

myths
FACTS +
solutions



MYTH ASYLUM SEEKERS ARE ILLEGAL IMMIGRANTS

> **FACT** Asylum seekers are neither illegal nor are they immigrants. Immigrants leave by choice and can return at any time. Asylum seekers are forced to leave and cannot return for fear of persecution—such as torture, imprisonment and execution.

> **FACT** As a signatory to the UN Convention Relating to the Status of Refugees, Australia must provide protection to people fleeing persecution, regardless of whether they arrive by air or by sea.¹

> **FACT** There is no Australian law that criminalises the act of arriving in Australia without a valid visa for the purposes of seeking asylum.²

MYTH ASYLUM SEEKERS SHOULD WAIT THEIR TURN IN THE QUEUE

> **FACT** There is no queue or processing system accessible to asylum seekers in their home countries. By definition, to be considered a refugee you must be outside your country of origin.³

> **FACT** Very few countries in our region are signatories to the Refugee Convention. Asylum seekers who arrive in countries that have not signed the convention, such as Malaysia or Indonesia, are subject to anything from neglect to abuse, torture and indefinite imprisonment.⁴

> **FACT** Only 0.5% of the world's 15.37 million refugees will have access to a queue in 2011. With only around 80 000 places allocated each year for resettlement, if all of the world's refugees were to join a queue, the wait would be 192 years.⁵

MYTH MORE PEOPLE ARE SEEKING ASYLUM BY BOAT BECAUSE THE LABOR PARTY IS SOFT ON ASYLUM SEEKERS

> **FACT** As a percentage of our overall immigration intake, Australia accepts fewer refugees and humanitarian entrants under the Gillard Government than we did under Howard. Refugees made up 7.6% of the total immigration program under Howard, compared with 6.6% under Gillard—this is close to its lowest level in 35 years.⁶

> **FACT** The number of boat arrivals depends not so much on domestic policy as 'push' factors in countries of origin such as repression, discrimination, ethnic conflict, human rights abuses and civil war. As forced-migration expert Dr Khalid Koser has noted: 'There is wide consensus among both scholars and refugee organisations that conditions in origin countries... tend to be more important than conditions in destination countries... in explaining the movement of refugees.'⁷

MYTH AUSTRALIA IS BEING FLOODED BY ASYLUM SEEKERS

> **FACT** In the last 34 years—from 1 January 1976 to December 2010—a total of 27 437 asylum seekers arrived by boat.⁸ At this rate, it would take 124 years to fill the MCG.

> **FACT** Australia received only 1% (10,995) of new asylum applications worldwide in 2010. South Africa received 171,702, Canada (51,025), Ecuador (49,889), Greece (47,099), France (29,776), Germany (28,702), and Kenya (26,539). That places Australia 25th in the world for the number of asylum applications it received and 51st based on wealth per capita.⁹

MYTH AUSTRALIA TAKES ITS FAIR SHARE OF THE WORLD'S REFUGEE

> **FACT** As of 2010, Australia is hosting just 0.21% of the world's refugees. Of the 10.55 million refugees under UNHCR's mandate, the largest numbers are being hosted by Pakistan (1,900,621), Iran (1,073,366), Syria (1,005,472), Germany (594,269), Jordan (450,915).

> **FACT** More than 80% of the world's refugees are living in developing nations. Australia ranks 69th in the world for the number of refugees it hosts relative to its population. Based on wealth per capita, that rank drops to 79th.¹⁰

MYTH ASYLUM SEEKERS ARE A DRAIN ON CENTRELINK AND PUBLIC HOUSING

> **FACT** Asylum seekers have no access to Centrelink benefits. A limited number of asylum seekers have access to the Red Cross Asylum Seeker Assistance Scheme for a certain period of time. The income provided by this scheme is equal to 89% of the Newstart Allowance.¹¹

> **FACT** Asylum seekers do not get access to public housing and very rarely gain access to transitional housing. Asylum seekers face significantly higher rates of homelessness than the national average.

MYTH WE NEED DETENTION CENTRES

> **FACT** Between 1948 and 1992, Australia successfully and peacefully resettled 452 000 refugees. At this time, asylum seekers were processed in the community and there was no policy of mandatory detention.

> **FACT** Australia is unique in the world in its policy of mandatory and indefinite detention. There is a more humane alternative. At approximately 10% of the cost, and without the mental and physical damage, all asylum seekers who arrive by boat can be processed and cared for in the community, just as the majority of plane arrivals are.

> **FACT** There is now a large body of medical evidence demonstrating that prolonged detention has severe detrimental effects on psychological and physical health.¹² There have been six deaths in 2010-11, five by suicide, in Australia's detention centres. The Ombudsman reports that more than 1100 incidents of threatened or actual self-harm occurred across all places of detention in 2010-11.¹³

MYTH AUSTRALIA NEEDS TO PROTECT OUR BORDERS FROM ASYLUM SEEKERS

> **FACT** No boat arrival who may have been a potential threat to national security has ever gained entry into Australia. Boat arrivals are subject to the most rigorous security checks of all arrivals into Australia.

> **FACT** The vast majority of asylum seekers arrive by plane with a valid visa, applying for asylum at a later date while living in the community. None have ever posed a threat to Australia's national security.

1. UNHCR, Convention and Protocol Relating to the Status of Refugees, <http://www.unhcr.org/3b66c2aa10.html>
2. Janet Phillips, 'Asylum seekers and refugees: what are the facts?' Parliamentary Library of Australia, <http://www.aph.gov.au/library/pubs/bn/sp/AsylumFacts.pdf>, 22 July 2011, p. 3.
3. UNHCR, Convention and Protocol Relating to the Status of Refugees, p. 14
4. Amnesty International, 'Malaysia: Abused and Abandoned: Refugees Denied Rights in Malaysia,' <http://www.amnesty.org/en/library/info/ASA28/010/2010/en>, 15 June 2010. Jessie Taylor, 'Behind Closed Doors: Examining the Conditions of Detention of Asylum Seekers in Indonesia,' *Castan Centre for Human Rights Law*, <http://www.law.monash.edu.au/castancentre/news/behind-australian-doors-report.pdf>, 3 November, 2009.
5. UNHCR, Press Release: 'UNHCR calls for more resettlement places,' 4 July 2011, <http://www.unhcr.org/4e11735e6.html>
6. Refugee Council of Australia, Australia's Refugee and Humanitarian Program 2010-11, <http://www.refugeecouncil.org.au/docs/resources/Intake%20Sub%202010-11.pdf>, February 2010, p. 2
7. Khalid Koser, 'Responding to Boat Arrivals in Australia: Time for a Reality Check,' *Lowy Institute for International Policy*, December 2010, p. 6.
8. Parliamentary Library of Australia, 'Boat Arrivals in Australia since 1976,' <http://www.aph.gov.au/library/pubs/bn/sp/BoatArrivals.htm>, updated 15 July 2011.
9. ASRC, 'Australia vs the World,' http://www.asrc.org.au/media/documents/how-we-compare-internationally_.pdf, June 2011.
10. ASRC, 'Australia vs the World,' http://www.asrc.org.au/media/documents/how-we-compare-internationally_.pdf, June 2011.
11. Department of Immigration and Citizenship, <http://www.immi.gov.au/media/letters/letters09/le091022.htm> 21 October 2009.
12. Phillips C (2009) 'Immigration detention and health,' *Medical Journal of Australia* 192(2): 61-67.
13. Allan Asher, 'Australia's immigration detention values: milestones or motherhood statements?' *Commonwealth Ombudsman*, <http://www.ombudsman.gov.au/mediareleases/show/190>, 29 July 2011.