



# *Institute of Sisters of Mercy of Australia*

27 October 2009

The Hon Kevin Rudd MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

I write on behalf of the Institute Plenary Council of the Sisters of Mercy of Australia, the peak body for the 17 Australian Congregations and one autonomous region of Papua New Guinea. At their recent meeting the Leaders, who represent over 1,400 Women Religious, expressed concern at the direction the current discourse around the arrival of asylum seekers by boat, is taking.

The possibility of a change in approach and policy on this issue was certainly a factor for many in welcoming Labor's election victory two years ago.

Mr Rudd, your Government has brought in some very welcome and much needed changes e.g. abolishing Temporary Protection Visas, the ending of the 'Pacific Solution' and the elimination of charges for stays in detention centres. However, as the past weeks have shown these are not sufficient to change the discourse or indeed to bring a more humane approach.

With the arrival in larger numbers of asylum seekers by boat this issue has again become an area for political point scoring. It would seem that Labor is now pursuing the same unprincipled strategy for which it criticised the former Howard government.

The issue needs to be taken out of this area of political point scoring. The facts and realities need to be presented to the Australian people in clear, unambiguous terms. Moreover, the use of emotive and inaccurate language (e.g. illegals, queue jumpers etc.) only fuels the misguided fear.

Mr Rudd you rightly point out that the current increase in numbers is in response to 'push factors.' However, it would be good to also bring to the attention of the Australian people that the asylum claims made in Australia in the first half of 2009 is 0.12 per 1,000 population. The most recent figures from the United Nations High Commissioner for refugees reveal that Australia is well below in the league table, both in terms of numbers of asylum claims and the ratio of claims to population.

Australia is a signatory to the Refugee Convention of 1951 and the 1967 Protocol and the Universal Declaration of Human Rights of which Article 14 states: *Everyone has the right to seek and to enjoy in other countries asylum from persecution.* No where is there a statement

about how asylum seekers may arrive in a country. For Australia to discriminate against the asylum seekers who arrive here by boat is certainly questionable in light of this country's obligations under the Convention. It is well known that far more asylum seekers arrive by plane than boat in this country.

Through the Refugee Convention Australia is committed to assisting refugees in their search for safety. At present the emphasis by your government is on boarder control. The welfare of the refugees tends to be lost.

Australia was the sixth country to sign the UN Refugee Convention in 1951. It was a bipartisan commitment. It is a proud legacy of this country. Today we need no less such a commitment. Indeed because today it would be living out the realities of that action in 1951 it would bring even greater credit to the standing of this country.

Mr Rudd we earnestly request that you use your moral authority and considerable political influence to give moral leadership on this issue and not let the current discourse degenerate into what it was in the Howard years. May we see more compassion driving Labor policy: a compassion for those who have to flee their countries because of well grounded fears of persecution and personal danger for themselves and in many cases their families.

Prime Minister thank you for your attention to our concerns and we look forward to hearing from you.

Yours sincerely

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For Sisters of Mercy Institute Plenary Council