

LAWS7714

SEMINAR FIVE: THE RIGHT TO SEEK (AND ENJOY) ASYLUM: OFFSHORE PROCESSING

In seminar five we will critically address the issue of **access to asylum** and certain **extra-territorial border controls** employed by Australia from 2001-07, and 2012 - to date. Specifically, the practice of sending asylum seekers to third countries to be detained and processed ('offshore processing') on Nauru and Manus Island (PNG) respectively.

You should read carefully about offshore processing with a keen eye on the relevant articles I have cited for background reading (below). Please prepare answers to the issues raised for discussion in class.

Issues for discussion

Required reading on access to asylum and extra-territorial immigration controls:

Study materials and required background reading [located in learning resources on Blackboard]:

M Grewcock, "Australian border policing: regional solutions and neo-colonialism" (2014) 55(3) *Race and Class* 71-78.

C Fleay and S Hoffman, "Despair as a governing strategy: Australia and offshore processing of asylum seekers on Nauru" (2014) 33(2) *Refugee Survey Quarterly* 1-19 [this article reflects back on offshore processing since 2001].

A Nethery and R Holman, "Secrecy and human rights abuses in Australia's offshore immigration detention centres" (2016) 20 *International Journal of Human Rights* 1018.

Chasing Asylum (April 2016) a 90 minute film detailing the story of Australia's treatment of asylum seekers (boat arrivals). The film examines the human, political and financial impact of offshore regional processing and the ban on resettlement in Australia.

Further reading

See the media articles by Behrouz Boochani. I have supplied the web link in the folder for seminar five.

Issues for discussion

How has Australia attempted to deflect her international legal responsibilities for asylum seekers (refugees) onto third countries? Consider key aspects of *Operation Sovereign Borders* (the 'stopping the boats' policy, which commenced in 2013).

What is the Australian government's motivation behind attempts to deflect asylum seekers and dissuade them from voyaging to Australia from countries such as Indonesia and Sri Lanka?

Is Australia meeting its international legal obligations (the protection needs of asylum seekers and refugees) satisfactorily, by and through offshore processing and regional resettlement? If not, what are (or have been) the human rights violations occasioned by offshore processing and detention?

What is the legacy of offshore processing for the health and well-being of the asylum seekers and refugees sent to Nauru and PNG (Manus Island)?