



## PEOPLE SMUGGLING MYTH BUSTER

### **MYTH: People smuggling is a business model that needs to be smashed**

#### **FACT**

People smuggling is not a 'business model' that needs to be 'smashed' but rather vulnerable people who need protection from persecution. While there is a legitimate need to address the behavior of people smugglers who exploit vulnerable people, a real solution would focus upon providing adequate alternative pathways for asylum seekers to escape their conditions of persecution and destitution. Until such options exist people will always get on boats because they having nothing to lose when a likely death awaits then back home.

### **MYTH: Asylum seekers get on boats from Indonesia and Malaysia because of people smugglers**

#### **FACT**

The vast majority of boat arrivals travel to Australia via Malaysia and Indonesia not because of people smugglers but because they have no genuine alternatives. Neither country has signed the Refugee Convention and asylum seekers face long periods without protection of their basic human rights. According to the [Parliamentary Library](#)<sup>1</sup>, Australia resettled only 560 refugees from Indonesia during the period 2001 to February 2010 and only 490 refugees from Malaysia in 2010-11. The wait to be resettled from Indonesia for someone assessed as a refugee by the UNHCR could be up to 37 years. Amnesty International [records](#)<sup>2</sup> Malaysia as hosting some 90,000 to 170,000 refugees and asylum-seekers so the wait here to be resettled in Australia could be up to 500+ years.

### **MYTH: Australia is being swamped by asylum seekers coming by boat**

#### **FACT**

It's important to put the issue of people smuggling in perspective. According to the [UNHCR](#)<sup>3</sup>, in 2008, more than 51,000 asylum seekers crossed the Gulf of Aden making their way from Somalia to Yemen by boat. Also during 2008, more than 67,000 people travelled on boats to the European coast, 38,000 of whom landed in Italy. This year, Italy [received](#)<sup>4</sup> over 10,000 boat arrivals in just two months. In comparison, despite the increase in boat arrivals in November, arrivals in Australia are down from 6879 last year to 4184 this year as of December 16<sup>th</sup> 2011. This accounts for just 0.009% of the 43.7 million refugees, asylum seekers and displaced people globally.

### **MYTH: The Australian Government policy is reducing people smuggling**

#### **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](#)<sup>5</sup>,

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>1</sup> <http://www.apf.gov.au/library/pubs/BN/law/RefugeeResettlement.pdf>

<sup>2</sup> <http://www.amnesty.org/en/library/info/ASA28/010/2010/en>

<sup>3</sup> <http://www.unhcr.org/4967386e4.html>

<sup>4</sup> <http://www.unhcr.org/4d7f571a9.html>

<sup>5</sup> <http://www.abc.net.au/radionational/programs/breakfast/asylum-seeker-policy-international-refugee-law/3585712>

**MYTH: People smuggling is the key issue we need to focus on when it comes to dealing with refugees coming by boat to Australia**

**FACT**

It is not people smuggling that is the issue we should be focusing on but Australia's inadequate contribution to the international refugee problem. Australia's refugee humanitarian intake – as a percentage of our total migration - is the [lowest](#)<sup>6</sup> in 35 years. At the same time, the number of asylum seekers in need of resettlement is at record levels. Australia [ranks](#)<sup>7</sup> 79<sup>th</sup> in the number of refugees in hosts per capita which is equal to just 0.21 percent of the global total. More than 80 percent of the world's refugees are in developing nations.

**MYTH: People smugglers are 'scum' and the 'Vilest form of human life'**

**FACT**

People smugglers are not the 'vilest form of human life' but are in fact often victims themselves. As the Australian Federal Police have [conceded](#)<sup>8</sup>, of the 493 individuals arrested in Australia on people-smuggling charges during 2009, 2010 and 2011, 483 were simply working as crew on boats leaving from Indonesian ports. Only 10 individuals were organisers. Almost all of these crew members are poor Indonesian fishermen – including many children - who have been [mislead](#)<sup>9</sup> by people smuggling ringleaders. A recent [report](#)<sup>10</sup> highlighted that a number of these children have been imprisoned by the Australian government on people smuggling charges for up to two years.

What has been the cost of protecting Australia from these poor fishermen? In 2009-10, the Government [allocated](#)<sup>11</sup> \$654 million 'to fund a comprehensive, whole-of-government strategy to combat people smuggling and help address the problem of unauthorised arrivals'. In the 2010–11 budget, the Government increased this to \$1.2 billion in order 'to bolster Australia's border security'. This is on top of the \$772 million allocated in the 2010-11 budget for managing Australia's detention centres. Clearly, the government's attention and resources are being directed in the wrong place.

**MYTH: Stopping the boats is the solution**

**FACT**

The government should be focusing on increasing our refugee intake and working towards building the capacity of our regional neighbors to provide adequate protection for the large numbers of asylum seekers and refugees they host. It should also be working towards creating a regional cooperation framework that includes source, transit and host countries as a way to end the demand for people smuggling. A just framework would ensure the burden of asylum seekers and refugees is distributed evenly across countries and according to capacity.

<sup>6</sup> <http://www.theaustralian.com.au/news/breaking-news/refugee-intake-lowest-in-35-years/story-fn3dxity-1225833670011>

<sup>7</sup> [http://www.asrc.org.au/media/documents/how-we-compare-internationally\\_\\_.pdf](http://www.asrc.org.au/media/documents/how-we-compare-internationally__.pdf)

<sup>8</sup> <http://www.abc.net.au/unleashed/3650824.html>

<sup>9</sup> <http://www.smh.com.au/national/peoplesmuggling-laws-harsh-on-poor-fishermen-20100404-rls5.html>

<sup>10</sup> <http://www.abc.net.au/rn/backgroundbriefing/stories/2011/3347689.htm#transcript>

<sup>11</sup> <http://www.aph.gov.au/library/pubs/RP/BudgetReview2010-11/BorderProtection.htm>