



Friday, 19 May 2006

Subject: The Migration Amendment(Designated Unauthorised Arrivals) Bill 2006)

I write with extreme concern about the Bill now under discussion by the committee.

My concerns are:

- 1) The policy breaches our international obligations under the 1951 UN Refugee Convention. See articles 31, 32,33. It seems that Australia sees no obligation to abide by these international treaties.
- 2) All people arriving by boat and making a claim for protection will be denied access to full status determination and appeals process provided for by Australian law - the Refugee Review Tribunal and courts. Thus vulnerable people have no protection when they desperately need it.
- 3) Under the proposed legislation, children and families who arrive by boat will again be detained on Nauru, Manus Island or Christmas Island. This is a clear breach of the reforms negotiated by Petro Georgiou and others in 2005, that amended the Migration Act to enshrine the principle that children should only be detained as a matter of last resort.
- 4) The Government has expressed the preference that all boat arrivals be resettled, not in Australia, but in a 'third country'. Previous experience of the Pacific Solution suggests that this will leave people in detention for years (perhaps indefinitely) while Australia shirks its responsibilities and find other countries to take refugees who should have been able to make their claim and seek protection here. It is intolerably cruel to keep people in limbo for years because no 'third country' can be found and when Australia could easily accommodate the small numbers of people involved.

5) The legislation appears to have been proposed in response to pressure from Indonesia. This could signal that, rather than promote and defend human rights, Australia is prepared to alter policy and legislation to accommodate the wishes of foreign powers. It can only encourage militants in Indonesia to put pressure on Australia in the future.

6) The cost of off shore processing is enormous, a waste of resources that could be used elsewhere to meet social needs in Australia. Allowing the asylum seekers to be integrated into the community with safeguards would cost a small fraction of the money expended in off shore processing.

Finally I long for Australia to show true compassion for those who have faced persecution and trauma in their countries and are looking for protection and a friendly welcome from us. Part of the second verse of our national anthem says 'For those who've come across the seas we've boundless plains to share'. It is time we shared those plains with those who come seeking our help and protection.

I appeal to the committee to recommend that the bill be rejected and alternative strategies for dealing with asylum seekers arriving by boat be explored.

Yours faithfully

Roger Landbeck