

How to talk about people seeking asylum in Aotearoa New Zealand

Document purpose

This one-pager is designed as a reference point for how to speak about people seeking asylum in a way that is respectful to their autonomy, and respectful to their lived experience as people having a *human* experience. Amnesty International recognises the human experience is the common notion that connects us all.

Ideas for words to use

People seeking refuge are survivors who have persevered through great injustice; sometimes through persecution and often violence and who therefore require places of dignity to heal and to have the opportunity to rebuild their lives, to enable them to have the freedom to live anew in peace to call home in Aotearoa NZ, to build a more inclusive, diverse, welcoming and compassionate Aotearoa that recognises the human in us all. We want to welcome people seeking refuge in Aotearoa with open arms because that is the human thing to do.

Words to be mindful of

It's important to be mindful that some words can be othering and dehumanising. For example it is helpful to simply say 'people', or people seeking asylum. This reminds people that people seeking asylum really are just people, like you and I.

Be mindful of positioning prison as a violent and lawless place. While tempting, people in prison are also humans going through their experiences, reacting the best ways they know how, and can, given their situation and lived experience. People in prison too deserve dignity and opportunity

The right to liberty is a fundamental human right. It can be limited in some circumstances, but with strict limits. It's important to understand that international human rights law in some very limited circumstances allows for the immigration detention of asylum seekers.^t However, international human rights standards on immigration detention make it clear that **detention should never be in a criminal justice facility and it is highly inappropriate.**

Numbers. Numbers can be good to contextualise an issue but they can be unhelpful in the sense that they evoke finite values in people. That is, values that suggest there is a limit to something rather than infinite (and endless). There is no limit to the care and humanity we can provide one another.

The majority of asylum seekers are not detained at any stage in Aotearoa New Zealand. There are a small number of people who've sought asylum in our prisons today. During COVID-19 many were released from prison. We want to focus on that fact that whilst there may be small "numbers" in prison every single one of these people still matter, and have human rights that must be protected.

The law still exists in our domestic legislation that allows for the incarceration of people seeking asylum in our criminal justice facilities. This means that it can continue as a harmful practice and is contra to international human rights standards.

'Safety' -sometimes it's important and relevant to use this word, however where possible, consider using alternative words to safety because this word can evoke narratives that are connected to security and fear. Instead of talking about someone as being 'safe from'

something, you could talk about what they want in terms of the opposite, for example, dignity, freedom, a care space, home, comfort, sanctuary, a place to heal and grow.

The human rights most relatable to people seeking asylum

Everyone deserves the right to seek asylum, the right to liberty and security of person, and the right to be free from torture or cruel, inhuman or degrading treatment or punishment and the right to be treated with humanity and with respect for the inherent dignity of the person and the right to healthcare in detention.

Envisioning a brighter future

To inspire and motivate people, it's important to detail a possible future that results in a recognition of the inherent dignity and equality of *all* human people.

For people seeking asylum, that future involves what we all need; a place to call home and adequate resources to live a life of dignity. It might also require 'care spaces'. Places of dignity and care spaces are places that recognise the humanity, backgrounds - and therefore needs of - people seeking asylum. And these spaces already exist. There are community groups such as The Asylum Seeker's Support Trust who, with the adequate resourcing, can provide support for people seeking sanctuary.

People seeking asylum may prefer to live with family, or with a cultural, religious or diaspora community. People seeking asylum are survivors who have persevered and many have experienced or witnessed some of the worst of humanity, some of the ultimate injustices of the world so we have a responsibility as humans to afford them the comfort and compassion of justice, and of a place to heal.

Talking about the criminal justice system generally

By its nature our research means we will be talking about the criminal justice system, and while our research is specifically focused on asylum seekers, it's part of wider work we're doing on human rights and places of detention. An important part of this work is changing the dominant narrative surrounding people in detention to one where crime is understood in the context of systems and encourages policy responses based on prevention, rehabilitation and restoration.

Our advice is based on work carried out by the Workshop on how to talk about crime and justice. We recommend checking out their research in this area - <https://www.theworkshop.org.nz/publications>

Firstly, it's important to talk about the vision we're working to – such as a more compassionate, human rights respecting system that focuses on prevention and restoring community wellbeing. The Workshop explains in their Crime and Justice research that it's important to move people's understandings (and associated narratives) away from individual behaviour as the cause of and solution to crime to lifting people's gaze to understand how wider systems and structures impact different people and influence their likelihood to get swept into the justice system. It's important to point this out because systems do impact people's lives.

What this means is it's important to show that the 'problem' is not simply about individual people, but the structures that surround people e.g. racism, lack of opportunity, systems that are overly punitive and not rehabilitative and so forth. These structures are creating the conditions that are causing harm, so we want to keep the focus on this as much as possible so that we can encourage policy responses based on prevention, rehabilitation and restoration.