

THINKING MIGRATION

No 2, 2013



AUSTRALIAN CATHOLIC
MIGRANT & REFUGEE OFFICE

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Australian Catholic
Bishops Conference



AUSTRALIAN CATHOLIC
MIGRANT & REFUGEE OFFICE

EDITORS

Fr Maurizio Pettenà CS

National Director

Joseph Moloney

Research and Information Officer

GPO Box 2720
Canberra ACT 2601

Tel: (02) 6201 9848
Fax: (02) 62477466
info@acmro.catholic.org.au
www.acmro.catholic.org.au

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Syrian refugees

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Designed by:

Rita Terunawidjaja

Communications Office,

Catholic Archdiocese of Melbourne, Australia

A displaced handicapped man stands in Al-Mushraf settlement in Mosul in Ninewa Governorate. The settlement is home to nearly 800 people who were displaced from Shekhan region, located in another part of the Governorate, in 2003.

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FORWARD

Welcome to the second volume of *Thinking Migration*.

The Catholic Church has a long tradition of social teaching specifically aimed at the policies, practices and pastoral care of migrants and refugees. What the church looks at is the integrity of the human being especially the most vulnerable ones, and their protection and the assurance that they can find development in a just and peaceful environment.

The world situation is continuously challenging the integrity of human dignity. Many countries are torn apart by conflicts, revolutions, war, people protest been abused by governments who are often exploiting, torturing and murdering their own people.

Politics look for venues and possibilities to engage diplomatic skills to reach covenants and to work towards regional policies. As the talks at political and diplomatic levels are being conducted, people fearing for their lives continued to flee away in the hope of finding an immediate solution to their anguish and with faith that they will find someone who will welcome them at the end of their dangerous journey.

In this year's message for the 99th world day of migrants and refugees, Pope Benedict presents the journey of migrants and refugees as one of hope and faith.

Faith and hope are inseparable in the hearts of many migrants, who deeply desire a better life and not infrequently try to leave behind the "hopelessness" of an unpromising future. During their journey many of them are sustained by the deep trust that God never abandons his children; this certainty makes the pain of their uprooting and separation more tolerable and even gives them the hope of eventually returning to their country of origin. Faith and hope are often among the possessions which emigrants carry with them, knowing that with them, "we can face our present: the present, even if it is arduous, can be lived and accepted if it leads towards a goal, if we can be sure of this goal, and if this goal is great enough to justify the effort of the journey" (Spe Salvi, 1). Pope Benedict XVI, Message for 99th World Day of Migrants and Refugees, 12 October 2012.

The hope with which migrants and refugees leave their countries, the difficulties and dangers they encounter on the journey is sustained by their faith that they will approach a new land that will open for them and their children the possibilities so much denied back home.

The public forum in Australia steams with different reactions to whether or not to welcome asylum seekers coming by boat and how many and for how long. The fact is at present, we see children in detention, families locked away and continued physical and mental harm caused to the most vulnerable of people.

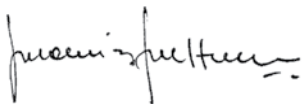
We have a moral responsibility towards any person and particularly the most vulnerable ones. Central to this moral responsibility is the identity of the people of God. "My father was a wandering Aramean" Deuteronomy 26:5

Jesus teaches us not only to stop with compassion, to help the man fallen on the road. He also teaches that we need to become aware of the many ones who have fallen along the road and commands explicitly to “go and do the same” Luke 10:25-37

On judgement day we will be questioned on whether or not we have afforded welcome to the foreigner. The encounter with the diverse one becomes an encounter of culturally diverse people. Thus creating a new culture, that of unity and communion.

The present issue begins with an international look at religious freedom in the context of peace and the common good. The next two speeches are the proceedings of the Second Annual Colloquium on Ethics and Migration, dedicated to the memory of the late Bishop Joseph Grech. These two key note speeches deliver two perspectives of Australia’s moral obligations towards people seeking asylum, one from the Catholic Church and one from the Australian Government. Following this we have a keynote presentation from the National Migrant Chaplains Day which explores the mission of the Catholic Church among migrants. The final section comprises of three presentations delivered at the Third National Conference on the Pastoral Care of Migrants and Refugees. These last three presentations all reflect the theme of the conference “I have heard them crying out” [Exodus 3:7] which focused on the plight of asylum seekers as they journey with the hope of finding new life in Australia.

Gratitude is due to the Australian Catholic Bishops Conference, the religious men and women, the clergy and lay pastoral workers who ‘with mud on their boots’ journey alongside migrants, asylum seekers and refugees. Catholic social teaching is made up of two parallel venues that intersect: one is solid teaching the other one is practice. Brave thinking, hard-working, dirty hands: the rich teaching of the Catholic Church would be lost without all of you who journey with migrants and refugees sustained by faith and hope. Thanks also to the staff of the Australian Catholic Migrant and Refugee Office.



Fr Maurizio Pettenà CS

National Director

Canberra, ACMRO March 8, 2013

Memory of St Charles Borromeo.

INTERNATIONAL RELIGIOUS FREEDOM: AN IMPERATIVE FOR PEACE AND THE COMMON GOOD¹

Archbishop Silvano M. Tomasi, c.s.²

Apostolic Nuncio, is the Permanent Observer of the Holy See to the United Nations
and Other International Organizations in Geneva



A Somali refugees in Kenya
© Caritas International

I. Principles and reality

Freedom of religion is a global concern. From my observatory in Geneva, where the U. N. Human Rights Council is based, it is clear that religion has become a topic of frequent debate. Last March, the Human Rights Council unanimously approved an explicit resolution on freedom of religion or belief where once again States are urged “to ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected.” On that occasion, I argued, on behalf of the Holy See, that “religions are communities based on convictions and their freedom guarantees a contribution of moral values without which the freedom of everyone is not possible.”

More than ever before, political analysts and human rights advocates include religion in their agenda. But most of them emphasize either “tolerance”, as if religion were merely a source of conflict, or “individual choices”, as if religion were merely the concern of an individual’s convictions and were devoid of social consequences. The juridical arsenal to protect religious liberty, however, has been stocked with some excellent resources developed in response to the horrors of World War II and the systematic violation of human dignity and human rights by the Nazi and Communist totalitarian regimes. With the 1948 Universal Declaration of Human Rights, freedom of religion entered the realm of international law and jurisprudence. This prompted the framing and enforcement of other human rights instruments at a global, regional and local level. In fact, declarations, conventions and charters have literally mushroomed. I will mention only a few: *the International Pact on Civil and Political Rights* (1966), *the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (1981)³, that lists, among other specific requirements, the freedom to establish and maintain appropriate charitable or humanitarian institutions; and the *Resolution of 1986* that establishes a Special Rapporteur on freedom of religion and belief. With these and other Conventions that include specific references to religious rights, the international community has guaranteed freedom of religion at the individual, collective and institutional levels.

The Universal Declaration set a standard for what type of treatment human beings are entitled, as well as for what States are morally obliged to enforce. If a State ignores such rights, this may well have a serious impact on its international relations as well in on its domestic debate and legal framework.

Declarations, however, are not enough. What is enshrined in them can be misused and misinterpreted. Moreover, States and popular movements can even manipulate such declarations into powerful tools of self-justification and may thereby pursue goals that are in conflict with the very rights they were designed to enforce.

At present, there is no doubt that religious freedom is under stress worldwide. During the 20th century, some forty-five million Christians died because of their faith. The trend continues. A 2011 study on global restrictions on religion by the Pew Research Center’s Forum on Religion & Public Life found that 70% of the world’s population lives in countries with high restrictions on religious beliefs and practices, the brunt of which often falls on religious minorities—including, in some cases, people who are secular or non-religious. Additionally, more than 2.2 billion people, nearly a third (32%) of the world’s total population, live in countries where either government restrictions on religion or social hostilities involving religion rose substantially between mid-2006 and mid-2009. Only 1% of the world’s

population lives in countries where government restrictions or social hostilities have declined. The number of countries in which governments used at least some measure of force against religious groups or individuals rose from 91 (46%) in the period ending in mid-2008 to 101 (51%) in the period ending in mid-2009. The consequent violence was wide-ranging, including murder, physical abuse, imprisonment, detention or displacement from one's home, as well as damage to or destruction of personal or religious properties. On the increase are mob violence, religious-motivated terrorist groups and the commission of malicious acts by private citizens and groups motivated by religious hatred. Christians are the first target. The Pew Report adds that restrictions on religion are particularly common in the 59 countries that prohibit blasphemy, apostasy or defamation of religion. While such laws are sometimes promoted as a way to protect religion, in practice they often serve to punish religious minorities whose beliefs are deemed unorthodox or heretical. A simple review of the daily press confirms the Pew study: bombs are exploded in churches during Mass in Nigeria and Kenya; threats are carried out against the ancient Christian communities of Iraq, and now of Syria, thus forcing them into exile; a Christian girl of 11, living with Down Syndrome, Rimsha Masih, is arrested on charges of blasphemy and put in jail in Pakistan, for purportedly burning pages of the Koran and 400 Christian families of her poor neighborhood took flight in fear for their lives; Sufi shrines are turned to rubble in Libya; a rabbi is attacked in the streets of Berlin and has to be hospitalized and rabbinical students are advised not to wear their kippa in public places; a Catholic Bishop Ma Da Qin is placed under home arrest for allegiance to the Pope; Christians are in flight from Northern Mali to escape the violent attacks of fundamentalists. The International Society for Human Rights estimates that 80 percent of all acts of religious discrimination in the world today are directed at Christians and that some 150,000 Christians are killed for the faith every year.

The age of martyrs is still with us. The struggle for religious liberty endures. In a more sophisticated way, Western liberal democracies subscribe to a public culture that tends to relegate religion to the private sphere and, through their respective court systems, chip away at the original understanding of religious freedom. Through a narrow reading of human rights-related provisions, the wording of declarations repeatedly has been reinterpreted in order to fit the political agendas that have changed over time. Education, family law, healthcare are just some of the fields in which narrow reading of religious freedom paved the way to antireligious policies.

2. Evolution of the idea of religious freedom

The journey leading to the recognition of the right to freedom of conscience and belief has been long and painful. It began with Jesus' words: "Give to Caesar what is Caesar's and to God what is God's" (Mark 12:17). Christians were to fulfill their obligations, to the fullest extent possible, to both God and the State. At the same time, it became clear that there are limits to the jurisdiction of earthly rulers. Caesar's image is on those things necessary to the proper function of civil society; therefore, civil government legitimately exerts power over this realm. But since human beings bear the image of God, the *imago Dei*, their allegiance to God takes precedence over their allegiance to the State. Moreover, genuine love for God comes willingly from the inner person; forced love is an impossibility. Three premises are established: a distinction between religion and the State and the legitimacy of both; the priority of God in case of conflict between the two; the voluntary nature of genuine religious devotion.

Tertullian at beginning of the third century wrote: it is a “fundamental human right, a privilege of nature, that every man should worship according to their own convictions” (Ad Scapulam, 2), and he coined the expression freedom of religion (*libertas religionis*).

Over the centuries, intolerance and persecution were only too familiar to the Christian communities. Over time, the insight of the Gospels prevailed, particularly since it could be argued in a coherent and logical way by human reason. Religious freedom became the space that offered people the freedom to rise above all human and contingent situations and enabled them to answer some of the critical questions all of us have to ask at least once in life: if God exists; what happens after my death? Along this same path, then, religious freedom has been accepted as the right of every person to profess religion according to the dictate of her or his conscience. Such right to establish a relation with God in the intimacy of one’s conscience implies both an individual-focused and a communitarian way to exercise this relation that must be protected from any constraint. To affirm religious liberty as a fundamental right means to sustain the autonomy of the person not so much toward religion, but *vis-à-vis* those who would want to limit the range of one’s religious sentiment. The achievement of the Universal Declaration of Human Rights is a milestone in the historical journey. It states: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” (Art. 18) This article 18 remains the cornerstone of the international framework for recognition of and respect for religious freedom and, together with other treaties, it provides the arsenal that theoretically and juridically can protect religious freedom everywhere.

3. Religious freedom in the Catholic Church

The importance of religious freedom for promotion of the common good and peaceful coexistence also has become a major chapter in the social doctrine of the Church. There is a convergence of language and substance between international human rights developments and Church teaching. Besides, the educational role of the Church has helped in no small way the consolidation of democratic institutions. The American contribution to the Second Vatican Council opened the door wide for an understanding of religious freedom that truly universalizes this right: “This Vatican Council declares that the human person has a right to religious freedom. This freedom means that all men are to be immune from coercion on the part of individuals or of social groups and of any human power, in such way that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits. The Council further declares that the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself. This right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus it is to become a civil right.” (*Declaration on Religious Liberty, Dignitatis Humanae*, 2) The moral battle of Blessed John Paul II to sensitize world’s conscience that all believers should effectively enjoy religious freedom has led to the well known results that transformed the map of Europe and global politics; his unique spiritual leadership advanced freedom in the world. The aspiration for religious freedom also has

been at the root of recent democratic movements that led to the fall of several dictatorships.

Through the masterful addresses of Our Holy Father Benedict XVI and, in line with him, through his Representatives in the U.N. arena, the voice of the Holy See reminds the international community that, even in our present circumstances, peace requires religious freedom. In fact, the promotion of full and universal respect for this liberty guides the activity of the Holy See in international and intergovernmental organizations, in the stipulation of concordats and other agreements, and in the service of its diplomatic corps. The commitment that flows from faith benefits the entire society. The example of Mother Teresa of Calcutta offers clear evidence .

4. Religious freedom in a secularized culture

Profound changes have taken place in most societies, however, due to an increasing differentiation of beliefs, life styles, cultural traditions, ethnic identities, secularization and extreme individualism. Globalization forces us to interact across national, cultural, religious and other boundaries. Democratic States are challenged to search for common acceptable criteria to preserve social peace and cohesion. Certainly the ethical core of fundamental convictions within each person must be respected, protected and guaranteed; if need be, through an affirmative action by public authorities. But such an individualized focus on belief might also facilitate legitimization of behaviours, or mere passions, that are quite distant from the lived and institutional dimensions of religions. This religion *à la carte* places the legislator in a difficult situation that risks the limitation of religious freedom in an effort to find pragmatic solutions. God's existence, the assumption in all the historical journey in the development of the doctrine of religious liberty, is no longer assumed. Nor is the anthropological foundation of human rights preserved.

The question then arises of how to find common values to keep cohesion and peaceful coexistence in society, while respecting religious freedom in the new circumstances. In common we have our human nature; this becomes the starting point for the search.. Nature, reason and the profound desire of the human heart for fulfilment provide the possibility to discover and understand the basic core values of every person. "Any well-regulated and productive association of men in society demands the acceptance of one fundamental principle: that each individual man is truly a person." Wrote Pope John XXIII. "His is a nature, that is, endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature. These rights and duties are universal and inviolable, and therefore altogether inalienable." (*Pacem in Terris*, 9) In this line of reasoning, freedom is not separated from truth, and thus eventual and objective ethical limits to personal and social conduct are implied. The range of freedom of the person, while she finds limits in her reference to truth, extends beyond the subjective dimension. The person does not arrive to be a person without relations to others. Therefore freedom of religion includes a communitarian and institutional aspect, as well as *inter alia* the right of each religion to establish its own rules, to exercise the power of self-organization and to disseminate its doctrine. The State cannot intrude on this process and can limit the exercise of institutional religious freedom only if such action is warranted in accord with the principles of respect for public order and the common good. Attempts by the State to restrict fundamental values, like the right to life, or to oblige a person to go against her conscience, can never be justified, since this would violate personal dignity and be detrimental to society itself. Moreover, compliance with certain core values provides a solid basis for

social cohesion, respect for others and the wellbeing of society as a whole. It has been aptly observed “that just as freedom of speech depends not only on one’s right to say what’s on one’s mind, but on the existence of institutions like newspapers, universities, libraries, parties, and associations, so freedom of religion also involves protecting the institutions that nourish individual free exercise.”

5. Working for religious freedom

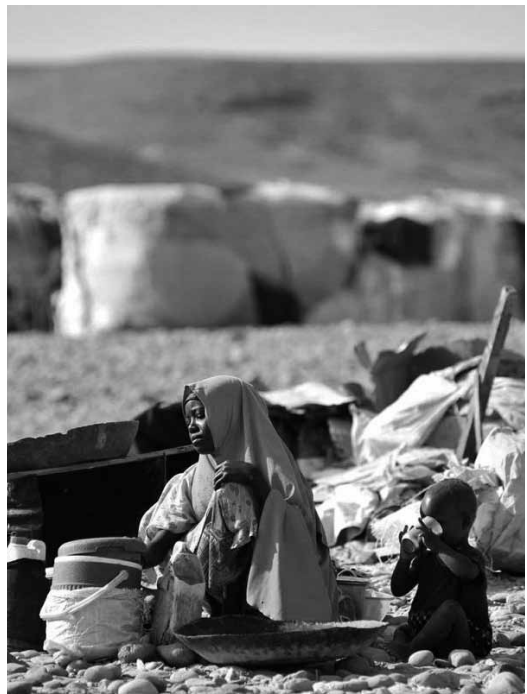
A reason approach to human rights and religious liberty finds a universal appeal because it is centred on the person. But we cannot lose sight of the fact that the religious dimension of the person is part of human experience in all cultures and social contexts. The contribution of reason and of religious insights to support religious liberty is like the continuity of a ray of light that cannot be cut at any point. Instead of hostility, the correct relationship between religious norms and the public sphere can be articulated with reasonable arguments of a general character and without the exclusion of religious insights. From the mutual openness of believers of different religions and non-believers of good will, great benefits can derive for a dialogue among religions and convictions to promote peace and the common good of humanity as well as to establish a serene coexistence, social progress and institutional



Top Left:

Muslim women praying in a camp near Bilel, where families displaced by the conflict in the Darfur region of Sudan have taken refuge from the violence. They are assisted by ACT-Caritas with a variety of emergency services, including seeds and agricultural tools, schools and pre-schools for their children, and health care.

© Caritas International / P. Jeffery



Top Right

These people moved to the outskirts of Bossaso after being evicted from the Shabelle settlement. The mother, sitting with her child amid all of their belongings, will spend the day building a new shelter.

© UNHCR / R. Gangale

stability in each State. Indifference or an exclusive absorption in materialistic pursuits risks to relegate the fundamental right of religious freedom to be considered a “second class” right with the negative consequences of violent claims and insurgencies that the repression of this right has shown throughout history. Thus support of religious freedom calls for a culture of respect, for a system of education that teaches the value of searching together for the truth and of respect for the sincere beliefs of everyone, that encourages forgiveness and promotes harmony in a way that integral human development can truly be achieved. Pope John Paul II shared the learning from his personal experience when he taught that: “Dialogue between cultures, a privileged means for building the civilization of love, is based upon the recognition that *there are values which are common to all cultures* because they are rooted in the nature of the person. These values express humanity’s most authentic and distinctive features. Leaving aside ideological prejudices and selfish interests, it is necessary to foster people’s awareness of these shared values, in order to nurture that intrinsically universal cultural “humus-soil” which makes for fruitful and constructive dialogue.”⁴ A practical help to advance religious liberty in the world and its many derived benefits is the political monitoring of the implementation of this right that is undertaken by the European Union and by the U.S. State Department, by the United Nations Human Rights Council’s Universal Periodical Review of States, and in the annual Reports on how religious liberty fares in the countries of the world. Thus we note an increasing awareness of the link between foreign policy and religious freedom. Ultimately, each one of us should engage in this task. I am reminded of an old African story of the king lion escaping the forest in flames followed by all the animals. When the lion notices a tiny hummingbird flying counter current toward the fire yells at him: “What do you think you are doing with your useless flight?” And the hummingbird replies: “I’m trying to put out the fire.” Then the lion with a mocking laugh retorts: “With only one drop of water...” Without breaking his flight the hummingbird answers: “I do my share.”

6. The American experiment

The novelty of the American experiment has been to guarantee the free exercise of religious liberty for individuals, for different religious groups, and for their religious-inspired institutions. This remains a lasting and valid contribution to the world. John Noonan rightly defined religious liberty as the “lustre” of the United States. Religious freedom was among the most relevant freedoms that gave origin and shape to the American colonies, then to the American states, and subsequently to the American Republic.

Americans have a special relationship with the value of religious liberty; it is well embedded, not just in their past, but also in their present. Our twentieth century Civil Rights movement was prompted by religious communities and personalities who substantially contributed to erase racial inequality.

But the special relationship between the United States and religious liberty has not been fruitful just for Americans. It has been fruitful for everybody. The American sensitivity to religious freedom played a prominent role in shaping the Universal Declaration of Human Rights. Thanks to the personal engagement of Eleanor Roosevelt, as I mentioned previously, a deep understanding of religious freedom found its place in a foundational article of the Universal Declaration of Human rights. The American experience of religious freedom still is the focus of serious study in other parts of the world, including Europe. Scholars and legislators there still draw inspiration from American Constitutionalism when they try to find new and positive ways of conceiving the relationship between religions and the State.

Even the Catholic Church learned much from the American experience as it shaped, during the Second Vatican Council, what became the *Declaration on Religious Freedom*. The United States still plays a global role in upholding religious freedom as, in many ways, does the Church in this country.

Democracies are built by respecting, through personal and institutional choices, this freedom of conscience and religion, rather than by military imposition, legal dictat, or the destruction of entire societies. The United States *Bill of Rights* embodies a principle that remains a test of genuine democracy: the free exercise of religion, that clearly implies freedom of conscience and of institutional expression of belief. The American Constitution then prohibits that the State adopt legislation to establish an official religion or that it prefer one religion over another. From this perspective, the State should not interfere with the free exercise of religious freedom, or with one's practice of religion, nor should the State require a person to act against her or his religious views. Thus the presence of religious communities in the public sphere cannot be relegated to the celebrations of rites and ceremonies, but must be able to play an active role and to express their own vision of the human person and of the policies that rule society.



Left Top:

Kenya draught Rendille tribe
live in Manyattas Village in Kargi

© Caritas International

As the world becomes more diversified through technology of communication, migration, cultural changes, scientific progress that involves the human condition, and the emergence of new religious communities, peace and creative living together in our globalized and interconnected societies will be possible only if freedom of religion is fully respected. Indeed, this is the human right that, in the end, guarantees all other human rights. The preservation of the American experience must remain a contribution for the peaceful and truly democratic future of our world. As Alexis de Tocqueville so wisely remarked, "Despotism may be able to do without faith but freedom cannot." Thus, we stand for religious freedom so as to free others to become fully human.

Allow me to conclude these remarks by quoting our Holy Father, a strong advocate of religious liberty: "You are called to live with that attitude full of faith that is described in the *Letter to Diognetus*: do not deny anything of the Gospel in which you believe, but live in the midst of others with sympathy, communicating by your very way of life that humanism which is rooted in Christianity, in order to build together with all people of good will a "city" which is more human, more just and more supportive."⁵

THE SECOND ANNUAL BISHOP JOSEPH GRECH INAUGURAL COLLOQUIUM ON ETHICS AND MIGRATION

Archbishop Denis J Hart DD

President of the Australian Catholic Bishops Conference and Archbishop of Melbourne



Syrian refugees

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Introduction

Minister Chris Bowen, *distinguished* guests, ladies and gentlemen,

Bishop Joe Grech was passionate about helping refugees and asylum seekers, so I am very pleased we are remembering him in this Colloquium.

Migration and the Church

In acknowledging the Traditional Owners of this area, I invite you all to reflect on how the great majority of us have relatively recent family histories in Australia, how migration has been central to the development of the Catholic Church and how migration has transformed Australia into a vibrant, prosperous, western democracy in just over two hundred years.

I remember that migration has not always helped Aboriginal and Torres Strait Islander people. We have a lot more work to do with our Indigenous brothers and sisters to create a truly just Australia.

The 2011 census shows almost a quarter of Catholics were born overseas. Migrants to Australia have brought the Church new symbols, practices and devotions which express the richness and diversity of the Universal Church. We are grateful for example for the people from the Eastern Catholic Churches – the Maronite Diocese and the Melkite, Chaldean and Ukrainian Eparchies. Their traditions help to enrich the whole Church in Australia.

A recent analysis of the 2011 census data in *The Australian* newspaper highlights the role of migrant communities in Australia's most Catholic city suburb, Horsley Park in Sydney's west. Almost three quarters of the population there are Catholic, partly explained by the fact that more than 40 per cent of the residents have Maltese or Italian heritage.

Speech structure

This evening I will be speaking about our moral obligations towards those people who are refugees or seeking asylum. I will in particular be focusing on the light the Church's social teaching can throw on an area of policy that remains in national debate.

The Scriptures and key Church documents offer insights into how we should approach refugee policy. I will then discuss the debate surrounding people seeking asylum in Australia, the *Report of the Expert Panel on Asylum Seekers* and Parliament's response to that report earlier this month and whether that response corresponds with our obligations. I will also look at what the Church is doing to help refugees and proposals we have to improve Government policy.

Catholic social teaching

There is a long tradition of teaching in the Catholic Church on how we should treat strangers.

The Scriptures teach us to respect people from foreign lands. Moses led the Israelites across the Red Sea to escape slavery and so, to remember their time as foreigners in Egypt, the Israelites were urged in the Old Testament to treat foreigners well, as they would fellow citizens, including providing strangers with food and clothing. (Exodus 22:21; Lev 19:34; Deut 10:18).

The Holy Family experienced the displacement so many people around the world are living with today. Jesus was born in a manger because there was no room at the inn and he had to migrate with his family to Egypt to flee the threat of Herod. (Mt 2: 14)

Jesus asked us to love our neighbour as we do ourselves (Mt 22:39), to see Christ in the humble, the weak, the stranger: "... for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me ...". (Mt 25:35) Jesus demonstrated his acceptance of foreign people by helping people like the Samaritan woman (John 4:3-42), the Roman Centurion (Mt 8:5-13) and the Syrophenician woman (Mark 7:25-30) in the Bible stories.

Saint Paul too advised the Romans: "You must love your neighbour as yourself."

The mystic Thomas Merton said: "God speaks, and God is to be heard, not only on Sinai, not only in my own heart but in the voice of the stranger ... God must be allowed the right to speak unpredictably."

There is no question we are called to treat strangers well and to welcome them.

The Church has a long tradition of social teaching, which recognises two rights in respect to migration: the right to seek asylum and the right of nations to manage migration flows across their border.

Pope Benedict XVI noted that "the Church recognizes this right [to emigrate] in every human person, in its dual aspect of the possibility to leave one's country and the possibility to enter another country to look for better conditions of life".

The second right was outlined by Pope Benedict when he said "states have the right to regulate migration flows and to defend their own frontiers". These words from His Holiness are to ensure migration is orderly and so there is no loss to the political, social and economic order in the destination countries.

We have to find a balance between these seemingly conflicting rights, which both serve the same purpose, described by Pope Pius XII as "devotion to humanity". There is an obligation on countries to regulate their borders, but that regulation must be undertaken with justice and mercy. Pope Benedict commented the task "is to combine the welcome due to every human being, especially when in need, with a reckoning of what is necessary for both the local inhabitants and the new arrivals to live a dignified and peaceful life".

The right to live a dignified life in one's homeland is the ultimate goal. As humans are not only sacred but also social, the Church demands that all persons have a right to be part of a community and nation. The right of nations to protect their borders is an extension of the right of all persons to live a dignified life in their community. It is not the protection of borders in itself, but the protection of the community which serves humanity.

Let us consider how to balance these rights as we look at the migration debate in Australia.

Terms

To start I should outline some terms I wish to use. The 1951 United Nations *Convention Relating to the Status of Refugees* says a refugee is a person 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".

An asylum seeker is someone whose claim to be a refugee has not yet been assessed. I am concerned in this debate that people seeking asylum are sometimes wrongly, in my view, called “illegals” because that term does not show proper respect for the dignity of the person, nor his or her right to apply for asylum.

Why are refugees controversial?

I think most Australians would agree our nation has an important obligation to accept refugees. The controversy is largely over how people seeking asylum arrive here and the numbers in which they arrive.

The arrival of people who have been assessed in an overseas camp to be refugees and have been accepted for resettlement in Australia is relatively uncontroversial.

Public concern tends to rise though when people apply for asylum on arrival in Australia and, although many people arrive by air with some form of visa and then claim asylum, public concern is concentrated on those who arrive by boat.

I think two key reasons why members of the public tend to object more to asylum seekers applying to be recognised as refugees after they have arrived in Australia, and particularly after they have arrived by boat, is because of an Australian sense of fairness and because of a concern over the risk to life involved in travelling to Australia by boat, often in an unseaworthy vessel provided by people smugglers. The very notion of people smugglers arouses strong feelings as instinctively we reject the idea that the vulnerable should be exploited in this way.

The Expert Panel on Asylum Seekers reports more than 100 people travelling to Australia by boat died or were missing at sea in 2012 alone and almost 1000 people have died or gone missing since 2001.

The loss of life is a very serious concern and it has rightly galvanised the public's and the Parliament's attention.

Australians are also very attached to a sense of fairness or of a fair go, which I think is an admirable national trait. It is the sense of the fair go that drives so much good in our community, but in this case I think it has been misapplied. Asylum seekers arriving in Australia are seen by many in the public as queue jumpers, taking places from people waiting patiently in refugee camps all over the world. This is especially so given those people arriving in Australia have often paid people smugglers large sums of money to get them here.

I can sympathise with those concerns, but I think the concerns are misplaced.

First, because there is a sense in these concerns that there is an orderly queue that asylum seekers can join, with some prospect of success. In reality, United Nations numbers indicate that in 2011 there were more than 42 million forcibly displaced people in the world today. Of these people, more than 15 million were refugees and there were almost 900,000 people whose asylum claims were yet to be assessed. Sadly in that year only 80,000 refugees were resettled under the auspices of the UN High Commissioner for Refugees. That is less than one per cent of all refugees. It is difficult to blame people stuck for years or perhaps a lifetime in a refugee camp for trying to do better for themselves and their families.

The second reason I disagree is because there is a sense in those public concerns that we get to say who knocks on our door. Pope John Paul II asked on World Migration Day in 2000:

“How can the baptised claim to welcome Christ if they close the door to the foreigner who comes knocking?” To those wise words I would add we cannot determine who knocks on our door. We can work to regulate our borders but ultimately we just have to respond the best way we can when someone knocks.

The alternative is to offer refugees and asylum seekers enough hope to pursue a different course.

Expert Panel

Australia has had many years of divisive debate on how to deal with people seeking asylum in Australia.

Earlier this month, the tragic loss of the lives of asylum seekers who have drowned at sea on their way to Australia and the increase in the number of people seeking asylum in Australia by boat this calendar year, prompted the Parliament to act.

In June the Prime Minister and the Minister for Immigration and Citizenship appointed the Expert Panel on Asylum Seekers to look at the policy options with a view particularly to “prevent asylum seekers risking their lives on dangerous boat journeys to Australia”.

The Expert Panel released its report on 13 August which included a range of recommendations. To my mind, the key recommendations are:

Increasing the Humanitarian Program by 6,000 to 20,000 places a year;

Putting in place a ‘no advantage’ principle, so those people seeking asylum by boat have no advantage in being accepted as a refugee in Australia over those people waiting in camps;

Opening detention centres in Nauru and Papua New Guinea;

Removing family reunion concessions for those who arrive by boat; and,

Undertaking further work to improve cooperation with Malaysia, Indonesia and the region.

These changes were hastily agreed by a Parliament desperate to reduce the risk of asylum seekers losing their lives. I can understand the haste, but as with all legislation rushed through Parliament, there was not adequate time to reflect to try to ensure the legislation will not bring its own problems.

I applaud the increase in the number of places for the Humanitarian Program. This offers the opportunity to offer resettlement in Australia to recognised refugees in camps, which may reduce the incentive to come by boat.

Australia has a great capacity to resettle refugees and I would encourage the Government to an even more generous resettlement program. From popular media coverage we might have the impression we are resettling record numbers of refugees. But consider this: statistics from the Refugee Council of Australia show that in 2010-11 Australia accepted just under 400 people per million of our population, but in 1981-82 we accepted more than three times this number or more than 1400 refugees per million population. So it is clear that Australia has the capacity to do more.

It is also important to engage with countries in the region. This is an area of work which has had modest success to date, but there is value in having ongoing dialogue with our regional neighbours.

But my central concern with the plan is that in order to deter people from seeking asylum by boat under the 'no advantage' principle, Australia will have to detain people on Nauru and Papua New Guinea at least as long as they would stay in a camp, which is many, many years. Holding people for long periods of time, perhaps even if the person is a recognised refugee, for no purpose other than deterring others does not respect the basic human dignity of those detained.

I am also very concerned that Australia would deny people who arrive by boat the chance to bring their families back together.

I want to acknowledge the good will and hard work of our Federal Politicians in trying to find their way through competing interests to reach agreement on this difficult issue. Theirs is a very difficult job. But the problem with politics is that morality and the common good can be lost in debates between competing interests. We end up accepting what is judged possible rather than what is preferable.

I acknowledge it is easy to find fault with the difficult decisions politicians have to make and much harder to offer a positive, practical alternative. It is even harder to put those alternatives into action.

This is where the Catholic Church in Australia has a lot to offer. The Catholic Church plays a very important role in the migration program by providing pastoral care to migrants and refugees and through sponsorship and resettlement.

What the Church is doing

The Catholic Church has had a central office for helping migrants and refugees since 1947, which is today the *Australian Catholic Migrant and Refugee Office*. There are equivalent offices in each archdiocese.

There are more than 30 Catholic agencies in Australia working hands-on with refugees to help with community resettlement.

For example, CatholicCare in the Archdiocese of Canberra and Goulburn has taken up the challenge of establishing and running a house to accommodate and support unaccompanied minors who are seeking asylum in Australia and this initiative has been followed up by similar good work by a number of congregations in other parts of Australia.

Church suggestions for policy

The Church has also made clear what it thinks should be the approach to this very difficult policy problem and Father *Maurizio Pettenà and his staff at the Australian Catholic Migrant and Refugee Office have worked tirelessly on this issue.*

First there is an obvious need to go to the source of the problem of displaced people, which is conflict and persecution in their home countries. The Migrant and Refugee Office has pointed out that Afghanistan, Iraq, Iran and Sri Lanka are listed in the top 10 countries for people being at risk of serious human rights violations and mass killings. How can we redouble our efforts to help bring peace to those countries?

To cut the risk of people travelling by boat to Australia, we must offer refugees and asylum seekers more hope in another route.

In the early 1980s Australia had an agreement with Vietnam for an orderly departure program, creating a safe, officially sanctioned and organised way for people to migrate to Australia. This largely stopped people seeking asylum by boat in the 1980s. There is the opportunity to negotiate with major source countries of refugees today, including Afghanistan and Sri Lanka, to establish this program and ensure people do not undertake risky boat trips. To offer adequate hope to deter risky journeys, it would require Australia to agree to accept perhaps another 10,000 to 15,000 refugees a year.

The increase in our humanitarian intake from 13,500 to 20,000, on which I congratulate the Minister and his department, will offer more hope to refugees, while helping at the same time to stop dangerous boat journeys to Australia.

Conclusion

The issue of refugees and asylum seekers is a difficult one for Australia to deal with, but it starts first with our hearts. We must not forget the central place in this for prayer to reflect on what we can do, both individually and as a community for the strangers who come to our shores. We know we must love the strangers and we know there is no real love without sacrifice – we must go out of our way to help.

The Church is very willing to continue to work with the Government to help resettle migrants and refugees in Australia, and looks forward to our continuing relationship which has been in place since at least 1947.

I conclude with a quote from Pope Benedict from this year's World Day of Migrants and Refugees:

“Asylum seekers, who fled from persecution, violence and situations that put their life at risk, stand in need of our understanding and welcome, of respect for their human dignity and rights, as well as awareness of their duties. Their suffering pleads with individual states and the international community to adopt attitudes of reciprocal acceptance, overcoming fears and avoiding forms of discrimination, and to make provisions for concrete solidarity also through appropriate structures for hospitality and resettlement programmes. All this entails mutual help between the suffering regions and those which, already for years, have accepted a large number of fleeing people, as well as a greater sharing of responsibilities among States.”

+ Denis J. Hart,

ARCHBISHOP OF MELBOURNE

AUSTRALIA'S MORAL OBLIGATIONS TOWARD PEOPLE SEEKING ASYLUM

Hon Chris Bowen

Minister of Immigration and Citizenship



Address to the second annual Bishop Joseph Grech Colloquium on Ethics and Migration, Melbourne Victoria, 30 August 2012

Acknowledgements

Thank you, and thank you to Father Pettena for the opportunity to contribute to this important colloquium on ethics and migration.

Father Pettena combines passion with action. Last year, Father Pettena came to see me to lobby for faster action in moving children into the community, out of detention. I pointed out to the Father that one of the very real challenges is finding appropriate housing for children and families, and that with more accommodation we could move quickly.

The next day, Father Pettena called back saying that he had found a former monastery in Canberra that could sleep plenty of unaccompanied minors and made it available to us, an offer we accepted with alacrity. He's my kind of action-oriented advocate.

Your Grace Archbishop Denis Hart, Father Pettena, Associate Vice-Chancellor Mr Chris Sheargold, ladies and gentlemen.

I would like to begin by acknowledging the Wurundjeri peoples of the Kulin Nation, the traditional owners on whose land we meet today, pay my respects to their elders – past and present – and thank them for their stewardship of our land over the millennia.

This Colloquium is a fitting tribute to the late Bishop Grech who we remember in this colloquium tonight; his advocacy for justice for refugees and his untiring efforts in serving and including those so at risk of exclusion, will not be forgotten. I did not know Bishop Grech, but I know the respect with which he was held and the sense of loss at his early passing.

It is appropriate that in memorial to him the Australian Catholic University and the Australian Catholic Bishops Conference have created this opportunity for dialogue; to provide an opportunity to rise above what can be a heated and divisive debate and come together in goodwill and good faith.

If you would also allow me a note of personal remembrance tonight, I would like to acknowledge tonight the memory of my friend Father Jerry Iverson, who passed away a few months ago. Father Jerry was the parish priest of Our Lady Queen of Peace, Greystanes in Sydney.

He became a warm friend and counsellor for me – a generous man to whom I would often turn to talk through issues of moral judgement, and who was always happy to talk issues through with his non-Catholic friend. He would have been intensely interested in tonight's discussion and I pay tribute to him tonight.

I also acknowledge the practical assistance provided that the Catholic Church and her agencies provide to refugees and asylum seekers around the world and in Australia. I would particularly like to acknowledge the work of the Jesuit Refugee Service under the leadership of Father Aloysius Mowe. I take the opportunity to acknowledge the contribution of Bishop Eugene Hurley and Sister Maryanne Loughry to my Ministerial Advisory Council on Detention.

Introduction

The theme of this evening's colloquium is 'Australia's moral obligations toward people seeking asylum'.

It may be tempting to suggest that looking at the asylum seeker issue from the perspective of ethics or morality is to look at it from a new or different perspective. Or that the only morally acceptable approach is a generous onshore processing regime which guarantees resettlement to anyone who arrives on our shores as an asylum seeker.

Some argue that we should not return people to their home country even after they have been found not to be refugees after an exhaustive process of determination.

Having had to think deeply about these issues, and put in place practical policies over the last two years, I reach a different perspective about the moral imperatives of asylum policy.

I believe in an approach that is generous, that recognises the complexities of the problem and importantly, acknowledges the desperate circumstances that cause people to travel to seek asylum.

When it comes to our moral obligations towards those seeking asylum, we must consider not just our moral obligations towards those who seek to come to our shores but also to the millions of displaced people around the world – who equally long for safety, peace, hope and a better future for themselves and their children.

Consequently, I also believe in robust measures to ensure that those who have the means and willingness to come here by boat should not be advantaged over those who do not.

I believe that asylum seekers should not be demonised and that they are simply doing what most of us would do in similar circumstances with similar means. Even those who do not turn out to be genuine refugees are simply seeking a better life for their family – not something in any way to be condemned.

More broadly, I believe in an appropriately high migration program and that we should promote and in celebrating the success of Australian multiculturalism.

Ultimately, the case for offshore processing as part of a properly constructed regional framework which improves protection outcomes across the region can probably be best dealt with in two parts: fairness and safety.

I think it was these combined moral imperatives of fairness and safety that led the Expert Panel of Angus Houston, Michael L'Estrange and Paris Aristotle to recommend the principle of 'no advantage' as the underlying theme of their report – that people who arrive by boat should not receive an advantage in terms of chances at permanent resettlement over others.

To argue otherwise is to argue that they should receive an advantage, not a proposition that, to my mind, stands up to close scrutiny.

Let's be clear, this is not about punishment or punitive actions. Three good men would not have put their names to a report which recommended this. Punishing some to warn others would not, to my mind, be a justified, sustainable or morally acceptable position. But putting all on a more even playing field when it comes to resettlement certainly is.

Fairness and Equity

Let me deal firstly with the issue of fairness – with equity.

There are 42 million displaced people in the world – people who have been forced from their homes through no fault of their own. Around 15 million of these are recognised as refugees, having fled across national borders.

Australia plays a unique role in resettling some of these people, giving them a chance of a better life.

Most countries, such as Germany, France and the United Kingdom, are kept busy dealing with those arrive. So they resettle virtually no refugees from elsewhere.

Others, such as the United States and Canada, have very few asylum seekers arriving on their shore and so have generous resettlement programs.

Australia has determined that we will help as many refugees as we can. And each year we spend hundreds of millions of dollars helping 13 750 settle into life in Australia – a figure we announced, last week, would lift to 20 000 – the biggest increase in our humanitarian program in 30 years.

Some people argue that we should both resettle a large fixed number of refugees from faraway places *and* settle all those who make it to our shores. Australia is the only country in the world that ‘links’ the onshore and offshore programs, you may hear them argue.

But Australia is essentially the only country in the world that both resettles large numbers of refugees and has a significant number of asylum seekers who arrive on our shores. A point of pride for our Humanitarian Program – and an essential ingredient for effective social integration – is that our settlement services are considered to be the best in the world, a point reiterated earlier this year by UN High Commissioner for Refugees, Antonio Guterres, during his visit to Australia.

But such settlement services are expensive.

That is why the government sets a cap on the total number of refugees we can take each year, whether from offshore or onshore. An uncapped program would mean an unlimited budget. Consequently, such a policy cannot be advocated by those who have the responsibility of economic management.

Still, we are increasing our Humanitarian Program quota to 20 000 places – at a cost of more than \$1 billion over the next four years.

I note that this is not a bipartisan position and, indeed, has been heavily criticised by some as sending ‘the wrong message’.

But the government’s view is that, in addition to removing the ‘advantage’ of arriving by boat, our policies must increase refugees’ prospect of resettlement in Australia through authorised means.

This concept of ‘no advantage’ is based partly on the moral and compassionate principle of fairness.

Say what you will about Australians’ sense of right and wrong; one quality that is deeply entrenched in our national psyche – including among our newest migrants – is our sense of fairness.

Sitting in my Fairfield electorate office in Sydney's West, I am constantly reminded of the inherent unfairness of a situation that rewards those who come by boat over those who don't and can't.

I hear the stories of people trying desperately to get family members to safety from Syria, where they fled from Iraq after a family member was kidnapped and after receiving regular death threats from local fundamentalists.

I hear of the hardship of family members of Assyrians, Chaldeans and Mandaean suffering persecution back home; of Copts in Egypt whose places of worship are shot at or burnt.

I talk to some of the relatives of the 1.6 million refugees in and around the Horn of Africa who wonder if there is any chance, after years of waiting, of being reunited with their loved ones to enjoy a new life in Australia.

Barely a day goes by when, as a local member, I don't hear a story like this, tearfully told by a local resident worried about the plight of their loved ones.

They beg us: though we be out of sight; do not cast us out of mind.

This is why, in the most multicultural area of Australia, where many refugees have made their home, there is very strong support for policies that deter boat journeys and give more places to people sitting in desperate and prolonged circumstances around the world.

The constituents I speak to every day – who came to Australia as refugees and who still have relatives in the Middle East, Asia and Africa patiently but desperately waiting for the chance of a new life in Australia – are to me a pretty good guide as to whether our refugee policy is operating fairly.

Like them, I believe our refugee program should be calibrated to give those refugees in protracted situations around the world – in the Middle East, in Asia and in Africa – who don't have the opportunity or resources to use people smugglers at least the same opportunities as those who do.

There simply is no moral justification for providing those with more money and more mobility with a greater chance at a humanitarian visa and a life in Australia over those of equal or greater humanitarian need.

Proximity surely cannot be the overriding moral principle, whereby we take full responsibility for every imaginable need – including food, shelter, language skills, occupational training, entertainment and so on – as soon as an individual makes it to Australian jurisdiction, but absolutely no responsibility until that point.

So it is from people like the refugees in my electorate that I get the strongest feedback that policies such as the Malaysia agreement, which removes the incentive to come to Australia by boat but which gives more people the chance of resettlement in Australia, are the right ones.

Safety

Let me turn, then, to the second moral principle underlying the Expert Panel's report: safety – and the need to remove the perverse incentive for desperate people to risk their lives to get to Australia.

There will always be a range of complex circumstances which cause people to travel to claim asylum. But it is a fact that properly designed regional processing can save human lives.

Conversely, asylum seekers are effectively encouraged to sell everything they own, borrow whatever other money they need and risk their lives on overcrowded boats organised by unscrupulous smugglers. And many, as we know, never make it.

The first time I had to deal, as Minister for Immigration, with the loss of life at sea was the December 2010 Christmas Island tragedy.

The fact that there have been more tragedies since then should never mean we get used to or accept these tragedies. Being Minister for Immigration has its challenges – but nothing is harder than the too frequent phone call that informs me that more people have drowned.

I challenge anyone to stand at the memorials at Christmas Island that commemorate these losses of life – particularly the memorial to the SIEV X of 2001, in which most of the people who died were young children – I challenge anyone to stand at those memorials and not commit themselves to a better way.

Even as I speak to you this evening, efforts are continuing to find survivors of a boat that sunk around 45 nautical miles off the coast of Java. Around 150 asylum seekers on their way to Australia were believed to be on this boat. I have just been advised that only 22 have been rescued so far.

This is the latest in a regular string of fatal voyages – and these are just the ones we know about.

To the best of our knowledge, hundreds of others have boarded boats that have disappeared in the middle of the night, with none of those aboard ever heard from again.

I simply say to you: this is not a tolerable situation.

No-one disputes the legitimacy of the ambition of asylum seekers – or even of economic migrants who are not refugees – to seek a better life in Australia for themselves and their families. In their situation, I would do the same.

And, so long as Australia's policy settings hold out the incentive to come by boat, that choice is a rational, if risky, one.

I say to you bluntly: those who argue passionately for onshore processing must accept that this will lead to deaths at sea.

There is nothing moral or humanitarian about telling people that their best chance at a new life in Australia is to risk their lives on the high seas to get here.

That is why it is our responsibility, as policy makers, to reconfigure our policy settings to remove this incentive, without incorporating into our approach the *immoral* policy of deflecting those who are fleeing persecution back into harm's way.

And this is the nuanced approach the Expert Panel has sought to achieve through its integrated and complementary recommendations.

The policy changes the Expert Panel has recommended – and which the government is implementing – are designed to discourage people from making dangerous ocean voyages while, at the same time, providing better *regular* migration pathways and continuing the work we have begun to improve conditions for the hundreds of thousands of refugees in our region.

These policies must work in unison to allow asylum seekers to reach the conclusion that there is 'no advantage' in undertaking the perilous boat journey to Australia.

We have moved quickly to implement the Panel's recommendations.

Not only to reinstate the option of offshore processing in Nauru and Manus Island – and reduce the incentive for that boat journey – but also to increase our Humanitarian Program to 20 000 places, giving more refugees a chance for better lives in Australia without having to take that journey; and also funding greater work on protection and capacity building in our region.

This broader package of measures is fundamental – and that is why it is incorrect to describe the government's implementation of the Expert Panel's recommendations as the 'Pacific Solution Mark II', as some have described it.

The increase in our humanitarian resettlement efforts, the commitment to working with countries like Indonesia and Malaysia to improve protection outcomes, the commitment to monitoring, transparency and the involvement of non-government organisations makes our approach a very different proposition.

Onshore Processing and Detention

While the government has endorsed the Expert Panel's recommendation for offshore processing, I also want to touch briefly on the morality of what we were doing while we had no option but to continue with onshore processing.

When I first became Immigration Minister, I travelled to Christmas Island and other parts of our detention network. On Christmas Island I saw a group of young children – about the same age as mine – playing in a sand pit. It was one of those moments that triggers a sense of the need for action.

Shortly after this visit, and about a month after becoming Immigration Minister, I announced that we were to begin moving families and children out of 'held' detention into community detention arrangements. Community detention is detention in only the broadest and most technical of senses. As many of you know, it involves placing vulnerable people into community housing and providing them with care and supervision, with the assistance of our NGO partners, led by the Red Cross.

Like much of the good news in this portfolio, this has happened over the past two years with little fanfare or acclamation.

But I am very proud of the way we have progressed these community detention arrangements, including meeting the target I set when I first announced the policy in October 2010 of getting the majority of children out of detention facilities by June 2011.

More recently, in November 2011, I announced that, following initial detention for health, security and identity checks, eligible asylum seekers arriving by boat who were assessed to not pose risks to the community would be issued with bridging visas.

While on bridging visas, they are able to live in the Australian community while their refugee claims are assessed. They are given the right to work to support themselves and access to Medicare.

This was quickly followed by another initiative that I am pleased to say has engendered community support, the Community Placement Network (CPN).

The CPN was an initiative of the Australian Homestay Network to make short-term homestay style accommodation accessible to asylum seekers exiting immigration detention on a bridging visa.

It offers interested Australians the opportunity to open their homes to host asylum seekers for a six-week period.

Feedback from hosts and guests has already been very positive. All guests accommodated through the CPN have found their own accommodation either prior to, or at the end of, the six week transition period. A number of guests have also found employment or been able to gain work experience through their host's community networks.

These measures have resulted in a reduction in the average length of detention from 277 days in November 2011 to 86 days in July 2012.

Conclusion

To conclude, the ultimate answer to refugee issues, both in Australia and around the world, is, of course, peace on earth. While there is war, tyranny and oppression, however, there will be human misery, suffering and the search for a better life in countries such as ours.

The role of any single nation state in global community, then, is similar to that of the individual human being in their local community: to do the most we can with the finite resources available to us to alleviate the misery and suffering of our neighbour and contribute to the common good.

This, necessarily, must involve an element of justice and prudence in achieving altruistic ends: prioritising our assistance, not based on proximity or an individual's resources, but to those assessed to be in greatest need.

Unfortunately, we cannot save every man, woman and child in the world; but we can remove the incentive for people to risk death at sea and, along the way, help more of those who desperately need our assistance, providing them with a new home in Australia and an opportunity to rebuild their lives in peace and hope.

These twin moral principles – fairness and safety – are the principles which underpin this government's policy and my approach.

CHURCH WITHOUT BORDERS: THE MISSION OF THE CATHOLIC CHURCH AMONG MIGRANTS

Gemma Tulud Cruz

Senior Lecturer, School of Theology, Australian Catholic University



Syrian refugees

© Caritas Switzerland / Sam Tarling

Presented at the National Migrant Chaplain Day 5 December 2012

The presidential address by Jonathan Bonk at the 2012 conference of the International Association for Mission Studies (IAMS) dramatically sets the context for missionary work in this age of migration.¹ Today, there are more than 200 million migrants while millions more are the victims of forced dislocation within their countries. The UNHCR's 2010 *Global Trends* reported that 43.7 million people are displaced worldwide. The same report shows that the world's poorest countries disproportionately host huge refugee populations, both in absolute terms and in relation to the size of their economies. Pakistan, Iran, and Syria have the largest refugee populations at 1.9 million, 1.1 million and 1 million respectively. Pakistan also experiences the biggest economic impact when it comes to hosting refugees, with 710 refugees for each US dollar of its per capita GDP (Gross Domestic Product), followed by Democratic Republic of the Congo and Kenya with 475 and 247 refugees per US dollar respectively. By comparison, Germany, the industrialized country with the largest refugee population, has 17 refugees for each dollar of per capita GDP.² According to Bonk it must also be observed, painfully, that those countries with the largest Christian populations and the deepest Christian roots host the fewest refugees.³ Australia is arguably one of such countries.

To be sure, Christian mission's close link with migration is not a new phenomenon. The most extensive missionary movement in Christianity's history even corresponded with one of the great migrations in human history, that is, the European expansion, especially between 1800 and 1925. Theological reflections on this close relationship, however, are arguably not common.⁴ Moreover, in most cases it is the tragic conditions of migration that move the Church to reflect on and articulate its mission to migrants. For example, *Exsul Familia Nazarethana*, which is considered as the *magna carta* of the Catholic Church on migration, arose as a response to the "wretched lives" (EFN, 4) of the millions of World War II refugees and displaced persons in Europe. Today, however, the massive, global, and, possibly, even more tragic nature of human mobility compels us to more strongly and deeply reflect on the mission of the Church among people on the move.

Dimensions of the Mission of the Catholic Church Among Migrants

In his encyclical *Redemptoris Missio* John Paul II contends that mission is "a single, but complex reality, and it develops in a variety of ways" (RM, 41). Similarly, the Church's mission to migrants could be theorized and practiced in various ways. In this section I offer four dimensions which, I believe, form part of the Church's missiological approach to and engagement of migration.

Encounter

For the Church, a sense of mission begins at awareness of the issue. While awareness on the issue of migrants and refugees could occur by reading about it or watching the news or documentaries about it, meeting, talking to, and being with actual migrants and refugees is, oftentimes, most effective in raising awareness. Mary Jo Leddy, author of the book *At the Border Called Hope: Where Refugees are Neighbors*, points to the vital role of encounter in an article titled "When the Stranger Summons: Spiritual and Theological Considerations for Ministry." Leddy, a Canadian who is widely recognized for her work with refugees in Toronto, notes;

As I have listened to frontline church workers, refugee advocates, and immigration lawyers, two realities seem to emerge as constants in their experience: the first is that many of them are rooted in some church tradition; the second, that most of them got involved in “refugee work” through a personal encounter with a refugee or a refugee family.⁵

I call this the power of encounter. Emmanuel Levinas calls it the ethical moment. Leddy, who traces her work for refugees to an encounter with a refugee in great need, describes this ethical moment as conversion—the change of mind and heart and moral imagination—through a personal relationship. Let me illustrate my point through a couple of stories. In an international conference, where I delivered a paper, one participant shared how, many years ago, he helped an undocumented immigrant cross the border after his “encounter” with the immigrant. Everyone in the room sensed how he was deeply affected and defined by the encounter. One could also sense the power of that encounter when he mentioned that he has one more mission, that is, to write the story of the immigrant. Apparently, the immigrant asked him to write the story. He said he has never forgotten the request and intends to fulfill it.

The other story comes from a peace forum I attended in one of the suburbs in Melbourne. The story comes from the sharing of a panelist, a former refugee herself, on a painful experience during her early days in Australia. She said that an Anglo-Australian man approached her on a street near her residence one day and told her to “go home.” As he was quickly turning his back she retorted “What’s your problem?” “I have no problem being here.” “It’s you who has a problem.” The man then pivoted and asked her “What did you just say?” The former refugee repeated what she said and, while she did not share the rest of what happened on that day, she mentioned that the same man became a very close friend and fellow advocate for refugee issues.

Sometimes, we meet someone or something happens to us and we are never the same. Educators call it the “teaching moment.” In the context of the issue of migrants and refugees Leddy posits that this ethical moment is the moment when we are “summoned, addressed, and commanded. This is the time of annunciation and visitation.... For many, the encounter with a real person called ‘refugee’ evokes feelings of profound compassion that lead to practical forms of kindness. It is within this reach of mercy that the necessity (and near impossibility) of justice begins to emerge.”⁶

Incarnational Evangelization

In his book *Marginality: The Key to Multicultural Theology* Korean-American theologian Jung Young Lee notes how mobility, particularly immigration, is “the most vivid and profound symbol of marginality.”⁷ It is in view of this and the many other forms of dislocation that migrants experience, that the Church’s mission to migrants takes the form of incarnational evangelization. In this understanding and practice of mission, accompaniment, or witness as *witness*, is key.

Religion’s enduring role and power in the lives of human beings has often been attributed to the way it serves as “the fire around which people gather.” To most adherents, religion provides not just a sense of identity but also a semblance of security on a daily basis, as well as in moments of crisis. This is true among migrants not just after migration but even before or during the journey itself.

First of all, support from Catholic leaders and institutions have become an important resource before, during, and after migration. In Latin America, for example, prayers are often sought from the priest, or Masses are offered, for the migrant(s). In *Migration Miracle: Faith, Hope and Meaning on the Undocumented Journey* Jacqueline Maria Hagan notes the increasing practice of migration counseling among ministries in the western highlands of Guatemala for prospective migrants. Services sought by migrants from their priests for the counseling range from group prayer (with the migrants and their families and, sometimes, with the church members) before setting off by foot toward the Mexican border, or asking their priest to meet with their coyote⁸ to determine whether the guide is honest or a scoundrel.⁹ For these migrants and many other migrants from Latin America, particularly those who cross into the US via Mexico, the greater the need and the riskier the endeavor, the greater divine or Church help is needed and sought.

Religious groups themselves sometimes become a direct part of the actual journey itself.¹⁰ Pierrette Hondagneu-Sotelo identifies some of these groups in *God's Heart Has No Borders: How Religious Activists Are Working for Immigrant Rights*. These include the Scalabrinians who operate a network of migrant shelters along the US-Mexico and Mexico-Guatemala borders that provide spiritual, religious, and practical support for unauthorized migrants in transit. There is also the group called Samaritan Patrol, a coalition of Quakers, Jews, Methodists, Catholics, and Presbyterians, which has volunteers that roam the desert in jeeps and vans from daybreak to nightfall to offer water for migrants in distress.¹¹ These and other groups arose in the 1990s and combine advocacy, service, and civil disobedience. Hondagneu-Sotelo reckons that they constitute a new civil society of biblically-inspired social action groups.

Sometimes, accompaniment could be as basic as providing a church building or church space for migrants. In a study on an Argentine Protestant evangelical church in Houston, for example, there were many members who left Catholicism because of the absence of a specifically Argentine Catholic church in the city.¹² Eliseo Tellez Jr. of the Mission for Filipino Migrant Workers says that NGOs in Hong Kong even establish and forge links with migrant domestic workers by “visiting churches and hanging around church grounds” since the church is where the domestic workers meet. Tellez notes that even “the physical structure of a church is sometimes enough to assure them that things will improve.”¹³ After Sunday Mass at St. Joseph's Church, for example, many church-goers who are mostly migrant domestic workers, stay for some time on church grounds eating, chatting, and availing of the programs and activities organized by the church for them such as a mobile mini-library, where the women borrow and return books.

In a sense, the establishment of ethnic churches or pastoral centers provide for migrants, what could be the single most important source of continuity in their world that has changed in so many ways. For many migrants, especially from the global South, the church is not just the principal site of celebration for ethnic identity and community. It is their refuge in times of crisis and their home when they want to shout for joy. This is confirmed in the Asian Migrant Workers Center's study of foreign domestic workers in Hong Kong, which revealed that they seek out Christian fellowships and churches for refuge and solace. The study also affirmed that many spend a longer time in church and related activities for strength and support.¹⁴

An incarnational approach to mission in the context of migration, thus, means that the roles for the clergy would tend to be more service-oriented or strongly informed and guided by practical needs. In traditional societies, where migrants mostly come from, the clergy are usually experts in religious rituals and scriptures. In the context of migration,

however, members of the clergy are sought for various kinds of help, particularly those that are normally defined as pastoral work. The following excerpt from a letter to a priest by a migrant domestic worker in Hong Kong illustrates this:

*If you have received my letter which I mailed last October 2 because until now I haven't receive any reply regarding the extension of my visa . . . I have no money at hand if only I knew that I'm going to pay I should have sacrifice to borrow . . . All this was done too late. Is there any remedy for this, Father? I cry for self-pity. I spend all my money, sacrifices and efforts just for this but I'm frustrated so I call again for your help Father on what I will do to extend my visa . . .*¹⁵

Sometimes, mission as incarnational evangelization could also be as simple as the act of sharing meals with migrants.¹⁶ In fact, when one looks closely at migrant communities or churches, one of their more common characteristics is the holding of a shared meal after the Eucharist. Meals in the Christian tradition are not just about food, generosity, and graciousness but also about friendship rooted in a profound respect and care for one another. Such “table ministry” makes sense in view of Jesus’ own table communities. Jesus reached out and engaged those most in need of human connection by sitting at table with them. He built and fortified his community of disciples up to the very end by eating together with them at the Last Supper.

I for one remember how delighted and, at the same time, amazed I was at seeing and eating Filipino native delicacies on a table in a house in The Netherlands on a Sunday on my first month in my former country of residence. I have been to a number of these shared meals after the Eucharist in migrant communities in The Netherlands and other parts of the world and I am very much inclined to say that the shared meal is iconic of the Eucharist. Seeing one is like witnessing the Gospel at table. The spirit of joy, the atmosphere of warmth and affection, and the sense of community are such that the experience itself becomes a God-experience. It is like seeing “the substance of religion and more... the strength that comes from valuing the intangibles, the meanings that are continually created and understood, when human beings come together to share their lives and their fears, their meals and their memories.”¹⁷ It is the Eucharist in the flesh rooted in the resiliency, tenacity, and beauty of the human spirit. To be sure, these shared meals are potent reminders that Christian life is not just about individual salvation but also about collective liberation. It teaches us that Christian spirituality must not just be about fasting but also about celebrating; it must not just be about families and relatives but also about communities. Most of all, it reminds us that spirituality must never be confined to prayer or any other religious activity but to anything and everything that celebrates our humanity.

Such incarnational missionary engagement, also described “witness as withness,” is critical in countries where churches, particularly immigrant churches, are increasingly filling the void for outreach to the areas and sections of the population that need serious and urgent attention. This is particularly true in urban areas, where most of those in need are highly concentrated,¹⁸ e.g. homeless and unemployed. Immigrant churches in the US and in many developed countries, for example, play a strategic role whether they like it or not since they are predominantly located in urban neighborhoods and often forced to occupy the most unlikely places --- cramped living rooms, hotel ballrooms, thousands of storefronts, rented halls or office buildings, even ornate churches whose membership has declined ---- they serve constituencies (both immigrant and native) long abandoned by more established and affluent congregations.¹⁹

An incarnational type of missionary engagement which focuses on interpersonal exchange and emphasizes effective presence and participation as the basis for proclamation is, without doubt, an important dimension of mission in the context of contemporary migration. It is important, however, that such engagements or acts of service and compassion do not get diminished by patronage and paternalism as would be explained in the third dimension.

Anamnestic Solidarity

In the migration context the Church carries out its mission by providing --- like Jesus --- “the intellectual vision and the practical inspiration to serve and to love by making herself the neighbor of all the beaten, wounded, defeated, and forcibly uprooted persons along her endless road.”²⁰ In 2006, five years before I moved permanently to Australia from the US, my husband and I were invited to do a lecture tour. In one speaking engagement, a member of the audience talked about the Aussie notion of “stranger danger” and how she was strongly raised by her parents to be wary or careful when it comes to strangers. Such a mentality is, of course, not unique to Aussies. Fear of the unknown, the strange, the different plagues many people and cultures. Yet it is also true that labeling the “other” such as migrants as “stranger” and we as the host, poses difficulties. In the eyes of the Church, for example, basic to making ourselves neighbor to the uprooted is the fundamental recognition that we, not just the migrants, are also strangers. Being a stranger is the primary condition of the people of God (Exod. 23: 9; Deut. 24: 18). As Lev. 25:23 points out “The land is mine” says the Lord and we “are but strangers and guests of [His]...” God even commanded the Israelites to love the stranger, as they were also strangers in Egypt (Deut. 10:19). Most Australians are migrants or, at the very least, trace their Australian citizenship or residency to the journey they made, or the journey made by one or two or few members of their family many years or generations ago. Thus, in many ways, mission in the context of migration inevitably entails anamnestic solidarity on the basis of our experience and the Christian tradition.

Fabio Baggio, for example, chronicles hospitality as an important dimension of the mission of the Church among migrants in an essay titled “The Migrant Ministry: A Constant Concern for the Catholic Church.” In the essay Baggio points at how in the time of the Fathers of the Church, the time of pilgrimages and huge forced migrations, hospitality to pilgrims and displaced people were a major concern. John Chrysostom’s *Treatise on the Priesthood* even says that one of the main pastoral concerns for a bishop was providing the necessary funds to assure a worthy welcome to strangers and the care of the sick²¹ (*Treatise on the Priesthood*, III, 16).²²

Such hospitality clearly draws inspiration from the notion that the God we believe in is a God of the stranger (Deut. 10:17-18; Ps. 146:9). In the eyes of God and the Christian tradition all of us are strangers or, as the philosopher Gabriel Marcel observes, we are *homo viator* (pilgrims). Hence, the Vatican II document *Lumen Gentium* puts forward the image of the Church as a pilgrim Church. If we take into account the idea of anamnestic solidarity together with our own and the Church’s identity as pilgrim, God is, ultimately, the host in hospitable encounters. The image of God as a host works well within an understanding of mission to migrants as anamnestic solidarity since it presents both the migrant and the citizen as guests and, consequently, as both strangers. It is a more egalitarian way of looking at the experience of hospitality and it is very much Christian

as exemplified in our experience of creation, grace, healing, and forgiveness as God's gifts. This means that whenever we receive or practice hospitality we are actually sharing in God's hospitality. This challenges us to move from the notion of hospitality to strangers to hospitality of strangers. David eloquently acknowledges our fundamental and collective identity as strangers in a prayer in I Chronicles: "All comes from you; what we have received from your own hand, we have given to you. For we are strangers before you, settlers only, as all our ancestors were; our days on earth pass like a shadow..." (I Chr. 29:14-15).

With a significant segment of Australia's migrant or refugee population coming from war-torn or conflict-ridden countries, a caution by Robert Schreiter to those ministering among migrants is also noteworthy mention here.

People who minister among migrant population often have to face within themselves some of the same obstacles that beget problems for autochthonous communities. They, too, can suffer from feelings of discrimination, racism, and xenophobia toward migrants, however unconsciously. If working with traumatic experience becomes part of the ministry it becomes important that these ministers are aware of unacknowledged or unresolved traumas in their own history, since these personal traumas can impede ministers' capacity to deal with trauma in the lives of others. What is likely to happen is that dealing with the trauma of others becomes a way of dealing with one's own trauma. At best, this obfuscates the healing process, at worst, creates new damage to the migrant.²³

It is important to recognize Schreiter's point about a critical introspective look and, if necessary, a healing process for these ministers, as the scenario he painted is not far-fetched. It reminds me of a couple of migrant priests when I lived in a student house in the Netherlands with fellow postgraduate Theology students, who are mostly priests and nuns from Asia and Africa. Every Sunday morning the priests would fan out across the country to say Mass or minister to migrant communities. Some of the priests would be gone as early as Saturday, particularly those who go as far as Germany. To this day, I remember the story shared by a couple of African priests during breakfast, which is community time for all of us. Both shared similar stories of feeling discriminated in the train: one talked of how a Dutch woman transferred her bag on the other side and then clutched on to it after he sat in front of her; the other priest talked of how a Dutch man left and transferred to another carriage when the priest came in. It was actually the last train on a Sunday night and the priest purposely looked for a carriage that has someone in it, as he did not want to be alone in a carriage. Clearly, ministry from the perspective of anamnestic solidarity, with an eye to reconciliation, means we need ministers with similar experience to be able to rise above their negative or traumatic experiences and become wounded healers themselves.

While we need to be cognizant that missionary engagements are not diminished by patronage and paternalism it is also important to point out that missionary engagements need to go beyond charitable acts. Leddy articulates this varied and progressive nature of mission in the statement I quoted earlier where she said that the encounter with a refugee "evokes feelings of profound compassion that lead to practical forms of kindness, and that it is within this reach of mercy that the necessity (and near impossibility) of justice begins to emerge." The justice aspect brings me to the fourth and last dimension.

Liberation

It is common knowledge that the migration of people, particularly those who are forced to move, is embedded in local and global inequities. Not surprisingly, Daniel Groody and Gioacchino Campese posit that migrants, particularly forced and undocumented migrants, are today's crucified people.²⁴ This is a perspective that Peruvian theologian Gustavo Gutierrez echoes by referring to the contemporary immigrant as iconic of the face of the poor in the modern globalized world.²⁵ Thus, in the context of human dislocation, there can be no meaningful mission without costly incarnation.²⁶

Benedict XVI notes in *Caritas in Veritate* that migration is an “aspect of integral human development” (CV, 62). He also provides some sort of global and structural understanding of the mission among migrants in the encyclical when he said:

we are facing a social phenomenon of epoch-making proportions that requires bold, forward-looking policies of international cooperation if it is to be handled effectively. Such policies should set out from close collaboration between the migrants' countries of origin and their countries of destination; it should be accompanied by adequate international norms able to coordinate different legislative systems with a view to safeguarding the needs and rights of individual migrants and their families, and at the same time, those of the host countries (CV, 62).²⁷

The same paragraph from the encyclical talks about the need to respect the rights of foreign workers (CV, 62), a position that's already enshrined in paragraph 66 of the Vatican II document *Gaudium et Spes*.²⁸ These texts and other relevant Church documents such as *Erga Migrantes Caritas Christi*²⁹ clearly show that the Church understands its mission to migrants as having a justice dimension. Mission to migrants, in other words, entails advocacy and working for liberating systems and structures, particularly those that impinge on migrants' well-being.³⁰ Such an understanding of mission finds solid basis in Catholic Social Teaching, particularly in the synodal document *Justice in the World*, which affirms that “action on behalf of justice and participation in the transformation of the world” is “a constitutive dimension of the preaching of the Gospel, or, in other words, of the Church's mission for the redemption of the human race and its liberation from every oppressive situation” (*Justice in the World*, 6).

A liberating mission among migrants, then, means that charitable acts need to be complemented by advocacy and work for justice. It means mission work targets not just the effects but also the causes; it offers not only instant or short-term benefits but works, as well, toward strategic, long-term solutions. Moreover, it means pastoral work not just after but also before and during migration. The churches of Hong Kong, particularly through the Diocesan Pastoral Center for Filipinos, provide some examples as to how such an approach concretely looks.³¹ They organize the domestic workers as well as provide hotlines and shelters for those in distress. The churches also provide classes in Cantonese, Masses, and confessions in *Tagalog*,³² help in pursuing cases, give counseling and religious formation programs, and offer livelihood courses designed for reintegration.³³

In many cases mission among migrants from the perspective of liberation would also mean a slightly different focus or emphasis. “Migrants”, for example, traditionally refers to persons residing outside their country of origin for one year or more.³⁴ However, given the greater disadvantage experienced by certain segments of the migrant population, Catholic mission

in the context of migration needs to give preferential option for the poorer or poorest migrant. *De Pastoralis Migratorum Cura*, for instance, defines migrant people as “all those who live outside their homeland or their own ethnic community and need special attention because of real necessity” (DPCM, no. 15). To be sure, certain groups of migrants fare much better than other migrants. The refugee, the undocumented, and the unskilled migrant worker are, more often than not, at the receiving end of discriminatory and, sometimes, dehumanizing conditions. “Margins as the Center in Christian Mission,” the sub-theme of the abovementioned IAMS conference on human dislocation, aptly puts the perspective I am trying to put forward here. Such a perspective, says Bonk, means that in the context of migration and human dislocation

*To be a Christian entails recognizing and resisting the terrible reductionisms of all self-serving nationalisms, tribalisms, and racisms—and their ever attendant legalisms—that undervalue or even dismiss the stranger, the refugee, or the immigrant, or the enemy. When we cooperate in such systemic reductionism we subvert our own identities as men and women created in the image of God, since we yield to Caesar something to which Caesar has no ultimate claim—human beings, including ourselves. Legality, for Christians, can never be an acceptable substitute for justice.*³⁵

Mission among migrants from the perspective of liberation, thus, entails advocating not only for migrants in general but, in a special way, for those who have become the symbol of the unwanted immigrant. In *Exsul Familia Nazarethana*, for example, Pius XII asked for an open-door policy for the millions of Europeans rendered as refugees or internally-displaced persons (IDPs) by World War II. In the encyclical, Pius XII not only talks about cultivating in the minds of all people “a sympathetic approach towards exiles and refugees” but also about upholding their rights (EFN, 4).

In the Old/First Testament, laws were put in place to protect the stranger²³⁶⁸ (Exod. 22:20; Lev. 19:33-35; 24:22; Deut. 14: 28-29; 16:14; 24:14; 26:12-15; Num. 15:15-16; 35:15) to the point that anyone who does not respect the rights of the stranger will be cursed (Deut. 27:19). The New/Second Testament, and Jesus himself, also have very specific exhortations to show goodness to the stranger, not only because it is a recognition of our fundamental Christian identity as strangers but, most especially, because Jesus himself, by His incarnation, by the circumstances surrounding his birth, and by being an itinerant preacher, took on the conditions of a stranger. Moreover, Jesus advocated for the care for the stranger. His classic statement in Mt. 25:36 “I was a stranger and you welcomed me” testifies to his deep compassion for people on the move.

Advocacy for marginal(ized) migrants takes on significance in view of the fact that “on top of the walls at the frontiers among nations there are borders inside our cities, borders in schools, borders in health care, borders within workplaces”³⁷ as well as borders within our churches, which push certain groups of migrants further on the margins. Take the case of the following Mexican immigrant church which had to ask the Bishop for their own church because they were rejected by the members of the local Catholic Church:

it was really hard work and long days, still we were happy to have our Sundays free. Yet, even then we could not feel at home in the Catholic Church since we were denied pews at Our Lady of Perpetual Help (pseudonym). The Italians would tell us,

*“all seats are taken.” No matter how early we arrived the pews were always reserved for Italians. That is why we asked the Bishop for our own church.*³⁸

Indeed, while it is true and good that immigrants can use most local churches for their own services Martin Luther King’s statement that the most segregated hour of the week is 11:00 a.m. on Sunday morning still rings true in places of worship worldwide as cultural and class differences inhibit the formation of intercultural churches.

While all the above mentioned dimensions of mission in the context of migration sound great they are, unfortunately, easier said than done. As Bonk points out when we get involved in the real world of dislocated persons, we quickly discover both *what we can* do and *how little* we can do. This, Bonk laments, is oftentimes the character of incarnational engagement.³⁹ In times like these I argue that it would serve us well to remember the understanding of mission as *missio Dei*, that is, mission is ultimately God’s mission not ours or the Church’s, as the Church itself exists for God’s mission, not vice versa.

Frontiers for Mission in the Context of 21st Century Migration: Some Points for Further Reflection and Discussion

In this essay I have sought to offer some of the intellectual vision and practical inspiration that inform or animate the Catholic Church’s mission among migrants. The complexity of migration in the age of globalization, however, poses some concerns left unaddressed in this essay primarily. I articulate these concerns here as frontiers or challenges, and in five brief points.

The first challenge is mission among migrants in countries with non-Christian, state-sanctioned religion. I have in mind here the Middle East, particularly Saudi Arabia, where foreigners are prohibited to perform any kind of religious worship except Islam. In 2010, for example, about one hundred foreigners were arrested in Riyadh while having a Mass.⁴⁰ When I attended a pre-departure orientation seminar for Middle East-bound Filipina migrant domestic workers --- as part of an exposure program I have organized for my affluent women students --- the Catholic nuns who run the seminar even warned those going to Saudi Arabia against bringing any non-Islamic religious materials, e.g. Bible and rosary. How hard it must have been for the nuns to tell the migrant women not to bring Christian materials, but I imagine that the women’s well-being is paramount in such circumstances.

However, all is not lost for this case if we take into account the second challenge, that is, the need for missionaries to the digital continent. Many migrants are digital natives. They have access to information and communication technologies or ICTs not only because of increased economic capability but primarily because these are their most common and reliable way of connecting or networking. ICTs are potent tools for missionary work, not only for migrants who are restricted from practicing their faith but also for those who long for religious rituals and practices that are ethnically-based. The Catholic Bishops Conference of the Philippines (CBCP), for example, created a *Visita Iglesia* online for disabled and overseas Filipino workers who cannot make it home for the Holy Week to observe the traditional Lenten rites.⁴¹ While the online versions must not be used as substitute for those done in churches, the Catholic Church in general recognizes the significance of ICTs in missionary work. Benedict XVI, for example, calls social media a digital continent, with natives, immigrants, and even missionaries. He even encourages Catholics, especially priests, to approach this culture of 140 characters and virtual friendships as a great opportunity for evangelization. In 2008 the Australian Catholic Bishops’ Conference, through its telecommunications arm

Church Resources, also launched Faithtrip.net, a kind of “virtual parish” on the web aimed at connecting the young faithful across the world through religious-themed blogs, videos, music and competitions, complete with discussion forums on everything from climate change to sexuality.⁴² Such a move brings potential benefits, especially to migrant youth, because, as American bishop Ron Herzog posits, “if the church is not on their [young peoples’] mobile device, it doesn’t exist.”⁴³

This brings me to the third challenge, that is, ministry among children of migrants. ICTs could, indeed, serve as a bridge or as means of reaching out to the children of migrants. Like many young people today, children of migrants are tech-savvy but tend to feel alienated, hostile, and even indifferent to the Church because they find their religious needs, experiences, and expectations to be vastly different from those of their parents. Moreover, the Church does not often respond to these needs. Likewise, parents find their children’s relative lack of care for the family’s faith and church bewildering and frustrating. In many cases the problem lies in the fact that children and their parents do not share a common language or vision of being Church.⁴⁴ This lacuna could be addressed not only by ICTs but also by creative approaches to cultivating a sense of community and faith life between immigrant parents and their children. It is important to have ministry for this group as these young people are not just the future of the church but also the future of the faith in migrant families.

The fourth challenge concerns ministry among migrant women. Supporting migrant women is also important in ministry among migrants since women are usually the keepers of the faith. While it is not the ideal, in almost every ethnic group, women are often the ones left with the responsibility to raise the children in the faith. Moreover, they are the ones who more faithfully go to church and play an active role in it. They are also usually the ones who keep popular devotions alive, whether through the maintenance of pious associations in the parish or organizing processions, pilgrimages, or prayer circles in the neighborhoods or communities. Migration also provides an opportunity for women, especially from traditional societies, to mitigate or undercut some of the marginalization they experience as women, so it is important that the Church supports or reinforces migrant women’s struggle for empowerment.

Talk about empowerment brings me to the fifth and last challenge, that is, a paradigm shift from mission to migrants to mission of migrants. Mission in the context of migration is not only about mission to migrants but also mission of migrants. In fact, the mission for the local church, according to Stephen Bevans, is “not only to respond to migrants’ needs and to accompany them on their journey but also to call and equip them for ministry, both within the church and within the world.”⁴⁵ Moreover, “as migrants grow in integration into the local church, they should be given opportunities not only for ministry among people of their own culture but for cross-cultural ministry as well.”⁴⁶ Jehu Hanciles echoes this perspective in the case of immigrant churches in his book *Beyond Christendom: Globalization, African Migration, and the Transformation of the West*. Hanciles argues that immigrant churches potentially have a missionary function⁴⁷ not only because they represent the most effective instruments through which immigrants can impact the wider society, but also because they model religious commitment, apply the message of the gospel directly to daily exigencies, and comprise communities that interact on a daily basis with other marginalized segments of society.⁴⁸ The Vietnamese-Finnish community in Turku, Finland, for example, serves as a formidable source of assistance by offering various types of practical help such as interpreting assistance, help with paperwork such as tax declarations, extending financial loans for larger purchases like a car or for larger emergency remittances to relatives in Vietnam, temporary

lodgings, etc. As Kathleen Valtonen observes, this extended family role structure, which the Vietnamese-Finnish also applies in their relationship with the natives,⁴⁹ could be seen as one form of sociocultural capital that invigorates the integration process. In an earlier essay titled “Migration and Mission: Some Implications for the Twenty-first Century Church,” Hanciles also pointed at the role of migrants’ transnationalism and transnational networks in their missionary activity.⁵⁰ Hanciles notes

The significance of local and global networks among African churches in both home and host contexts cannot be overemphasized. Such networks are assuming increasing importance for African migrants. The range and nature of ties include new ecumenical affiliations, pastoral exchanges between Africa, Europe, and the US, special events and conferences, prayer networks, internet sites, international ministries, publications, audio/video, and tele-evangelism. The “flow” between the links is two-directional, sending and receiving — globally and locally.⁵¹

Conclusion

The changes and challenges faced by mission in the context of migration obviously call on the Church to be a church of the stranger. For the church of the stranger is an intercultural church. It envisions not so much a “melting pot” but a mosaic society. A church of the stranger is a catholic church. It is, according to Miroslav Volf, a church that does not only affirm otherness but also seeks to be enriched by it.⁵² Ultimately, a church of the stranger is a church without borders. It is a church challenged by the brokenness of communities and the social fabric of life, as experienced by uprooted people, to become what churches really are: sanctuaries for everyone in need and a table around which people of diverse and even opposing positions can converse and break bread together.

* Gemma Tulud Cruz has taught for a number of years in the United States before moving to Australia where she is currently Senior Lecturer in Theology at Australian Catholic University in Melbourne. She holds a Ph.D in Theology from Radboud Universiteit Nijmegen in the Netherlands. Her main research focus is migration. She is author of *An Intercultural Theology of Migration: Pilgrims in the Wilderness* and recently completed a manuscript tentatively titled *One Bread, One Body, One People: Challenges of Migration*. Her other areas of interest include missiology, women and gender issues, Asian/contextual theologies, global Catholicism, and theologies of liberation.

ASYLUM SEEKERS IN THE MEDIA

Dennis Shanahan

Political Editor, The Australian



Caritas is love. Caritas is a Latin word meaning love and compassion. These values help guide our work in helping to end poverty, promote justice and uphold dignity. Girls from an education program on the Thai-Burma border show that Caritas is love.

© Caritas International / Oliver White

Presented at the Third National Conference on the Pastoral Care of Migrants and Refugees 6 December 2012

The coverage of migrants, migration, refugees and asylum seekers has a real impact on how the public sees the various related issues and has a definite impact on the way Governments respond to public attitudes towards those issues.

There is a wide spectrum of media coverage of migration, asylum seekers and refugees ranging from superficially simplistic and hostile to attempts to cover the issues more deeply and sympathetically. While some of this media treatment can be sensational and outright offensive there are widespread and genuine attempts in various media outlets to report the issues fairly and within context.

It is a fact of media life that the offensive and simplistic tends to be remembered as a “norm” although that isn’t the case.

But the media debate and reporting of asylum seekers and the subsequent Government reaction has a history of spikes and slumps which are driven by a range of factors including: the number of illegal boat arrivals carrying asylum seekers; asylum seeker deaths at sea; immigration levels; government statements and attitudes and economic conditions.

Government policies both affect and are affected by media reporting and the reflection of public attitudes.

Both media reporting and public attitudes can be out of proportion to the number of asylum seekers coming to Australia – in the overall immigration program - because of dramatic arrivals – boats coming into Darwin Harbour, sinkings and rescues – and prevailing economic conditions. The latter point is because asylum seekers and refugees become a symbol of immigration and when unemployment is high there is resistance to immigration.

Over the years The Australian has conducted a series of Newspoll surveys on support for the Government handling of the asylum seekers and illegal boat arrivals.

A quick analysis of the polls shows that since 1989-90, there have been four “spikes” where public concern about immigration/illegal boat arrivals reached between 48 and 50 per cent as an issue of “importance” to voters.

In 1990 – 1991 when Labor introduced mandatory detention public concern almost doubled from 29 to 48 per cent. This was at a time when the number of asylum-seekers arriving by boat was small in fact and in comparison to now.

In 2000-01, the year of the Tampa and the Howard Government’s Pacific solution, the public concern doubled from 25 to 50 per cent.

When Kevin Rudd was Prime Minister in 2009-10, and the public’s eye was caught by the Oceanic Viking stand off in Indonesia and the Government was speaking about population growth and a “big Australia”, concern rose to 50 percent. Since 2012, when record numbers of illegal boat arrivals have occurred and the Government has attempted various policy changes, including the Malaysia solution and re-opening Nauru for offshore-processing the issue is again at 48 per cent.



Left:

An Italian coastguard vessel prepares to dock in Lampedusa's port. It was carrying 142 people who had sailed from Tripoli, including 30 women and three children. They were rescued before their boat sank at sea.

© UNHCR / F. Noy

During each of these peaks of concern the media reported widely on asylum seekers and the various Governments introduced some drastic policy measures to discourage asylum seekers including mandatory detention, detention centres in remote areas of Australia, offshore-processing, excising borders, temporary protection visas and determination to "break the people smugglers business model".

But it is not just a case of headlines driving government policy after a dramatic boat arrival.

During these peaks there were other forces at work which required Governments to manage how they publicly treated asylum seekers and dealt with wider immigration.

During the 90-91 asylum seeker spike there was of course an economic recession and the ALP took harsh measures, in 2001 the economy was stronger but there was large increase in the number of illegal boat arrivals after a long gap since during the late 90s. In contrast, in 2004, when the economy was strong and there were very few boat arrivals "concern" about immigration dropped to 30 per cent and the Howard Government was able to drastically lift immigration as well as refugee intakes.

Likewise, in 2008, after a period of few illegal boat arrivals and a strong economy, Kevin Rudd was able to drop a series of "tough" measures to public acclaim and keep immigration at a high level.

But in 2009-10 with the onset of the Global Financial crisis and an arrivals spike with the dramatic reporting of the Oceanic Viking stand off in Indonesia concern rose again and the Labor Government – under Julia Gillard – then promised to "fix" the issue of asylum seekers.

During all of these times the media treatment of the issue was almost as varied as the media outlets themselves. Media treatment of asylum-seeker issues can focus on plight of people drowning at sea or "evil" people smugglers or play on fears about borders being overrun. Without public concerns, which are affected by more issues than just simply media reporting of illegal boat arrivals, and Government actions to address those concerns refugee intakes and immigration can rise without comment or concern.

PEOPLE SMUGGLERS: PERSECUTING THE POOR

Edwina Lloyd

Solicitor, Blair Criminal Lawyers



A displaced mother and child in
the Dereig camp outside Nyala.

© Caritas International / P. Jeffery

Presented at the Third National Conference on the Pastoral Care of Migrants and Refugees 6 December 2012

My experience with 'people smuggling' began in November 2010, when legal aid assigned me my first people smuggling client. Since that time I have represented 9 Indonesians charged with people smuggling and witnessed the government's policy towards the law change dramatically. Until the recent changes (initiated by the Attorney Generals Department directive...) under Australian Federal law, people who were found guilty of people smuggling offences received mandatory five year sentences, with a minimum non-parole period of three years.

These were tough penalties. They were in place because our leaders had declared war on these people smugglers, labelling them as the vilest people on earth. But by working closely with these 'accused' I have learnt the truth behind the myths around so-called 'people smugglers' ... and the so-called 'victims' of their trade and I have been left to wonder why it took the government so long to act on these unjust and discriminatory laws. I want to tell you why the laws were so (and are still) unjust and discriminatory by sharing with you some of the stories of my clients and my experience fighting for these clients against a wilfully blind government.

- Who are these people and how do they end up crewing boats of asylum seekers to Australia ... and how do they end up in Australian maximum-security gaols?
- I want to pose a question: How did these people come to be demonised in the Australian public consciousness?
- And I hope to instigate discussion today on why it took so long for governments to act.

Firstly, I want to tell you about one of my clients.

His story is not dissimilar to the hundreds and hundreds of people who suffered and are still suffering under these laws, hundreds and hundreds of impoverished Indonesians who sat and sit in Australian gaols, who wallowed on remand for many months and some years, awaiting trial for people smuggling offences.

My clients name is Sunda.

Sunda

Sunda was born in a village, a Kampong, on a remote island in Indonesia. He lives in a one room shack made of bamboo and a thatched leaved roof. There is no running water and no electricity. Sunda is a fisherman. His father was a fisherman. His grandfather was a fisherman. His ancestors were fishermen. They had survived by fishing close to the village, close to the shore, for many years. But over the past 60 to 70 years, the population of Indonesia has exploded at least five-fold... and as a consequence of that, the once rich resources of the seas surrounding Indonesia have been depleted.

Competition from neighbouring islands and other countries for those sea resources, has led to large-scale illegal fishing. This includes the use of 'bintang' bombs – full of cyanide – that explode underwater, bleaching the coral and forcing the fish to the surface where they are caught by nets. As a result, the ecosystems that supported the survival of fish have been destroyed and this has led to mass environmental destruction. This means there are very limited fish resources close to the shore. This hasn't been helped by the 2009 oil spill in Timor.



Left Top:

Indonesian Coastline

Photo courtesy of:
www.sxc.hu / Sander Klaver

Left Bottom:

Hundreds of fisherman boats on
the beach

Photo courtesy of:
Wikimedia Commons



For local villagers, this means they have to sail further and further out to sea to catch fish. For Sunda and his family, their boat was only sea-worthy for travel close to the shore. To survive, the family had to rent a better boat from a middle-man in a richer village ... so they could go further out to sea. This was a necessary decision, necessary because it was the fish they needed for the most basic of needs, to feed himself and his family, and sell any extra to other villagers to buy basics like water and rent for their thatched roof one room home situated in a backwater, which looks to us, like a total rubbish tip. But this desperate need and decision to rent a bigger boat led to even more problems. Because when Sunda and his father did not catch any fish, they couldn't pay for the rent of the boat, or the petrol for the boat ... and they became entrenched in rent bondage.

One day a man came to Sunda's village and offered him a lot of money to go on a boat. He was told he would be taking some passengers fishing to another island. Sunda was used to earning 10 thousand rupiah a day – about one dollar - if he was lucky. For **this trip** he was offered five million rupiah – about \$500.

How could he resist? When he was barely catching enough fish to feed his family, who were already living in poverty and desperately struggling under the weight of their debts?

He didn't ask questions, but why would he? Not only is it seen to be culturally rude to ask details from richer 'boss' people, but more importantly ... as he looked down at his young family who survived on two meals a day, and with the ever present threat his kids were going to be removed from school because he could not pay the school fees ... he accepted the job and he boarded the boat.

Within four days he was locked up in an Australian detention centre. Within months he was charged with people smuggling and transferred to a maximum-security jail ... where he remains locked up today awaiting his trial, with the 250 plus other Indonesians in gaols across Australia awaiting their trials.

6 months later, his family who were distraught and thinking he was dead, were notified that he was in fact alive but in an Australian gaol. Since his disappearance, his children have been removed from school. His wife now works in a labour yard made up of only males where, from 6am until 7pm she carries wood. Her two children wander the streets of the Kampong while she is at work, begging for money. When she gets home she works nearby in her village, shelling mussels. She receives 16 cents for every 3kgs she shells. But she still does not earn enough money to pay the fees to keep her kids in school and they still just survive on 2 meals a day. Like I said, Sunda's story is the same story I hear with all my clients and the client's of many lawyers across Australia.

Hagi

The only sadder tale is that many of these impoverished Indonesians are children. Such was the case for me when I represented Hagi last year. He was crewing a boat of 10 asylum seekers. His job, giving food to the passengers. Upon apprehension by the Australian navy he was asked his age.

"Lima Belas" he said to each navy officer... 15.

When officers of the Department of Immigration and Citizenship (DIAC) asked his age, he said:

"Lima Belas"

In his interview with the AFP he was asked his age...

"Lima Belas" he repeated, once again.

Hagi was placed in detention. A few months later he was taken to a Darwin Hospital where he undertook a wrist x-ray. This wrist x-ray determined that his bones had fused which meant he must be "19 years or older". He was taken to Sydney, charged as an adult of people smuggling and remanded in Silverwater maximum-security gaol.

By the time I was engaged, he had been in custody, both detention and gaol for almost a year. When I met Hagi, he was employed in the laundry of the gaol, a known area of gaol that employs sex offenders. The first course of action was to obtain the x-ray of his wrist and research its reliability to determine chronological age. Well, it didn't take long to see, a simple google search to learn that this technique was completely unreliable, unethical and seen to be unlawful by medical professionals worldwide. Unreliable, because the medically intended purpose for taking an x-ray of a wrist is to determine skeletal age and maturity in bones, not to determine chronological age. Unethical because the reference group of x-rays used to compare newly taken x-rays with were taken from middle class white American children in the 1950's. Unlawful for all of those reasons.

The unreliability is compounded by the fact that people who come from different ethnic backgrounds mature differently. People like my client, Hagi an Indonesian who began working, manual labour, at 8 and whom spent most of his life in poverty and suffering malnutrition. Medical academic research has shown that the bones of people like Hagi, non-caucasians mature and fuse more rapidly than his well-fed, well-nourished Caucasian counterparts of the same chronological age. So, a well-nourished white caucasians bones are going to look very different to undernourished asian persons. Despite the widespread condemnation, the government still rely on this technique to determine age. Lawyers across Australia, faced with this situation file for age determination hearings in court. But these were usually hopeless because the court's hands are tied to the government regulations which stipulate that the x-ray is the way to determine age. Full stop.

Such was my experience, and after exhausting all the options in court, I was left with no other option but to travel to my client's remote village on an island in Nusa Tenggara to obtain affidavit evidence or statements from his family of his age. Not only was I concerned that he was a child in an adult gaol but the fact that my interpreter was also concerned that he was not understanding the questions I was asking and he seemed simple. I engaged a forensic psychologist who assessed my client and determined him to be labouring under a significant mental impairment.

Upon return and after 20 months and 20 days of detention and imprisonment, and sending letters to the Commonwealth Department of Public Prosecutions (CDPP) of my concerns of his age and his intellectual disability, the CDPP withdrew prosecution and Hagi was finally sent home. At the time, there were between 50 and 100 Indonesians claiming to be children in our adult maximum-security gaols. It is beyond incredulous that this can happen in a 1st world country like Australia, a country that prides itself on its claim of upholding human rights.

I don't think so. Last year, the Human Rights Commission came on board and directed an inquiry on these unethical and unreliable age assessment practices. What followed from this was a senate inquiry which I gave evidence at. Recommendations were made, but of course none have been implemented. On wrist-x-rays, a recommendation for its removal was not even made.

The Politics of People Smuggling

Why is this happening? How could this be happening? Why has the government been persecuting the poor and vulnerable for so long. Why do we hear through those that govern our country that people smugglers are so evil? Why do our political leaders tell us that "people smugglers are the scum of the earth", and why do they rave on about "breaking the people smugglers business model"? And why are so many Indonesian's serving mandatory five-year sentences?

Carry On Canberra

The popular story about people smugglers has all the elements of a blockbuster Hollywood movie. This is because, politicians, like movie producers, know the punters (the public) want to hear stories about good guys and bad guys. This movie is still in production. It's working title is either "Stop the Boats" or "Carry on Canberra", and the script is familiar to all of us. The good guys are, of course, home grown heroes. They're the navy, in their big warships ... protecting us from the dark-skinned invaders sailing in on leaky fishing boats The bad guys



Top:

Children peeking out of window

Photo courtesy of:
www.sxc.hu / Mee Lin Woon

Right:

Villagers gather on the wharf, Indonesia

© www.istockphoto.com



are the vile people smugglers, evil merchants of death who like nothing more than making money to feed their families.

And then there's the asylum seekers, the dangerous queue jumpers. Are they really innocent refugees, or are they **dangerous child murdering terrorists**? What are they really escaping? What are their real plans? Why aren't they sitting in a nice refugee camp, sipping cups of tea and waiting their turn! Why do they want to take our jobs and open up kebab shops everywhere?

The Race to the Bottom

Politics has dumbed down the asylum seeker issue to the level of a mindless B-grade movie plot. In the world of politics, like the world of movies, it's always easier to explain things in black and white. But Australian politics is not only a bad script, it's a real race to the bottom. When one side starts rattling the cage with the good guys / bad guys rhetoric, the other side feels compelled to compete ... with each side proclaiming to have the toughest policy on people smugglers. When everyone is saying the same thing, you can forgive people for thinking that it must be true. The reality is that the victims, the impoverished Indonesians sitting and wallowing for years in Australia's gaols, don't feel like they're in a feel-good rom com, they feel like they are living in a horror film.

The Trial

Eventually and usually some 18 months to 2 years after wallowing on remand in a maximum security gaol, the Indonesians are brought to trial for people smuggling. They sit in the dock, weighing 50 kgs wringing wet, emotional and distraught as the Australian public, the members of the jury begin judging. Members of the jury who read the papers and swallow without awareness the propaganda pumped by the politicians. Why would they do anything



Left Top:
Indonesian market in a village
© www.istockphoto.com



Left Bottom:
Traditional hut in Indonesia
Photo courtesy of:
www.sxc.hu /Rita Juliana

but judge and join in persecuting these ‘people smugglers’ bringing terrorist invaders to our shore, what better do they know?

My experience in these trials remind me of what it must have been like in the colonial court back in the early 1900’s where an Indigenous man is being tried for stealing sheep. It really is no different today in 2012. That is why I returned to Indonesia a second time to obtain photographic evidence of the conditions of life of these impoverished Indonesians... To give the jury the experience of walking in their shoes (well most don’t have shoes) but walking a mile in the feet of my clients.

Their world is not like ours. They don’t have the choices we have. They don’t line up in a coffee shop deciding whether they will have poached eggs on toast or muesli for breakfast. Many only have 2 meals a day, usually rice and water weeds. They don’t have a choice to study this unit over that unit. They can rarely afford to keep their children in school past year 6, then it’s off to work for them to help feed the family.

They don’t have choices with what happens with their health. In June I visited a small village on the west coast of Lombok called Moajin. Tuberculosis has swept through the village collecting kids, parents and grandparents in the same family. I went for a walk with my client’s



Top:

Poor fishing village in Indonesia

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Left Bottom:

A kind of livelihood of a fisherman in Indonesia

Photo courtesy of:
Wikimedia Commons

family to visit the graves of their recently deceased members. Surrounding the entire village is rubbish. They don't have garbage collectors. They are the forgotten people. The stench is so putrid that you have to walk with a scarf over your mouth to stop you from dry retching. I asked the village chief about the smell. "Yes the rubbish is bad but the smell you are smelling is that of the recently deceased", their bodies buried shallow, their corpses rotting in the sun.

These are not villages who exchange money, they exchange goodwill and barter with what food they might grow or fish they might catch. When an epidemic like TB goes through the village, there is no money for transport to the doctor 3 hours away, even if they could get there, how do they afford to pay for medication. People just die and they graciously accept this as part of life, as their fate.

Mr Woresa

Sadly, it's too late for many, one last story I will tell is of my client Mr Woresa. I visited his village of Wasawambe on Buton Island in Sulawesi. Mr Woresa was lured to be a crew member, offered lots, paid nothing. His wife was heavily pregnant at the time and Mr Woresa

was at a loss as to how they could pay for the new baby. The baby was born while Mr Woresa was in Silverwater gaol. He found out through a phone call. He could only ring his wife every few months as not only did he not earn enough points in gaol, but his wife had intermittent access to a phone that was shared among 15 people in the village. When a phone call was possible, it usually cut out.

On one visit to Mr Woresa, he cried to me that he had a phone call to his wife and something was wrong with their baby Elias. The phone had cut out and he had no more contact. Could I please find out what was wrong with baby Elias? That afternoon, my interpreter and I called his wife, Suci. Baby Elias had caught chicken pox. No one had money to take the baby to the hospital. No one wanted to be near the baby because chicken pox is so contagious. Within a week, baby Elias was dead.

The next day I went to see Mr Woresa and broke the news. This is one of so many tragic stories; there are hundreds and hundreds more. These are the people we have been gaoling and the government have done so with full awareness.

Conclusion

But, I am optimistic that more people are starting to see through the spin. At least our Attorney-General, albeit years too late, has finally issued a directive which removes the mandatory penalties from the law for first time offenders. This is thanks to the hard work of many lawyers and notably Senator Hanson-Young for her pushing the need to remove the mandatory penalties to the forefront of her agenda. The result of this, is bittersweet. Most have been serving up to 2 years or more waiting for trials before this directive was issued.


The directive is not all good news. The practical effect of the directive is that Indonesian's are now pleading guilty, getting sentenced, usually time served and sent home. They have a better chance of getting home quicker if they plead guilty. But that is only if they have served about 18 months to 2 years already. It is not good news for my client Mr Bin La Salimu who only arrived 6 months ago. He will still be kept in custody until his trial (a year after apprehension) and still will need to serve time if found guilty at trial. The reality is Indonesian's will still serve between 18 months and 2 years in custody!

When you look at other crimes, like sexual assault, break and enters, drug offences you can see that these impoverished Indonesian's will do more time than real crimes. The scales of justice are bent by our wilfully blind government whose agenda, after being flashed with the injustice is not to create justice, its certainly not to apologise, its agenda is to sweep this chapter of inhumanity under the carpet forever. It's our job to continue shining the light on this chapter, to not forget what the government has done, and to persist in making the government accountable for covering up this issue. This is being done by lawyers now who are seeking compensation for their client's and who are pressuring the government to, *at the very least* apologise.

THE FACTS AND FICTIONS OF ASYLUM IN AUSTRALIA

Aloysious Mowe S.J.

Director of Jesuit Refugee Service



"It is not easy to live with so many people in one place. But I am alive, my family is alive. We are poor here, but we are in peace," says one ethnic China man, who lives with some 30 people in this flat. In order to optimize space, this balcony doubles as a bedroom at night.

© UNHCR / Zalmai

Presented at the Third National Conference on the Pastoral Care of Migrants and Refugees 6 December 2012

The asylum seeker debate that takes place in Australia often serves as a template for what a data-free analysis might look like. Figures about arrivals in Australia are easily available from the Department of Immigration, but from the way some Australians panic about “floods” of asylum seekers, you would think that the available data is a closely-kept secret.

Let’s place the issue of irregular boat arrivals in context. In the 2011-2012 period there were 8 million regular arrivals at air and sea ports in Australia. In the same period, there were 8,000 irregular arrivals by sea.

What routes do they take to get there?



In the first seven months of 2012, 53,900 New Zealanders migrated to Australia. New Zealand’s Council of Trade Unions described them as “economic refugees”, taking advantage of the Closer Economic Relations (CER) agreement, and the complementary Trans-Tasman Travel arrangement, between these two countries in an environment of economic uncertainty in New Zealand. Ten years ago, the number of New Zealanders who moved to Australia in the same period was 26,448, half the present exodus. Despite this, there have been no cries of outrage in Australia about foreigners coming over to take jobs, no outrage about non-citizens coming to this country to take advantage of it, no calls for the CER to be reconsidered given the large increase in the number of New Zealanders coming over.

The ongoing conflict in Syria has seen more than 500,000 people crossing Syria’s borders with its four neighbours, with Jordan and Lebanon, neither one a rich country, each taking more than 100,000 refugees so far in the period up to November 2012. The Hazara

communities in Afghanistan and Pakistan, some 3.5 million people in total, continue to be subject to a bloody campaign of murder and intimidation, and are desperate for safe havens and protection.

The number of people seeking asylum in Australia is insignificant by any calculus. Countries with far smaller GDPs and much smaller populations take significantly larger number of asylum seekers and refugees each year than does Australia. Pakistan, for example, plays host to 1.7 million refugees.

Australia's total migration program in 2011-2012, which does not include New Zealanders and those entering under the Humanitarian program, brought 185,000 new permanent residents into the country. Its Humanitarian program under which asylum seekers are granted residence only had 13,750 places (this has recently been increased by an additional 6,250 places).

As a recent editorial in *The Melbourne Age* put it, Australia does not have an asylum-seeker problem: Australia has a political leadership problem. Instead of calming the unfounded fears in the community that Australia is about to be overwhelmed by "hordes" of refugees, political leaders from both major parties continue to pander to those fears in the hope of gaining electoral capital. They peddle in lies about people arriving here "illegally" when they well know that the Refugee Convention states clearly that someone's mode of arrival, or lack of papers, does not take away their legal right to seek asylum. They insist on people coming through "regular" migration mechanisms when they are aware that it is simply not possible for people to apply for migration or for refugee resettlement in many places of conflict. The Australian embassy in Afghanistan, for example, has no consular function and does not issue visas; even if it did, an asylum seekers would be hard-pressed to put in an application: if you search the Department of Foreign Affairs and Trade's website, you will discover that the embassy's location may not be disclosed for security reasons. Where will a Hazara asylum seeker in fear for his life in Afghanistan go to so that he can join the fabled "queue" that asylum seekers are supposed to wait in for their turn?

The flow of refugees to Australia is a result of regional conflicts and geography. Asylum seekers from Afghanistan and Sri Lanka, the two most significant recent cohorts arriving in Australia by boat, find their way here because there are no other countries between these countries and Australia that are signatories to the Refugee Convention. New Zealand, Japan, Nauru, and Papua New Guinea are all signatory states, but they lie beyond Australia. Cambodia, another signatory state in the region, is possibly as accessible by sea from Malaysia, one of the main transit countries, as Australia; but Cambodia is not perceived (accurately) to have Australia's resources or procedures for protection.

Malaysia is a transit country that plays host to 97,000 registered asylum seekers (with possibly the same number, or more, unregistered). That number has been used as a scare tactic, with much ignorant talk of a long "queue" of asylum seekers in Malaysia waiting to get to Australia. The reality is that the vast majority of asylum seekers in Malaysia are from Myanmar, and many have little or no desire to move on from Malaysia to a third country. Despite the fact that Malaysia is not a signatory state, and is officially unfriendly to asylum seekers and refugees, many asylum seekers there are able to work, and their children have access to some form of education. The protection conditions are far from ideal; but for many they are good enough. A significant number of asylum seekers and refugees are willing to wait in Malaysia until conditions improve in their homeland so that they can return safely.



Left Top:

"I have no future in my country, no future for my family. I had no choice but to escape," says this ethnic China man whose son draws only pictures of machineguns, because it is the one thing he remembers of his home country. Many refugee children experience trauma and are mentally affected by their past experiences.

© UNHCR / Zalmi

Left Bottom:

Asylum seekers arriving at Christmas Island.

© Amnesty International Australia / G.Thom



Therein lies a great truth: most asylum seekers would prefer to be at home, in familiar and safe surroundings, with people and in a culture they can call their own. They flee their homes because they are no longer safe, and because their lives and the lives of their children are at stake. Australia has a legal obligation to take in these asylum seekers and to consider their claims; sending them to offshore processing centres is a breach of Australia's obligations as a signatory to the Refugee Convention.

One tactic refugee advocates often use is to highlight the great contributions that refugees have made to this country: they have become doctors, public intellectuals, lawyers, statesmen, business people, even bishops. If Australia had been any less hospitable to refugees in the past, it would have been deprived of the great riches that refugees have brought to this land. While this is true, I believe strongly that this is a narrative that ultimately undermines the entire purpose of the Refugee Convention. We are meant to accept asylum seekers and refugees not because of what they bring to us, but because of their vulnerability and need. The Refugee Convention is not a skilled migration program. To paraphrase John F. Kennedy, we should not be asking what asylum seekers and refugees can do for Australia, but what Australia can do for them. We are meant to offer protection to the most vulnerable, to the poorest, the "wretched refuse...the homeless, the tempest-tost" as the poem on the Statue of Liberty says. We will be judged in the tribunal of history not by how we treat the best and the privileged in our society, but by how we treat the worst and the poorest, the least, the last, and the littlest. And there is another Judgment, with a higher Judge, which we will all face, and where the stakes are not our reputation but eternal life itself.

20 YEARS OF MANDATORY IMMIGRATION DETENTION IN AUSTRALIA (1992 – 2012)

Australian Catholic Migrant and Refugee Office

This report was written and prepared by ACMRO staff and research collaborators:

Fr Maurizio Pettenà CS, Joseph Moloney, Elizabeth Beaumont, Amelia Gilroy,
Helena Maria da Costa and Nicamil Sanchez



Report by the Australian Catholic Migrant and Refugee Office

The émigré Holy Family of Nazareth, fleeing into Egypt, is the archetype of every refugee family. Jesus, Mary and Joseph, living in exile in Egypt to escape the fury of an evil king, are, for all times and all places, the models and protectors of every migrant, alien and refugee of whatever kind who, whether compelled by fear of persecution or by want, is forced to leave his native land, his beloved parents and relatives, his close friends, and to seek a foreign soil.¹

These words written sixty years ago by Pope Pius XII remain as true today as they did in 1952. The image of the Holy Family in exile remains the starting point for any reflection on asylum seekers and the community called upon to provide refuge. For asylum seekers, there protection is extended from the love of Jesus who himself was born into a refugee experience. For the receiving community, there salvation depends upon their response to Jesus who calls seeking refuge.

In 1992 Australia introduced the policy of mandatory detention for non-citizens who arrive in Australia by boat without a valid Australian visa.² This policy was pursued before hearing their stories and despite all the information available about the wars and conflict occurring in the countries that these asylum seekers were arriving from. It is not against international law to seek asylum, however those who try to in Australia are stripped of their liberty. The length and isolation of many Australian immigration detention facilities compounds the suffering and frustration of not knowing what the future holds. This policy is primarily pursued in the belief (not the fact) that it will deter asylum seekers from arriving by boat. The Refugee Convention in operation since 1951 has struggled to ensure the right to seek asylum is secure and available to those most vulnerable. Australia as signatory to the Refugee Convention has agreed to protect those who seek asylum at our shores. However our policy of mandatory detention has led several people to take their own life. Twenty years later this policy remains in place.

The Catholic Church, as a universal family, pursues the mandate to protect and promote life both in Australia and internationally. Asylum flows are considered in this larger view, not just of what is happening in Australia but to see what the situation is globally and to reflect on what is the best approach in the pursuit of not only protecting people's lives but to empower the exiled to live life to the full. For Catholics, our obligation to asylum seekers is not only to protect (as stipulated in the Refugee Convention) but to welcome and offer hospitality so that they may not feel isolated because of intolerance or disinterest³.



Left:

“We cannot live separately, no one can live by themselves. When we live together, we share our money, we share our food, we help take care of each other.” In this flat, 50 refugees form a ‘village’ where communal cooking and cleaning are done and the members support and assist each other. Those who are able to earn an income help support those who can’t.

© UNHCR / Zalmāi

A global phenomenon

“A wound which typifies and reveals the imbalance and conflicts of the modern world”
John Paul II⁴

Refugees and asylum seekers represent only a small proportion of the 214 million international migrants worldwide.⁵ The UNHCR estimate over 15 million refugees are hosted outside their homeland. A further 27.5 million are displaced internally due to conflict and another 12 million people are stateless. In addition over 837,500 asylum seekers worldwide are awaiting the outcome of their claim for refugee status.⁶ The difference between a refugee and an asylum seeker is one of legal status. An asylum seeker describes people who are seeking international protection but whose claim for refugee status is yet to be determined.⁷ Once the claim for asylum is made, it is up to the country of destination to determine whether the person is a refugee or not. For states which have signed the 1951 Convention Relating to the Status of Refugees, (Refugee Convention), the definition of a refugee and responsibility to assess claims is often incorporated in national legislation.⁸ Once this claim is processed, the person will either be granted or denied refugee status.

Refugee movements generally reflect longer term population movements while in contrast; asylum seeker numbers reflect the immediate impacts of current humanitarian situations.⁹ Generally, asylum seekers arrive spontaneously and apply for asylum once they are within or at the border of the destination country.¹⁰

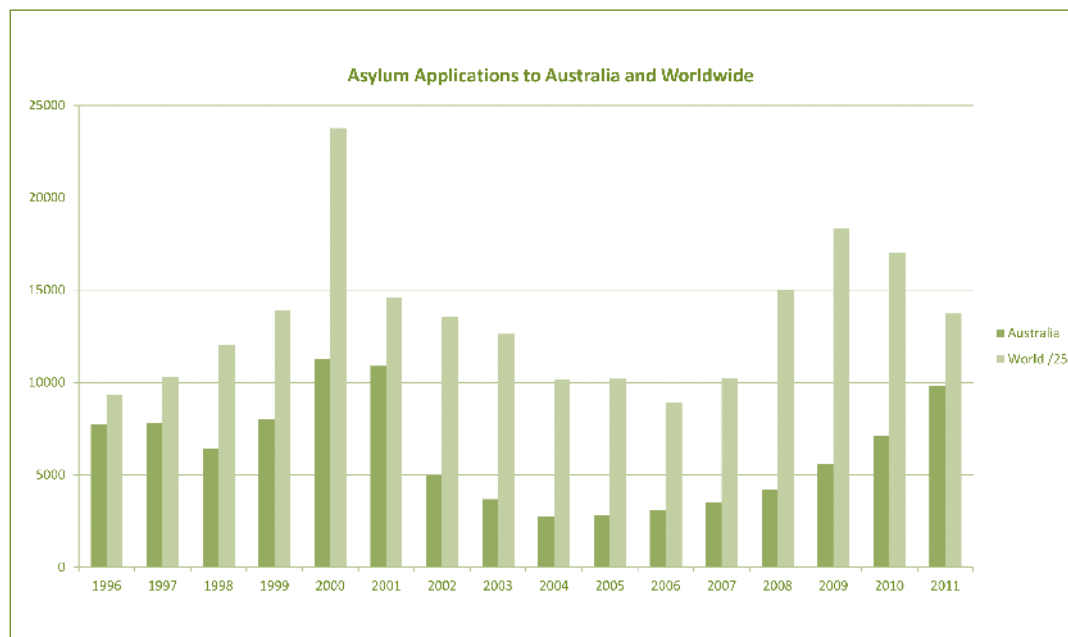
In 2010, UNHCR reported the majority (845,800) of applications for asylum were submitted upon arrival at the boarder to 166 different countries. Of this figure only around 96,800 applications were submitted directly to UNHCR.¹¹ South Africa remains, for the third consecutive year, the main destination for new asylum-seekers receiving over 146,600 applications in 2010 from Zimbabweans who arrived there. The United States was the second main destination, receiving an estimated 54,300 applications for asylum in 2010, mostly from China and Mexico.¹² In a global context the number of asylum seekers who arrive by boat to Australia is small in comparison to the total population of refugees worldwide and in comparison to the number of claims for asylum presented to other industrialised nations.¹³

The vast majority of the world's refugees remain in their region of origin. Around 75% will seek refuge in neighbouring countries.¹⁴ The main reason that most refugees remain near their homeland is due to the considerable cost of migrating. The primary drivers of asylum flows, namely violent conflict, ethnic persecution also lead to the loss of livelihoods. Without a stable income, the majority of refugees struggle to obtain food and water let alone money to travel further afield. Those asylum seekers who do travel beyond their region frequently travel alongside migrants. However asylum seekers often move without the requisite documentation, use unauthorised border crossing points or involve smugglers and hence their movements are described as irregular.¹⁵

Lamentably, more than 80% of the world's refugees are hosted by developing countries.¹⁶ *“Many of them show a generosity that is well beyond their own means. They do not have the capacity to manage this pressure on their own. Nor should they have to. Countries in the developed world can and must show more solidarity to help shoulder this burden.”*¹⁷ The 49 Least Developed Countries in the world in total host almost 2 million refugees.¹⁸

Asylum seeker trends in Australia compared internationally

The following figure is adapted from the work of Manadue et al (2011) and shows the total number of applicants who sought protection in Australia along with the number of applicants worldwide. For neatness, the number of applicants worldwide is reduced by dividing the total by 25. The graph shows that Australia's asylum numbers greatly mirror global trends.



The detention of asylum seekers in Australia

Asylum seekers can enter Australian territory either by boat or air. Historically arrivals by air have been larger in number; however arrivals by boat cause much more controversy in public debate. The Expert Panel (2012) notes between 1998 and 2012, there were almost 80,000 applications for protection visas by persons who arrive in Australia by air, compared to just over 33,000 boat arrivals whom most also applied for protection.

Eligible asylum seekers arriving by air have access to free, professional migration advice and application assistance. Asylum applicants who arrive by air on a valid visa are automatically granted a bridging visa while their application is assessed. They have access to the Refugee Review Tribunal (RRT) for an independent review of the merits of their case, access to the Administrative Appeals Tribunal (AAT) for character related issues and access to the Federal Magistrates Court, the Federal Court and/or the High Court for judicial review.

In contrast asylum policy for Irregular Maritime Arrivals (IMA's) commonly referred to as boat people, is dramatically different. Over the last 20 years various policies have been employed to deter boat arrivals seeking asylum. These policies have included Mandatory Detention (1992); Indefinite Detention (1994); Temporary Protection Visas (1999); Turning Boats Back (2001); the Tampa Incident (2001); the use of Nauru (2001); the Excision Policy (2001) and more recently Processing Suspension of Asylum claims from Sri Lanka and Afghanistan (2010).

‘Pragmatically, no empirical evidence is available to give credence to the assumption that the threat of being detained deters irregular migration, or more specifically, discourages persons from seeking asylum’¹⁹

Under section 189(1) of the *Migration Act*, detention of an unlawful non-citizen is mandatory. While a person seeking asylum in Australia does not do so unlawfully, they are still detained in order for their claim of asylum to be processed, and for security and health checks. DIAC is responsible for determining whether claimants evoke Australia’s obligation to protect, and if found to be, the Australian Security Intelligence Organisation (ASIO) conducts security assessments.

Who is in detention?

As of January 2013, there were 5697 persons in immigration detention facilities throughout Australia. The overwhelming majority are men (4104), with 593 women and 1000 children also housed in various immigration facilities across Australia. The majority of asylum seekers in Australia are held in Immigration Detention Centres (IDCs), with the largest populations in Wickham Point (878), Curtin (748), and Scherger (510). The following tables are derived from the Department of Immigration and Citizenship, Immigration Detention Statistics Summary, 31 January 2013 available at <http://www.immi.gov.au/managing-australias-borders/detention/facilities/statistics/>

People in Immigration Detention Facilities	Men	Women	Children	Total
Immigration Detention Centres	3413	52		3465
Immigration Residential Housing and Transit Accommodation	129	44	98	271
Alternative Places of Detention	562	497	902	1961
Total Closed Detention	4104	593	1000	5697
People in Community under Residence Determination	781	474	923	2178



Left:

“We’re stranded in this house, nowhere to go. So many small children, always crying,” frets this Somali father as his son peers outside. “They want to go outside and play but it’s not safe outside. Many strange men. It’s better that they play inside.”

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Nationalities	Adult		Child (<18 years)		Total
	Female	Male	Female	Male	
Sri Lanka	186	2168	112	197	2663
Iran	172	355	91	106	724
Afghanistan	29	445	25	135	634
Iraq	38	112	39	41	230
Bangladesh		195		2	197
Pakistan	9	132	5	25	171
Indonesia	8	103	1	7	119
Myanmar	15	30	15	19	79
China, Peoples Republic Of	18	55			73
Vietnam	7	39	3	12	61
Other	111	470	74	91	746
Total	593	4104	365	635	5697

Length of time in detention

Of the 7875 people in immigration detention as at 31 January 2013 around 34% had been detained for three months or less and 90% had been detained for 12 months or less. The average period people are held in detention facilities has significantly decreased from 277 days in November 2011 to 124 days as at 31 January 2013.²⁰

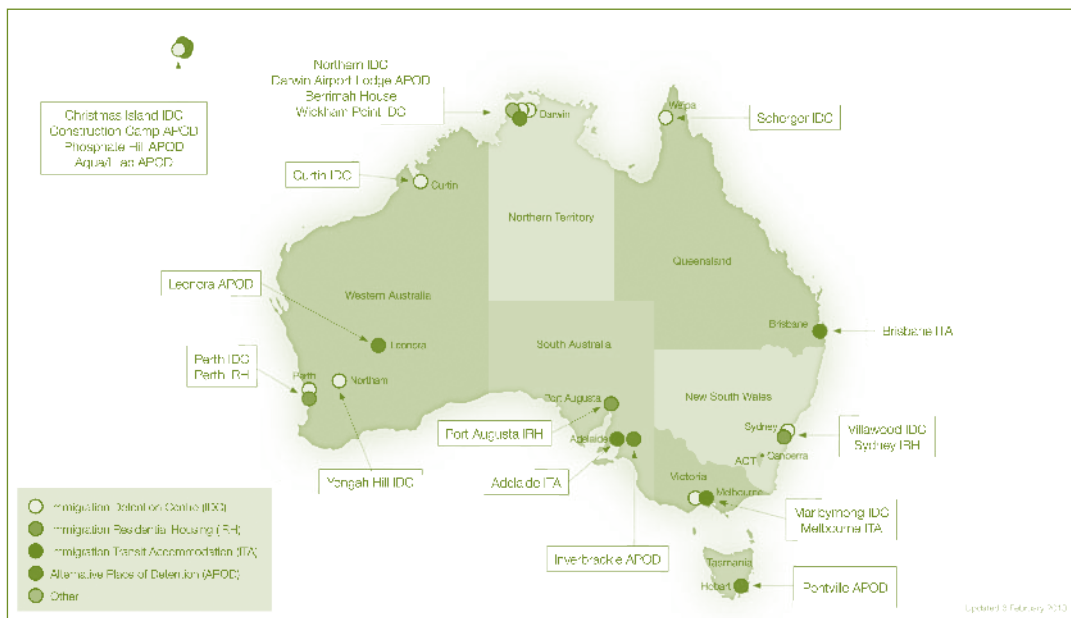
Period Detained	Total	% of Total
7 days or less	154	2.00%
8 days - 31 days	327	4.20%
32 days - 91 days	2161	27.40%
92 days - 182 days	3348	42.50%
183 days - 365 days	1120	14.20%
366 days - 547 days	162	2.10%
548 days - 730 days	155	2.00%
Greater than 730 days	448	5.70%
Total	7875	100%

Immigration detention facilities

At present, asylum seekers are detained in four different types of facilities: Immigration Detention Centres (IDCs), Alternative Places of Detention (APODs), Immigration Transit Accommodation (ITA) and Immigration Residential Housing (IRH).

Most children are held in APODs; there are currently 354 children in APODs on Christmas Island, and 548 on the mainland. There are also 39 children in IRHs in Perth, Port Augusta and Sydney, and 59 children in ITA's in Adelaide, Brisbane and Melbourne.

The following map of Australia's immigration detention facilities is available at <http://www.immi.gov.au/managing-australias-borders/detention/facilities/>



Australia's IDCs and other forms of immigration detention notoriously foster degenerative environments for asylum seekers. Four key factors have been highlighted as being the most harmful to the lives of those seeking asylum while in detention.

Remoteness

As the above figure shows, many of Australia's immigration facilities are located in remote parts of Australia, thousands of kilometres away from any major city and neighboured only by small rural communities. Such conditions are environmentally harsh, with extreme heat and dusty conditions,²¹ making these already confined centres more difficult to live in. The remoteness of facilities means that community engagement is extremely limited, and it is unrealistic for the remote centres to rely on small rural communities to interact with those in detention. Such interaction is especially important for the wellbeing of asylum seekers, however visitor's centre's in places such as Sherger, Christmas Island, Curtin, and Wickham point remain very small. Recently it has been recommended that these facilities be improved across the network. Amnesty International recommends that Curtin IDC should

be immediately closed down, as its isolation aggravates the existing conditions of those in detention.²² They also express concern at the distance between Wickham point and the nearest city, Darwin.

Access to communication services

In its recent visit to Australia's IDCs, Amnesty International made note of the unacceptable access to telephones and the Internet. In Curtin IDC, asylum seekers wait hours to use the phones, with only 15 working outgoing phones for a population of 931.²³ Across other IDCs, there is generally an insufficient amount of phones, for example, Darwin Airport APOD has 16 outgoing/ingoing phones for a population of 351, and Northwest Point IDC on Christmas Island has 40 phones for a population of 434. Internet access is also problematic, as slow connections and daily limits make it difficult for asylum seekers to download necessary legal documents, and communicate with family, lawyers and other organisations. Amnesty International advocates for greater access to telephones and the Internet, citing their fundamental importance in mentally helping asylum seekers through their detention and in processing their refugee claims.

Facilities

Most of Australia's immigration centres contain facilities such as recreation facilities (including sports fields), education and religious rooms, common areas, communal dining areas and a limited amount of self-catered facilities. These facilities are important in providing activities for asylum seekers as they await determination of their claims. It is suggested that the lack of self-catered facilities causes women to feel disempowered, unable to cook for their families. All buildings are purpose-built and sterile, creating a monotonous atmosphere for asylum seekers.

Security

Australia's IDCs are 'overwhelmingly prison-like,' with razor wire, high fences, security guards and cameras existing within all IDCs. Those detained are not allowed to leave, unless given permission and accompanied by security. One asylum seeker reported that when going to church, four guards escorted him. Even when he took communion, a guard accompanied him. This level of security is clearly inappropriate for persons who have committed no crime in seeking asylum. All persons should be free to practice their religious rights without such pressure.

Effects of detention on asylum seekers

There is substantial evidence in Australia and internationally of the link between restrictive immigration detention and the development of mental health problems.²⁴ Several studies have been conducted in Australia and internationally regarding the impact of detention on health and especially mental health. The latest inquiry was held in 2011 by the Joint Select Committee on Australia's Immigration Network who visited the majority of detention centres in Australia. The Committee conducted site inspections of a number of facilities in the immigration detention network including immigration detention centres, alternative places of detention (APOD) and immigration residential housing. The following information is taken from the Joint Select Committee Report 2012.

Reported cases of attempted and inflicted self-harm, are a widespread problem in Australia's detention facilities. It is a concern that must be addressed in the interests of detainees and the staff who assist them.²⁵ *In many facilities, detainees showed the physical evidence of self-harm: those who had been treated for self-inflicted wounds were unmistakably visible.*²⁶

The number of detainees affected by their detention environment requires immediate consideration. The Joint Select Committee was told that:

*One study by the Physicians for Human Rights found clinically significant symptoms of depression were present in 86% of detainees, anxiety in 77% and PTSD [post-traumatic stress disorder] in 50% with approximately one quarter reporting suicidal thoughts.*²⁷

Suicide Prevention Australia mentioned broad academic research covering a ten year period reaching the following conclusion: *detention corrodes mental health.* One study found that:

*"...the rates of suicidal behaviour among men and women in Australian IDC are approximately 41 and 26 times the national average, respectively"*²⁸

*Common symptoms of disorders among detainees are forgetfulness and confusion, frustration, anger, loss of appetite, anxiety, poor hygiene, insomnia, self-harm, as well as thoughts of, and attempts at, suicide. These symptoms and behaviours now appear commonplace among the long-term detainee population. According to refugee advocacy groups the symptoms and behaviours of people in held detention are in stark contrast to those of asylum seekers who are placed in the community.*²⁹

Workers from immigration detention centres described their experience and how life in detention affects and deteriorates detainee's mental health:

*The type of behaviour people engage in differs depending on the person. They can become more reclusive, they stop talking, they're not their usual bubbly self. But others become aggressive, and especially you get these natural born leaders who get a group of people together to support their cause and that's when you end up with 20 people on a roof. But the quiet ones are the ones you have to watch. The loud and proud ones, you always know where they are, because you can hear them. It's the others that you have to keep a close eye on, and if you haven't seen or heard from them in a few hours then you need to go and find them and check up on them. They are the ones that are likely to slash up or try to hang themselves. We don't worry as much about the loud ones.*³⁰

Another employee described how detainees show visible changes over a period of time:

*It's both the physical and mental well-being of clients that's affected. And you can see it change in the space of a week. If I go off shift and come back a week later, I will see the changes. They will have put on weight, for one thing. Because they have nothing to do but cooking and eating and watching a bit of TV. They're also agitated. And over time, good relationships change. People revert into their shells, they become introverted, they stop talking. And then some people start to be admitted into mental health institutions – some of our cases have started to get more serious, as well. The longer they're here, the more they need medication. They go to the health clinic to get drugs just to get through it.*³¹

The Joint Select Committee also found there has been a worrying number of self-harming incidents in detainees. It is not possible to exactly estimate the current number or frequency of self-harm incidents; however it appears to be a systematic occurrence. DIAC statistics indicate that there were 386 self-harm incidents in 2010–11, frequent suicide attempts and nine deaths in detention centres in the 24 months to February 2012.³²

Suicide attempts are rarely reported in the media, and DIAC was not able to provide the Committee with the exact number of suicide attempts during this period:

*The detention service provider [Serco] is required to report all self-harm or threatened self-harm incidents on the departmental reporting system. Detention service provider staff are not qualified to assess whether a self-harm incident is actually a suicide attempt.*³³

Effects of detention on children

Children are considered God's gift, and the future of a nation whom should be provided with protection and care within a family environment. Asylum-seeking children are the most vulnerable among displaced persons. In Australia, children are still placed in immigration detention or in alternative places of detention. Among children seeking asylum, unaccompanied children are most at risk to post-traumatic mental health problems and require extra care and protection.

The potential impact of prolonged and indefinite detention on children contributes to a high risk of serious mental harm.³⁴ There is growing evidence that salient post-migration stress and effect of ongoing posttraumatic stress disorder can lead to serious mental health problems.³⁵ Australian studies have demonstrated that detention is not in the best interest of the child.³⁶ Younger asylum seekers' have considerably more psychosocial problems than the general population.³⁷ Prolonged immigration detention leads to long-term psychological harm.³⁸ The experienced of asylum-seeking children during the process of immigration detention is a traumatic event that might affect child's stages of development;

*Young infants can develop insecure, ambivalent, or disorganized attachment; their lack of basic trust in their surroundings can result in negative effects in their exploratory behaviour and autonomy, which may be reflected in disorganized behaviour while older children may present increased externalized aggressive behaviour and/or internalized anxiety and depressive behaviour.*³⁹

Parents and children in immigration detention are often vulnerable to mental health problems before they reach Australia and detention potentially exposes the child to degrading and hostile environment. This puts children at high risk of the developmental psychopathology.⁴⁰ Thus, the Faculty of Child and Adolescent Psychiatry in Australia opposes the detention of children and has called for the immediate release of children and their primary caregivers into appropriate community care.⁴¹ The Law Council of Australia (2011) raised concern about the ability of children to access appropriate services and exercise their rights, including the right to family reunification, the right to education and the right to leisure. The Australian Children's Commissioners and Guardians (2011) pointed out that services to children in immigration detention are unsatisfactory. They report health services appear to be provided primarily for adults with little attention paid to the physical and emotional needs of children, harsh circumstances of the living conditions are compounded by the extreme weather conditions and the remoteness of location, lack of adequate social and recreational activities, and limited access to mental health services with specialist expertise in responding to children's and parents' needs.

Alternatives to detention

In response to the perceived unnecessary, overly lengthy and physically and mentally harmful detention of asylum seekers upon entry into Australia, a large discourse has developed focusing on the alternatives to immigration detention for asylum seekers.

A quick comparison with other nations facing claims of asylum suggests that alternatives to Australia's model exist, and are indeed quite effective in terms of cost, security and compliance. A number of other countries have implemented community alternatives, involving partnerships between government and non-government agencies which share the provision of or provide assistance with access to health, education, housing, legal and other welfare services.

In 2011, the Joint Select Committee on Australia's Immigration Detention Network created the 'International Comparisons of Immigration Detention' report, which in part examined the extent of community-based alternatives in the process of asylum claims. The table below is drawn from this report.

COUNTRY	MANDATORY DETENTION	GENERAL MAXIMUM OR AVERAGE	NON-DETENTION COMMUNITY ALTERNATIVES	REPORTING OR BAIL REQUIREMENTS	FINANCIAL ASSISTANCE	RIGHT TO WORK	FREE ACCESS TO EDUCATION	FREE ACCESS TO LEGAL SERVICES	FREE ACCESS TO HEALTH SERVICES
Australia	✓	Indefinite	✓		✓		✓		✓
Canada		Ave. 48 hours	✓	✓		✓	✓	✓	✓
Italy	✓	180 days						✓	✓
New Zealand		96 hours	✓	✓	✓	✓	✓	✓	✓
Spain		60 days	✓	✓		✓	✓	✓	✓
Sweden		48 hours	✓	✓	✓	✓	✓	✓	✓
UK		Unlimited Average less than 29 days	✓	✓	✓		✓	✓	✓
US	✓	Average 30 days	✓	✓		✓		✓	✓

Main features of an alternative to immigration detention

Following the development of like-minded countries, Australia is encouraged to implement an alternative arrangement to the current model of immigration detention. The key features of an alternative are outlined below:

The presumption against immigration detention and detention as a last resort

Detention must be justified. It is fundamental that Australia approaches immigration detention as a last resort, rather than a necessary step in the processing of asylum seekers. A presumption against detention ensures that the onus of justifying the need for detention is on the government and its officials, and that asylum seekers are assessed on an individual, case-by-case basis. Such a presumption already exists in countries such as Canada and Sweden, who both experience similar if not higher levels of asylum claims each year. In Canada, detention can only be justified if it is believed that the person seeking asylum is inadmissible and is a danger to the public, or likely to abscond.⁴² Importantly, the exceptional nature of detention means it is unlikely that minors would be housed in immigration detention, as a decision-maker would have to justify why they be a security risk in weighing up the competing obligation to respect the best interests of the child.⁴³

It may be that detention is necessary for initial status determination of identity, health and security checks. However, it should not extend to a merits determination. In a recent submission, the United Nations High Commissioner for Refugees confirmed a presumption against detention in its recommendation that ‘detention for the purpose of assessing refugee status, in the absence of any risk to the community, is an unlawful and impermissible basis for detention.’⁴⁴

Detention must have an upper limit

An essential step in codifying immigration detention as a last resort is the establishment of an upper limit to the length of detention. Without an upper limit, the detention of asylum seekers increases the risk of arbitrary detention, putting it at odds with international human rights law. An upper limit is critical for ensuring not only the timely processing of claims, but also safeguarding the wellbeing of asylum seekers awaiting the outcome of their claims.⁴⁵ A particularly challenging aspect of an asylum seeker’s experience in Australia is the uncertainty of when they will find out whether or not they have been granted refugee status.

In Sweden, persons are detained for identification purposes for a maximum of 48 hours. A person may remain in immigration detention under three circumstances: in order to carry out further identification, to investigate whether the person can be released into the community, or while arrangements are made for their expulsion. In the first two circumstances, detainees may only remain for a maximum duration of two weeks (with a possible extension of between two and six months in exceptional circumstances).⁴⁶

In both Canada and Sweden, asylum seekers detained have access to judicial review for decisions to keep them in detention, placing further emphasis on the exceptional nature of detention.



Left Top:

More a prison than a home, their spartan apartment keeps them captive since the two Afghan refugee brothers in their 20s cannot work legally, even though they are desperate to support their families. "The employers always want to see my identity card. All my life I never had an identity card," says one.

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Left Bottom:

Three people died on this boat, which ran aground on Lampedusa after the dangerous journey from Libya.

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The right to live in the community

While their claims are being processed, asylum seekers should be able to live in the community. An overwhelming majority (between 70% - 97%) of asylum seekers entering Australia by boat are recognised as refugees.⁴⁷ However, they must spend on average between 124 to 277 days in a detention facility awaiting this ultimate outcome. The current process is expensive, and takes an unforgiveable toll on the physical and mental wellbeing of asylum seekers.

Canada, New Zealand, Spain, Sweden, the United Kingdom and the United States all allow for asylum seekers to live in the community while their claims of asylum are being processed. Most of these countries also provide some or all of the welfare services of access to healthcare, education, legal advice and financial assistance. All except the United Kingdom also give asylum seekers the right to work while their claims are being processed, or where it has been determined that a claim will take longer than a certain period.⁴⁸ Allowing asylum seekers to reside in the community while their claims are being assessed, and providing them access to the same social services within the community means that the government does not have to double-up on services in detention. It also means that when the majority of asylum seekers are eventually granted protection visas in Australia, they have already begun to integrate with the community.

Reporting or bail requirements

There is some concern that allowing persons to reside in the community brings a greater risk of persons absconding while their claims are being processed. To date there is little empirical evidence to suggest that asylum seekers living in the community are more likely to abscond.⁴⁹ Canada, Japan, Thailand and the United States impose reporting obligations on asylum seekers in the community such that they must report to police or immigration authorities regularly, and comply with house visits.⁵⁰ In the United Kingdom, certain social supports are tied to reporting requirements.⁵¹ In the United States, the Intensive Supervision Appearance Program (ISAP) closely monitors asylum seekers or 'illegal aliens' that have been released into the community. Since its inception, the program has shown a 99% rate of appearance at immigration hearings, and a 95% rate at hearing concerning final removal.⁵²

The International Detention Coalition suggests that persons who present a risk of flight including the use of fraudulent documents may provide justified reason for the use of detention, but otherwise persons should be released,⁵³ and community programs usually establish reporting or bail requirements so that the whereabouts of asylum seekers are always known. Reporting requirements already exist in Australia, in respect of the bridging visa and community detention regulations.

Conclusion

Since its inception mandatory detention has been a nightmarish situation for asylum seekers. Their journey begins with great suffering, often with the loss of loved ones, parents, siblings, and children. They often lose their beloved homeland forever and will never be able to return. They then risk their own lives all for the slight hope that their situation could be improved. They seek an opportunity to live a dignified life. The call of the Catholic Church is to help all people *"live in a way consonant with that dignity."*⁵⁴ The first step is to extend hospitality to people *"caught in the trials and misfortunes of exile, and to strive with all our resources to help them."*⁵⁵

In asking for asylum, our exiled brothers and sisters turn up unexpectedly as Jesus does to call on our kindness (cf. John 4:10). Our welcome, compassion, assistance and hospitality are a blessing not only for asylum seekers but more so for the host community, which is given a great privilege to serve God in this special way (cf. Mt 25: 38).



Left:

An injured man from sub-Saharan Africa is helped off an Italian coastguard vessel after being picked up at sea. He had fled from Tripoli with others.

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ENDNOTES



Syrian refugees

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ENDNOTES

International Religious Freedom: An Imperative for Peace and the Common Good

Archbishop Silvano M. Tomasi, c.s.

1. Statement delivered at the Conference on *International Religious Freedom: An Imperative for Peace and the Common Good*, organized by the United States Conference of Catholic Bishops, the Catholic University of America, the Institute for Policy Research and Catholic Studies, and the Catholic Relief Services on 12 September 2012 in Washington D.C.
2. Archbishop Silvano M. Tomasi, c.s., is an Apostolic Nuncio and Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva.
3. Article 6
In accordance with article 1 of the present Declaration, and subject to the provisions of article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:
(a) To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;
(b) To establish and maintain appropriate charitable or humanitarian institutions;
(c) To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;
(d) To write, issue and disseminate relevant publications in these areas;
(e) To teach a religion or belief in places suitable for these purposes;
(f) To solicit and receive voluntary financial and other contributions from individuals and institutions;
(g) To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;
(h) To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;
(i) To establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels.
4. Pope John Paul II, Message for the Celebration of World Day of Peace, January 1, 2001, n. 16
5. Pope Benedict XVI, during Pastoral Visit to Aquileia and Venice, 07 May 2011,
http://www.vatican.va/holy_father/benedict_xvi/speeches/2011/may/documents/hf_ben-xvi_spe_20110507_convegno-aquileia_en.html

Church Without Borders: The Mission of the Catholic Church Among Migrants

Gemma Tulud Cruz

1. It is noteworthy to mention here that the conference tackled the theme "Migration, Human Dislocation, and the Good News."
2. See "World Refugee Day: UNHCR report finds 80 per cent of world's refugees in developing countries," accessed November 24, 2012. By the same measure, it is estimated that the United States has 6.2 and Canada has 4.5 refugees for each per capita GDP dollar.
3. Jonathan Bonk, "Whose head is this and whose title?" Presidential address delivered at the IAMS 13th Quadrennial Conference, Toronto, August 15, 2012. Available at <<https://sites.google.com/a/iams2012.org/toronto-2012/>> accessed November 24, 2012.
4. On why the intersections between migration and mission is a relatively new area of theological exploration in general see Jehu Hanciles, *Beyond Christendom: Globalization, African Migration and the Transformation of the West* (New York: Orbis, 2008), 177-179.
5. Mary Jo Leddy, "When the Stranger Summons: Spiritual and Theological Considerations for Ministry" *New Theology Review* Vol. 20, No. 3 (August 2007): 5-14, at p. 6.
6. Leddy, "When the Stranger Summons," 6-7.
7. Jung Young Lee, *Marginality: The Key to Multicultural Theology* (Minneapolis, MN: Fortress Press, 1995): 110-111.
8. A "coyote" is a guide who takes migrants across international borders in exchange for money.
9. Jacqueline Maria Hagan, *Migration Miracle: Faith, Hope and Meaning on the Undocumented Journey* (Cambridge, MA: Harvard University Press, 2008), 2.
10. See Jacqueline Maria Hagan, "The Church vs. the State: Borders, Migrants, and Human Rights," 96-101 and Cecilia Menjivar, "Serving Christ in the Borderlands: Faith Workers Respond to Border Violence," 110-115 in *Religion and Social Justice for Immigrants*, ed. Pierrette Hondagneu-Sotelo (New Brunswick, NJ: Rutgers University Press, 2007).
11. Some like Border Angels go beyond providing water but food and clothing as well. Pierrette Hondagneu-Sotelo, *God's Heart Has No Borders: How Religious Activists Are Working for Immigrant Rights* (Berkeley, CA: University of California Press, 2008), 141-143.
12. Fenggang Yang and Helen Rose Ebaugh, "Transformations in New Immigrant Religions and Their Global Implications," *American Sociological Review* Vol. 66 (April 2001): 269-288, at p. 274.
13. Eliseo Tellez Jr., "An Overview of Filipino Migrant Workers in Hong Kong," in Christian Conference of Asia, *Serving One Another: The Report of the Consultation on the Mission and Ministry to Filipino Migrant Workers in Hong Kong*, April 28-May 1, 1991 Kowloon, Hong Kong (Kowloon, H.K.: CCA Urban Rural Mission, 1991): 75-83, at p. 82.
14. Asian Migrant Workers Center, *Foreign Domestic Workers in Hong Kong: A Baseline Study* (Hong Kong: AMC, 1991), 67.
15. Mission for Filipino Migrant Workers, *The Filipino Maids in Hong Kong: MFMW Documentation Series No. 1*. Hong Kong: MFMW, March 1983), 98.
16. A Mexican-American immigrant recounts of his mother: "My mother, as her mother did before her, uses the meal to teach our kids about the use of food and its relationship to St. Mary's, to our family tree and how sharing a meal means thanking the Creator for all of our blessings. So sitting at the table means blessing yourself and listening to a prayer just as much as it means enjoying a good Mexican food." Kathleen Sullivan, "St. Mary's Catholic Church: Celebrating Domestic Religion," in *Religion and the New Immigrants: Continuities and Adaptations in Immigrant Congregations*, eds. Helen Rose Ebaugh and Janet Saltzman Chafetz (Altamira Press, 2000): 196-209, at p. 197.
17. Randy David, *Public Lives: Essays on Selfhood and Social Solidarity* (Pasig City, Phils: Anvil Publishing, 1998): 52.
18. This urban character of mission by immigrant congregation constitutes an enhanced if not unique feature of mission in the context of contemporary migration. This is partly fueled by the fact that the majority of the world's population --- starting in 2008 --- now lives in the cities and migration toward the cities has been moving at three times the rate of global population growth. The UN has even termed the coming thousand years as the "Urban Millennium." In view of these developments Allen talks about the emergence as well as the need for an urban ministry in the swelling urban centers, which puts an emphasis on forming community as an antidote to the

breakdown of traditional rural social networks. John Allen, *The Future Church: Ten Trends Revolutionizing the Catholic Church* (New York, NY: Doubleday, 2010), 334-336.

19. Hanciles, *Beyond Christendom*, 298.
20. Pope Benedict XVI, "Address to the General Assembly of the United Nations Organization," New York, April 18, 2008 as quoted in Silvano Tomasi, "Human Rights as a Framework for Advocacy on Behalf of the Displaced: The Approach of the Catholic Church," in *Driven from Home: Protecting the Rights of Forced Migrants*, ed. David Hollenbach, S.J. (Washington, D.C.: Georgetown University Press, 2010): 55-69, at p. 65.
21. James William Brodman contends that Christian bishops and monasteries played a central role in the emergence and proliferation of the ancestor of the modern hospital. Brodman points to how the first known hospitals and almshouses in Europe were tied to cathedrals. James William Brodman, "A Cascade of Hospitals," in *Charity and Religion in Medieval Europe* (Washington, DC: Catholic University of America Press, 2009): 45-88.
22. Jerome, who is well known for the Latin translation of the Bible, migrated to Bethlehem where he established several monasteries always ready to offer hospitality to two kinds of migrants: the devout pilgrims to the Holy Land and the asylum seekers coming from the territories occupied by the barbarians. Fabio Baggio, "The Migrant Ministry: A Constant Concern for the Catholic Church," *Asian Christian Review* Vol. 4, No. 2 (Winter 2010): 47-69, at pp. 50-51.
23. Robert Schreiter, "Migrants and the Ministry of Reconciliation," in *A Promised Land, A Perilous Journey: Theological Perspectives on Migration*, eds. Daniel Groody and Giocchino Campese (South Bend, IN: Notre Dame University Press, 2008): 107-123, at p. 113.
24. See Daniel D. Groody, "Jesus and the Undocumented Immigrant: A Spiritual Geography of a Crucified People," *Theological Studies* 70 (2009): 307-316 and Giocchino Campese, "Cuantos Más?: The Crucified People at the U.S.-Mexico Border," in *A Promised Land, A Perilous Journey*, 271-298.
25. Gustavo Gutierrez, "Poverty, Migration, and the Option for the Poor," in *A Promised Land, A Perilous Journey*, 76-86.
26. Jonathan Bonk, "Whose head is this and whose title?" Presidential address delivered at the IAMS 13th Quadrennial Conference, Toronto, August 15, 2012. Available at <<https://sites.google.com/a/iams2012.org/toronto-2012/>> accessed November 24, 2012.
27. Pope Benedict XVI, *Caritas in Veritate* <http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate_en.html> accessed December 3, 2010.
28. GS, 66 says "When workers come from another country or district and contribute to the economic advancement of a nation or region by their labor, all discrimination as regards wages and working conditions must be carefully avoided. All the people, moreover, above all the public authorities, must treat them not as mere tools of production but as persons, and must help them to bring their families to live with them and to provide themselves with a decent dwelling." See http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html accessed December 1, 2012.
29. Other important documents include Pope Paul VI's *Motu Proprio Pastoralis Migratorum Cura*, and the corresponding Instruction, *De Pastoralis Migratorum Cura* of the Congregation for Bishops in 1969.
30. Caritas Internationalis, for example, provides pre-departure counseling to potential migrants and assistance along the journey, helps integration in the receiving societies as well as assisted and voluntary return, advocates the rights of migrants, and seeks cooperation with state authorities and international organizations. See "Female Face of Migration: An Interview with Martina Liebsch," *Asian Christian Review* Vol. 4, No. 2 (Winter 2010): 4-11, at p. 8.
31. Aside from advocacy for migrants Patrick Murphy says this includes mission work in the area of language (providing, as much as possible, basic services, sacraments, and liturgies in the language of the migrant), religious education, adult faith formation, religious traditions (inculturation), and ministry for youth and young adults. Patrick Murphy, "Ninety-Nine Sheep and the Mission of the Church: The Pastoral Care of Hispanic Immigrants," in *A Promised Land, A Perilous Journey*, 141-159, at pp. 146-147.
32. The Church strongly recognizes that the Catholic faith, as embedded in cultural or ethnic contexts, plays a crucial role in the lives of migrants such that in 1215 the Fourth Lateran Council, under Pope Innocence III, issued a decree requesting the bishops of the diocese, where people of different ethnic background lived, to provide the latter with a ministry respectful of their different rites and languages. See Concilium Lateranense IV, IX as quoted in Baggio, "The Migrant Ministry," 54.
33. Gemma Tulud Cruz, *An Intercultural Theology of Migration: Pilgrims in the Wilderness* (Leiden: Brill, 2010), 96-98 provides a more exhaustive description.
34. The Catholic Church has a broader and evolving understanding of migrants in view of ministry. In the circular letter "Church and Human Mobility" the parameters were widened to include not just immigrants, migrant workers, exiles and refugees but also sailors, travelers by air, airport personnel, nomadic peoples and tourists (CHM, 2). The Pontifical Council for the Pastoral Care of Migrants and Itinerant People then added the following categories to the list: displaced people, fishermen, circus and fairground people, travelers for reasons of piety and study, land transport workers and other similar categories. Baggio, "The Migrant Ministry," 47.
35. Jonathan Bonk, "Whose head is this and whose title?" Presidential address delivered at the IAMS 13th Quadrennial Conference, Toronto, August 15, 2012. Available at <<https://sites.google.com/a/iams2012.org/toronto-2012/>> accessed November 24, 2012. 28 See Aida Besancon Spencer, "Being a Stranger in a Time of Xenophobia," *Theology Today* Vol. 54 (April 1997-January 1998): 464-469 and "God the Stranger: An Intercultural Hispanic American Perspective," 89-103. See also A. Lacocque, "The Stranger in the Old Testament," in *World Council of Churches and Migration: WCC Fifth Assembly Dossier No. 13* (Geneva: WCC Migration Secretariat, 1981): 49-59 and Frank Crusemann, "'You Know the Heart of the Stranger' (Exodus 23:9): A Recollection of the Torah in the Face of New Nationalism and Xenophobia," *Concilium* 4 (1993): 95-109 for a more detailed discussion on this.
36. Graziano Battistella, "The Poor in Motion: Reflections on Unauthorized Migration," *Asian Christian Review* Vol. 4, No. 2 (Winter 2010): 70-81, at p. 81.
37. Sullivan, "St. Mary's Catholic Church," 126. For concrete struggles involved in forging multiethnic churches see Warren St. John, "The World Comes to Georgia, and an Old Church Adapts," <<http://www.nytimes.com>> accessed December 3, 2012.
38. Jonathan Bonk, "Whose head is this and whose title?" Presidential address delivered at the IAMS 13th Quadrennial Conference, Toronto, August 15, 2012. Available at <<https://sites.google.com/a/iams2012.org/toronto-2012/>> accessed November 24, 2012.
39. Jomar Canlas, "Riyadh nabs 14 OFVs for practicing religion," *The Manila Times* (October 7, 2010), 3.
40. *Visita Iglesia* is the traditional practice of visiting churches, usually seven churches, on Maundy Thursday. See "CBCP's new Visita Iglesia site now online," <<http://www.gmanetwork.com/news/story/216775/scitech/cbcp-s-new-visita-iglesia-site-now-online>> accessed December 1, 2012.
41. Maxine Frith, "Catholic Church launches 'virtual parish' on the web," <<http://www.smh.com.au/news/technology/catholic-church-launches-virtual-parish-on-the-web/2008/03/29/1206207489791.html>> accessed December 3, 2012.
42. "Bishops seeking missionaries to the digital continent," <<http://www.zenit.org/article-309862?english>> accessed December 1, 2012.
43. Rachel Bundang, "May You Storm Heaven with Your Prayers: Devotions to Mary and Jesus in Filipino-American Catholic Life," in *Off the Menu: Asian and Asian North American Women's Religion and Theology* eds., Rita Nakashima Brock et al. (Louisville: WJK Press, 2007): 87-105, at p. 101.

44. Stephen Bevans, "Mission among Migrants, Mission of Migrants," in *A Promised Land, A Perilous Journey*, 89-106, at p. 101.
45. See Final Statement, Part II, Pastoral Care, 14 in *People on the Move* 35 (December 2003): 366. "Filipino Migrant Workers in Hong Kong," *Asian Migrant* Vol. 7, No. 1 (January-March 1994): 6-7.
46. The Filipina domestic workers in Hong Kong illustrate this claim. In the words of the Hong Kong Church: "Our churches are very alive on Sundays because of their presence. The Filipinos have brought their religiosity and faith to the Church of Hong Kong – they enhance the faith of our local people with their presence, witnessing hospitality, joy, and love for music. The diocese is truly blessed in many ways because of the Filipinos, and their dynamism will keep alive the faith in the territory... In short, **the Filipinos are to be called missionaries first before they are labeled as domestic helpers**" (emphasis mine). See "Filipino Migrant Workers in Hong Kong," *Asian Migrant* Vol. 7, No. 1 (January-March 1994): 6-7. Such missionary effect is often felt more strongly in receiving countries where churches, particularly in the West or in developed countries, are experiencing significant losses in membership as well as decline in religious practice, making migrants important in the survival or flourishing of the Christian faith. As the critically-acclaimed book of Philip Jenkins, *The Next Christendom: The Coming of Global Christianity* contends southern-derived immigrant communities play a critical role in the future face of Christianity, especially in western countries. See Philip Jenkins, *The Next Christendom: The Coming of Global Christianity* (Oxford: Oxford University Press, 2003).
47. Hanciles, *Beyond Christendom*, 277-278.
48. Kathleen Valtonen makes the claim based on the observation that the strongest and most resilient social links that the Vietnamese have with native Finns were described best in terms of fictive kinship roles such as older brother or sister, aunt, grandparent, etc. Kathleen Valtonen, "East Meets North: The Finnish-Vietnamese Community," *Asian and Pacific Migration Journal* Vol. 5, No. 4 (1996): 475-489, at pp. 476-477.
49. Hanciles contends that contemporary processes associated with globalization has made possible some actions by migrants which are missionary in nature. Many transmigrants and/or migrants with dual citizenship, for example, maintain close connections and are very invested in the socio-economic and political issues in their countries of origin. African immigrants in the US, that Hanciles talks about in his abovementioned book, even actively participate in the political process in their countries of origin by lobbying political leaders through letter writing and sponsorship of political activities in the US which are meant to call attention to particular issues at home and to coordinate action. Because they are relatively well-off and quite organized their voice does carry some weight in the political establishment in their countries of origin. Hanciles, *Beyond Christendom*, 204.
50. Afe Adogame, "Contesting the Ambivalences of Modernity in a Global Context: The Redeemed Christian Church of God, North America," *Studies in World Christianity* Vol. 10, No. 1 (2005): 29 as quoted in Hanciles, *Beyond Christendom*, 300.
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Report by the Australian Catholic Migrant and Refugee Office

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