



AUSTRALIAN
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Media release

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Government move to starve out asylum seekers: A flagrant breach of international obligations

Australian Lawyers for Human Rights (ALHR) expresses profound concern for asylum seekers and refugees who will reportedly have their welfare and income support cut off and be told to leave Australia under new measures effective today.

The policy affects people who sought asylum in Australia but were sent to Manus Island and Nauru and, who since 2013, have been brought back to Australia for individual medical reasons. It has been reported the government may withdraw all income support to this group of asylum seekers — including women and children — and direct them to make arrangements to leave Australia.

Khanh Hoang, co-chair of the Refugee Rights subcommittee said, “this is a very dangerous move by the Government. Asylum seekers now face an impossible choice of either being destitute or having to return to Manus Island or Nauru, or back to their home countries. Attempts to force refugees back to their home country or Nauru or Papua New Guinea may breach Australia’s *non-refoulement* obligations under the Refugee Convention and international human rights law.”

Hoang continued, “the refugees involved must be given a durable solution. Sending people back to Manus Island or Nauru is not an option and will place people in serious danger.”

ALHR also considers that cutting this group off government support, when most have never had the right to work in Australia, would “likely breach Australia’s obligations under the International Covenant and Economic, Social and Cultural Rights and, where children are involved, the Convention on the Rights of the Child.”

Scott Cosgriff, co-chair of ALHR’s Refugee Rights Subcommittee stated “this is about basic decency. The people we’re talking about include some of the most vulnerable and traumatised in our country. Under human rights law, no person should be denied an adequate standard of living, and the UN Committee on Economic, Social and Cultural Rights found this year that the social security safety net for most people seeking safety in Australia safety is inadequate. For the group affected by the new policy there is now no safety net at all.”

“Where children are involved, the new measures are clearly contrary to the principle under the Convention on the Rights of the Child that decisions should be made ‘in the best interest of the child’.”

ALHR condemns these very cruel and unnecessary measures, which are plainly contrary to Australia’s international obligations. At a time when Australia is set to take up a seat at the UN Human Rights Council, it should be living up to its self-proclaimed status as an “International human rights leader.”

ALHR calls upon the Australian government to allow these asylum seekers and refugees to remain in Australia in conditions that are decent and consistent with human rights law.

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ALHR was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist thematic committees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.