

Sent: Tuesday, 6 August 2002 4:24 PM

To: legcon.sen@aph.gov.au

Subject: Submission re Migration Legislation Amendment (Further Border Protection Measures) Bill 2002

This is all I ask of you: to live justly, to love tenderly, and to walk humbly with your God (Micah)

THE ROCKHAMPTON SOCIAL JUSTICE ACTION GROUP

Chairperson Mrs Margaret Perkins

The Rockhampton Social Justice Action Group is a community organization which co-ordinates and supports Social Justice activities in the Rockhampton region and promotes awareness-raising by distributing relevant documents from both church and community organizations throughout the Rockhampton Catholic Diocese.

As Queenslanders, we object to the excising of all islands that form part of Queensland and are north of latitude 12 South. Apart from the implications for border security and asylum seekers we would like clarification on the repercussions on other areas of governance, including social security, environment, shipping, and seek the results of consultations with affected communities in relation to the Governments excision proposals. Should this proposed legislation be successful, would Australia still respond to requests for assistance by non-asylum seekers, in these islands?

That aside, the proposal to deter asylum seekers by restricting their access to offshore places in Australia is questionable. Persons seeking to flee a situation endangering themselves or their families will take whatever risks are necessary.

Recommendation **The proposed Bill should be rejected because we do not believe it will provide the border security desired by the Government and will not stop people entering Australia for protection.**

We believe the Australian Government has denied the basic right of individuals to enter a country for the purpose of claiming asylum. Federal Parliament has a Constitutional duty under section 51(xxv11) of the Commonwealth Constitution to ensure Australia's Asylum Seeker policy fosters peace and good will towards **all** asylum seekers. By changing the Migration Act by the excision of offshore islands from the migration zone, Federal Parliament is creating an anomaly with it's constitutional duty.

The migration Act 1958 requiring the asylum seeker to enter the Australian Government Migration Zone bestowed a right to asylum seekers to claim asylum from Australia.

This right is respected and identified, and highlighted, as an absolute basic human right by Catholic Social Teaching

(John XXIII, Encyclical Letter on Establishing Universal Peace in Truth, Justice, Charity and Liberty. Pacem in Terris, 11 April 1963, 106)

Asylum seekers have, as everyone else, the full range of human rights, and the entire human family has the privilege and the responsibility of actively upholding those rights (*Australian Catholic Bishops' Statement 26 March 2002*)

Article 14 (1), Universal Declaration of Human Rights states - Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Therefore the proposed Bill is in direct opposition to a universally accepted basic right

Recommendation **The Committee should recommend the rejection of the Bill because it is in direct opposition to a universally accepted basic human right.**

Margaret Perkins
Chairperson
Rockhampton Social Justice Action group