



The Australian WikiLeaks Party Asylum Seeker Policy

Executive Summary

The WikiLeaks Party:

1. Stands in the proud tradition of the WikiLeaks publishing organisation of accountability for the powerful, compassion for the victims of violent conflict, and an evidence-based approach to social issues.
2. Acknowledges the enormous scale of the global refugee problem, and that Australians may legitimately find it a fearful and overwhelming one.
3. Acknowledges also that both major parties have misled the Australian public about the scale of the problem facing Australia. By any international comparison, Australia sees a less than proportionate share of the global refugee problem.
4. Is committed to setting the record straight, providing the Australian public with facts and context on asylum seekers, and holding the Australian government to close scrutiny on the issue, in line with our core values of Transparency, Accountability and Justice.

In the Senate, the WikiLeaks Party will:

5. Demand full, immediate public disclosure of the Rudd government's PNG deal, including all details of hosting, health resources, personnel, assessment and review processes, resettlement, and post-settlement employment opportunities.
6. Demand full access to asylum seekers held in detention for media, NGOs, and human rights organisations and agencies.
7. Demand government accountability over treatment of asylum seekers, including support for:
 - Reversal of the Rudd Government's PNG arrangement.
 - Processing of asylum seekers arriving in Australia by the Australian government.
 - A cap of 45 days in immigration detention for any asylum seeker, for initial health and security checks, with any extension requiring judicial approval.
 - Requiring the Department of Immigration and Citizenship (DIAC) to report to Parliament every 6 months on its case load, processes, results, and the health of detainees.
 - Repeal of the excision of Australian territories from the migration zone.
8. Demand accountability in the assessment of asylum claims, including:
 - Opposing any legislative change to restrict or obfuscate the legal definition of a refugee.

- Ensuring the Refugee Review Tribunal is respected and adequately resourced as a judicial body, able to assess facts independently and free from executive influence.
- Supporting measures to subject ASIO security assessments to comprehensive and expedient judicial review, including rights of appeal for asylum seekers.

9. Support measures to stem the flow of asylum seekers at the source, by working towards a foreign policy based on human rights and international law, averting conflict from the outset.



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Background

1. A record of accountability and compassion.

The WikiLeaks Party continues in the proud tradition of the WikiLeaks publishing organisation, which has exposed human rights abuses in military conflicts in Afghanistan, Iraq, and elsewhere. Wars create vast human waves of suffering, of which a small part finds its way to Australia in the form of asylum seekers. We stand fearlessly for accountability for the powerful and compassion for the victims of violent conflict and persecution around the world.

2. An evidence-based approach.

The WikiLeaks publishing organisation pioneered scientific journalism, the WikiLeaks Party stands for scientific policymaking. We value data over spin, facts over fearmongering, and context over isolated incidents. Both major parties in Australia have consistently misrepresented the asylum seeker situation. Good policy can only emerge from a well-informed citizenry.

3. Asylum seekers and refugees in context.

The WikiLeaks Party acknowledges that the global refugee problem is enormous. According to the UN High Commissioner for Refugees, as of the end of 2012 [there were](#) 45.2 million displaced people in the world - significantly more than the population of Australia. Numbers of asylum applications in Australia have been [increasing](#); 2012 was the first year in which asylum seekers arriving by boat outnumbered arrivals by plane.

However, *both major parties have misled the Australian public about the scale of the problem facing Australia.* The fraction of the problem that reaches Australia is still, by any international measure, small. Australia is the 12th largest economy in the world and ranks 2nd on the UN Human Development Index, yet a sober analysis of UNHCR data makes this clear that it ranks far lower in terms of its hosting of refugees.

Hosted refugees per capita, 2012 (UNHCR):

Country	Refugees Hosted per 1000 inhabitants	Rank
Jordan	48.9	1
Chad	33.3	2
Montenegro	17.7	10
Germany	7.2	19
Canada	4.8	33

New Zealand	4.5	34
France	3.5	40
United Kingdom	2.4	48
Australia	1.4	58

Hosted refugees as of end 2012 (UNHCR):

Country	Refugees Hosted	Rank
Iran	868,000	2
Germany	590,000	3
China	301,000	9
Turkey	267,000	10
Canada	164,000	17
United Kingdom	150,000	18
Netherlands	75,000	30
Italy	65,000	35
Australia	30,000	47

Behind these numbers lies a world of suffering, and a serious political issue for Australia. But it is an issue of which Australia sees a less than proportionate global share.

4. Setting the record straight.

The WikiLeaks Party will strive to correct the public record in the public interest about asylum seekers. In the aftermath of the Vietnam war, the Australian government [resettled](#) refugees at the rate of up to 20,000 per year, without public outcry and with bipartisan support. But since 9/11 and the Tampa, fearmongering has come to dominate Australian asylum policy. Even though the vast majority of boat arrivals are consistently found by rigorous assessments to have a genuine fear of persecution in their home country, both major parties have sown fear and misunderstanding in the Australian community. The WikiLeaks Party will correct the public record, providing facts and context and holding the Australian government to account over spurious and deceptive claims.

5. Our core values.

In line with this understanding, if elected, WikiLeaks Party senators will do their utmost to bring the WikiLeaks Party values of Transparency, Accountability and Justice to the Australian debate on asylum seekers.

Policy

6. Full, immediate public disclosure of the Rudd government's PNG deal.

The WikiLeaks Party demands details of all host arrangements, health resources, and personnel arrangements. Processes for assessing asylum claims, judicial review, and conditions of resettlement, must be disclosed. The Rudd government must disclose how it will assist PNG in providing education and employment opportunities for resettled refugees. Under the Migration Act, the Australian government retains an obligation to asylum seekers transferred to PNG.

The Australian people need to know how Papua New Guinea, a poor nation, will cope with the problem we are handballing to them.

7. Legislate full access for media , NGOs and Human Rights agencies to asylum seekers.

The WikiLeaks Party demands that media, NGOs, Australian and International Human Rights Commissioners and agencies be granted full access to all immigration detention centres, processing facilities and to newly arrived asylum seekers, and supports legislation to this effect. The WikiLeaks Party defends the right of all asylum seekers to access the UNHCR and human rights NGOs and to make contact with the media. The UNHCR, human rights NGOs and media must have the right to inspect any such facility and to interview asylum seekers.

The Australian people must be able to see what detention policies mean to the lives of asylum seekers and refugees.

8. Government accountability in asylum seeker treatment.

The WikiLeaks Party demands that the Australian government be held accountable for its treatment of asylum seekers. Treatment of asylum seekers must be, at the very least, in line with the minimal requirements of international human rights law, including the Refugee Convention.

- Reverse the PNG deal. It clearly violates article 32 of the Refugee Convention, which prohibits expulsion of refugees. The PNG arrangement must be challenged and reversed.
- Process refugees ourselves. In international context, there is no reason why Australia should not be able to process refugees itself.
- 45 days to process asylum seekers. There is no reason why initial health and security checks of any asylum seeker should take more than a few weeks. The WikiLeaks Party supports a cap of 45 days in immigration detention for any asylum seeker, after which they must be released into the community. Any extension must have judicial approval.
- DIAC to report to Parliament every 6 months. The Department of Immigration and Citizenship should report every 6 months on its case load, processes and results, including independent reports of mental and physical health of all detainees held in the previous 6 month period.
- Repeal excision. The excision of Australian territories from the migration zone must be repealed. Australia is Australia, not an empty void. The Australian government must not resort to legal trickery to avoid its obligations under the Migration Act.

9. Accountability in the assessment of asylum claims.

The WikiLeaks Party demands that assessment processes be transparent, adequately resourced, and independent.

- Refugees are refugees. The WikiLeaks Party opposes any proposed legislative change to restrict and obfuscate the legal definition of a refugee.
- Respect the Refugee Review Tribunal. The RRT must be afforded the respect and resources required of an independent judicial body. The RRT must not be made dependent on DIAC for information about source countries. It must be able to assess facts independently, free from executive influence.
- Judicial review for security assessments. ASIO security assessments must be subject

to comprehensive and expedient judicial review. Asylum seekers must have the right to appeal adverse security assessments, and be granted their natural and legal rights.

10. Stopping the problem at the source.

The best way to ease the flow of asylum seekers to Australia is to stop the conflicts which create refugees in the first place. In particular, Australia should not blindly follow allies into disastrous illegal wars. The WikiLeaks Party will work towards a foreign policy based on human rights and international law, one which averts conflict from the outset.