

*Start date: 27/04/06*

### **Stop proposals that will punish asylum seekers in Australia**

On 13 April the Australian Government announced harsh changes which, if passed in parliament, will result in punishing asylum seekers arriving by boat. The proposed changes will probably go to parliament in May so now is the time to take action!

The changes will penalise people who arrive by boat seeking to exercise their fundamental right to seek asylum - by taking individuals to remote locations and placing them in detention, as well as by denying them legal assistance and the right to an independent appeals process. This is contravention of the UN Refugee Convention, to which Australia is a state party.

The changes represent a short-sighted approach to stem the flow of asylum seekers without taking into account the human rights abuses which may have caused people to flee. The number of asylum seekers arriving in Australia by boat has fallen considerably over the last five years from around 4,000 in 2000-01 to only 54 in 2005-06. In 2004-2005, not a single asylum-seeker arrived by boat.

AI is particularly concerned that:

- the involuntary transfer of persons to another country for asylum processing is inherently unlawful
- the risk of human rights abuses in the course of transfer and following the transfer is high,
- many asylum-seekers may end up being detained indefinitely in off-shore camps with no solution to their situation in sight
- prolonged detention in such conditions may amount to cruel, inhuman or degrading treatment or punishment
- the proposed changes take a step back from the government's positive changes in its asylum law of 2005, which resulted in the release of asylum-seeking and other children from detention

The UN High Commissioner for Refugees (UNHCR) has expressed concern about the proposed new measures, indicating that it is unacceptable for Australia to deflect its responsibilities to asylum seekers and refugees to other countries in this way.

If the new amendments are passed, Australia would be in breach of a range of its international obligations, including not to penalise asylum seekers and refugees arriving without authorisation; as well as to respect the human rights to all persons.

For further information see [Australia: One step forward– two steps back](#)

**Call to action**

Write to the Australian embassy in your country to stop the proposed legislation

Dear Ambassador,

I am writing to urge you to call for an immediate stop to proposed legislative changes to the Australian Migration Act which will result in serious breaches of Australia's obligations under international law.

We understand that the proposed changes, announced by the Australian Minister for Immigration, Senator Amanda Vanstone on 13 April, are likely to be before parliament in May.

If passed the changes will mean that asylum-seekers arriving by boat will be taken to remote off-shore locations and, most likely placed in detention centres or camps. In addition, it is likely that they will be denied legal assistance and the right to an independent appeal process.

Amnesty International considers that the transfer of persons to another country for asylum processing is inherently unlawful. Such measures would breach the duty not to penalise asylum seekers arriving without authorisation under the 1951 Refugee Convention, as well as basic standards of human rights against arbitrary and indefinite detention, cruel, inhuman or degrading treatment, and restrictions on freedom of movement.

We urge you to intervene as a matter of urgency with the Australian government.

Yours sincerely,

**Write to the Australian embassy in your country.****Dear Ambassador**

Find the address for the Australian embassy in your country from: [www.embassy.gov.au](http://www.embassy.gov.au)

If you are in Australia please [write to your local MP](#)

Stranded Indonesian ferry carrying Afghan and Sri Lankan refugees, off Christmas Island, Australia

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