

Subject: Submission to proposed Migration Amendment

I wish to voice my objections to the proposed Migration Amendment (Designated Unauthorised Arrivals) Bill 2006. The proposed changes reverse the reforms of 2005 which set time-limits on detention and legislated that the detention of children should only be as a last resort. Furthermore, Australian law should not be changed in response to pressure from Indonesia, a country with a very poor human rights record. I believe that the proposed amendment breaches our international obligations under the 1951 United Nations Refugee Convention.

We should not penalize refugees/asylum seekers on account of their entering Australia without authorization. To do so as proposed under this amendment will deprive asylum seekers of access to merits review of their case if they appeal a negative primary decision and they will be detained in sub-standard conditions with limited or no access to humanitarian and legal support. Article 33 of the United Nations Refugee Convention obliges Australia not to return or expel refugees back to the territory where they face persecution.

These amendments will result in Australia shirking its international and humanitarian responsibilities, avoiding our legal obligations and dumping our 'problems' on poorer neighbours. It will further be perceived by the international community as undermining Australia's ability to promote human rights, good governance and only paying lip service to international law when it suits us.

The proposed amendments will also mean that these people will be placed under enormous mental and physical distress, deterred for an indefinite time in conditions that are sub-human. Small numbers of refugees/asylum seekers arriving in Australia certainly do not constitute a threat to national security nor public order. I implore you to act justly, to uphold the rights of the destitute and speak out for and defend the rights of the poor and needy.

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