



## **STRENGTH AND KINDNESS**

### **Brigidine Asylum Seekers Project (BASP)**

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*I was a stranger and you made  
me welcome ...*

**Newsletter 63 February 2013**

The Project aims to:

- \* provide hospitality and practical support for asylum seekers
- \* actively network with like-minded individuals and groups who are working for justice for asylum seekers
- \* promote advocacy for the rights of asylum seekers
- \* raise awareness of asylum seeker issues and concerns through a range of activities

Our Brigidine Asylum Seekers Project has adopted the following as part of its aim to bring a better understanding of the reality of refugees.

*A powerful yet elusive factor in discussions about asylum seekers is the matter of language. Consciously or unconsciously, for better or worse, language always incorporates values, judgments and ideologies. In other words, language is never neutral; it always embodies a (political) position, even if that is not always made explicit.*

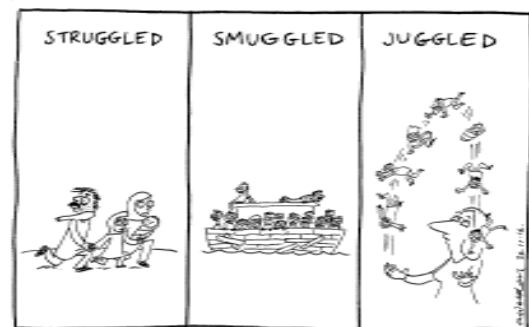
*Language can be untrue; seeking asylum is not illegal. Language can be manipulative and misleading; the right to seek asylum has nothing to do with being in a queue as that term is understood in everyday life. Language can be constructed to deliberately change people's thinking; 'seeking asylum' is often deliberately confused or merged with 'border security', 'national sovereignty' or 'terrorism', issues that are completely unrelated to the urgent matter of fleeing life-threatening dangers to find a place of safety.*

*BASP aims to model explicitly humane and ethically justifiable language. As well, BASP is committed to questioning false, insinuating and prejudiced language, habitually asking: 'Who says so and in whose interests?'*

We could use this last question to critique the rejections almost routinely given by reviewers of the claims of those seeking protection.

- It may not be safe for you to return to the village you grew up in but you could relocate to a city.
- You say that you were harassed and threatened in your country but you have no proof of that.
- All our research shows that people in your situation are not subject to discrimination in your country.
- You are not a credible witness.
- You did not state that in your first interview so I am not willing to believe it is true.

There is obviously a huge power imbalance between someone who is asking (begging) for refuge and an official who has, at best, second hand information about the situation in the refugee's country and is working within a political milieu that is often fuelling a prejudiced approach. Picture a frightened individual from Iran, Iraq, Afghanistan, Pakistan with no idea of Australian law or culture being interviewed by an Australian official with an interpreter who is often not very skilled and sometimes, at least, belonging to a different tribe or even country.



## Journeys to a new home

It is two days before Christmas. 2 am in the morning. Two of us go out to Tullamarine to share a wonderful moment—the arrival of Dawood’s young wife, Sofia, and three year old son, Amir Ali. Two young people, only 19 or 20 years old and a beautiful smiling young boy. Dawood came to Australia on a boat as a fifteen year old and then spent over a year in detention.

Dawood is not at the airport. Mild panic. A phone call ascertains that he is waiting outside the airport and will come soon. He knows enough to look for updated flight times! As all who have waited watching those doors for people arriving know, it seems interminable. Eventually a young and very pretty young woman with a shy little boy emerge. There are huge smiles and hugs. Sofia and little Amir Ali have no luggage except hand luggage so we are ready to leave the airport in a matter of minutes. The little family walk off hand in hand to “the place where they make sandwiches” (we work out this is McDonalds) where the car is parked because there is no parking to be paid. This moment seems to capture the spirit of Christmas more than the round of Christmas parties and celebrations we had been involved in.

Prior to this Dawood had learned a lot very quickly about the difficulty of getting a place to live. Another parallel with the story of Christmas. Dirty stairwells, blocks of flats with no outside area for a child to go, incessant noise, high prices ... and then an almost miraculous finding of a unit that was not part of a block and with a small grassed space outside.

Three weeks later another trip to the airport. A more hospitable hour of 8am. A young man clutches a bunch of flowers and arrives a bit late because he doesn’t know where to go. This time there is an entourage of friends, some with flowers too. Ali has come to welcome his eighteen year old twin brother, his two younger brothers and a fifteen year old sister. These four siblings have been alone in Quetta in Pakistan for some years after fleeing Afghanistan. Ali had been designated as the one who might get a safe place for them to live. Again finding a house is extraordinarily difficult. No-one will lease to five young people. Eventually we take out the lease in BASP’s name.

There are some very poignant moments. When Ali’s young sister is very distressed, Ali gives her his phone and tells her to ring her friends in Pakistan.

The reunion of these siblings (virtually alone in the world) is the end of one journey and the beginning of another.



Rohullah, Taj, Ali and Razia with Mary from BASP

### New website.

Delia Bradshaw (Chairperson of the Brigidine Asylum Seekers Project Council) and Mary Kingsbury from BASP have been working on a new website and it is almost finished. We have great plans for keeping it up to date! Site is [www.basp.org.au](http://www.basp.org.au)

# **Brigidine Asylum Seekers Project**

## **Discussion Night 1 - 2013**

**Tuesday, 12<sup>th</sup> March**

**7.30 – 9.30p.m**

**Venue: St Joseph's Hall (beside the bluestone church)**

**274 Rouse, St Port Melbourne**

## **How do the courts help asylum seekers to get a 'fair go'?**

**Our special guest: Matthew Albert**

Matthew Albert is from Dever's List Melbourne Chambers. He acted for the plaintiffs in the Malaysia Solution case, and the Commonwealth in the Ashby v Slipper case last year. Matthew Albert completed his undergraduate study at the University of Melbourne and his postgraduate degree in international refugee law at the University of Oxford. He practices full-time as a barrister and lectures in public law at the Melbourne University Law School.

Matthew is the co-founder of the Sudanese Australian Integrated Learning (SAIL) Program, a volunteer, non-profit, secular organisation that provides free English support and community services to the Sudanese refugee community in Melbourne, Sydney and Perth, Australia. Matthew is also a board member of the Melbourne Refugee Sanctuary Group.

***I was a stranger and you made me welcome...***



**We urge you to bring your friends  
to hear our highly esteemed guest speaker**

## **“My family are there”**

Mohammad said to me recently “I feel so guilty. When I was in detention, I managed to get my family to Quetta because I was so worried that the Taliban would attack them in their village in Afghanistan. Now I think they would have been safer in Afghanistan. I am telling my wife not to let the kids go to school and to all stay at home.” Others, on a day after a recent bombing when about 100 people were killed, sat dazed and overwhelmed with worry. They told me that a water van had come to the centre of the area they live in and it was detonated, killing maybe five people. Everyone rushed out to see what they could do to help and an ambulance arrived. The ambulance was also fitted out to blow up and this time because everyone was around, about 100 were killed and many more injured. The local people have no idea of which person or vehicle that comes into the two districts occupied almost solely by Hasaras, is designed to kill.

Many of the Afghani men here in Melbourne have members of their family or relatives or friends who were killed by these Sunni Muslim extremists. Too many people are affected by these repeated massacres in Quetta. One man has been waiting for two years to get a security clearance even though he has been found to be a refugee. His four year old boy was killed last Saturday in a major bombing. This man is being threatened with being sent back to Afghanistan. Another very sick man who has been refused a visa was given a one year visa only until November 2013. His 18 year old brother was killed in the Quetta blast, two weeks ago leaving all the women and children with no adult male. This is the second brother this man has lost to the terrorists. The Immigration Department want to send this man back.

The Lashkar-e-Jhangvi claim responsibility for most of the attacks which are ethnically and religiously motivated. The Lashkar-e-Jhangvi has been named as a terrorist group but most Hasaras believe neither the police nor the government do anything to protect them. This is a continuation of the political, social and economic repression of Hasaras which has now reached genocidal proportions.

Australia has Federal Police stationed in Quetta but we have no Immigration office. This means that for family reunion documentation Hazara wives and children have to board a bus and travel 1000 kilometres to Islamabad to the Australian Embassy there to do their health, identity and security checks for their visa applications. Hazaras don't have Pakistani passports so they cannot fly (an option that would be safer). They have to go by road and risk being pulled out of buses, identified as Hazara—by their facial features—by the Taliban and summarily shot, decapitated or beaten to death. The woman and girls can be kidnapped and raped. With all of the money that Australia invests in immigration surely we could staff an embassy in Quetta to do all the administrative tasks needed for visa applications.

Picture: Arshad Butt/AP Source: AP: the  
devastation after a major bombing in  
January

A candlelit vigil in Federation Square in February to mourn the loss of life in  
the bomb blasts

***Donations to the Brigidine Asylum Seekers Project are tax deductible***

## Tamil situation

The situation for the Tamil population of Sri Lanka who are trying to seek protection in Australia reached an all time desperate level recently. Opposition Immigration spokesman Scott Morrison told Australian media outlets after a meeting with the Sri Lankan president and defense and navy commanders, he would “toughen” the Coalition’s policies. These already include towing boats back to the country of departure despite repeated warnings that this could be highly-dangerous on open seas. Now Morrison says he would send every Tamil and Sinhalese refugee to arrive in Australia back to Sri Lanka, regardless of their asylum claims and despite the latest Human Rights Watch analysis that carries reports of returned Tamil asylum seekers being detained and tortured by the Central Intelligence Department.

Some months ago, using the same information as Australia has, Britain granted injunctions to stop the deportation of more than 30 Tamil asylum seekers.

Most of those rejected by ASIO and still in detention in Australia are Tamils. In spite of the successful High Court case last year which said individuals could not be refused a visa because of an adverse ASIO assessment, these individuals are still in detention—most here in Melbourne.

## An open letter from a Sri Lankan Bishop

*I write this pastoral letter to you I write this as your Bishop as we approach the 65th anniversary of our national independence. It is with a heavy heart that I write it, the reason being that in the past few days we have seen the complete collapse of the rule of law in our nation. We no longer appear to be a constitutional democracy.*

*The rule of law means that we as a nation are governed by a system of laws to which the lawmakers themselves are subject. This is a way of ensuring that power is not concentrated in the hands of one person (or group of persons) and exercised arbitrarily. The breakdown of such accountability is a process that has been building up for the past several years. It has now climaxed in the recent events that have seen both the Executive and the Legislature disregarding the provisions of the very Constitution which they swore to uphold and defend, giving the appearance of a country ruled on the principle that "Might is Right"*

The Rt. Revd Dhiloraj Canagasabey  
Anglican Bishop of Colombo  
Jan 23, 2013

## The plight of the Rohingyans

There seems no end to Australia's contradictions relating to its asylum seeker policies. For example, the Minister for Foreign Affairs, Senator Bob Carr advised the Burmese Government of its strong concern at continuing ethnic violence in Rakhine State. This violence has been perpetrated against the Rohingyans, a Moslem people who are the subject of ethnic cleansing (genocide) in Burma, Bangladesh and other countries. Recently, UNHCR stated that the Rohingyans in Burma are one of the most oppressed communities in the world. Thousands of them have been shot dead, brutally beaten to death or burnt alive. Many others have been taken away by security forces into hidden areas.

Yet when Rohingya individuals arrive in Australia seeking protection they are kept indefinitely in detention and can be assessed negatively by ASIO. They are told they are stateless people.

**Can we keep calling out political leaders to account for these contradictions between our public statements as a country with human rights concerns and our own actions towards the victims of human rights abuses?**



Picture from Senator Sarah Hanson-Young's office

Sarah Hanson-Young has released photos that were smuggled out of Manus Island Immigration Detention Centre. These show the awful conditions that asylum seekers are forced to endure at the camp.

Senator Sarah Hanson-Young described the conditions in the camp as: "totally unacceptable for adults and it breaks my heart to know that children are being locked up there as well".

In the photo shown here, a man is holding a towel over his head as he struggles in driving rain through an ankle-deep stream running between rows of tents. There are lines of sandbags on the outside of the tents, in what appears to be a vain attempt to keep the water out.

Keeping asylum seekers on Manus Island and Nauru costs \$575,000,000 a year or \$1,575,342.46 a day. What a waste of money when all we are doing is locking up.

## Children in detention

Remember all the times we have been assured Australia would abide by the UN Convention on the Rights of the Child, which explicitly states that "no child shall be deprived of his or her liberty unlawfully or arbitrarily" and the "arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time." There are currently 560 children in detention in Australian facilities. The Convention applies to migration situations and is legally binding for its 193 States parties.

There are 38 children on Manus Island (Papua New Guinea). Greens senator Sarah Hanson-Young showed drawings (such as the one shown below) from some of these children to the media.

Australia is not holding children in detention in ignorance of the effects of such policies. There is a lot of research to show the effects on the mental health of child and adolescent detainees. These are demonstrated in such symptoms as: very high anxiety, social withdrawal, regressive behaviours, flashbacks, sleep disturbance, exaggerated startle responses, poor concentration, conduct problems, aggressive behaviour, delinquency, nightmares and acting out. A lot of self harm occurs with minors in detention. From personal experience, members of BASP can state it is awful to see this self harm and be powerless to do anything about it.

**How can we do this to children?**



## **One man's story mirrors the troubled story of a region**

Zahir (not his real name) is a very friendly, seemingly calm Hasara man who has been held in immigration detention for nearly three years. He is about 29. He was born in a small village in Tamachi in the Province of Ghazni in Afghanistan. When he was four his father moved the family to Iran to escape the Russian invasion. The family did not attempt to return because of the Taliban rule (1996-2001). They were considering returning to their village in 2001 but in October 2001, the United States of America and Great Britain invaded the country of Afghanistan. The invasion was in response to the terrorist attacks launched against the United States on September 11, 2001. The Taliban government was overthrown by the western forces but retained a lot of control especially in its attacks on Hasaras. So Zahir's family remained in Iran to avoid the problems in Afghanistan.

As Zahir sits in a Melbourne Immigration Detention Centre and tells his story, this larger story of Afghan refugees in Iran unfolds. Many migrants have called Iran home for decades, part of an exodus of nine million Afghans, a third of the population, who fled across borders to Iran and Pakistan, beginning with the Soviet invasion in 1979, through to the austere Taliban rule of the 1990s and on into the Coalition occupation since.

Iran has for years been a destination for Afghans seeking work or fleeing war. Afghanistan and Iran share a language, and cultural and historical links. However, there is a lot of discrimination against Afghani refugees in Iran. Hostility to the US role in Afghanistan, regional ambitions and an economy choked by western sanctions have persuaded Iran to cast out Afghan migrants. They are excluded from many basic rights to health, employment and education and, since 2004, there have been many restrictions on their right to travel within Iran.

Zahir tells the story of he and his father visiting their village back in Afghanistan in 2009. Their relatives there, fearing they were about to lose land acquired after Zahir's family left, threatened they would inform the Taliban that Zahir and his father were spies. After a month Zahir and his father left. Zahir did not return to Iran because the Iranian authorities had cancelled the only right he had to be in Iran. Unlike most of the Afghan nationals living illegally in Iran, Zahir was a recognized refugee with a card signifying this. However these cards need renewing and Zahir had been assured his would not be renewed.

So Zahir, like many others made his way to Malaysia and eventually to Indonesia and got a chance of a passage on a boat to come to Australia. He was detained on Christmas Island, Darwin and Curtin (near Derby in the far north of WA). Recently he was brought to Melbourne. In a detention centre here, he was attacked by another person awaiting deportation after serving a sentence in jail. Zahir himself has been charged with breaking a window. He did this in frustration when he heard his application had been rejected once again by Australia.

So Zahir's history goes: fleeing Afghanistan because of a foreign invasion, deported from Iran in a crackdown against Afghans living there, detained after seeking refuge in Australia, beaten by an inmate of a detention centre, charged with damaging property after more than two years in detention. Breaking a window for an Australian citizen would (in the absence of any other crime) warrant a warning at the local police station. This last 'crime' could see him deported back to Afghanistan.

**A troubled story and a troubled region.**



## How you can help ...

### **Advocacy**

Write to you local member of Parliament (or call in and see them) and ask for a more humane approach to asylum seekers

### **Food that is very welcome**

Eggs, sugar, rice, flour, salt, two minute noodles, cooking oil, tea and coffee, long life milk, tuna, canned tomatoes, canned fruit, spaghetti or other pasta, chick peas, canned beans

### **Other goods always in demand**

Cleaning materials and dishwashing detergents, toilet paper

### **Something Special**

A voucher for Coles, Big W, Kmart or similar stores allows asylum seekers the independence to buy something they really want and need.

### **Employment**

We are very keen to hear from anyone who has a job opportunity for asylum seekers.

Contact: (03) 9696 2107 or [bssc@cyberspace.net.au](mailto:bssc@cyberspace.net.au)

## THANK YOU!



Thanks for all the support we received over Christmas. It seems a long time ago now but we haven't sent a newsletter since December. We had an amazing amount of support, financial donations, presents to give out, many people helped with Christmas parties and much more. We were very busy at the time so may have missed thanking some people (and groups) individually. Know that your practical compassion and support is much appreciated.

As has been the case for several years, some of the Brigidine schools made the Project their focus for gifts. Thank you to the students and teachers involved.

Brigid Arthur

Catherine Kelly

for the Brigidine Asylum Seekers Project