

ASYLUM SEEKERS and REFUGEES - DEBUNKING THE MYTHS

AMNESTY
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Myth #1: Asylum seekers are illegal.

Fact: Asylum seekers have the same human rights as everyone else. They have a legal status. They are not illegal immigrants.

The right to asylum is protected by Article 14 of the Universal Declaration of Human Rights, which states:

“Everyone has the right to seek asylum in another country, if they are being persecuted in their own country”.

Asylum seekers are also protected under international law by the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 Protocol, both of which New Zealand is a signatory to. It requires us to treat asylum seekers with the same rights as refugees until their refugee status is decided.

Myth #2: Asylum seekers are queue jumpers who should go home.

Fact: There are no queues to jump in countries like Afghanistan, Myanmar, Somalia, and Iraq, where many of New Zealand’s asylum seekers come from. Rather asylum seekers are often the human face of conflict as the countries they flee from attest to. They are not seeking to join any queue rather they are running for their lives.

Because of New Zealand’s geographical isolation, many asylum seekers travel long distances in extremely dangerous conditions to get here.

Once here asylum seekers are subject to a rigorous status determination process to decide if they are refugees or not.

Myth #3: Asylum seekers are flooding our shores.

Fact: In 2009 there were 43.3 million forcibly displaced people worldwide, the highest figure since the mid 1990’s. The majority are internally displaced within their country of origin. More than 15.2 million are refugees, while only 983,000 were asylum seekers (around two per cent).

Most asylum seekers remain in their region of origin and flee to neighbouring countries. As neither Australia nor New Zealand have a land border both have experienced dramatically falling asylum-seeker numbers in recent years. In the last five years an average of 250 asylum seekers annually have arrived in New Zealand.

Myth #4: Asylum seekers who use false passports are criminals.

Fact: Asylum seekers often have no other option except to travel with false identity documents because the one government able to give them such documents is one they fear will persecute them.

Some may have had their passports confiscated by authorities to prevent their escape.



Somali refugees walk through the acrid smoke from burning piles of garbage in Hagadera camp, Kenya, December 2008. Somali nationals presented 226 asylum claims to the Refugee Status Branch of Immigration New Zealand (INZ) from 1997 to 2009.



A young Afghan girl (UNHCR/M Maguire/2007). One in four refugees are Afghans, residing in 71 different countries, but mostly in neighbouring Iran and Pakistan, which each house over one million Afghans.



Asylum seekers waiting to submit their asylum applications at the entrance of the Political Asylum Department of the Aliens Directorate, Headquarters of Hellenic Police, in Petrou Ralli, Athens, 1 June 2009.

Myth #5: Asylum seekers who pay people smugglers are wealthy, and undeserving of refugee status

Fact: Amnesty International acknowledges the right of all countries to maintain and protect their borders, particularly when an estimated four million people (close to New Zealand's population) are trafficked annually.

But in attempting to defeat that \$US10 billion trade governments have imposed barriers that have forced desperate asylum seekers into the hands of people smugglers.

The UN Office on Drugs and Crime (UNODCS) states that smuggled asylum seekers and migrants are desperate people who are exploited by criminals. They pay traffickers and smugglers because they seek to escape from intolerable situations with whatever means they can find.

Smugglers regularly abuse and further imperil the lives of people who fall into their hands.

Myth #6: Refugees are really economic migrants in disguise

Fact: Article 1 of the Refugee Convention defines a refugee as someone who: *owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...*

They are not able to return home safely.

An economic migrant is someone who normally leaves a country voluntarily to seek a better life. Should he or she choose to return home, they would continue to receive the protection of their government.

Myth #7: New Zealand already accepts too many refugees

Fact: New Zealand accepts an annual quota of 750 refugees under a United Nations High Commissioner for Refugees (UNHCR) resettlement scheme. NZ has only fulfilled that quota four times in the last 10 years and this quota has not increased since its implementation in 1987. Rather, it was decreased from 800 to 750 in 1997.

In comparison, Australia accepts around 6,000, and Canada annually resettles 10,000 to 12,000, or one out of every 10 refugees resettled globally.

Less than one percent of the world's refugees are resettled annually by 21 resettlement countries. The balance — more than 14 million people — wait in limbo, often for years in refugee camps, in no-man's land or on city fringes. Theirs is a vulnerable and precarious existence with an uncertain future.



Women and children escape the fighting in Maidan, northwest Pakistan, 27 April 2009. Over the past decade, roughly one-third of asylum claims filed with the Refugee Status Branch of Immigration NZ have been from women.

Masoud is from Iran. This is his story about claiming asylum in Australia



"There were 285 people in my boat, people were very afraid and crying. They were trying to put more and more people in the boat. Someone fell in the ocean and the smuggler took all the luggage and threw it into the sea; all my papers, family photos, my clothes, we all lost everything."

"In 1999 I had a revolution with myself and realised I had to go. The danger was too great for me and my family. I felt this country will never change, better I change. I had to leave my own country."

"It was too dangerous to leave by the border if you were opposed to the government. They wouldn't give you a passport so I had to leave with a false passport, which is very dangerous and expensive to get."

"I think if I go back to Iran I will be killed. When I first escaped I didn't have Australia on my mind, I had freedom on my mind."

"I can't be happy, I can't be unhappy. I can't make a future. I can't speak about my family because it is dangerous for them. I can never speak about them or contact them directly, and they can never contact me directly."

REFUGEE AND
MIGRANT RIGHTS

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Amnesty International is a global movement of 2.8 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion — funded mainly by our membership and public donations.