

## **Australia 2012: Punishing asylum seekers who ask for protection**

On 22 January 1954, Australia became one of the first signatories to a landmark agreement to protect the world's asylum seekers and refugees.

Under the Refugee Convention, refugees deserve as a minimum the same standards of treatment enjoyed by other foreign nationals in a given country and, in many cases, the same treatment as nationals.

On 21 November 2012, Australia introduced a new level of unfairness in the way Australia treats asylum seekers who arrive by boat.

Under its “no advantage” test, asylum seekers who arrive by boat after 13 August, and all future arrivals, will wait years before being granted a protection visa – even after they have been found to be a refugee.

The arrangements for people on Bridging Visas under this “No advantage” test will be little different to the Howard Government's Temporary Protection Visa (TPV) arrangements and will deliver extreme disadvantage, leaving asylum seekers, already deeply traumatised by their refugee journey, with:

- No work rights
- The lowest level of financial support available
- No access to family reunion
- The threat of being sent to Nauru or Manus Island at any time
- A possible wait of about five years before they are granted a protection visa

It is not illegal to seek asylum by boat, yet the Australian Government is punishing asylum seekers for their mode of arrival.

Is this the way we treat vulnerable asylum seekers who ask Australia for protection?

### **How you can help**

Please contact your local MP and let them know your concerns. You could tell them:

- Withholding a protection visa to a recognised refugee for years under “no advantage” is a cruel and humiliating punishment of innocent, vulnerable people
- Denying boat arrivals access to family reunion will cause more grief and actually encourage whole families to travel by boat
- Denying recognised refugees work rights and providing the lowest social security support available is a very poor introduction to a new life in Australia and will undermine their capacity to contribute to Australian society
- If the Government's motivation is to save lives at sea, the answer is in encouraging safer pathways to protection, not by deterring desperate people who have few options but to seek asylum in Australia by boat
- The answer lies in building stronger refugee protections in countries throughout Asia, as the Expert Panel has recommended

## **How to contact your local MP**

[http://aph.gov.au/Senators\\_and\\_Members/Guidelines\\_for\\_Contacting\\_Senators\\_and\\_Members](http://aph.gov.au/Senators_and_Members/Guidelines_for_Contacting_Senators_and_Members)

## **Essential reading**

Refugee Council of Australia media release on “no advantage”

[http://refugeecouncil.org.au/n/mr/121121\\_Noadvantage.pdf](http://refugeecouncil.org.au/n/mr/121121_Noadvantage.pdf)

Minister for Immigration media release on “no advantage”

<http://www.minister.immi.gov.au/media/cb/2012/cb191883.htm>

Refugee Council of Australia analysis of the Expert Panel report

<http://www.refugeecouncil.org.au/r/rpt/2012-Expert-Panel.pdf>

The Refugee Convention

<http://unhcr.org.au/unhcr/images/1951%20Convention%20Q%20%20A.pdf>

## **Feedback is encouraged**

Please share any responses you receive through your advocacy work. Send any feedback to [media@refugeecouncil.org.au](mailto:media@refugeecouncil.org.au)

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