

Myth: Asylum seekers who arrive by boat are illegals.

It is not a crime to enter Australia without authorisation for the purpose of seeking asylum. Asylum seekers do not break any Australian laws simply by arriving on boats or without authorisation.

Article 31 of the Refugee Convention clearly states that refugees should not be penalised for arriving without valid travel documents. What may be considered an illegal action under normal circumstances (e.g. entering a country without a visa) should not, according to the Convention, be considered illegal if a person is seeking asylum.

Australian and international law make these allowances because it is not always safe or even possible for asylum seekers to obtain travel documents or travel through authorised channels. Refugees are, by definition, people fleeing persecution and in most cases are being persecuted by their own governments. It is often too dangerous for refugees to apply for a passport or exit visa or approach an Australian Embassy for a visa, as this could put their lives, and the lives of their families, at risk. Refugees may also be forced to flee with little notice due to rapidly deteriorating situations and do not have time to apply for travel documents or arrange travel through authorised channels.

In other cases, refugees may be unable to obtain travel documents because they do not have identity documentation or because they cannot meet the necessary visa requirements. Australia has very restrictive policies which work to prevent citizens of countries where persecution is widespread from getting access to temporary visas of any kind. These policies leave many people seeking to flee to Australia with no way of entering in an authorised manner.

Permitting asylum seekers to enter a country without travel documents is similar to allowing ambulance drivers to exceed the speed limit in an emergency – the action may ordinarily be illegal but, in order to protect lives at risk, an exception is made.

Myth: Refugees don't contribute to Australian society.

Research has shown that refugees, once they have the opportunity to establish themselves, make important economic, civil and social contributions to Australian society. Australia's refugees and

humanitarian entrants have found success in every field of endeavour, including the arts, sports, media, science, research, business and civic and community life. Former refugees are very entrepreneurial, being more likely to set up their own businesses than other migrant groups. They play an important role in facilitating the development of trade and other links with their countries of origin. Former refugees value the education of their children very highly, with the proportion of young refugees attending an educational institution being higher than other migrants and even than people born in Australia. They make substantial social contributions to Australia through volunteering, promoting community development and engaging in neighbourhood activities and events.

Just some of the many Australian high achievers who once were refugees include scientists Sir Gustav Nossal and Dr Karl Kruszelnicki, 2009 Victorian of the Year Dr Berhan Ahmed, painter Judy Cassab, comedian Anh Do, filmmaker Khoa Do, author Nam Le, academic Associate Professor My-Van Tran, Dr Anita Donaldson, poet Juan Garrido-Salgado, painter and restaurateur Mirka Mora, actor Henri Szeps, broadcasters Les Murray and Caroline Tran, Australian Rules footballer Alex Jesaulenko, footballer Atti Abonyi, swimmers John and Ilsa Konrads, newspaper editor Michael Gawenda, architect Harry Seidler, business people Sir Peter Abeles, Larry Adler, Ouma Sananikone and Judit Korner, public servant Tuong Quang Luu and politicians Jennie George and Nick Greiner.

By definition, refugees are survivors. They have survived because of their courage, ingenuity and creativity. These are qualities which we value in Australia. If we assist newly arrived refugees to recover from the experiences of their past and rebuild their lives in Australia, we will reap the benefits of the qualities and experiences they bring to our society.

Sources: Department of Immigration and Citizenship, 'A Significant Contribution: The Economic, Social and Civic Contributions of First and Second Generation Humanitarian Entrants

Myth: Asylum seekers who arrive by boat are a security threat.

Most people seeking asylum who arrived by boat are refugees. According to the Australian Parliamentary Library, between 70-100% have typically been found to be refugees. In 2012-13,

88% of asylum seekers who arrived by boat were found to be refugees.

People seeking asylum go through strict processes before they are allowed to stay. Those who arrive by boat without authorisation are detained and must pass identity, health and security checks before they can be released into the community. They go through a strict process of determining whether they can get protection and, if they are, they need to pass more security, health and character checks before they get to stay.

The definition of refugee in the Refugee Convention means that people cannot be refugees if they have committed war crimes, crimes against peace, crimes against humanity or other serious non-political crimes.

It is therefore highly unlikely that a war criminal, terrorist or any other person who posed a security threat would be able to enter Australia as a refugee. It is also highly unlikely that a criminal or terrorist would choose such a dangerous and difficult method to enter Australia.

Source: Australian Human Rights Commission, 'Tell me about refugees with adverse security assessments' | Parliamentary Library: Are Boat Arrivals Genuine Refugees?

Myth: Asylum seekers who arrive by boat are economic migrants.

Most asylum seekers who have reached Australia by boat have been found to be refugees. According to the Australian Parliamentary Library, between 70-100% have typically been found to be refugees. In 2012-13, 88% of asylum seekers who arrived by boat were found to be refugees.

Even if an asylum seeker is found not to be a refugee, however, it doesn't mean that the person is an economic migrant or that his or her refugee claim was 'made up'. It simply means that the person isn't a refugee. For example, some asylum seekers may fear persecution but they don't have enough evidence to back up their claims. They may fear mistreatment which isn't sufficiently serious to meet the definition of refugee. They may also be considered to be able to avoid persecution by moving to a safe area within their home countries.

Source: Parliamentary Library of Australia: Asylum seekers and refugees: what are the facts?

Myth: Asylum seekers take places away from 'genuine' refugees waiting for resettlement.

There is some truth to this myth. However, this is not because asylum seekers are trying to rot the system or 'jump the queue'. Rather, it is the result of an Australian Government policy which could easily be changed.

Australia's refugee and humanitarian program has two parts – the 'onshore' part, for people who or people who apply for refugee status after arriving in Australia; and the 'offshore' part, through which Australia resettles recognised refugees and other people in need of protection and assistance from overseas. The 'onshore' part exists because Australia is obliged to accept refugees under the Refugee Convention. The 'offshore' part exists because Australia voluntarily chooses to resettle refugees.

Australia sets an annual number for the whole program, both 'offshore' and 'onshore'. This means that every time an asylum seeker is recognised as a refugee and granted a visa, a place is deducted from the offshore program.

The idea that there is a resettlement "queue" which onshore applicants are 'jumping' is created by a policy which could easily be changed. No other country in the world links its onshore and offshore programs in this way and Australia did not do this prior to 1996.

Myth: 'Genuine' refugees don't pay people smugglers thousands of dollars.

Economic status has no impact on refugee status. A refugee is someone who has a well-founded fear of being persecuted because of their race, religion, nationality, membership of a particular social group or political opinion. It makes no difference whether a refugee is rich or poor – the point is that they are at risk of, or have experienced, persecution.

Many refugees who come to Australia are educated middle-class people whose advocacy work, political opinions or profession (e.g. journalists, lawyers) has drawn them to the attention of the authorities and resulted in their persecution.