

OFFSHORE PROCESSING & RESETTLEMENT MYTHBUSTER



MYTH: Offshore processing and resettlement will stop asylum seekers arriving by boat

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).¹ 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. Andrew Metcalfe, former Secretary of the Department of Immigration (2005 -2012) agrees that the Nauru detention centre was ineffective, stating that “detaining people for years has not deterred anyone from coming”.²

MYTH: It is humane to send asylum seekers to Nauru and Manus Island

Sending asylum seekers including children to dangerous and under resourced locations such as PNG and Nauru is completely unacceptable both morally and legally.

The Government’s own travel advice on PNG is that people should ‘exercise a high degree of caution’³. Cholera is now considered endemic in PNG, there is a high prevalence of HIV/AIDS, increased incidents of sexual assault, and crime rates are high; especially in Port Moresby.⁴ Similar to PNG, Nauru simply does not have the infrastructural capacity to ensure adequate processing and resettlement arrangements for asylum seekers. Australia is by far the strongest placed country in our region to facilitate this process, but instead is choosing to shift this responsibility towards our poorer neighbours.

The Australian Human Rights Commission President Professor Gillian Triggs stated in July 2013 that the Commission “repeatedly made clear our concerns that third country processing and the conditions on Manus Island may violate fundamental human rights... All asylum seekers should have their claims assessed in Australia by the Government.”⁵

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. The perpetrators were permitted to stay with their 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 occurred “almost daily”.⁶

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

²<http://www.smh.com.au/federal-politics/society-and-culture/detention-does-no-good-20111026-1mk26.html>

³Australian Department of Foreign Affairs, Travel Advice: Papua New Guinea http://www.smarttraveller.gov.au/zw-cgi/view/Advice/Papua_New_Guinea

⁴http://www.dfat.gov.au/geo/png/png_brief.html

⁵Australian Human Rights Commission, viewed September 2013 at <https://www.humanrights.gov.au/news/stories/regional-resettlement-arrangement-raises-human-rights-questions>

⁶Laughland O ‘ManusIsland detainees raped and abused with full knowledge of staff’ <http://www.guardian.co.uk/world/2013/jul/24/manus-island-rape-detainees>

According to the UNHCR asylum seekers are facing numerous mental health issues with prolonged detention on Manus Island. Strain is also being put on their physical health due to a lack of medical services, especially around appropriate dental care. Unaccompanied minors have little resources, such as reading materials and cannot contact family members, leaving them feeling isolated.⁷

There has been an increase in depression among asylum seekers being held on Nauru, due to uncertainty and delays in processing of their applications, the hot and overcrowded conditions and a lack of adequate medical facilities. The UNHCR is also very concerned about the welfare of children being sent to Nauru and believe the transferring of unaccompanied minors and children with families from Australia should stop.⁸

MYTH: The international community via the United Nations supports these processing and resettlement arrangements

Australia's offshore processing and resettlement regime raises serious concerns in relation to complying with our international legal obligations. For example, Article 31⁹ of the Refugee Convention provides that countries should not penalise asylum seekers based on their mode of arrival. This policy clearly discriminates on this basis, as it applies only to boat arrivals. The conditions endured by asylum seekers in offshore detention as described above is tantamount to punishment; this is illegal.

The UNHCR continue to express their concerns about Australia sending asylum seekers to Nauru¹⁰ or Manus Island¹¹. They have found that both centres constitute arbitrary and mandatory detention, do not provide fair, efficient and fast system for assessing refugee claims, do not provide safe and humane conditions and do not give asylum seekers adequate and timely solutions. The UNHCR sees Australia's process of sending asylum seekers to Manus Island or Nauru as breaking international law.

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.

In January 2012 DIAC prepared an infrastructure report on Nauru for the Immigration Minister.¹² 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. 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.¹³ This is a very

⁷ UNHCR monitoring visit to Manus Island, Papua New Guinea 23 to 25 October 2013 <http://unhcr.org.au/unhcr/images/2013-11-26%20Report%20of%20UNHCR%20Visit%20to%20Manus%20Island%20PNG%2023-25%20October%202013.pdf>

⁸ UNHCR monitoring visit to the Republic of Nauru 7 to 9 October 2013 <http://unhcr.org.au/unhcr/images/2013-11-26%20Report%20of%20UNHCR%20Visit%20to%20Nauru%20of%207-9%20October%202013.pdf>

⁹ UN Refugee Convention, viewed September 2013 at <http://www.unhcr.org/419c778d4.html>

¹⁰ UNHCR monitoring visit to the Republic of Nauru 7 to 9 October 2013

<http://unhcr.org.au/unhcr/images/2013-11-26%20Report%20of%20UNHCR%20Visit%20to%20Nauru%20of%207-9%20October%202013.pdf>

¹¹ UNHCR monitoring visit to Manus Island, Papua New Guinea 23 to 25 October 2013 <http://unhcr.org.au/unhcr/images/2013-11-26%20Report%20of%20UNHCR%20Visit%20to%20Manus%20Island%20PNG%2023-25%20October%202013.pdf>

¹² Infrastructure Report on Nauru. DIAC, 25 Jan 2012.

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

¹³ Hansard, Senate Estimates, 27-28 May 2013.

conservative figure. It is estimated that each asylum seeker will cost \$1 million when infrastructure is taken into account.¹⁴

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

MYTH: Offshore processing reduces people smuggling, therefore acting as an effective deterrent

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.

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 in a state of limbo in countries such as Indonesia 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 and improving processing capacities in countries such as Indonesia, where the wait for a durable solution is painfully uncertain and often takes many years.

¹⁴'No Advantage' <http://www.abc.net.au/4corners/stories/2013/04/29/3745276.htm>