
Gillard government jeopardising the life and security of asylum seekers - Alliance

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The Australian Lawyers Alliance is calling on Prime Minister, Julia Gillard, to issue a clear statement that if re-elected as Prime Minister she will not send asylum seekers back to regions where there is a high probability of them being killed or injured.

"To send people back to such a situation is morally reprehensible," Australian Lawyers Alliance director, Greg Barns, said.

"Such action undermines the rule of law and is in breach of Australia's international human rights obligations – most particularly *Article 31 & 33 of The 1951 Refugees Convention*, not to mention the fact that it destroys any international humanitarian reputation that Australia still has," he said.

Article 31 states: Australia is not allowed to impose penalties on refugees and obviously this would include sending them back to places where they can be persecuted or killed.

Article 33 states: Australia is prohibited from expelling or returning refugees to a place where the refugee's life or freedom would be threatened on account of his or her race, religion, nationality or membership of a particular social group or for their political opinion.

"The vast majority of asylum seekers who come to Australia are found to fall in to one of these categories and so it can be safely assumed that if the Gillard government was to return asylum seekers to their country of origin they would be jeopardising their lives," Mr Barns said.

"Further, it would mean Australia is morally responsible for the death of people sent back who are later persecuted," he said.

The Alliance was responding to reports that the PM was pandering to a fear of losing the federal election in marginal seats by adopting a hardline policy stance against asylum seeker entry to Australia, in order to win the election.

He said Australia had obligations under international law not to allow people to be tortured or subjected to cruel and unusual punishment and that sending people back to persecution would do exactly this.

“Ms Gillard may be on the back foot because of the way she came in to office, but if she is appealing to the Australian public to judge her on how she does her job, now is the time to show she has some moral and ethical fortitude and do the right thing on this issue,” Mr Barns said.

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