

The Federal Government has introduced the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006 – or the “Indonesian Appeasement Bill” for short. It’ll sail through the House of Representatives despite backbench concern, but it can be stopped in the Senate.

TOP TEN REASONS TO STOP THE BILL

10. It is a worse change to Australia's refugee and asylum seeker laws than the introduction of mandatory detention in 1982.

It allows the government to “excise” all of Australia from claims for our protection, just because they come from people in boats from countries that can pressure us. At least with mandatory detention, refugees have a chance for protection after we’ve put them through the hoops.

9. It ignores the lessons of the Pacific Solution

Under the Pacific Solution in 2001, asylum seekers were kept under detention-like conditions on Manus Island (Papua New Guinea) and Nauru. Most of these asylum seekers were recognised as refugees. Most of them were resettled in Australia. But only after prolonged uncertainty and conditions caused damaged health, hunger strikes, and enormous expense. PNG and Nauru are both very problematic states – anything can, and does happen in return for their cooperation.

8. It flouts international refugee law

The Australian navy would be compelled to turn back refugees to the country they fled in fear of their lives, thereby violating the most important principle of the Refugees Convention. Asylum seekers would be penalised for their mode of arrival. By processing asylum seekers offshore, Australia would circumvent key provisions of the Refugees Convention.

7. It deprives asylum seekers of a fair hearing

In Nauru (or other offshore processing facilities), asylum seekers won't have access to appropriate support, to an independent review of refugee determination decisions, and to judicial review of decisions. If the system of determination here is flawed, fix it, don't avoid it. Politically based assessment of refugee claims by public servants or private contractors is a recipe for disasters.

6. It disregards the human rights of asylum seekers, including children

Asylum seekers, who are often already traumatised as a result of persecution they suffered before fleeing to Australia, are particularly vulnerable to further psychological damage. This is even more so the case for children. Under the new legislation, asylum seekers, including children, may be kept for many years in offshore processing facilities, even if their refugee claims have been successful, because other countries are likely to follow Australia's lead and refuse to resettle them.

5. It ignores moral and historical responsibilities to sort out the problems at the source

For more than forty years, Australia has supported claims that West Papua is an integral part of Indonesia. To placate the Indonesian government, we have consistently played down knowledge of human rights violations there. By doing so, we have assumed a particular responsibility towards West Papuans fleeing for fear of their lives. Australia also has a historical responsibility to help its former colony and closest neighbour, Papua New Guinea, to deal with the West Papuan refugee crisis.

TOP TEN REASONS TO STOP THE BILL AND THREE THINGS YOU CAN DO TO STOP IT

4. It damages Australia's international standing

By implementing the proposed legislation, Australia will abandon key responsibilities under the Refugee Convention. It would set a bad example for countries in the region that are looking for Australian leadership in the area of human rights. By rewriting domestic law in response to diplomatic pressure, it would invite further attempts by foreign governments to influence Australian legislation in pursuit of their national interests.

3. It takes the pressure for reform off the Indonesian Government

Indonesia has made a set of international pledges on human rights which provide a clear framework for progress towards the rule of law. Let's give Indonesia the assistance it needs to support these moves. The best protection against people getting into boats and coming our way is helping them be secure at home.

2. It is contrary to the government's own mandate.

In 2001, the government stopped the Tampa refugees from landing in Australia, and at the election it claimed that we should decide who comes to our country, and the circumstances under which they come. In 2006, the government attempts to enact legislation that would allow a foreign government to decide who comes to our country.

1. We can do better than this.

Why should we go along with the latest idea from the folks who brought us detention and deportation of Australian citizens with funny accents, children overboard, and children in detention? They've promised to clean up their act – let's start with this Bill.

And three things you can do:

1. Send a simple message to all the Senators in your state:

After all that has gone wrong in immigration lately: Vote No to this Bill, or just don't vote for it.

2. Send this message as widely as possible to your friends, families and colleagues

3. Find out more,

get Senate addresses, and support the campaign fund, at www.rightsaustralia.org.au