

**AMNESTY  
INTERNATIONAL**



Mr Theo Francken  
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Your excellency,

### **AUSTRALIA'S IMMIGRATION POLICIES**

My colleagues from Amnesty International Belgium informed me of recent statements you have made about Australia's asylum and migration policies, in particular the policy of pushbacks and offshore processing of asylum seekers on the islands of Nauru and Manus.

I was told that in a recent book you claimed "Australia is the devil incarnated in the eyes of the NGO sector, headed by Amnesty International. Why? Because Australia has rejected the left wing dogma of opening the borders for each and every asylum claim." As National Director of Amnesty International in Australia, I felt I should respond to your claims.

There is only one reason why Amnesty International, along with many other institutions – including several UN-bodies - non-governmental organisations, the Supreme Court of Papua New Guinea and an ever increasing number of Australians, is highly critical of Australia's offshore processing: its disastrous consequence on the lives of people in need of protection and on their human rights.

Under the terms of an 'offshore processing' regime known as the "Regional Resettlement Arrangement", our government sends refugees or people seeking asylum who are intercepted while attempting to reach Australia by boat to either Nauru or Manus Island (Papua New Guinea) where they face indefinite detention in harsh conditions, and even those recognised as refugees under international law would never be allowed to settle in Australia.

This policy of successive Australian governments must serve as a cautionary tale of the dangers of abdicating and outsourcing refugee policy to countries that have neither the will nor the capacity to effectively assist the people disembarked there.

Since 2013, 3,172 refugees and people seeking asylum have been forcibly transferred by Australia to Nauru and Manus Island. This includes men, women and children, including unaccompanied children. The impact on many of these people has been devastating. Attached is an overview of the latest facts and figures, incidents and other information.

Along with other NGOs, Amnesty International has uncovered extraordinary levels of abuse, and breaches of human rights, on the islands. This includes assaults, sexual abuse, self-harm attempts and child abuse. The living conditions endured by asylum seekers and refugees there have been identified by Amnesty International as deliberately cruel and amounting to torture.

A total of twelve individuals have died, including two suicides which have taken place in the last six months. Others have died from diseases that could have been treated if timely medical transfers had occurred. The unwillingness of the

Australian authorities to transfer critically ill refugees to Australia, despite the obvious and well documented failings of the health care on Nauru and Manus Island, continues to put lives at risk.

This year, a total of eight children suffering from life-threatening psychological or physical illness have been transferred to Australia. These life-saving measures only took place after the children's cases were brought before the courts.


Though it is true that Australia simultaneously issues a relatively high number of humanitarian visa and participates actively in UNHCR's resettlement programs, this does not negate the human rights violations Australia is responsible for on these two islands.

Mr. Francken, I am told that you advocate a "firm but humane asylum and migration" policy for Belgium and the EU. If that is the case, the Australian model should serve as a cautionary tale, not as an example.

The human rights violations and deep human misery Australia brought about for thousands of people were not unfortunate by-products. They were not some flaw in the system which the EU could hope to avoid if implementing similar offshore processing. The inhumanity and human rights violations are an integral part of the system.

I strongly urge you not to go down that route.

Yours sincerely,

A handwritten signature in black ink that reads "Claire Mallinson". The signature is written in a cursive, flowing style.

Claire Mallinson  
National Director  
Amnesty International Australia