

Human Rights Watch statement to UN Human Rights Council:

Adoption of the Universal Periodic Review of Australia

Australia's second Universal Periodic Review in November 2015 took place against a backdrop of detainees rioting at an immigration detention center on Australia's remote Christmas Island.

The Christmas Island riot was sparked by the death of an Iranian refugee, Fazel Chegeni, whose body was discovered at the bottom of a cliff after he escaped. Activists say he had grown anxious after long periods in detention.

His tragic death underscores the devastating human cost of Australia's immigration policies. At Australia's UPR, member states from every corner of the globe criticized Australia's asylum laws and refugee policies, in particular abuses related to its offshore processing centers.

By Australian design, asylum seekers are held on remote Pacific islands in dirty, overcrowded conditions, where there have been reports of sexual and physical abuse, and where asylum seekers have few long-term prospects for resettlement.

It is deeply disappointing that "Australia has no plans to cease its policies of mandatory immigration detention, safely turning back boats or transferring people who arrive illegally by boat to other countries for processing and resettlement." Australia claims its system of migration is in line with international obligations and states that its "regional processing arrangements," are facilities within the jurisdiction of Papua New Guinea and Nauru.

But sending people seeking asylum to remote detention camps in the Pacific does not outsource Australia's legal obligations under the Refugee Convention. Australia should not seek to shield itself from its obligations by hiding behind the sovereignty of other nations that it finances to house asylum seekers. Repeatedly, UN experts and committees have found Australia's refugee policies and practices to violate its international obligations.

While it is encouraging that Australia increased its intake of refugees to accommodate 12,000 Syrians in response to the humanitarian crisis in Syria, this does not absolve the Australian government of its responsibilities to those who try to seek sanctuary by reaching its shores.