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We are not at war with refugees and asylum seekers

The Federal Government's Migration and Maritime Powers Legislation Amendment Bill contains a suite of appalling changes which treat refugees and asylum seekers as enemy combatants, according to the Australian Association of Social Workers (AASW).

Most worryingly, the Bill removes the obligation under the Marine Powers Act to limit the exercise of powers in accordance with international law in places outside of Australia. Rules of natural justice will no longer apply to authorizations made under this Act, meaning the government will be unconstrained by the basic principles of justice and fairness. These amendments will have significant implications for boat interceptions and turn-backs.

Particularly concerning are some of the fast track provisions with limited appeal rights, which could see Tamils sent back to Sri Lanka at a time when it is reported that Sri Lanka is using torture against those deemed to be political opponents or supporters of the former Tamil Tigers.

The Bill also reintroduces Temporary Protection Visas (TPV), which cause acute distress for refugees who must continue to live with great uncertainty. While the AASW welcomes the decision to allow TPV holders to work and receive social security payments, it is disappointing that they will be excluded from the family reunification programs. This is particularly concerning for unaccompanied minors and families that have effectively been separated by war and other calamities.

National President of the AASW Professor Karen Healy says the Bill removes important protections for refugees.

"These are vulnerable men, women and children whose country of origin is either persecuting them or no longer able to protect them. They need more protection under international law, not less," Professor Healy says.

"Our country should not add to the misery that asylum seekers experience before they leave and during their journey. This would be the effect of implementing these changes."

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