

Special Edition - September, 2001

# **Just Comment**

A joint publication of Edmund Rice Centre for Justice and Community  
Education & The School of Education, Australian Catholic University

## **Debunking the Myths about Asylum Seekers**

## Myth 1 - Boat People are Queue Jumpers

**Fact:** In Iraq and Afghanistan, there are no queues for people to jump. Australia has no diplomatic representation in these countries and supports the International coalition of nations who continue to oppose these regimes and support sanctions against them. Therefore, there is no standard refugee process where people wait in line to have their applications considered. Few countries between the Middle East and Australia are signatories to the 1951 Refugee Convention, and as such asylum seekers are forced to continue to travel to another country to find protection.

People who are afraid for their lives are fleeing from the world's most brutal regimes including the Taliban in Afghanistan and Sadaam Hussein's dictatorship in Iraq. Antonio Domini, Head of UN Humanitarian Program in Afghanistan, states that Afghanistan is one of the most difficult places in the world in which to survive.

## Myth 2 – Asylum Seekers are Illegal

**Fact:** This is untrue. Under Australian Law and International Law a person is entitled to make an application for refugee asylum in another country when they allege they are escaping persecution. Article 14 of the Universal Declaration of Human Rights states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution."

People who arrive on our shores without prior authorisation from Australia, with no documents, or false documents are not illegal. They are asylum seekers – a legal status under International Law. Many Asylum Seekers are forced to leave their countries in haste and are unable to access appropriate documentation. In many cases oppressive authorities actively prevent normal migration processes from occurring. 'Illegals' are people who overstay their visas. The vast majority of these in Australia are from western countries, including 5,000 British tourists.

## Myth 3 - Australia Already Takes Too Many Refugees

**Fact:** Australia receives relatively few refugees by world standards. In 2001 Australia will receive only 12 000 refugees through its humanitarian program. This number has remained static for three years, despite the ever-increasing numbers of refugees' worldwide. Australia accepted 20 000 refugees each year at the beginning of the 1980's.

According to Amnesty International 1 in every 115 people on earth are refugees, and a new refugee is created every 21 seconds. Refugees re-settle all over the world. However, the distribution of refugees across the world is very unequal.

- **Tanzania** hosts one refugee for every 76 Tanzanian people (1:76)
- **Britain** hosts one refugee for every 530 British people. (1:530)
- **Australia** hosts one refugee for every 1583 Australian people. (1:1583)

## Myth 4 – We're Being Swamped by Hordes of Boat People

**Fact:** 300 000 refugees arrived in Europe to seek asylum last year. In contrast, 4174 reached Australia by boat or plane. In 2000, Iran and Pakistan each hosted over a million Afghan refugees. The real burden of assisting refugees is borne in the main by the world's poorest nations.

## Myth 5 - They're Not Real Refugees Anyway

**Fact:** 97% of applicants from Iraq and 93% of applicants from Afghanistan seeking asylum without valid visas in Australia in 1999 were recognised as genuine refugees. Therefore, under Australian law they were found to be eligible to stay in Australia. Generally, 84% of all asylum seekers are found to be legitimate refugees and are able to stay in Australia.

## Myth 6 – They Must Be 'Cashed up' to Pay People Smugglers

**Fact:** It is alleged that people who have the resources to pay people smugglers could not possibly be genuine refugees. The UNHCR disputes claims about 'cashed up' refugees saying that payments made to people smugglers in fact range from \$4000 - \$5000 AUD. In reality, many families and communities pool their resources in an attempt to send their relatives to safety. People smuggling is a crime that the international community needs to combat. However, this does not negate the legitimacy of asylum seekers' claims, nor their need to seek refuge. The international community, in eradicating people smuggling, is also required to address the growing numbers of asylum seekers throughout the world. As a Western nation, Australia has a role to play.

## Myth 7 - There is no Alternative to Mandatory Detention

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**Fact:** Asylum seekers claims need to be assessed for



legitimacy. Australia is the only Western country that mandatorily detains asylum seekers whilst their claims are being heard. Asylum seekers are not criminals and detention should be minimal. At a cost of **\$104** a day per head the policy of detention is very expensive. Community based alternatives to mandatory detention can be found internationally and within the current Australian parole system.

A select Committee of the NSW Parliament has costed alternatives to incarceration including home detention and transitional housing. The average cost of community based programs are (per person, per day): Parole: **\$5.39**. Probation: **\$3.94**. Home Detention: **\$58.83**. These options are clearly more economically efficient, and much more humane.

Sweden receives similar numbers of asylum seekers as Australia, despite having less than half the population. Detention is only used to establish a persons identity and to conduct criminal screening. Most detainees are released within a very short time, particularly if they have relatives or friends living in Sweden. Of the 17,000 asylum seekers currently in Sweden 10,000 reside outside the detention centres. Children are only detained for the minimum possible time (a maximum of 6 days).

## Myth 8 - If We Let Them In, They'll Take Our Benefits

**Fact:** A common misconception is that refugees arriving in Australia will 'steal' the entitlements of Australians. The reality is that refugees, like migrants, create demand for goods and

services, thus stimulating the economy and generating growth and employment. A recent UCLA study has shown that unauthorised immigration boosts the US economy by \$800 billion per year.

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## Debunking More Myths About Asylum Seekers

## Myth 9: Australia is second only to Canada in the number of refugees it takes

**Fact:** This is incorrect. This claim is based on the fact that Australia is one of only eight countries whose immigration program actually specifies an annual quota of refugees and at 12,000 Australia's quota is the second highest on a per capita basis. However, as UNHCR reports indicate, many more than eight countries take refugees and asylum seekers – but unlike Australia they do not set a fixed number. These are the facts:

- 71 countries accept refugees and asylum seekers in some form or other
- Of the 71 Australia is ranked 32nd ;
- On a per capita basis Australia is ranked 38th, slightly behind Kazakhstan, Guinea, Djibouti and Syria;
- Of the 29 developed countries that accept refugees and asylum seekers Australia is ranked 14th. Per capita, the US takes twice as many refugees as Australia.

## Myth 10: The people in the boats are terrorists

**Fact:** This is incorrect. Just 11 of more than 13,000 people who sought asylum in Australia last year were rejected on “character grounds”. Only one was regarded as a security risk because of suspected terrorist links. He had come by air, not by boat.

Government intelligence briefings concerning the threat of terrorist attacks have not mentioned asylum seekers. There remains no evidence that any asylum seekers currently arriving by boat have any connection to terrorism. Those who perpetrated the September 11 attacks did not arrive in the United States as Asylum Seekers. They flew first class using valid papers.

The people in the boats are *fleeing from* the terrorism of the Taliban regime in Afghanistan and Saddam Hussein's Iraq. Linking the atrocities in the United States with the boat people is akin to blaming the Jews for fleeing Hitler. People fleeing oppression have a right to claim asylum and have those claims assessed.

## Myth 11: Refugees should stay in the first country they come to and ‘join the queue’

**Fact:** Australia has not taken a single refugee from the UNHCR in Jakarta – from the so-called ‘queue’ - for more than three years. This is despite the rhetoric from Australian politicians for asylum seekers to be processed in Indonesia. It should also be noted that UNHCR centre in Indonesia was set up by Australia with Indonesian support. Refugees cannot stay in Indonesia because Indonesia is not a signatory to the Refugee Convention.

There is no requirement in international law for refugees to seek asylum in the first country they come to. Some developed countries have made this an additional requirement in order to avoid processing claims, leaving the large numbers of asylum seekers in camps in Third World countries. International law requires that asylum seekers should not be penalised according to the way in which they enter a country. Australia's current policy does not accord with this requirement.

Some people have given up on the ‘queue’ and resorted to coming by boat. 24 of those who recently died when their ship sank off the coast of Indonesia had already been granted refugee status by the UNHCR in Jakarta. Many more had relations in Australia who had been provided with asylum but were not allowed access to their wives and children. Simply, the ‘queue’ does not work.

## Myth 13: Getting tough on refugees does not affect Australia's international reputation

**Fact:** The Australian Government's stance on boat people has attracted widespread international condemnation. The President of Pakistan recently claimed that he should not be forced to open the border to Afghanistan to allow in refugees because Pakistan already had 2.5 million refugees whilst Australia was turning away a few hundred.

The Howard Government's policy represents a change in the Liberal party's position. In 1985 current Minister, Phillip Ruddock criticised the then Labor Government for reducing its intake of refugees from Vietnam. In 1998 the Government rejected Pauline Hanson's call for temporary visas to be given to all refugees. However, the Government later introduced a similar proposal for those arriving without valid papers. Ms Hanson also called for the use of the navy to repel boats coming to Australia in February this year, six months before the Tampa incident.

## Myth 14: Australia is a ‘soft touch’

**Fact:** Compared to other nations, Australia takes a hard-line approach to asylum seekers. All people are mandatorily detained. If successful they can only receive a 3-year temporary visa and cannot apply to have their families join them. The current policy has not stopped people coming. Asylum seekers come to Australia because they fear persecution. The numbers reflect the severity of the situation they are fleeing, not the policies of the countries they are fleeing to.

The Minister for Immigration recently commented that the drowning deaths of over 350 people trying to get to Australia would not deter others. If such events do not deter people, the costly use of the Australian navy will not deter them either. The number of asylum seekers coming to Australia has increased since the Tampa. The current policy has been extremely costly. So far it is estimated it has cost this year's budget over \$140 million in extra funding, bringing the total to \$500million.

## Myth 15: It is easier to get refugee status in Australia than overseas.

**Fact:** According to the UNHCR, the total acceptance rate for all asylum seekers in Australia is equivalent to other western countries.

The Government has claimed that Australia cannot afford to allow asylum seekers to land in Australia because our court system enables asylum seekers to appeal within our court system and thereby gain easier access to refugee status. In contrast, they claim that only 10-15% of Iraqi asylum seekers are granted refugee status by the UNHCR in the Middle East, and similar results are found in Indonesia. UNHCR figures do not support this. They have approved over 77% of Iraqi asylum seekers processed in Indonesia. This does not include those who gain access through the UNHCR's appeal system.

## Myth 16: People who destroy their identification can't be genuine

**Fact:** Most refugees are not able to travel through conventional channels because they cannot obtain a passport from the government that is persecuting them, or they are fleeing from.

Identification documents enable not only Australian immigration officials to determine identity but also representatives of the regime people are fleeing. This places relatives within countries like Afghanistan and Iraq at risk. Moreover, people fleeing from political persecution are at greater risk within their own country if they can be identified when they are on the move.

## Myth 17: Asylum seekers are "ungrateful" and behave badly

**Fact:** There has been a series of allegations in the media since the Tampa incident concerning the "behaviour" of asylum seekers. These claims have been continuously proven false. One newspaper reported that the violent activity of asylum seekers on board the Manooora led to a child having their arm broken. Defence Minister Peter Reith denied such reports. The Government has alleged that prior to being picked up by HMAS Adelaide refugees threw their children overboard. The Australian Navy's video of the incident shows that these allegations cannot be substantiated.

## Myth 18: Detention centres are better than the countries they have left behind

**Fact:** The German Government recently condemned detention centres, comparing them to concentration camps. Many asylum seekers have been the victims of persecution in the countries they have fled. For many, Australian detention centres continue their persecution by removing many basic human rights and freedoms including access to families, and to the media. Adequate support services for the most basic of needs are limited. Constant surveillance, musters and other intrusive practices characterise people's daily lives. According to the Head of Psychiatry at Westmead Children's Hospital, a young child confined within a detention centre was recently diagnosed with an extreme form of depression, directly attributable to his confinement. This was not a one-off case. Many cases of severe depression have been reported.

## Myth 19: Sending boat people to other countries solves Australia's asylum seeker problem

**Fact:** Australia pays for the processing of asylum seekers who are intercepted by the navy and then transported to other countries. Total bill for this policy is now \$500 million, and rising. In contrast Iran receives \$60 million to process over two million refugees. Countries in the Pacific will not continue to accept asylum seekers coming to Australia. In the past Indonesia has accepted people for processing. However many nations, including Australia have refused to accept those who successfully receive refugee status. This has left the vast majority of asylum seekers in Indonesia indefinitely. Many in the Pacific fear the same will happen to them.

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- All references are available on ERC's website.

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