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Australia must not shirk its obligations towards asylum-seekers

Australia has an international obligation to allow the 438 asylum-seekers drifting in Australian territorial waters to disembark and apply for asylum, Amnesty International said today.

"With the ship currently in Australian territorial waters and with Australian troops on board, the Australian authorities are undoubtedly seized with the responsibility to examine the passengers' claims for protection in a fair and satisfactory procedure, in accordance with their international obligations," the organization added.

"A failure to do so might not only result in a humanitarian tragedy for the passengers on the ship, but also in hundreds of the refugees being eventually forced back to face persecution in their home countries."

Amnesty International is also urging the Australian government to act quickly and humanely in light of the deteriorating humanitarian situation on the ship.

The practice of intercepting vessels carrying refugees and asylum-seekers has increased during the past years in many parts of the world. However, the action taken by Australia in this situation is unprecedented.

"The boarding of troops to stop the vessel from reaching the nearest port and the current government proposal to introduce retroactive legislation reportedly to allow the ship to be forced out of Australian territorial waters, are deeply upsetting and in flagrant violation of the 1951 UN Refugee Convention to which Australia is a state party," Amnesty International said.

The Australian government's course of action also means that there is a risk that commercial ships in the future will be disinclined to provide assistance in rescue missions at sea, which might have tragic consequences.

Background

Many of the asylum-seekers on board the ship have fled from countries with appalling human rights records, including Afghanistan. More than 80% of the Afghans who have claimed asylum in Australia in the past years have been granted refugee status. Hundreds of asylum-seekers and refugees are believed to have perished at sea in their attempts to reach Australia in recent years.

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