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Responding with Mercy, Striving for Dignity Restoring dignity or enforcing stereotypes?: Australia's asylum seekers

Recent domestic and world events invoke feelings of shock, horror, sadness and anger in all of us. They have also encouraged the linking of crime, religion and ethnicity with asylum seekers and refugees.

The majority of asylum seekers who were aboard the Tampa are Afghani. Afghanistan has also been linked with the American terrorist attacks. In this paper we put before you some key elements of the historical background of Afghanistan in order to remind ourselves what Afghani asylum seekers are fleeing from.

What are asylum seekers fleeing from?

- There has been civil war in Afghanistan since April 1978;
- In 1992 the country fell into the power of the factional Afghan resistance, and the majority of the country's infrastructure was ruined (schools, roads, hospitals, productive land). Roughly one million Afghans had perished from a pre-war population of just over thirteen million;
- In September 1996 the Taliban took Kabul, the capitol of Afghanistan, with the support of Pakistan and Osama Bin Laden;
- The majority of the Taliban are from the Pushtan ethnic group;
- The Taliban continue to fight a civil war against the United Front;
- Extremist factions of Taliban have committed serious crimes against

humanity, particularly against the Hazara and Tajik ethnic groups;

- Women within Afghanistan, many previously employed as teachers and doctors, are now not permitted to work or to move outside their homes unless accompanied by a male relative. As a result, women are often not able to seek medical care, and girls do not attend school. Entire families have been driven into destitution as a result.

The international community: active or passive?

Neighbouring nation states naturally will have political, economic and social interest in countries conflicts, sometimes manipulating them for their own gain. Supporting a civil war may benefit countries through economic advantage or increased external and/or internal security. It is indeed true that the Taliban could not have risen to power without the assistance of close neighbours. However, the United Front have also been helped by foreign nations. This type of assistance can take the form of: military support, aerial resupply, construction, military training, transportation of munitions and military equipment, unchecked border crossings and financial assistance.

As highlighted by Fr Mark Raper SJ, it is also important to study the source of weapons that escalate these conflicts. Who designs, manufactures and sells arms? What fishing,

mining or timber concessions were granted in payment for weapons? Which countries fund civil war for their own gain? It is also essential to question if western nations have played a role in the creation and maintenance of morally questionable governments.

We live in a global community. Political movements are not created in isolation, but are rooted in economic, social, and political history. The global community plays a role in this history, whether active (the supply of arms and financial support) or passive (turning a blind eye to emerging atrocities). We are all, therefore, responsible for the outcomes.

The rights and responsibilities of freedom

Adelaide Abankwah, a refugee from Ghana who sought asylum in America, explains her two year and four month detention experience:

Refugees come to this country thinking it is a land of freedom – freedom of speech, freedom of religion, freedom from persecution. Detention almost killed my soul. Prayer and humanity saved me. (JRS, 2001:119)

Australia does have the right to sovereignty (to determine who can and cannot reside in this country), but our nation also has a responsibility to uphold international human rights law, of which refugee law is a part.¹

Detention, one of the ways through which Australia enforces the right to sovereignty is the standard response to people arriving in Australia without a valid visa. The Refugee Council of Australia (RCOA) states that there have been positive developments within our detention system over past few years. These improvements include better conditions, priority processing, case management, and more rigorous testing of claims, but serious concerns do remain. These concerns relate to the human rights implications of the detention of asylum seekers, the suffering imposed on detainees, and the significant cost to the

community of the detention of asylum seekers. For more information on this topic and alternatives to detention, please see RCOA's *Alternative Detention Model* at www.refugeecouncil.org.au.

Until human rights abuses are stopped, refugees will continue to seek freedom of speech and religion, and freedom from persecution.

Linking religion and crime: breaking the myths

The linking of religion and crime can cause discrimination and stereotypes. The Tampa crisis and the recent terrorist attacks in America have been accompanied by increased attacks against Australian-Middle Eastern men, women and children. Islam is a religion that derives its name from the word peace, and peace is one of the names of Allah. The sermon delivered to 7,000 Muslims at Lakemba Mosque on the 15th of September emphasised that 'Islam says that any person who kills another person unjustly, it is as if this person has killed all people, and anyone who rescues the life of one person, it is as if this person had rescued the lives of every person.' Osama Bin Laden and his supporters do not represent all Muslims, indeed asylum seekers from Afghanistan are fleeing the Taliban's extreme Islamic fundamentalism.

¹ Australia is a signatory to numerous human right conventions, for a list of these see www.unhcr.ch/html/intlinst.htm.

Responding with Mercy, striving for dignity

Recent domestic and world events invoke feelings of shock, horror, sadness and anger in us all. In reflecting on these events, Sr M. Carmel Bourke in her writings reminds us that the foundress of the Sisters of Mercy, Catherine McAuley, strove to restore dignity to the poor: 'her compassion was no facile sentiment, but a concrete response to a perceived need, a response that was immediate, practical, constructive, ingenious, giving skills and power, enabling the poor to help themselves, and to find a new dignity in doing so.'

Sr Carmel also states that Catherine interpreted the term 'poor' universally, and tended to people of any rank or creed. Refugees and asylum seekers are marginalised and powerless. They come from all ranks and creeds. A mother is a mother, a father is a father, and a child is a child whatever their country of origin or their religion. Whatever their background, refugees and asylum seekers need our understanding, compassion and mercy.

Here we must ask ourselves: are we treating the asylum seekers who arrive on our shores with understanding? Does our detention process help to restore peoples dignity? Are we allowing fear to overcome a recognition of our common humanity?

Relevant Facts

- 1. People who arrive in Australia without the proper documentation are not illegal, they are asylum seekers – a legal status under international law.**
- 2. Australia receives relatively few refugees by international standards. Britain hosts one refugee for every 530 people, while Australia hosts one refugee for every 1583 people.**
- 3. In 2001 Australia will receive only 12,000 refugees through its humanitarian program. In the early 1980s we accepted 20,000 refugees.**
- 4. 1 in every 115 people on earth are refugees and a new refugee is created every 21 seconds.**
- 5. In 1999 97% of asylum seekers from Iraq and 93% of asylum seekers from Afghanistan were recognised as genuine refugees by the Department of Immigration.**

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A list of internet resources follows the bibliography in order to help you explore issues and concerns relating to the human rights of refugees and asylum seekers.

Bibliography

Bourke, M. Carmel *Catherine McAuley and the First Sisters of Mercy*, Convent of Mercy Adelaide, June 1987.

Edmund Rice Centre and The School of Education, Australian Catholic University *Just Comment – Special Edition*, September 2001.

Raper, Mark “New Scenarios for Old: populations displaced” in Vella, D. (ed) *Everybody’s Challenge: Essential Documents of the Jesuit Refugee Service 1980 – 2000*, Jesuit Refugee Service, Rome, 2000.

Refugee Council of Australia *Alternative Detention Model*, available at: www.refugeecouncil.org.au .

Resources

United Nations

United Nations: www.un.org

United Nations High Commission for Refugees: www.unhcr.ch

Non-government – International

Amnesty International: www.amnesty.org

British Refugee Council: www.refugeecouncil.uk

Canadian Council for Refugees: www.web.net/~ccr/fronteng.htm

Centre for Refugee Studies: www.yorku.ca/crs/

Danish Refugee Council: www.english.drc.dk

Human Rights Watch: www.hrw.org

Mercy Refugee Service: www.mercyrefugee.org

Jesuit Refugee Service: www.jesref.org

Non-government – Australia

AustCare: www.austcare.org.au

Centre for Refugee Research, University of NSW: www.crr.unsw.edu.au

Federation of Ethnic Communities’ Councils of Australia: www.fecca.org.au

National Council of Churches: www.ncca.org.au

Refugee Action Collective: <http://home.vicnet.net.au~rac-vic/>

Refugee Council of Australia: www.refugeecouncil.org.au

Government – Australia

Department of Immigration and Multicultural Affairs: www.immi.gov.au

Human Rights and Equal Opportunity Commission: www.hreoc.gov.au

Refugee Review Tribunal: www.rrt.gov.au