



## OFFSHORE PROCESSING MYTH BUSTER

**MYTH: Offshore processing will discourage asylum seekers from arriving by boat by acting as an effective deterrence.**

People flee their home countries because it is no longer safe for them to stay there.

Migration experts and refugee organisations agree that the number of boat arrivals depends on conditions in the countries from which refugees flee *not* domestic policies in destination countries such as offshore processing.<sup>1</sup> 'Push factors' including persecution, discrimination, ethnic conflict, human rights abuses and civil war have a far greater impact on asylum seeker numbers at any one time. As the world's leading authority on international refugee law, Professor James Hathaway explains:

"The whole people-smuggling problem is a false issue. We created the market for human smuggling. If asylum seekers could lawfully come to Australia and make a refugee claim without the need of sneaking in by boat, they would do it. But we make it illegal and create the market that smugglers thrive on"<sup>2</sup>

It is too simplistic to claim that the Pacific Solution, of which offshore processing was a major component, was the reason for the halt in boat arrivals to Australia over its duration (2001-2006). Howard's Pacific Solution was introduced at the same time the Taliban was removed from power in Afghanistan leading to a drop in Afghan asylum seekers who have constantly been one of the largest groups seeking asylum in Australia.<sup>3</sup> It is global factors like these rather than domestic policies such as offshore processing that affect the number of asylum seekers arriving by boat.

Andrew Metcalfe, former Secretary of the Department of Immigration (2005 - 2012) agrees that the Nauru detention centre was previously found to be ineffective in deterring asylum seekers from leaving Indonesia for Australia:

"Detaining people for years has not deterred anyone from coming... We all know what happened with the people who were taken to Nauru [the majority were eventually resettled in Australia or New Zealand]. We know that Nauru filled up very quickly. We know that the government needed to establish new facilities at Manus because people kept coming. In fact,

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<sup>1</sup> Koser, K., 2010, 'Responding to Boat arrivals in Australia', <http://www.lowyinstitute.org/Publication.asp?pid=1477>,

<sup>2</sup> <http://www.abc.net.au/radionational/programs/breakfast/asylum-seeker-policy-international-refugee-law/3585712>

<sup>3</sup> <http://www.guardian.co.uk/world/2013/jul/19/did-howard-solution-stop-boats>

1,700 people came after the Tampa arrived".<sup>4</sup> There are good reasons to suggest this trend will continue.

More recent plans by the Gillard and Rudd government to consolidate the use of offshore processing as a key component of their domestic policy on asylum seekers have and will continue to falter. In May 2013 a controversial law was passed in the Senate excising Australia from the migration zone. This meant that even if an asylum seeker reached mainland Australia they are still eligible to be sent to an offshore processing centre. This cruel and internationally unprecedented policy was further consolidated when the Rudd government announced the Regional Resettlement Arrangement with Papua New Guinea in July 2013.<sup>5</sup> All asylum seekers arriving by boat will now be sent to PNG for processing and ultimately resettlement. No country in the world has ever exporting their humanitarian obligations in such a way.

According to the UN Human Development Index, which ranks countries according to health and education standards, life expectancy and income, Papua New Guinea was ranked a lowly 156 out of 186 countries.<sup>6</sup> Despite the Rudd Government's rhetoric that this new policy will discourage asylum seekers arriving by boat, six new boats have arrived on Australian shores within the first week of the hard-line policy being announced.<sup>7</sup>

This reiterates what migration experts and refugee organizations have affirmed; offshore processing does not deter asylum seekers arriving by boat.

**MYTH: Offshore processing on Nauru and PNG is a humane and acceptable way to treat asylum seekers.**

Around 1,500 asylum seekers were processed on Nauru under the Howard government's Pacific Solution.

Many of those previously detained on Nauru suffered serious mental health issues as a result of detention compounded by the conditions and trauma experienced in the countries they had fled. A number were assessed at "grave risk" and were transferred to Australia because of their deteriorating mental health, while numerous incidents of self harm, depression and psychological conditions developed amongst detainees.<sup>8</sup>

The Department of Immigration itself noted in 2013 that the conditions on Manus Island were not appropriate for housing and processing asylum seekers. Conditions such as humidity, cramped space, and sparse electricity,

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<sup>4</sup> <https://senate.aph.gov.au/submissions/committees/viewdocument.aspx?id=809568dd-1a73-4d78-831f-753bcb605fae>

<sup>5</sup> Department of Immigration, 'Regional Resettlement Arrangement', <http://www.immi.gov.au/visas/humanitarian/novisa/regional-arrangements.pdf> July 2013

<sup>6</sup> Hurst, D, 2013, 'Dozens missing feared dead in boat sinking' <http://www.smh.com.au/federal-politics/federal-election-2013/dozens-missing-feared-dead-in-boat-sinking-20130724-2qi4o.html>

<sup>7</sup> Hurst, D, 2013, 'Dozens missing feared dead in boat sinking' <http://www.smh.com.au/federal-politics/federal-election-2013/dozens-missing-feared-dead-in-boat-sinking-20130724-2qi4o.html>

<sup>8</sup> <http://news.smh.com.au/breaking-news-national/refugee-advocates-slam-nauru-plan-20100727-10t00.html>

as well as a lack of teaching resources for children could result in prolonged mental and physical issues.<sup>9</sup>

In July 2013 a former guard at the Manus Island detention centre Rod St George confirmed that Immigration staff at the detention centre ignored a series of rapes and assaults on male detainees, allowing perpetrators to stay with victims because there was nowhere else to keep them. He states that the detention centre “couldn’t even serve as a dog kennel” and that suicide and self-harm was “almost daily”.<sup>10</sup> Rather than shut down these offshore processing centres which former Prime Minister Malcolm Fraser declared were “as bad as Soviet Union’s forced labour camps”<sup>11</sup>, the Government will instead go ahead with plans to expand the Manus Island and Nauru detention facilities.

### **MYTH: Offshore processing is more cost-effective**

Offshore processing is significantly more expensive than detention on the mainland because of the increased cost of delivering services to remote locations. The Pacific Solution, which saw asylum seekers detained on Manus Island, Nauru and Christmas Island, cost more than 1 billion dollars since its implementation in 2001.<sup>12</sup>

In January 2012 DIAC prepared an infrastructure report on Nauru for the Immigration Minister.<sup>13</sup> It projected that the estimated cost for setup of a 500-bed facility on Nauru to be just under \$2 billion dollars over four years. At its maximum capacity under the Pacific Solution the government had up to 1500 asylum seekers held in detention on Nauru. The addition of Manus Island to the cost of offshore processing will increase this figure even further. In 2013, Martin Bowles, the Secretary of DIAC stated that processing asylum seekers in Australia costs 20% of the amount required to process someone offshore.<sup>14</sup> It is estimated that each asylum seeker will cost \$1 million when infrastructure is taken into account.<sup>15</sup>

It is incomprehensible that the policy of offshore processing is expanded given the staggering economic costs, let alone the horrific social damage inflicted.

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<sup>9</sup> SBS, ‘Manus Island detention centre presents health risk to detainees’ <http://www.sbs.com.au/news/article/1757002/Manus-Island-detention-centre-inhumane-unsafe> April 2013.

<sup>10</sup> Laughland O ‘Manus Island detainees raped and abused with full knowledge of staff’ <http://www.guardian.co.uk/world/2013/jul/24/manus-island-rape-detainees>

<sup>11</sup> Hall B and Gordon M ‘cruelty on Nauru slammed’ <http://www.smh.com.au/federal-politics/federal-election-2013/cruelty-on-nauru-slammed-20130724-2qjry.html>

<sup>12</sup> Oxfam ‘A price too high: the cost of Australia’s approach to asylum seekers’ <http://resources.oxfam.org.au/filestore/originals/OAus-PriceTooHighAsylumSeekers-0807.pdf>, page 4

<sup>13</sup> Infrastructure Report on Nauru. DIAC, 25 Jan 2012.

<http://www.minister.immi.gov.au/media/media-releases/pdf/infrastructure-report-nauru.pdf>

<sup>14</sup> Hansard, Senate Estimates, 27-28 May 2013.

<sup>15</sup> ‘No Advantage’ <http://www.abc.net.au/4corners/stories/2013/04/29/3745276.htm>

**MYTH: Strong offshore processing policy reduces people smuggling and acts as an effective deterrent**

**FACT**

The Australian government has in fact contributed to the creation of people smuggling by restricting the legal avenues for asylum seekers to find protection in Australia. As the world's leading authority on international refugee law, Professor James Hathaway explains:

“The whole people-smuggling problem is a false issue. We created the market for human smuggling. If asylum seekers could lawfully come to Australia and make a refugee claim without the need of sneaking in by boat, they would do it. But we make it illegal and create the market that smugglers thrive on”<sup>16</sup>

It is quite logical that asylum seekers respond to push factors in their home country such as war, genocide or ethnic cleansing over domestic policies of 'deterrence'. People who are desperate to escape persecution and find themselves living will not be deterred from dealing with people smugglers. A more humane and practical method of destroying the business of people smuggling would be to increase Australia's humanitarian intake, allowing people who would have arrived by boat a viable, less dangerous mechanism for seeking asylum in Australia.<sup>17</sup>

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<sup>16</sup><http://www.abc.net.au/radionational/programs/breakfast/asylum-seeker-policy-international-refugee-law/3585712>

<sup>17</sup> 'End people smuggling by raising the intake' <http://www.theage.com.au/federal-politics/editorial/end-people-smuggling-by-raising-the-intake-20111219-1p2bt.html>