**LABOR FOR REFUGEES - SPEECH TO ALP BRANCHES BY JENNY HAINES**

**CO-CONVENOR OF LABOR FOR REFUGEES NSW – June 2015**

On the 60th Anniversary of the Signing of the Refugee Convention, on World News Radio, Dr Susan Harris-Rimmer, Director of Studies at the Australian National University's Asia-Pacific College of Diplomacy said of the Refugee Convention-

"*Robert Menzies signed on to the Convention in 1954 because the memory of war -- and the aftermath of war, and the negotiations to deal with all the refugees produced by the Second World War -- was still very fresh in the Australian memory. I mean, Robert Menzies was no soft-hearted humanitarian. He wasn't necessarily an internationalist. He was pretty similar, in many ways, to the current Prime Minister, Tony Abbott, and John Howard. He was acting in Australia's national interests. Darwin had been bombed, Australians had been captured in Singapore, enemy submarines had been in Sydney Harbour. It wasn't inconceivable to Menzies that Australians might be refugees themselves. And so there was a reciprocity in signing the Convention, in the sense it might benefit Australians or our neighbours, and that sense of reciprocity is the heart of international law.”*

Reference <http://www.sbs.com.au/news/article/2014/01/22/advocates-mark-60th-anniversary-refugee-convention>

The commitment to the Refugee Convention in 1951 was a bipartisan commitment. Doc Evatt the Labor Leader at the time had been instrumental in the establishment of the United Nations and the writing of the Universal Declaration of Human Rights. He was enthusiastic about the formation of the Refugee Convention.

Paul Power from the Refugee Council of Australia reported on the 60th Anniversary of the signing of the Refugee Convention that -

“*Australia was represented at the July 1951 Conference in Geneva, where they spent three-and-a-half weeks developing the various articles of the Refugee Convention, and one of the articles said that it would come into force 90 days after the sixth country ratified, or acceded to, it. And it just so happened that Australia was the sixth country."*

Ahead of Australia, five European countries -- Denmark, Norway, Belgium, Luxembourg and Germany -- had signed up over the first two years.

Indeed, the original convention was very much about Europe, where the war had displaced millions of people.

Many were Jewish refugees who had escaped the Holocaust, and many were Eastern Europeans who didn't want to go back to their home countries now under Communist rule.

Mr Menzies signed into effect an International Convention that defined who was a refugee, the rights of a refugee and the legal obligations of countries signing up to the Convention.

Refugees were, it said, people outside their own countries who feared persecution because of their race, nationality, membership in a particular social group or political opinion.

Nations signing up, it said, could not expel refugees, could not return them to places where they were not safe.

The Convention, in fact, referred specifically to events occurring in Europe before 1 January 1951.” Reference Ibid.

In 1967, Australia ratified the Protocol Relating to the Status of Refugees. 146 countries ratified this Protocol. Where the United Nations 1951 Convention relating to the Status of Refugees had restricted refugee status to those whose circumstances had come about "as a result of events occurring before 1 January 1951", as well as giving States party to the Convention the option of interpreting this as "events occurring in Europe" or "events occurring in Europe or elsewhere", the 1967 Protocol removed both restrictions on time and place. Reference:<http://en.wikipedia.org/wiki/Protocol_Relating_to_the_Status_of_Refugees>

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**How times were different then.** Or were they? There were millions of displaced people fleeing war, persecution, torture and death. There ARE millions fleeing war, persecution, torture and death now. Certainly many of those displaced then were European and many were Christian. Now refugees largely come from the Middle East, Arab Countries and South East Asia and aren’t Christian. Why does that make a difference? Australians themselves had been through the deprivations of war, whereas now Australians live in comparative luxury compared to the living conditions of refugees on the trail to find a safe haven.

In our political life bipartisanship on the issues of refugees and asylum seekers has become fraught, with the LNP Coalition seemingly determined to take the toughest line they can get away with with the electorate, and the Labor Party Federal Caucus in government and in opposition struggling to keep up.

John Howard set the pace after 9/11 with the Tampa and the fear campaign that those coming on the boats may be terrorists. What self respecting terrorist would get on a rickety boat and risk drowning? They would fly in of course! The Labor Party led by Kim Beazley was helpless and hopeless in the face of Howard’s assault on the rights of refugees. It was Beazley’s me-tooism that led John Robertson, Amanda Tattersall and Paul Howes to found Labor for Refugees.

Labor for Refugees is made up of party members and trade unionists who, in 2001, committed themselves to updating and improving Labor Party Policy on refugees and asylum seekers. At State and Federal Conferences of the party since then Labor for Refugees have worked hard. At the 2002 NSW State Conference, Labor for Refugees successfully led the push for the improvements to NSW State Party Policy on refugees and asylum seekers, combining Right and Left voters in an almost unanimous updating and improvement in party policy. NSW State Party Policy on refugees and asylum seekers was updated again in 2007. Labor for Refugees was instrumental in the improvements to National Policy at the National Conferences of the ALP in 2004, 2007, 2009 and 2011. The next National Conference of the ALP is going to be crucial in determining whether the ALP can return to a fair and humane policy on refugees and asylum seekers.

We face a crossroads in our party. In the last 2 years at least four State Conferences of the ALP have supported Labor for Refugees initiated motions. In WA, Victoria and Queensland, those resolutions were carried unanimously. In NSW there were amendments but the resolution put by Labor for Refugees was only narrowly lost. We have a divided Caucus with a number of members, Melissa Parke MP for Fremantle, Anna Burke, the former Speaker of the House, and others trying to move the Caucus to a more humane position. The Federal Labor Caucus Majority at the present is committed to offshore processing. This was the position adopted by the Gillard Government after a number of deaths at sea from 2008. The Caucus Line now could be summed up with – we have to maintain the offshore detention centres but administer them better than the LNP in Government in order to stop the boats and stop the drownings.

Labor for Refugees recently published our second book The Drownings’ Argument in which 11 prominent writers and activists for refugees explode the drownings’ argument. Ged Kearney launching this book in Geelong recently called it a “*small book but mighty*”. You can order a copy of this book here tonight. Julian Burnside, the prominent Melbourne QC who now campaigns for refugee and asylum seeker rights, and who has just won the Sydney Peace Prize for his efforts, says in this book,

“*Let’s be very clear about this: every death at sea is a tragedy. No-one wants to see refugees die in their attempt to escape persecution, but the often recited concern about refugees drowning is just hypocritical propaganda.”*

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*“People like Abbott and Morrison express their concern about refugees who drown. They are not sincere, but it provides a vaguely respectable excuse for harsh policies. I will say this plainly: when Abbott and Morrison say they are worried about refugees drowning on their way to Australia, they are lying: they are deceiving the public. It opens the way for them to mistreat asylum seekers who have not drowned, and it helps them pursue the darker purpose of keeping refugees out.”*

Reference The Drownings’ Argument, Labor for Refugees, 2014, Page 12.

But our Shadow Immigration Spokesperson Richard Marles suggested recently that the Caucus move on from that position when he said in a stunning departure from previous Federal Labor Caucus refugee policy on Sky News on Sunday 26th October 2014,

*The opposition immigration spokesman gave his strongest indi¬cation yet that if Labor was ¬returned to office it might not ¬jettison the centrepiece of the -Coalition’s border protection.  
Labor would need to be convinced the policy was safe and not erode the relationship with Indonesia, Mr Marles said, adding those questions had not been answered because of the “shroud of secrecy of operational security’’.  
“We have no doubt at all about the impact of the turnback policy,’’ Mr Marles said. “It has had an impact and, let me be clear about it, it has to be said in combi¬nation with the regional resettlement arrangement which Labor put in place.’’  
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In response to Richard Marles’s comments, Robin Rothfield the National Co convenor went public warning Richard Marles that he was “*out of step with party members”,* calling Richard’s statements about retaining the Coalitions hard line on boat turnbacks as *“absolutely* *appalling”* and *“totally unacceptable*.” Robin said, *“He has to keep in tune with the party membership. His views are totally out of line with the party membership.”*

Reference <http://www.theaustralian.com.au/national-affairs/immigration/opposition-immigration-spokesman-richard-marles-out-of-step-on-towbacks/story-fn9hm1gu-1227102893257>

Richard Marles backed down after several members of Caucus refused to back his proposed change to their policy but there was a quote in the media from some right wing members of the Caucus for his proposal to be put to the next National Conference of the ALP.

Melissa Parke warned Richard Marles recently that if he tries to put this policy to National Conference and it is carried by the conference, such an outcome will have dire consequences for the ALP.

Reference <http://m.theage.com.au/federal-politics/political-news/richard-marles-talks-down-adopting-boat-turnbacks-strategy-after-labor-revolt-20141027-11cckv.html>

Labor for Refugees wants the next National Conference of the ALP to be a break away from the policies that Labor has pursued over recent years. The next National Conference of the Party is a chance for Labor to make a break with the past and move towards a more humane and fair policy for refugees and asylum seekers. What we also need now is a commitment that those who will be part of a Labor Government on our behalf will accept and implement a more humane policy, and not keep allowing the LNP Coalition to set the agenda on the treatment of refugees and asylum seekers.

**SO WHAT IS THE SOLUTION?**

Australia needs to grow up and recognise that we are part of the world and that we have international obligations as a world citizen. We are currently taking 13,500 refugees and asylum seekers a year, reduced by the current government from 20,000. Recently 250,000 refugees crossed from Syria into Turkey in a matter of days and we whinge and whine about 13,000 in a year! Sweden takes in more refugees through the UN agency UNHCR than any other European country; this year it has decided to allocate almost one-third of its quota (600 out of 1,900 resettlement places) to Syrian citizens and Palestinians from Syria. Reference: <http://www.theguardian.com/world/2014/apr/29/syrian-refugees-sweden-new-life>

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Lebanon, a country with many troubles is almost at breaking point with trying to care for the refugees flooding in to that country. In October 2014 the U.N. High Commission on Refugees estimated that by December 2014, Lebanon will have taken in 1.5 million refugees. This is a considerable burden for a country with a population of only 4.5 million, leading Lebanon’s government to announce last week that they could no longer continue to accept Syrian refugees. Reference: <http://www.ipsnews.net/2014/10/lebanon-at-breaking-point-over-refugees/>

After a terrible number of drownings at sea, and uproar within the Italian community, the Italian Government has until recently run a program called Mare Nostrum in which they went out to collect people from asylum seekers boats and welcome them with open arms as migrants. That program was modified on the distance they would go to do pick-ups due to the cost to the Italian Government, already struggling with the after effects of the GFC. With the stopping or Mare Nostrum the inevitable happened, more mass drownings at sea. Now the EU is formulating a plan to rescue asylum seekers and distribute them across the EU. Each EU country has been asked to take 40,000.

Australia needs a properly negotiated and structured regional framework in which we acknowledge our responsibilities not just dump them on countries like Cambodia which can barely afford to feed, clothe and educate its own people. So far the Abbott Government have spent $55.5 million on getting 4 refugees to Cambodia. We need to work with our regional neighbours towards a system of co-operation which ensures the protection – not rejection – of people seeking safety and security. And this process needs to start BEFORE people get on boats or even need to get on boats. Labor for Refugees has outlined how this could work to several Labor Ministers and our views are documented in our first book, Alternatives to Offshore Processing. Ministers say to us that the Indonesians won’t co-operate. We have had people talking to the Indonesian bureaucracy and they are very interested in the idea. It can be done. There just has to be the will in government.

The next Labor Government needs to develop approaches to the processing of refugees and asylum seekers which are based on decency, the rule of law and which protect human rights.

The current National Platform says

*“Labor recognises the economic and social contribution that has been made by migrants and refugees throughout our nation’s history. Labor regards Australia’s diversity as a source of national strength and a critical factor in nation-building.*

147 Australia is and will remain a society of people drawn from a rich variety of cultural,

ethnic, linguistic and religious backgrounds. Australia is and will remain a multicultural

society.

148 To support Australia’s multicultural society, Labor’s migration policies will:

●● remain non-discriminatory

●● respect the heritage and traditional customs of migrants and their children

●● recognise the importance of all aspects of the migration program, including skilled, family and humanitarian streams

●● be evidence-based, supported by rigorous research and evaluation

●● support Australia’s social cohesion by encouraging universal respect for Australia’s

democratic beliefs and laws, and the rights, responsibilities and privileges of Australian

citizenship

●● promote our cultural diversity and combat prejudice and discrimination

●● consistently oppose those who foster extremism, hatred, ethnic division or incitement to

violence.”

We in the Labor Party, we as Labor in Government need to give effect to those words.

**END OF SPEECH**