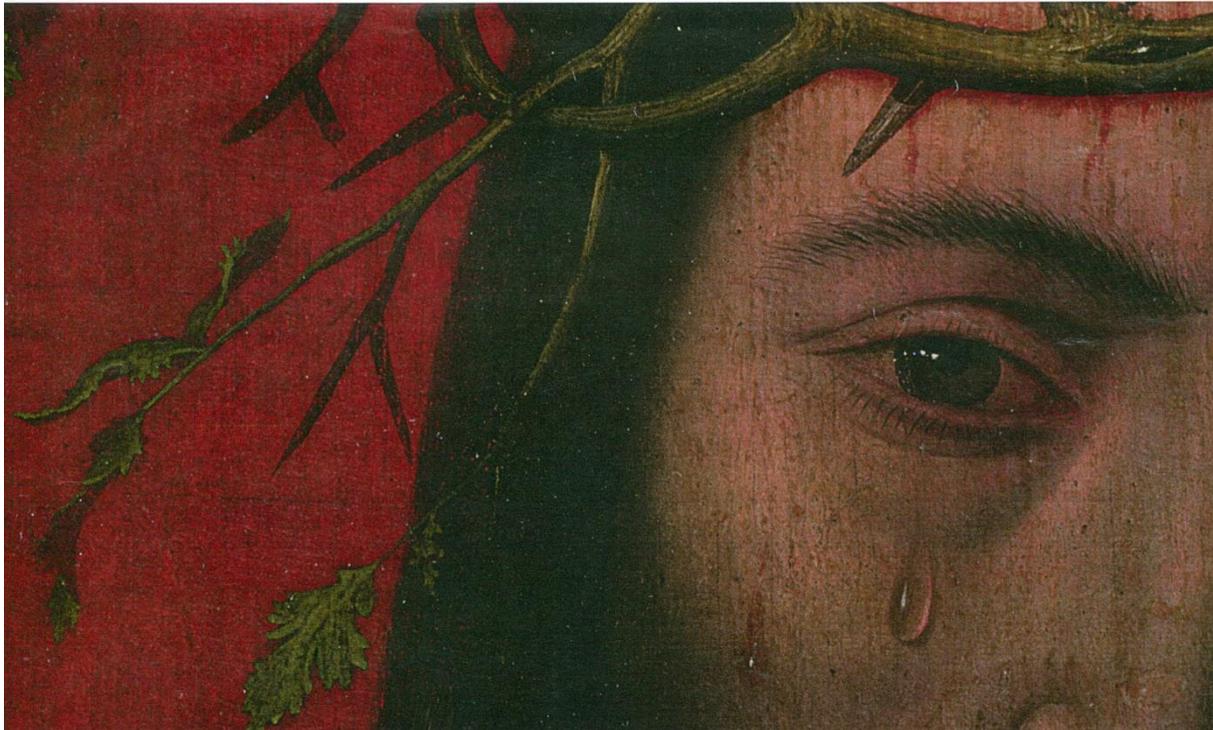


World Council of Churches and Christian Conference of Asia
International Ecumenical Consultation, Colombo, Sri Lanka, April 4 – 7, 2014
Migration and Human Trafficking: Modern Slavery?



35 *For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, 36 I needed clothes and you clothed me, I was sick and you looked after me, I was in prison and you came to visit me.'* - Matthew 25:35 - 36

Session 1: Specific cases: *Australia: Destination for Human Trafficking*
Bishop Philip Huggins, Anglican Diocese of Melbourne
Chair, Anglican Church of Australia General Synod Refugee and Migrant Working Group



An aerial view of the Zaatari camp for Syrian refugees in Jordan. Photograph: Reuters

1. Introduction:

Thank you for this opportunity to contribute to the discussion about this important issue. Thank you to our hosts, the National Christian Council of Sri Lanka, and those who have brought us together from the World Council of Churches and the Christian Conference of Asia.

Let me begin by conveying a very poignant, personal story unfolding in Australia now, of Tri Nguyen, then go on to summarise our Australian setting.

2. **Tri's story:** (*The Age*, March 21) recalls a happier time in Australia's treatment of refugees and recalls us to a best future, in God's providence.



Tri Nguyen is walking from Melbourne to Canberra towing a wooden boat in his own quiet plea for better treatment of asylum seekers.

The road trains roar past on the Northern Highway between Wallan and Kilmore, but it doesn't faze him.

In 1980, when he was eight, true fear was the threat of men with guns capturing the refugee boat in which he was fleeing Vietnam. The 68 refugees were taken to a Malaysian island and housed in a fenced compound.

They were fed a cup of rice a day and strip-searched at night. His uncle later told him women refugees were raped. The 42-year-old Brunswick Baptist pastor has "blocked a lot out" from the experience, but remembers hearing "screaming and crying".

He also remembers, after arriving in Australia, the kindness shown to him, his father, Nang, and sister, Trang, 11, at Midway hostel in Maribyrnong in 1982, where there was no barbed wire.

Locals taught them English, gave them clothes and meals, and helped find Nang a job at Australia Post. A group from Moonee Ponds Baptist Church helped bring his mother and two younger brothers to Australia eight years later. At 2am, 60 strangers came to welcome them at Melbourne Airport.

"We were traumatised and had a really rough journey but were just immersed in love and hospitality."

To thank Australians, and to raise money for Sanctuary, Baptcare's asylum-seeker accommodation program, Mr Nguyen is walking to Canberra in 35 days via Benalla, Wodonga, and Wagga Wagga.

He aims to arrive in Canberra on Good Friday, donate the little boat to Parliament, then attend an Easter Sunday ecumenical service on the shores of Lake Burley Griffin.

The small boat was made by Nang and was partly inspired by a "profound" Leunig cartoon of a man and a duck towing a trolley.

Mr Nguyen says he isn't a political crusader, but after hearing about conditions for asylum seekers on Manus and Christmas islands from advocates such as Jessie Taylor, "I felt really angry and very sad that the guys [asylum seekers] who are coming now don't experience the same welcome that I did."

He says we need "to change the national conversation about asylum seekers", which is too negative.

Working with Iranian asylum seekers at his Brunswick church and as a volunteer in St Albans, he is amazed by their will to be happy and make a contribution, and saddened by their stories of mistreatment and loneliness in detention and their inability to work or reunite with their families.

Three of the Iranians are accompanying him on the walk. Since setting out from the church on Sunday, they have been swapping stories with locals. The aim is to convey the human side of asylum seekers, "rather than just the issue".

"The idea is that we are at our best when we show compassion and work for justice for those who are oppressed," Mr Nguyen says.

"That's the Australia that's at its best. I hope in 30 years' time, we have refugees wanting to say thank you rather than us wanting to say sorry."

See also: <https://www.facebook.com/giftofrefuge>

I have known Tri for some years in one our parishes. We have been supporting his pilgrimage, arranging hosting in parishes between Melbourne and Canberra. (As vividly reflected in the Facebook page.)

My musician son, Nick and others, worked with him on a song, telling his story of leaving Vietnam. I hope to play this to you during our meeting.

3. A summary of the complex matters driving the debate inside Australia.

- i. The number of asylum-seekers, globally, continues to rise. The tragic war in Syria accounts for an extra 4 million plus, at least.

Ongoing wars in parts of Africa are having the same effect.

The number of displaced people is now estimated at around 30 million globally.

In this context, with some millions listed by the United Nations High Commission for Refugees (UNHCR) as genuine refugees, the developed nations only take about 80,000 per annum. The USA accounts for nearly two-thirds of this number. Australia is a major contributor with an annual quota of between 15,000 and 20,000.

- ii. Australia has a proud record, post-WWII, as a nation which has received and settled refugees from many nations.

A creative partnership between UNHCR, national governments and Australian NGOs has meant many refugees have settled happily in Australia and made a significant contribution to the nation.

The Anglican Church agency, which I Chair, the Brotherhood of St Laurence, is this year celebrating 60 years' work resettling refugees. Through its Ecumenical Migration Centre, building on earlier partnerships between the World Council of Churches and the then Australian Council of Churches, BSL has integrated research, advocacy and service delivery in helping refugees to settle well in Australia. BSL is but one example of this positive record.

At the recent WCC Assembly in Busan we presented a workshop on this work, and focussed discussion between those nations who receive refugees and those from whom people flee. It led to the following resolution from our workshop to the World Council of Churches:

Fully welcoming the stranger

The WCC Assembly urges a conference of religious leaders, and their advisers, to find immediate and practical solutions to the plight of refugees. This is a humanitarian crisis causing immense suffering and requires unprecedented cooperation between religious leaders, their organizations along with the UNHCR and national governments.

The WCC is urged to provide leadership in facilitating such a conference as soon as possible. Topics should include:

- Better structures and processes for regional cooperation;
- Greater commitment to assistance at place of first refuge;
- Increased re-settlement places in refugee-receiving countries;
- Aid to help people stay safely in their own country, including aid which skills people for possible migration pathways;
- Generous and dignified language to describe refugees;
- More careful work on procedures of voluntary return;
- More gracious recognition and commemorations of persons who die at borders and in transition;
- Refresh and revitalise theologies of “people on the move”;
- Attend to the role of powerful countries in conflicts that produce refugees.

You can see how our Colombo Consultation fits the spirit of our WCC workshop in Busan.

- iii. Refugee policy has previously enjoyed a relatively high level of bipartisan support in Australian politics, with argument more around the margins: Should the quota be 15,000 per annum or 30,000 per annum, for example?

- iv. What has unsettled matters in recent years has been the phenomenon of asylum-seekers coming to Australia by boat.

Inevitably, really, in a world of 30 million displaced people, with more than 20 years the average length of stay in a UNHCR camp before resettlement, and with an annual global intake of only 80,000 people, people have taken matters into their own hands.

Desperate people, fleeing persecution and poverty, have produced a market now serviced by “people smugglers”, infiltrated by international and organised crime networks. That is, as our Consultation conveys, a market in “Human Trafficking”.

- v. Accordingly, we have seen people fleeing places like Afghanistan, Pakistan, Sri Lanka and Iran, into Indonesia to buy a place on a dangerous boat and try to reach Australian waters in order to claim asylum under Australia’s moral and legal obligations as a signatory to the Refugee Convention.

Australian Government data suggests that over 1,000 people have died travelling on “illegal boats” to Australia.

- vi. The subsequent debate about ‘boat people’ has dominated Australian political debate now for some years.

In order to ‘stop the boats’, Governments have taken increasingly draconian measures to deter boat people. This has included imprisoning children, separating them from parents, sending asylum-seekers off-shore to facilities which independent reports classify as grossly inadequate - arrangements which I have previously called ones of “intentional cruelty”.

Appendix: *The Age* March 25, 2014



Wish we weren't here: Children's postcards from Christmas Island

Drawings by children in detention on Christmas Island.

"An inquiry into the treatment of asylum seeker children on Christmas Island detention centre has found children in a state of gross neglect, with little to no access to education.

In the first stage of the Human Rights Commission's national investigation into children in detention centres, the report found the majority of the 315 children on the island had been in the detention centre for six to eight months but had received only two weeks of education.

Commission president Gillian Triggs, who has been to Christmas Island numerous times, said this trip shocked her because of the sheer number of children on the island and the unprecedented amount of time they had been waiting for their claims to be processed.

Their physical appearance, including bloodshot eyes, skin infections and weeping sores, was also alarming, she said. "If we saw these children in Australia, we would be reporting them to DOCS," said Dr Triggs, who is due to hand down the findings of the national inquiry in September.

In pictures drawn by the children, one depicts two girls holding hands behind detention bars with the words: "I need your help, please help me", while other drawings show frowning children crying, also behind bars.

Dr Karen Zwi, a paediatrician who accompanied Dr Triggs to the island, said there was a high level of anxiety among both the children and adults in the centre.

"My main concern is their developmental health to play and their basic skills of talking and running around," she said. "We saw a lot of skin infections and rashes."

During their stay, they recorded instances of children biting themselves and others, and banging their heads.

Dr Zwi said many asylum seekers - both children and adults - were also living in fear that they would be sent to Manus Island, which has been quietly happening to many of their neighbours at 4am on Fridays.

"Many of them mentioned the knock on the door and that they would be killed on Manus," she said. "We saw a lot of children who were really depressed."

Australia has obligations under international human rights law to detain children only as a measure of last resort and to ensure they are protected from harm, the report said. The inquiry continues." (*The Age*, 25/3/2014)

- vii. In response to evidence as to the cruelty being inflicted on asylum-seekers, recognising that around 80 - 90% will be proven to be refugees, Churches and many other advocates have better organised their lobbying efforts to seek improved Government responses to asylum-seekers.

Lobbying efforts have focussed on resettling asylum-seekers in our community and out of detention centres; giving asylum-seekers the right to study and work pending clarification of their refugee status (rather than forcing them into poverty, stripping their lives of hope or meaning); closing off-shore facilities on Manus Island and Nauru.

These lobbying efforts are ongoing and have created a certain momentum as well as new alliances. For example, our Anglican Church in Australia and Papua New Guinea are now collaborating to seek their Governments' reconsideration of the Manus Island arrangement.

Through the NCCA's Australian Churches' Refugee Taskforce (ACRT: <http://www.australianchurchesrefugeetaskforce.com.au>) a persistent campaign continues through meetings with Federal politicians, representations at Senate hearings, etc.

<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committtees%2Fcommsen%2Fe66f4863-5ad7-4876-9cca-03b4ab1e30f5%2F0000%22>

All this is good but it is fair to conclude that the debate is currently stymied.

The boats seem to have been stopped, at least for the moment. Learning from the experience of the 2007 Rudd Government which modified policies of the outgoing Howard Government, the Abbott Government is unlikely to reverse or modify the draconian measures they think have been successful.

Responding to my advocacy recently, Prime Minister Tony Abbott wrote to me as follows, in part.

“My focus is to stop the boats and stop illegal arrivals. That is the most compassionate thing we can do.

While there is still more to do, the Government is confident that we have the right policy settings in place.”

What this means is as follows:

- The Government can return to highlighting Australia's refugee intake through the UNHCR, settling these people, projected to drop to 15,000 per annum.

- Australian overseas aid, focussed now more on the region, can contribute to reversing the conditions which cause people to flee their homelands as asylum-seekers.

Poverty eradication, the better integration of economic and social policies to help build civil societies, diplomatic work to end local and regional conflicts, responses to climate change are matters which can and should be the focus of the now integrated efforts of AUSAid and the Department of Foreign Affairs and Trade with Australia's NGO aid agencies.

- Notwithstanding Government claims as to the success of their policies to 'stop the boats', Church lobbying efforts should focus on more humane outcomes for the approximately 30,000 asylum-seekers either in Australia or in off-shore detention facilities.

These people are not the "organised criminals" behind the "people smugglers".

They have done what most of us would have done it in similar circumstances, facing the Taliban in Pakistan or Afghanistan, for example. They are not "illegals".

Most will be found to be genuine refugees.

As the above also indicates, there is unlikely to be a third-country who will take them as refugees for resettlement. Certainly not whilst UNHCR is asking those few other countries who take refugees to resettle some of UNHCR's massive backlog.

These asylum-seekers are and will remain Australia's responsibility.

This is the reality we are urging must be faced, openly and honestly.

- Can I confirm to you that there is deep and widespread moral disquiet in all the Australian churches as regards our treatment of asylum-seekers.

This same disquiet is also vivid in continuing media comment and in various places where thoughtful Australians gather.

Australians who travel, including in our Asia-Pacific Region, soon hear how Australia's hostility to asylum-seekers intersects with old stereotypes regarding a racist sentiment in Australia.

Australia's admirable record in refugee resettlement is overshadowed by this dismal contemporary tale. I imagine many of you at this Consultation will have things to say to me in this regard.

We are seen, by many, to be a vast, rich land that punishes even the few, by global standards, who seek refuge and safety as asylum-seekers.

Most Australian Christians are shamed by the rhetoric and policies of our political leaders.

In this context, briefly sketched, what is the current recommended action by the Anglican Church of Australia, in ecumenical partnership?

Current recommendation for Australian Christians:

The only way asylum-seekers, onshore and offshore, will get a better outcome is if all Australian politicians of the major parties hear the demand for this from their constituents.

Accordingly, we have just launched a fresh ‘grassroots’ campaign aiming to ensure that when Federal MPs return to Canberra, certainly after the winter break, they will have this as a key message for their Party room discussions, namely:

- Treat asylum-seekers as we would want to be treated;
- Let them study, work, and belong in Australia;
- Let them have a future here;
- Let them contribute;
- They are Australia’s responsibility now and, with support, like those before them, they will contribute to our Commonwealth.

That is the message our Church members are being urged to take to our Federal MPs, through a grassroots campaign which is just getting underway.

Only when this message becomes irrefutable in the Party rooms of the major parties will there be a change of heart and policy as regards our proper care for those who are our responsibility, however they reached our land.

Conclusion

I hope Tri’ story and my summary gives you some feel for the dynamic in the moral and political debate on these issues currently in Australia.

Please pray for us!



Appendix: *The Melbourne Anglican March 17*

Jobless, asylum-seekers can fill work gaps rather than 457 visas

Statement by Bishop Philip Huggins, Chair, Melbourne Anglican Social Responsibilities Committee

With the Federal Government reportedly deciding to reopen a subclass 457 visa loophole, questions must be asked regarding the need for more s457 visas at this time in the economic cycle.

The s457 visa is designed to enable eligible employers to respond to short-to-medium-term skill shortages in their business that cannot be filled from the local labour market.

Unemployment of both a structural and geographic kind is a deep concern. Last week's unemployment data shows the official rate is still at 6%, the highest for a number of years.

Recent work by the Brotherhood of St Laurence points additionally to concerning levels of youth unemployment. The youth unemployment figure is 12.2% nationally, up from 8.8% in 2008. (<http://www.bsl.org.au/Advocacy/Youth-employment.aspx>).

Moreover, if a new labour force is needed even in this context, there are some 20,000 asylum-seekers in the Australian community, mostly young and desperate to

work who could fill any vacant places. Some of them probably come from the same poor countries from which employers will source labour for these s457 visas. Furthermore, allegations that two Melbourne companies have been exploiting low-paid Chinese workers were also reported in the media over the weekend. (*“Chinese plasterers exploited by rogue companies at two big sites” - The Age 15/3/14.*) These allegations raise questions about providing more 457 visas.

Instead, we should be giving support to our own young people, giving them pathways through training to these employment opportunities. We have seen the despair of young people facing long-term unemployment. We want to give young people hope about a meaningful future, including the dignity of work.

Additionally, the World Council of Churches expresses rising concern for the plight of vulnerable migrant workers, most recently in the attached paper prepared for a forthcoming conference in Sri Lanka. An earlier paper was released in 2011: <http://www.oikoumene.org/en/resources/documents/central-committee/2011/report-on-public-issues/minute-on-the-rights-of-migrants-and-migrant-workers>.

Our duty of care to all people means we need greater clarity from the Federal Government as to the necessity for more of these visas and the proper protection of migrant workers who may be so employed.