recommended by clinicians.
6. Legislate to abolish Bridging Visas and grant permanent protection with the right to work and access Medicare and education (as local students, not international student who pay full fees).
7. Review ASIO negative assessments and restore judicial review of all official decisions affecting refugees, including those rejected by the fast track process.
8. Compensate all who have suffered enduring physical or psychological harm because of being held in detention, compensation to include helping children to recover and obtain a good education.
9. Increase Australia's humanitarian intake of refugees to at least 50,000 per year.
10. Decriminalise 'people smuggling' and adhere to international treaties dealing with safety of lives at sea. If it is not a crime to seek asylum, it must also not be a crime to help someone seek asylum.

Those who, at the highest level of government, created and/or implemented this cruel, convention-breaching regime should be prosecuted under, for example, the "Crime against humanity – Torture" provision of the Criminal Code Act 1995 (Cth), which carries a 25-year maximum jail term.

REFUGEE FACTS

1. Seeking asylum is a HUMAN RIGHT. Article 14 of the 1948 United Nations Universal Declaration of Human Rights states: "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Asylum-seekers have a right to be assessed by the UN High Commission for Refugees (UNHCR) or any country which, like Australia, is a signatory to the 1951 UN Convention on Refugees.

To gain refugee status, asylum-seekers must prove persecution as defined by the Convention, on grounds of ethnicity, religion, political opinion or activism, for example being a trade unionist. Deportation to danger ('refoulement') is a breach of the Convention.

2. How asylum-seekers arrive is not relevant under the Convention. But Australia has discriminated against boat-borne claimants, sending them to regional processing centres (RPCs) on Manus island (PNG) or Nauru. Each country was paid for hosting an RPC. In 2016, PNG's Supreme Court ordered closure of the Manus RPC and it shut in 2017. Yet there are still some 20 men marooned in Port Moresby.

On Nauru, historically, asylum-seeker women were raped, and RPC children sexually abused. Nauru is once again, under this Labor government, being used to detain asylum-seekers.

3. Many detainees and ex-detainees have LOST THEIR LIVES since 2000 due to preventable causes. One was Manus RPC detainee Reza Barati, who was beaten to death in 2014 by guards and others (the guards were never prosecuted). According to Monash University's 'Border Crossing Research Brief' (No. 16, May 2020), the total number of deaths has been 117; of which 17 occurred in offshore detention, 41 in onshore detention, 22 in the community, 3 during arrest or deportation and 34 after deportation.
4. Australia has never been 'overrun' by asylum-seekers. Labor is increasing the annual intake of refugees to 20,000 – meanwhile, five countries currently host

millions: Turkey, 3.6 million; Iran, 3.4 million; Colombia, 2.5 million, Germany, 2.1 million; and Pakistan, 1.7 million.

5. People who come by boat are NOT QUEUE JUMPERS. There are no queues in war zones in Syria, Iraq or Afghanistan. To travel to embassies or UN offices can be dangerous. Some ethnic groups, notably the Rohingya in Myanmar, are 'non-persons' and so cannot even apply for a visa or passport.

In some countries, the process of obtaining visas or a passport is corrupted. Under dictatorships, attempting to leave is a criminal offence, leading to persecution, incarceration, torture or worse.

6. Asylum-seekers in our region pay 'PEOPLE SMUGGLERS' because they're the only ones who can get them to Australia. Boat 'turn-backs' under Operation Sovereign Borders have cut boat arrivals to almost zero for years but have left thousands stuck in transit in Indonesia or Malaysia without rights or support.
7. Australian governments have said these policies stop drownings at sea. But they also force asylum-seekers to take other, potentially lethal routes. Deportations return people to the dangers they fled from. Better ways to save lives include TIMELY RESETTLEMENT of those in transit plus a much-increased refugee intake.
8. Labor governments introduced mandatory detention in 1992, indefinite detention in 1994, then offshore detention for boat-borne asylum-seekers in 2013 (punishing the innocent to deter others).

Further punitive measures were added by the Abbott/Turnbull/Morrison LNP governments. Between 2013 and 2022 LNP governments:

- with Labor's support, kept paying Indonesia to stop 'people smuggler' boats from departing, and continued to send back those that do depart
- used legislation, often with Labor support, and a series of legal challenges to cruelly prevent or stymie claims for protection/refugee status and for release from detention

- left many ex-detainees stranded in PNG and on Nauru with little support or protection
- kept breaching international human rights law and Australian work health and safety criminal law (for example, by medical neglect and disregard for COVID-19 safety practices).

The last government kept asylum-seekers from our shores by cruel, secretive and massively expensive means. This continues under Labor.

9. Onshore detention and compliance is budgeted to cost more than \$1.365 billion in 2023-24, an increase of \$74 million on spending in 2022-23. Offshore processing is budgeted to cost \$1.5 billion over the forward estimates to 2026-27, even though Nauru is now empty.
10. Many people found to be refugees are granted only temporary bridging visas and cannot rebuild their lives or reunite with their families. Giving those refugees visas without rights to study, welfare or work leaves them idle, starving and homeless.

Refugees with work rights and who get jobs contribute to society, including by paying tax.

All people determined by Australia to be refugees must be given permanent visas. Those who seek asylum must be processed fairly and have appeal rights. Abolish the 'fast track' system. Give asylum-seekers visas that allow work and study.

CONCLUSION

Immigrants and refugees are part of this country's history and have richly contributed to its development.

Refugees who are in detention or who have been recently released on short-term visas are eager to do likewise.

Refugees are our neighbours, our co-workers and our friends. They are welcome here.

JOIN RAC TO FIGHT FOR REFUGEE RIGHTS

Established in 2000, the Refugee Action Collective (Victoria) is a democratic, grassroots collective that fights for the human rights of people seeking protection or asylum in Australia and those found to be refugees or needing protection.

We are an independent, volunteer organisation that welcomes the involvement of everyone who wants to learn more and get involved in RAC's work.

There are many ways to contribute – such as helping organise and promote protests or forums, helping on stalls, using your skills (e.g. writing or design), or raising awareness in the community – and no expectations about how much time you spend.

You're welcome to attend our weekly meetings on Mondays at 6.30pm at the Kathleen Syme library in Carlton. For details, see our Facebook page (below) or ring 0438 547 723. You can participate via Zoom if you can't make the meeting in person.

Join our emailing list: www.rac-vic.org/subscribe

WEBSITE: <https://rac-vic.org/>

FACEBOOK: <https://www.facebook.com/racvic/>

X (Twitter): <https://twitter.com/racvictoria>

INSTAGRAM: https://www.instagram.com/rac_victoria/

RAC relies on its supporters for funds. Donations welcome.

Deposit to BSB 033 062, account no. 633488; send a cheque to Refugee Action Collective-Vic, PO Box 578 Carlton South Vic 3053; or donate via <https://rac-vic.org/donate-to-rac/> (our website).

Factsheet updated June 2024



JUSTICE FOR REFUGEES

Australian policies towards refugees and those seeking asylum have resulted in enormous suffering.

At least 117 refugees caught up in Operation Sovereign Borders have died.

About 16,000 refugees on temporary visas are finally and slowly transferring to "resolution of status" visas that are a pathway to permanency.

But another 10,000 are still in limbo on bridging visas. They were rejected by the fast-track process without an interview or were brought to Australia from offshore detention. They have been told they can never get permanent protection.

There are up to 14,000 people in Indonesia who have fled from danger. But since 2014, the Australian government has refused to accept them.

Some 20 refugees are still in Papua New Guinea. Australia put them there yet refuses to take responsibility. Meanwhile, the Australian government is paying more than \$400 million to detain a handful of asylum-seekers on Nauru.

That's why the Refugee Action Collective (Vic) is campaigning for permanent protection for those who have been so badly treated by our governments. Join us.

RAC (Vic) recognises that Aboriginal and Torres Strait Islander people have a connection to Country and a culture that is at least 60,000 years old. We also acknowledge that they have never ceded sovereignty.