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Human rights situations that require the Council's attention

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Australia's policies towards asylum-seekers and refugees who arrive by boat

According to various media reports, about 1,000 refugees who tried to reach Australian shores by boat have died in accidents at sea in recent years.

Society for Threatened Peoples welcomes the August 22 statements of the United Nations Human Rights Committee regarding the detention of asylum seekers in Australia and the Committee's call for on Australia to release 46 refugees which had come by boat and were submitted to cruel, inhuman and degrading treatment.

According the Reuters, seven of the refugees - a mother and her son born in 2007, and a family of five - have been granted visas and released, but the other 39 have been held in immigration detention facilities for more than two and a half years. Many of them arrived in Australia between March 2009 and December 2010. According to the New York Times they were first brought to Christmas Island, and subsequently brought to the network of immigration detention facilities across the country.

In July of 2013 Australia's Prime Minister Kevin Rudd announced that refugees arriving in Australia by boat would be sent to centers for refugee-processing in Australia's northern neighbor Papua-New Guinea. But that does not mean that even if they can prove to be refugees they can live in Australia: they will be resettled in Papua New Guinea, a very poor country.

In 2012, then-Prime Minister Julia Gillard had decided to open offshore detention centers in Nauru and Manus Island. According to media reports these facilities lacked the infrastructure to properly handle the asylum seekers. In November 2012 the Australian authorities transferred four children to Manus.

The UN High Commissioner for Refugees (UNHCR) described the situation of asylum-seekers on Manus Island as arbitrary and not in conformity with international human rights law. It stated that all asylum-seekers on Manus Island showed signs of anxiety and depression. So far the Australian government has not issued details about how it plans to improve the psychological well-being of the asylum-seekers.

Society for Threatened Peoples calls on the Human Rights Council to urge the government of Australia to:

- Adhere to its obligations under the Refugee Convention and international law regarding asylum-seekers and refugees. Australia must end its policy with regards to the mode of arrival of asylum-seekers and refugees. All applications must be assessed in the same manner.
- End its policy of denying those people who were sent to Papua New Guinea the possibility of settling in Australia in case they are recognized as refugees.
- Work for an improvement of the well-being of asylum-seekers and refugees.
- Abolish the indefinite detention of those who arrive on Australian shores by boat.