

# Myths and Facts about Asylum Seekers



## **Myth 1: Asylum seekers who arrive by boat are not 'genuine' refugees and have no right to expect us to help them**

**Fact:** *Everyone has the right to seek and to enjoy in other countries freedom from persecution* - Article 14, Universal Declaration of Human Rights.

Under Australian and international law, a person is permitted to enter Australia for the purpose of seeking asylum – regardless of whether they arrive by boat or plane – and thus is entirely incorrect to say that asylum seekers are 'illegal immigrants'. A refugee's claim for asylum has nothing to do with how they arrive in a country, but everything to do with the persecution that they are escaping. In 2008-09, the vast majority (about 90%) of asylum seekers arriving in Australia without a visa were proven to be refugees [i].

As a country that values justice, decency and integrity, Australia has a shared responsibility to support an international response to refugee protection that includes a wide spectrum of initiatives from addressing root causes of violence and persecution, to providing safety to people in need of protection.

## **Myth 2: Australia is being 'flooded' by asylum seekers**

**Fact:** Australia receives very, very few of the world's asylum seekers, no matter what measure of comparison you use. Here are five ways of looking at Australia's refugee situation in a global perspective:

- Australia hosts 1 refugee per 1000 inhabitants of our country, compared to the United Kingdom (4.7 refugees per 1000 inhabitants), Canada (5.2), Switzerland (6.1), Germany (7.0), Norway (7.5) Sweden (8.3), Chad (29.5), Montenegro (39.6), Syria (50.5) and Jordan (79.2) [ii].
- Australia ranks a lowly 77th in the world when countries are ranked according to the number of refugees they resettle relative to their GDP per capita [iii]
- Australia ranks 69th in the world when countries are ranked on the number of refugees they resettle on a purely per capita basis [iv]
- Australia hosts just 0.2% of the global refugee population [v]
- Australia can typically expect to receive a few thousand asylum seekers coming to our country each year, by boat and plane. Yet in 2008, the United States received 49,000 asylum seekers, Canada 36,900, France 35,200 and the United Kingdom (30,500) [vi].

The focus on a trickle of asylum seekers arriving to Australia also seems unjustified considering that there are about 48,500 people who overstay their visa in Australia each year [vii], [viii], many of whom are from wealthy countries.

## **Myth 3: The recent rise in asylum seekers arriving by boat is due to the recent reforms to our refugee policies**

Historically, Australia's refugee trends follow global trends. In 2001, for example, when Australia experienced a peak in the number of boat arrivals, so did the rest of the world. Then global asylum seeker numbers dropped markedly in the next five years to 2006 (asylum applications in all industrialized countries fell by 49% over this period [ix]) - as did asylum applications in Australia.

Since September 2008, Australia has seen a rise in the number of asylum seekers arriving by boat. This is because global asylum seeker numbers have increased significantly. For example, between 2007 and 2008 asylum seeker numbers rose by 122% in Italy, 121% in Norway, 89% in the Netherlands, 70% in Turkey, 53% in Switzerland, 30% in Canada and 20% in France. Yet in the same period, Australia saw only a 19% increase [x].

The reason for the global increase in refugees is the continuing violence in countries like Sri Lanka, Iraq, Afghanistan, Somalia and Sudan. In other words, an increased number or intensity of worldwide 'push factors' have forced a larger number of refugees from their homes.

## **Myth 4: 'Boat people' are 'queue jumpers', stealing the places of 'genuine' refugees waiting patiently in camps for their turn at orderly processing by the UNHCR**

**Fact:** The myth of a 'queue' - where refugees from around the world have their names recorded in an organised database and 'wait their turn' - is completely untrue. While we would like to believe that there is

an orderly globalised database of refugees, or a coherent network of regional registration systems, the sad truth is that there is no such thing. In fact, refugee resettlement has been likened to a 'lottery' or to being plucked randomly from a huge pool of people.

There are millions of refugees who cannot access a UNHCR office or other official pathways to register for refugee status. Some countries do not have UNHCR offices or Australian embassies. Some refugees are unable to physically access such offices because of travel restrictions or the danger or cost involved in getting there. In some cases, refugees have been prevented from registering for political reasons. In one instance reported by an Australian Federal MP in 2008, UNHCR was not allowed to register refugees from a certain country, as government officials did not wish to acknowledge that there was turmoil in that country [xi].

### **Myth 5: Refugees who get to Indonesia should stay there and not come to Australia**

**Fact:** Very few countries between the Middle East and Australia have signed the Refugee Convention. There is no real or permanent protection in these countries, so many asylum seekers have to travel to Australia before they get their first reasonable opportunity to apply for protection.

Indonesia is not a signatory to the Refugee Convention and does not offer real protection or durable solutions for refugees there. Firstly, asylum seekers are detained indefinitely in very overcrowded detention centres in inhumane conditions. Secondly, even when someone is registered by UNHCR as a refugee, they are not permitted to seek employment, send their children to school, apply for family reunion or apply for residency.

### **Myth 6: Harsh policies against asylum seekers will stop them coming here**

**Fact:** Punitive policies (such as mandatory detention, excision, detention debts and Temporary Protection Visas) have not only contravened our human rights obligations, but have zero value as a deterrent to irregular asylum arrivals.

For example, the policy of mandatory detention of boat arrivals is inhumane and breaks international law, as it is arbitrary, non-reviewable and discriminates against people for their mode of arrival regardless of the legitimacy of their claim. Australia has had a mandatory detention policy since 1992, yet since then there have been multiple increases in asylum seeker arrivals, due to 'push' factors in source countries such as Afghanistan. The policy of Temporary Protection Visas was also unfair and inhumane, yet didn't achieve its stated policy objective of deterring asylum seekers (see below).

Refugees are often forced to flee horrendous situations such as genocide or torture. People in danger will continue to take seek safety however they can. The only way to stop boat-borne asylum seekers from arriving in Australia is to cooperate regionally and internationally to resolve conflicts and to create durable solutions for refugees so that they do not have to undertake perilous journeys to find safety.

Australia has every right to maintain the integrity of its security, but this can be done in a manner that respects our international human rights obligations. The way in which we choose to treat vulnerable populations in our society, such as refugees and asylum seekers, speaks volumes about our values.

### **Myth 7: We should bring back Temporary Protection Visas (TPVs) in order to deter boat arrivals**

**Fact:** TPVs are inhumane, discriminate against some asylum seekers purely on their method of arrival, cause needless suffering and contravene our international human rights obligations. Refugees on TPVs were unable to apply for family reunion, get adequate settlement assistance or have the stability and security of permanent protection. The psychological damage caused by TPVs because of these factors has been well documented by medical experts.

Moreover, statistics show that TPVs have no value as a deterrent to the arrival of vulnerable refugees seeking safety -in fact, they have the opposite effect. Consider this: although TPVs were introduced in 1999, the number of boat-borne asylum seekers rose by 48% in 2001 compared to 1999. Very significantly, the proportion of women and children amongst the boat-borne asylum seekers more than tripled, from 12.8% of boat arrivals in 1999, to 27.6 % in 2000, to 41.8% in 2001[xii].

In October 2001, 353 asylum seekers drowned on the SIEV X. Most of the 288 women and children aboard the SIEV X were family members of TPV holders already in Australia. They risked – and lost - their lives on the perilous journey because there was no other way for their families to be reunited.

Almost 90% of former TPV holders were eventually granted permanent visas, which further highlights how meaningless TPVs were as a deterrent to people with genuine protection needs [xiii].

### **Myth 8: Boat people are not ‘genuine’ refugees because they pay ‘people smugglers’**

**Fact:** Asylum seekers who pay to be taken to Australia are mostly desperate people whose options have run out. They see this route as the only way that they will gain safety for themselves and their families. Extended families may sell everything they have, and live on tiny incomes for years, to send one person to safety.

One does not have to be poor or uneducated to be a refugee. In fact, many people have experienced increased persecution because of their educational, professional or political backgrounds. A person's need for protection has nothing to do with their material assets, but has everything to do with the danger they face in their homeland.

### **Myth 9: Without mandatory detention, boat arrivals are a health risk to the community**

**Fact:** Over 416,000 short-term visitors arrived in Australia in the month of August 2009 alone[xiv]. An average of 1,180 people arrive in Australia every day (according to ABS figures measured between March 2007 and 2008) [xv]. Most of these were tourists and were not required to have health checks, yet there is no evidence to suggest that asylum seekers and refugees are any less healthy than people travelling for tourism. In addition, the government does not detain asylum seekers who arrive by plane and allows them one to two months to get a health check, because the government knows that there is minimal risk to the community. There is no reason why asylum seekers who arrive by boat should be treated any differently, and DIAC has admitted that boat arrivals are no less healthy than other visitors to Australia [xvi].

### **Myth 10: Allowing asylum seekers to come to our country will allow terrorists into Australia**

**Fact:** Asylum seekers do not pose a national security threat to Australia. Upon arrival, asylum seekers are subjected to rigorous identity, security and health checks, as well as having their claims for asylum scrutinised in great detail. There is zero evidence that any asylum seekers who have arrived in Australia by boat have connections to terrorism. In fact, in August 2002, the Director-General of ASIO told Parliament that of 5,986 boat arrivals, not one was found to be a security risk [xvii].

*This Myths and Facts Sheet was prepared on 16 November 2009*

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### **References**

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- [iii] 2007 UNHCR Statistical Yearbook, Table 22, pp. 128-130.
- [iv] Statistics from UNHCR's 2008 Global Trends: Refugees and people in refugee-like conditions. 31 December 2008.
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- [xi] Joint Standing Committee on Foreign Affairs, Defence and Trade. Human Rights Subcommittee, 22/08/2002
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- [xvi] Joint Standing Committee on Migration – 24 September 2008.
- [xvii] Joint Standing Committee on Foreign Affairs, Defence and Trade. Human Rights Subcommittee – 22 August 2002.