

Labor for Refugees



A LABOR FOR REFUGEES (NSW) PUBLICATION

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 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. 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

THE NEXT NATIONAL CONFERENCE OF THE ALP IN 2015

In the latter months of the last Federal Labor Government, Julia Gillard moved to re-open the offshore detention centres, claiming that only offshore detention could deter the boats from sailing from Indonesia. On the 7th September 2013 the Abbott Government was elected and immediately started implementing its policy of stopping/turning around boats sailing to Australia from Indonesian waters. Utilising military and navy resources, operating in secrecy, and utilising very expensive orange lifeboats, each of which was only used once, the Australian government turned around or towed or transferred desperate people back to Indonesian waters, breaching Indonesian sovereignty, and left people on Indonesian islands. What happened to those people next is largely unknown. What Minister Morrison has never told us, is where the people who may have come on boats during the Abbott Government's term are located, and what state they are in. It is understood that there is more than 10,000 asylum seekers now in Indonesia awaiting placement in a safe country and that many of them are in very poor circumstances. There are reports of asylum seekers begging to be taken into detention in Indonesia so that they can eat.

Since the change in policy by the Gillard and Rudd Governments, the majority in the Federal Party Caucus has continued to say that their re-opening of the offshore detention centres stopped the boats, and that offshore detention must continue in order to deter more boats coming. But recently, the current Opposition Immigration Spokesperson, Richard Marles, proposed that a future Labor Government may continue the Abbott Government's program of stopping the boats. Uproar followed within the Federal Caucus, the ALP generally and in the community. By the following day, Richard Marles was backing away from these comments.

It now appears that the majority in the Federal Party Caucus intend to try to have the National Conference endorse the policy on refugees and asylum seekers that they have been pursuing since the Gillard and then Rudd Governments, that is, the continuation of mandatory sometimes indefinite detention and the endorsement of offshore processing. Labor for Refugees is determined to defeat these moves at the National Conference.

WHAT MUST BE DONE

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. Contrary to the latest moves by the Federal Parliamentary Caucus, the resolutions carried by the State Conferences embodied the following principles –

Labor's policy regarding asylum seekers and refugees will....

1. Ensure that people who seek asylum in Australian territory are not punished or discriminated against for their mode of arrival.
2. Labor will close all offshore detention centres including those on Nauru and Manus Island.
3. Use detention facilities solely for ascertaining health, security status and identity as quickly as possible.
4. Unaccompanied children and children of asylum seekers arriving by sea will be placed into community run reception centres together with their families.
5. Where adult asylum seekers without children arriving by sea are detained for the purposes of health, identity and security checks, detention will be capped at a maximum of 30 days unless a Court determines otherwise. They will then be granted bridging visas while the merits of their application for refugee status are assessed.
6. Ensure that those in detention facilities have access to an appropriate standard of care including health and education services.
7. Ensure that claims are processed in a timely manner, adhering to principles of procedural fairness and natural justice.
8. Operate on the basis that refugee status, once granted, shall be permanent.
9. Reject the excision of any part of Australia from its own migration zone.
10. Ensure there is no refoulement.
11. Be based on transparency, independent oversight and accountability.
12. Treat those with pending claims in the same way, for the purposes of work, services and benefits, as people whose refugee status has been accepted.
13. Recognise that Australia needs to work globally to address the issue of displaced people, and to include a government-wide commitment to building cooperative relationships with our regional neighbours with the object of significantly increasing resources and the capacity for processing in countries of primary or secondary origin. This will be done in consultation with the United Nations High Commission of Refugees and countries of the region.
14. Refrain from taking any action to make travel to Australia more dangerous.
15. End privately operated detention facilities.
16. Reject the discriminatory policy of mandatory behavior protocols.
17. Recognise that persecution on the grounds of gender and/or sexuality gives rise to a legitimate claim for asylum.
18. Reject recent changes to assessment processes including "enhanced screening" and any changes to the definition of "serious harm" or "persecution" including any change to the risk threshold from the "real chance test" to the "more likely than not test"
19. Increase our humanitarian intake substantially.
20. Reject the practice of indefinite detention due to a negative ASIO assessment.
21. Maintain Complementary Protection laws.

WHAT CAN PARTY MEMBERS AND BRANCHES DO?

Labor for Refugees calls on all party branches, forums, FECS and SECs to pass the following resolution:

This of the ALP calls on the National Conference of the ALP in 2015 to put in place a policy on refugees and asylum seekers that implements in practice the principles adopted by Labor for Refugees and supported by several State Conferences of the ALP. It's time for Labor to restore a fair and humane policy on refugees and asylum seekers.

Send this resolution to the Shadow Minister for Immigration, the Opposition Leader, the National Secretariat, your Party Secretary in your State/Territory, Delegates to National Conference, your FEC and a copy to Labor for Refugees.

Labor for Refugees is willing to send speakers to your branch or party forum before National Conference to meet with your members. Please contact Nizza Siano, Secretary of Labor for Refugees at Labor4RefugeesNSW@gmail.com

Please also consider joining Labor for Refugees. You can access our Membership Application online at our website www.labor4refugees.com

Authorised by Shane Prince and Robin Rothfield, National Convenors, Labor for Refugees.