

Committee Secretary

Senate Legal and Constitutional Affairs Committee

PO Box 6100, Parliament House

Canberra ACT 2600

Submission to the inquiry into and report on The Migration Amendment (Removal and Other Measures) Bill 2024

Dear Committee Secretary

We write as members representing the Uki Refugee Project (URP), a community group in Uki, NSW, formed 10 years ago to provide friendship, financial assistance, advocacy and awareness raising. As a group, we are extremely concerned that the Migration Amendment Bill will unfairly penalise refugees and asylum seekers who are in Australia on Bridging Visas, have been rejected by a Fast Track Assessment the Government has itself deemed unfair (as have the Australian Human Rights Commission and the UNHCR), or have not 'cooperated' in their deportation to their home country for any reason, including fear of persecution or medical incapacity. Even stateless people may be imprisoned under this bill.

Also, this Bill will allow the Minister to summarily refuse visas to a country unwilling to accept its own citizens who decline to cooperate in refoulement. The Minister need only consult the Prime Minister and Minister for Foreign Affairs for this to ensue – a god-like power to invest in an appointed official.

This bill will criminalise the behaviour of asylum seekers and some refugees who decline to cooperate in their removal to their home country. There will be a minimum 1 year prison sentence; they may be sentenced to up to 5 years in prison; and it appears they may then be subject to a return to detention in contravention of the spirit of the High Court's ruling against indefinite detention, not to mention the Refugee Convention.

In summary, the Migration Amendment Bill will unfairly penalise refugees and asylum seekers who have already endured the horrors of indefinite detention. It will contravene a ruling of the High Court of Australia. It will incur further opprobrium in international circles. It will invest the Minister with extraordinary and unnecessary discretionary powers. None of this is warranted nor acceptable.

Sincerely yours,

Maria Barbieri

Joan Henderson