A guide to handling objections about refugees and asylum seekers

We already take our fair share of refugees.

The world is experiencing a global refugee crisis unlike anything seen since WWII.

There are 16.7 million registered refugees worldwide, part of the 51.2 million people displaced globally by war, extreme poverty and persecution.

Of those registered refugees, only around a third live in refugee camps and the majority do not have access to the UN’s refugee resettlement programme.

Australia accepts just 13,750 refugees every year, including people we resettle through programs coordinated by the UN refugee agency (UNHCR) and asylum seekers who arrived by boat and plane before 19 July 2013. This represents just 1.4% of the 950,000 refugees the UN says are in need of resettlement.

Developing countries such as Pakistan, Kenya, Iran, Jordan and Chad take on the biggest burden, hosting over 80% of the world’s refugees.

Australia is not responsible for settling all the world’s refugees, but as an affluent country and a signatory of the Refugee Convention, we should resettle our fair share.

But isn’t the number of people seeking asylum in Australia increasing dramatically?

The number of asylum seekers travelling to Australia by boat did increase between 2010 and 2014, from around 3000 in a year to 20,587 in 2013-14.¹

This reflects a massive increase in global refugee numbers and cross-border movements due to war and unrest. Most recently these flows have come from countries like Syria and the Central African Republic.

Australia is not the only country to experience an increase in arrivals. It is largely developing neighbours who do the heavy lifting.

For example, in 2013, more than 385,000 Syrian refugees arrived in Turkey, more than 18 times the number of people arriving by boat to Australia over the same period. Turkey’s population density is 32 times higher than Australia’s.\(^2\)

**If they come here illegally then why should we let them in?**

It is not illegal under either Australian or international law to come to Australia without a visa if you are seeking asylum.

Both the Universal Declaration of Human Rights and the UN Refugee Convention (to which Australia is a signatory) recognise that refugees have a right to enter a country for the purposes of seeking asylum, regardless of how they arrive or whether they have valid travel or identity documents.

This is for two reasons:

The law recognises that, when people are fleeing persecution and conflict to seek safety, they may be forced to break some laws.

International law also recognises that states may create unjust laws to try and prevent refugees from reaching protection, leaving them living in danger.

**We can’t take everyone so don’t we have to be proactive about stemming the tide of asylum seekers?**

Australia is geographically an extremely isolated country and receives a very small proportion of the world’s asylum seekers (less than 3%).

Globally, 80% of all refugees remain within their region of origin.

Some of these refugees experience further persecution in the country of first asylum, and are forced to flee further afield to seek safety. Countries such as Indonesia, Malaysia and Thailand are not signatories to the Refugee Convention and do not offer safety to asylum seekers and refugees, who are often exploited, forced to work illegally and live in cramped and unsanitary conditions with no access to public services. Mandatory and indefinite detention is common and in some areas there are serious risks of sexual violence against women and kidnapping.

If Australia wants to ensure refugees can reach safety, it must process and resettle those who arrive by boat and work with other states and the UN to offer more safe and orderly pathways to protection.

They’re all queue jumpers, and they’re just taking the place of real refugees who come here legally, such as through resettlement programs.

A handful of countries, including Australia, offer resettlement of registered refugees through UNHCR.

While a valuable tool to support refugees, it is not the only tool in the box.

The resettlement system works more like a lottery than a queue, resettling only 88,000 people a year. This is only 9% of the 950,000 people recognised by the UN as needing resettlement, and 0.5% of refugees worldwide.

Often, there are strict selection criteria to being eligible for resettlement, meaning that elderly people, those with disabilities or high medical needs, unaccompanied children or certain national groups struggle to be resettled.

As such, resettlement should act as a complement to other strategies for protecting refugees, not a substitute for providing protection to refugees who arrive as asylum seekers.

If they can pay thousands to come here, they aren’t real refugees.

A refugee is someone who faces persecution as a result of their race, religion, nationality, political opinion or social group.

Having money doesn’t mean you are not at risk.

In fact, in many cases it is the educated people in society who speak out against oppressive authorities and become targets for persecution.

Often, extended families will pool their resources and borrow large amounts of money to help one particularly vulnerable family member seek asylum.

The vast majority (around 90%) of asylum seekers who have come to Australia by boat have been found to be genuine refugees fleeing severe persecution.
**Why don’t they stay in other countries? Aren’t they country shopping?**

If an asylum seeker applies for protection in or travels through a country which fails or refuses to provide effective protection to refugees, they have the right to seek asylum elsewhere.

Few countries in the Asia Pacific provide effective protection to refugees and conditions for people fleeing persecution are very difficult.

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These conditions drive some refugees to move on to Australia in the hope that it may offer them the protection which other countries have failed or refused to provide.

**We need to stop people drowning at sea / We are supporting people smuggling if we accept asylum seekers.**

People smuggling is a crime and can be a ruthless exploitation of vulnerable people.

Amnesty International has repeatedly expressed its dismay at the unnecessary tragedy of people dying at sea while trying to reach safety.

But detaining people and turning back boats does nothing to address the large-scale problems that drive people to take dangerous boat journeys. These policies simply leave people stranded in countries that do not recognise their rights.

Policies such as offshore detention and processing have put people’s health and lives at risk, inflicting harm on asylum seekers or deliberately impeding access to effective protection. They are not acceptable ways of combating people smuggling.

The Australian Government needs to tackle the reasons why people flee in the first place, and work with other states in the region and the UN to help provide safe routes to real protection for refugees.
They are criminals or a threat to national security, they might be terrorists.

Refugees are the people fleeing war, persecution and terrorism.

It is also impossible to make generalisations about asylum seekers arriving by boat: they come from an incredibly diverse range of backgrounds, cultures and countries, including Afghanistan, Burma, Iran, Iraq, Somalia, Sudan, Syria and Vietnam.

All asylum seekers who come to Australia undergo thorough security checks by ASIO. If they are found to have committed a serious crime, they are denied refugee status.

Boat arrivals receive the most scrutinised security checks of all, and not one person who has arrived by boat has ever been proven to be a terrorist.

Asylum seekers living in the community on bridging visas are about 45 times less likely to be charged with a crime than members of the general public.3

They don’t assimilate and have nothing to contribute to our society.

Over the last 100 years, generations of refugees have overcome significant psychological and cultural obstacles to become an integral part of Australian society.

Just some of the many Australian high achievers who once were refugees include scientist Dr Karl Kruszelnicki, comedian Anh Do, and architect Harry Seidler.

Refugees and asylum seekers make up a tiny number of the total migrants coming to Australia every year. As such their impact on Australian jobs is minimal, and overall, refugees have been shown to have a positive economic impact.

They receive more welfare than other Australians.

This is, simply, not true.

While in detention undergoing the processing of their asylum claims, asylum seekers are not entitled to any Centrelink social security benefits at all.

While in community detention or on bridging visas, asylum seekers may be eligible for basic allowances while their claims are assessed but these are significantly less than the pension or Newstart payments. Many asylum seekers living in the community while their claims are processed have been denied the right to work, forcing them to depend on benefits.

If an asylum seeker is ultimately found to be a refugee and granted a visa, they then become a permanent resident and have access to the same entitlements as any other resident or citizen of Australia.

If asylum seekers pose no threat, and seeking asylum is legal, why do they destroy their documents?

The greatest fear an asylum seeker has is to be returned to the place they have fled.

There have been some cases of people who have destroyed their documents, including passports, to try and ensure they won’t be immediately returned to where they have come from. This fear comes from a lack of knowledge about Australian law and systems. Many asylum seekers have experienced mistreatment by other governments in the region and do not understand that Australia, as a signatory to the Refugee Convention, will indeed assess their asylum claim.

Others, including stateless people like the Rohingya from Burma, may have no official identity documents, as they are not recognised as a citizen of any state.

But haven’t the boats stopped? Doesn’t this indicate that the government's policies are working?

The government claims that it wants to stop boat arrivals because it wants to stop deaths at sea. If the government cares about deaths at sea, presumably they also care about other ways that the health and lives of asylum seekers are being put at risk.

Detention puts the health and lives of asylum seekers and refugees, especially children, at risk. There have already been two avoidable deaths of asylum seekers in offshore detention: Reza Berati was beaten to death and Hamid Kehazaei died from a treatable infection.

The Moss Inquiry has revealed compelling evidence of numerous physical and sexual assaults of women and children detained in the Nauru detention centre, due to failures by the government of Australia to protect the detainees.
The Australian Human Rights Commission has amassed a wealth of evidence to show that detaining children for long periods of time causes serious and long-term damage to their health and development.

People who want to stop deaths at sea should also want to stop these abuses.

What’s worse, the boats haven’t stopped coming.

Rather, the government has prevented them from reaching Australia by forcing them back to countries where they have no rights, and then refusing to tell the public how many have been turned back.

This restricts the legal avenues for asylum seekers to find adequate protection and is a serious breach of international law.

**What’s wrong with Temporary Protection Visas (TPVs)?**

Under TPVs, family reunions are banned, the right to freedom of movement is restricted and TPV holders are often unable to attain secure employment due to the temporary nature of their protection.

There is strong evidence that this type of ‘limbo’ protection has severe detrimental effects on mental health.

There is evidence to show that the banning of family reunion under TPVs may encourage more people, especially women and children, to attempt the dangerous boat journey to Australia, as it is the only way to be reunited with their loved ones.

**But isn’t offshore processing cost effective?**

The Commission of Audit found that it costs more than $430,000 to detain an asylum seeker in offshore detention for a year (or about $1200 per day).

It is estimated to cost less than $100,000 a year to hold an asylum seeker in community detention and less than $50,000 to host them on a bridging visa.

This means offshore detention is **more than eight times more expensive** than onshore alternatives, and asylum seeker policy costs, including offshore detention, are forecast to exceed $10bn over the course of the current government.
The violence on Manus Island in February 2014 and the sexual assaults in the Nauru detention centre show that asylum seekers shouldn’t be allowed to enter Australia.

The violence on Manus was a shocking tragedy, but not surprising, given the appalling conditions in the Manus Island detention centre and the lengthy and indefinite period of time for which the asylum seekers have been detained.

Asylum seekers are being held in extremely unsanitary, over-crowded dormitories and received little to no information about when they will be released. Moreover, there were no evacuation procedures in place at the detention centre.

After weeks of protesting these conditions peacefully, tensions were allowed to escalate and the asylum seekers were attacked by armed private security guards, local police and possibly other contractors working at the centre, leading to the death of 23 year old Reza Berati.

While some of the asylum seekers are accused of throwing rocks or using verbal taunts in their protests, the response by security guards and local police was brutal and excessive. The tragic death, and dozens of injuries sustained highlights the need to close the Manus Island detention centre.

On Nauru, sexual assaults of women and children have allegedly been committed by both staff and asylum seekers or refugees.

Amnesty International believes that the alleged perpetrators of those crimes must be brought to justice and face trial. If found guilty in a fair trial, they should be punished accordingly and in line with international and domestic laws. Any victims of these crimes should be given access to appropriate legal processes and provided with the necessary physical and mental healthcare they need.

The alleged crimes committed in the Nauru detention centre, where they were committed by asylum seekers or refugees, were committed by a tiny minority of the detainees. Their actions should not be used to cast judgement on the other detainees.

The governments of Australia and Nauru must also be properly investigated for their roles in these crimes, including their failures to introduce appropriate processes and infrastructure for protecting detainees.
If people really are fleeing persecution, then detention centres are better than the countries they have left behind.

Many asylum seekers have been the victims of persecution in the countries they have fled.

Australian detention centres continue their persecution by removing many basic human rights and freedoms including access to families, legal assistance, freedom of expression and appropriate healthcare.

Adequate support services for the most basic of needs are limited, and access to information about their claims is limited to non-existent. These conditions are a deliberate attempt to break people and pressure them to return to their country of origin. For many, this means returning them to their persecutors.

Ok, so what can you offer as an alternative solution?

We can do things better and cheaper while upholding human rights.

Community processing in Australia and creating processing centres across the Asia Pacific are just two real alternatives. This is how other developed countries, who receive far higher numbers of asylum applications, do things, and there is no reason why Australia couldn’t do the same.