

AUSTRALIA'S REFUGEE AND ASYLUM SEEKER POLICY

Resolved
That the Synod

Part A

Note

- (a) the principles adopted by the Assembly Standing Committee regarding the human rights of asylum seekers and Australia's appropriate response to them; in summary:
 - (i) The human rights of all people must be upheld at all times;
 - (ii) The Australian response to asylum seekers and refugees should be culturally sensitive and take into account the situations from which people have come;
 - (iii) Australia's policies and legislation should reflect a commitment to the rights and safety of asylum seekers and distinguish these from issues such as border protection;
 - (iv) There should be no discrimination in the treatment of asylum seekers, refugees and humanitarian entrants;
 - (v) Appropriate and sensitive language should be used when describing asylum seekers and refugees;
 - (vi) Australia must help those who come to Australia seeking asylum to put their case for asylum;
 - (vii) Asylum seekers must have full legal rights and protection;
 - (viii) Australia must help those who come to Australia seeking asylum by providing those services that are required by human rights law;
 - (ix) Australia's policies and legislation should refer particularly to the rights and needs of child asylum seekers and refugees;
 - (x) Australia must act towards asylum seekers, refugees and displaced persons in a way consistent with good global citizenship and Australia's relative affluence.
 - (xi) The immigration system should be accountable and transparent;
 - (xii) People whose refugee claims have been rejected and who are waiting to be returned should be treated justly and humanely.
- (b) that in the Christian tradition
 - (i) God shows particular concern for the stranger and the alien,
 - (ii) Jesus calls us to be neighbour to those who are the victims of violence, persecution and poverty

- (iii) Jesus reminds us that the test of our love for him is our concern for the homeless and those who are in prison or detention
 - (iv) Caring for our neighbour in need is a response to the grace of God, which calls forth all that we are and all that we have;
 - (c) that in the past twelve months, the Uniting Church has engaged in extensive advocacy challenging Australia's current policy on asylum seekers including written and personal communication with the Minister for Immigration, Multiculturalism and Indigenous Affairs, the Department, the Human Rights and Equal Opportunity Commission and other relevant bodies; and
 - (d) that in the past twelve months, a number of congregations, ministers, chaplains and members of the UCA have offered ministry to detainees in detention centres and to those who have been released, and advocated on their behalf;
 - (e) that there is a national task group on refugees and asylum seekers, with National Social Responsibility and Justice as the lead agency, and synods and other assembly agencies represented;
 - (f) that the Assembly has called on synods and congregations to contribute to a fund for ministry in remote detention centres such as Port Hedland: and
 - (g) that coalitions such as Justice for Asylum Seekers have developed detailed and workable alternative approaches to reception and processing of asylum seeker claims;
- (agreement)

Part B

Also note that the Australian policy on refugees and asylum seekers discriminates unfairly between asylum seekers on the basis of their method of arrival in Australia, treating with greater punitiveness unauthorized arrivals by boat. The "Pacific Solution" and the policy of mandatory detention for this group:

- (a) violates both the specific rights they have under the Refugee Convention 1951, and their human rights under the international instruments that Australia has ratified;
- (b) is especially harsh and harmful to children
- (c) is damaging to Pacific Island nations who are used to process refugees who are rightfully the responsibility of Australia;
- (d) ignores those organizations and individuals in the community who are willing to offer hospitality to new arrivals;

(agreement)

Part C

Encourage the Moderator, UnitingCare NSW.ACT, congregations and members of the Uniting Church to continue their work on this matter, and in particular

- (e) to make use of the Assembly principles in their advocacy
- (f) to continue to advocate on behalf of detainees whose human rights are being violated in Australia
- (g) to continue to find ways of assisting people in detention and people who have recently been released from detention;
- (h) to pray for the world, that God may restore peace and justice, enabling displaced persons to return home
- (i) to pray for Australia, that as we await God's healing of the world, our nation might act with compassion and hospitality towards displaced persons;
- (j) to pray for those in detention centres in Australia, and for displaced persons around the world, that they may find courage, hope, community, healing and a safe home;
- (k) to pray for the Australian Parliament, that they may interpret our international obligations with compassion and hospitality.

(agreement)

Part D

The New South Wales Synod of the Uniting Church in Australia calls upon the Government to:

1. Abolish all policies and practices that discriminate against and/or punish asylum seekers, refugees and humanitarian entrants.
2. Immediately release all children and their families (or primary caregivers in the absence of their parents) from immigration detention and offshore processing centres into monitored community release until they are granted protection or returned home safely.
3. End the policy of indefinite mandatory detention of unauthorised arrivals who are asylum seekers and institute a humane and short-term system of health, security and identity checks.
4. Uphold the rights of refugees and asylum seekers. In policies and legislation, our commitment to care for asylum seekers and refugees, including those whose claims have been rejected, must be clearly distinguished from issues of border protection and people smuggling.
5. Abandon the Pacific Solution and redirect the funding to the onshore protection program and the United Nations High Commissioner on Refugees (UNHCR).
6. Provide support for asylum seekers in the community including health and education services, legal assistance

and assistance to meet basic needs. Grant all asylum seekers work rights and access to Medicare.

7. Ensure that all refugees and humanitarian entrants have access to full settlement support and public services.
8. Abolish Temporary Protection Visas that are granted on the basis of entry into Australia or movement beyond the first safe country and grant all refugees Permanent Protection Visas.
9. Renew Australia's commitment to offering both generous numbers of resettlement places and an onshore protection program.

(agreement)

Part E

Asks the Moderator, the Synod Secretary and UnitingCare NSW.ACT to work with the national Refugee and Asylum Seeker Task Group to communicate this statement effectively to congregations, the community, members of Parliament and the relevant Cabinet Ministers.