

11 November 2016

Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Submitted online

### **Migration Legislation Amendment (Regional Processing Cohort) Bill 2016**

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing Australia's culturally and linguistically diverse (CALD) communities and their organisations. FECCA provides advocacy, develops policy and promotes issues on behalf of its constituency to Government and the broader community. FECCA supports multiculturalism, community harmony, social justice and the rejection of all forms of discrimination and racism so as to build a productive and culturally rich Australian society. FECCA's policies are developed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

Australia has, over the years, maintained healthy and effective programmes and policies to assist people from culturally and linguistically diverse backgrounds, including humanitarian entrants. FECCA continuously advocates and encourages the Government to adopt a Humanitarian Programme with a longer term vision which enables humanitarian entrants to contribute, participate and belong in Australian society. This should be being supported by strong Government services that respond to the settlement needs of this cohort.

The right to seek asylum is entrenched in Article 14 of the *Universal Declaration of Human Rights*. In addition, Australia is bound by a number of other international instruments including the *Convention Relating to the Status of Refugees 1951* and the *Optional Protocol 1967* (the Refugee Convention), *International Covenant on Civil and Political Rights* (the ICCPR), *UN Convention Against Torture and Other Cruel, Inhumane and Degrading Treatment or Punishment* (CAT), *Convention on the Rights of the Child* (CRC) and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR). International law imposes an obligation on Australia to treat all asylum seekers equally and equitably irrespective of the time and mode of arrival.

FECCA strongly opposes the measures outlined in the *Migration Legislation Amendment (Regional Processing Cohort) Bill 2016*. We consider these measures to be punitive and not in line with Australia's international obligations.

FECCA also opposes offshore processing of asylum seekers, boat turn-backs, and the denial of asylum seekers who arrive by boat and are found to be refugees the right to be resettled in Australia.

With growing global needs for refugee resettlement, FECCA believes that Australia should stand by our moral and international obligations and provide a procedurally and ethically just refugee resettlement process.

**Recommendation:** That *Migration Legislation Amendment (Regional Processing Cohort) Bill 2016* is not passed.