

Everyone has the right to seek and to enjoy in other countries asylum from persecution UN Declaration of Human Rights 1948

Terms:

REFUGEES are people who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion are outside the country of their nationality, and are unable to or, owing to such fear, are unwilling to avail themselves of the protection of that country. A refugee asks for, and is granted, protection outside of the country that provides refuge.

ASYLUM SEEKERS are people who move across borders in search of protection. They flee their home country and seek refugee status in another country because they have a well founded fear of persecution in their own country on account of their race, religion, political opinion or membership of a social group. Asylum Seekers ask for protection after they arrive in a country in the hope of being granted refuge by that country.

'I was a Stranger and You Welcomed Me ...'

A SURGE IN NUMBERS OF ASYLUM SEEKERS

After a fall in Asylum Seeker numbers over the past five years, 2008/2009 has seen a sharp rise in the numbers of displaced people around the world. The UN High Commissioner for Refugees puts this down to the deterioration of conditions found within many of the world's trouble spots, including Afghanistan, Iraq, Sri Lanka, Somalia, Eritrea, Colombia, the Russian Federation, Ethiopia and Zimbabwe, and not to any changes in the policies of Governments.

While most Australians empathise with refugees in camps abroad, many appear to find it difficult to extend this empathy to the refugees who reach our shores.

A lot of misunderstanding exists in Australia about asylum and asylum seekers. This is mainly due to misinformation, partly emanating through the media, and regrettably sometimes furthered for political purposes. Many people believe that asylum seekers are those who come to Australia by boat and that Australia is a favoured destination for the world's asylum seekers. Neither is the case.

The majority of asylum seekers arrive in Australia with permission to enter—that is, they arrive, usually by air, with a passport and a valid temporary visa such as a student visa or a visitor's visa. They then have 45 days to lodge an

application for refugee status.

While their application is being assessed they are given a bridging visa which enables them to live in the community and entitles them to work and to Medicare benefits. They are not entitled to any Centrelink payments nor federally funded support services.

Asylum seekers who arrive by boat are treated differently. They are detained until their status as refugees is determined and have been without the rights provided by a bridging visa. They are regularly described as 'queue jumpers' and 'illegal immigrants'.

Asylum Seekers can hardly be 'illegal' immigrants, as under Australian and International Law a person is entitled to make an application for asylum when he/she is escaping persecution. Neither do they 'jump queues' as, in the regions from which they come, there are no queues to jump. There is no standard refugee process there through which to have their applications considered.

Often the arrival of asylum seekers in Australia by boat follows years of waiting in refugee camps in Indonesia. During this time many have already been granted refugee status but face having to wait up to ten years for resettlement in a third country. This situation forces many to find their own way to where they hope they will be accepted.

What Does International Law Say about Refugees and Asylum Seekers?

- Everyone has the right to seek and enjoy in other countries asylum from persecution UN Declaration of Human Rights 14
- No one shall be subject to arbitrary arrest, detention or exile UN Declaration of Human Rights 9
- Everyone has the right to freedom of movement and residence within the borders of each State, and the right to leave any country including his own UN Declaration of Human Rights 13
- States shall not impose penalties, on account of their illegal entry or presence, on refugees who come directly from a territory where their life or freedom is threatened UN Convention Relating to the Status of Refugees 31
- No State shall expel or return a refugee in any manner whatsoever to the frontiers or territories where his life or freedom would be threatened UN Convention Relating to the Status of Refugees 33
- States shall apply the provisions of the Convention to refugees without discrimination as to race, religion or country of origin UN Convention Relating to the Status of Refugees 3

If it is a right to leave one's country, would it not also be a right to enter another country?
Pontifical Council for Migrants and Itinerants

On this subject it is impossible to remain silent. How can we not think that these people have the same legitimate expectations of happiness as others? I ask for an even greater commitment from host communities to welcome them into their communities.

Benedict XVI 2008

Persecution and violence do not allow their victims the luxury of getting passports and visas before a forced departure. Some have little choice but to use traffickers and arrive irregularly in safe countries. The rhetoric of 'zero tolerance' for illegally entering a country leads to the weakening of the already fragile international asylum regime and betrays the ignorance of its proponents. *Pontifical Council for*

Migrants and Itinerants 2000

The criterion for determining the number of requests for asylum cannot be solely based on a country protecting its own prosperity while failing to take into consideration the needs of persons who are tragically forced to ask for hospitality. *John Paul II 2001*

Where on Earth do Refugees Go?

Contrary to popular belief Australia is the destination for a very small minority of the world's asylum seekers.

Statistics from UNHCR show that Australia's recent small increase in asylum arrivals is the same increase that all other countries are experiencing.

Global numbers of asylum seekers began to rise again in 2007. Figures show that the increases in arrivals in Australia reflect the global trends.

In 2008 out of a total number of 14 million refugees worldwide, 3 million came from Afghanistan and 2.5 million came from Iraq. Pakistan gave asylum to 2 million refugees and Syria took 1.5 million, Germany housed 600,000 and United States took 300,000.

Australia is not among the top 10 refugee receiving nations in the industrialized world. We are ranked 16th among these nations, last year taking 18,000 refugees. The world's poorer countries take more than their share of refugees. Last year Chad and Tanzania took 20 times more refugees than did Australia.

It is not harsh policies that will stem the flow of desperate people who flee war and persecution.

Short of conditions improving in their homeland, the best option is creating a safe refuge closer to home so they are not forced to travel the world seeking a secure haven.

In the meantime they seek haven wherever they can find it.

Catholic Social Teaching

Catholic Social Teaching, based on the scriptures and papal statements spanning 50 years, has a long-standing commitment to upholding the rights of displaced people.

Its basic tenets come out of belief in the equal dignity of all persons and the unity of the whole human family. Catholic Social Teaching maintains that anyone whose human dignity is threatened has the right to flee, and the international community has the duty to provide assistance.

Catholic Social Teaching views the State as being of service to humanity. It maintains therefore that the interest of the person is paramount, rather than the interests of states or national security. Laws and policies which place national interest before the protection of human dignity are seen as an inversion of proper values.

In particular Catholic Social Teaching holds that anyone in danger who appears at a border seeking asylum has a right to expect protection. The granting of asylum is not a favour to be dispensed at the discretion of the more fortunate, it is a Christian and human duty. Each country has the responsibility to respect the rights of refugees and asylum seekers and ensure that these are respected as much as the rights of its own citizens.

Irregular legal status cannot allow those seeking protection to lose their dignity since they are endowed with inalienable rights, which can neither be violated or ignored.

What Can You Do?

- Make sure in conversation that refugees and asylum seekers are spoken about with the respect that they deserve, and that conversation shared is based on accurate information.
- Inform people regarding Catholic Social Teaching on refugees and asylum seekers.
- Help in debunking some of the myths about asylum seekers arriving in Australia—e.g. that they are 'illegal immigrants' and 'queue jumpers'.
- Write letters of support to politicians when they uphold the rights of refugees and asylum seekers.