

INFORMATION FOR REFUGEE AND ASYLUM

SEEKER ADVOCATES

**compiled
by**

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General information guide for advocates.
Based on the model by the Refugee Council of Australia

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General Information and Guide for Advocates

Working with and for refugees' means you step inside some of the most horrific atrocities visited upon on one human being by another.

At the same time you are privileged to meet extraordinary courage, determination and an endless well of hope in the hearts of Asylum seekers and refugees.

When working with refugees, advocating for refugees legally or otherwise, it is important to feel confident and armed with a degree of knowledge.

What is a refugee?

A Refugee is defined in Article 1A of the UNHCR Convention, which states:

“Owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside his nationality and is unable or unwilling to avail himself of the protection of that country or who, not having a nationality and being outside the country of his former habitual residence, is unable or owing to such fear, is unwilling to return to it”

Definition of an Asylum Seeker

An Asylum seeker has applied for protection and is awaiting the outcome of his/her, application.

A Refugee

Has been determined by the UNHCR, Australian Government, and another government as meeting the criteria for the grant of refugee as set down in the convention.

Refugee or Migrant?

A migrant **chooses**, - **makes a choice** to leave his/her country Generally this decision is based on economic advantage.

A Refugee is **forced** to leave his/her country and cannot return until the situation that forced them to leave changes or improves. Fleeing their country is not economically based, but rather **personal security and human rights** based.

“I challenge anyone to take five children across the desert and dodge bullets, rape and starvation.” - First Cut 2004

Cultural Awareness and Sensitivity.

It is important to keep in mind that the asylum seekers have potentially fragile states of minds. Many have suffered torture and continue to be traumatised by the experiences.

When becoming involved with asylum seekers it can be helpful to read up on the cultural mores of the country your asylum seeker[s] come from.

Some basics to be aware of when dealing with asylum seekers and refugees [and indeed anyone from other cultures.]

- Behave in a culturally appropriate manner.

Women in particular should avoid initiating physical contact with men.

Take your cues from them. For example, shaking hands may not be acceptable for women and men, so wait until you have a sense of what is appropriate.

Whether dealing with men or women, dress appropriately. It is unacceptable to wear revealing clothes.

- **With regard to children.** Do not pick up children unless you have the parents' permission. As many have been traumatised they will be very protective of their offspring.
- Be careful of venturing into areas such as the legal application of the of the asylum seeker.
- Be aware that your curiosity [which is normal], about their past can make them uncomfortable. Imagine if you were raped, tortured, witnessed the death and/or torture of parent/child, how you'd feel if you had to repeat your story. Asking Asylum seekers and refugees to tell their personal stories can be traumatic. They may feel comfortable telling their story as their friendship with you develops.
- Asylum seekers are ordinary people, in extraordinary circumstances. They are NOT to be pitied. Help them as you would anyone else who is in an unpredictable and abnormal situation.

Children

Children who are asylum seeker or refugees are likely to have witnessed unspeakable atrocities. They are extremely vulnerable and whether they are accompanied or unaccompanied, are likely to have suffered at the hands of their own governments, both their own and in Australia

Many children have been placed into schools where there is no support for either them or the teachers.

Young children through to adolescents may display the following behaviours and professional help may be necessary.

- o Difficulty concentrating
- o Learning disorders
- o Conduct disturbances
- o Re-enactment of loss in play, stories.
- o Guilt, shame.
- o Passivity, lack of spontaneity, withdrawn
- o Aggression, demanding ness
- o Social isolation, headaches, stomach aches
- o Death anxiety.
- o premature adult role
- o Identity confusion
- o self-destructive behaviour, self-mutilation
- o suicidal tendencies

When dealing with young children up to 12 years, who are asylum seekers or refugees, it is important to:

- o Set clear boundaries.
- o Take your cues from the children in terms of making any physical contact. I.e. cuddling.
- o Keep in mind Australian laws regarding touching children, particularly if you are in the position of teacher, social or welfare worker.
- o Play with the children and get a picture of what play means to them. Many children display aggressive play behaviour that has been acceptable in the situation that they have come from.

‘Every night I would cry....sometimes, I would ask the other mothers if they would be my mother till I got mine back. Sometimes they said yes and I would have a mother to cuddle me at night’ - an unaccompanied child in detention. - Light of the Moon 2004

When dealing with adolescents [12-17 year olds] who are asylum seekers and refugees it is important to:

- o Set firm clear boundaries.
- o Understand that English is not their first language.
- o Recognize they may have been victims of torture or witnessed torture.
- o Be aware that aggression is often acceptable behaviour and part of the cultural make-up if from a war zone, detention and or/refugee camp.
- o Their survival skills are sharp and always on alert.

Immigration Advice

Under the migration act of 1959, no one unless a registered migration agent or immigration lawyer is legally able to give immigration assistance.

Immigration Assistance is:

You use your knowledge of the migration procedure-

- o To prepare or help prepare some-one else's visa application or cancellation review.
- o Give advice about visa applications or cancellation review.
- o Prepare a person or paper for court proceeding in relation to a visa application.
- o Represent a person at court or at a refugee review tribunal, regarding an application

You are **not** giving immigration assistance if you

- o Tell a person he/she needs to apply for a visa
- o Pass on information from another person, eg, a registered migration agent, without comment or explanation.
- o Provide translation services.
- o Provide clerical work such as typing.

When dealing with the public, media, educational institutions and community groups.

When dealing with the asylum seeker and refugee issues it is important to be aware that some actions, no matter how well intentioned, can have serious repercussions for those for whom we are advocating.

- Know your facts and always have information to back up your statements/or arguments.
- Keep your arguments and answers, clear and simple.
- Beware of venturing into areas you know little about.
- Be cautious of making general legal statements unless you have a sound knowledge of the law.
- Endeavour to be as objective as possible when imparting information.
- It is important **not** to speak up on behalf of a person or organisation unless authorised to do so.
- Do not sign a personal statement or letter with an organisations name unless authorised.
- Never give out asylum seekers names, ethnicity or religion to the media unless you have received appropriate legal counsel.

CHILDREN OUT OF DETENTION

Chilout Victoria would like to thank the staff and students at St.Columba's Primary School Elwood for their time, support and care.

HOW YOU CAN HELP

Donate money to one of the organisations listed below.

Donate food, money and /or material aid to the Asylum Seeker Resource centre in West Melbourne. They work with Chilout Victoria to ensure that children have medical attention and food.

Become a volunteer. Many of the organisation listed below have volunteer programs in which you can get involved.

Become an advocate.-Tell people about children in detention and talk about some of the stories you have heard.

Anything you do, no matter how small it may seem to you, can make a big difference to the children and parents who rely on non-government organisations to feed, cloth and attend to their medical needs

RESOURCES:

Children out of Detention	www.chilout.org
Asylum Seeker resource centre -	www.asrc.org.au
Refugee Council of Australia	www.refugeecouncil.org.au/
Jesuit Refugee Service	www.jesref.org/
UNHCR	www.unhcr.org/
Human right Watch Australia	www.hrw.gov.au/
Foundation House.	www.survivorsvic.org.au/
Amnesty International	www.amnestyinternational/
Human Rights Equal Opp.Comission	www.humanrights.gov.au/
UNHCR- Australia	www.unhcr4aust.com.au/
The Better Way	www.thebetterway.info/
RAWA- Revoltionary Afghan Women	
Association.	www.rawa.org/
Asylum Seeker Project Hotham Mission	www.hothammission.org.au/
Brigidine Asylum Seekers Project	mailto:bssc@cyberspace.net.au
A Just Australia.	www.ajustaustralia.com/
Melbourne Catholic Commission for Justice	www.ccjdp.org/

"Better to die in the arms of hope than in the gut of despair" - on being smuggled to Australia- My Country My Killer My Home 2004

Asylum seeker organisations you can contact to offer support as a volunteer or financial contributor

Asylum Seeker Resource Centre	PH: 9326 6066
67 Jeffcott St. West Melbourne	www.asrc.org.au
Hotham Mission- Asylum Seeker Project	PH: 03 9326 8343
2/579 Queensberry St. Nth Melbourne 3051	
Red Cross Asylum Assistance Scheme	PH: 8327 7700
23-47 Villiers St Nth Melbourne 3051	
Victorian Foundation for Survivors of Torture	PH: 9388 0022
6 Gardiner Street, Brunswick Vic 3056	
National Council of Churches	PH: 9650 6811
Refugee and displaced Persons Unit	
Refugee and Immigration Legal Centre	PH: 9483 1144
95 Brunswick St. Fitzroy	email: riloc@riloc.org.au
Brigadine Asylum Seeker Project	PH: 9690 6014
52 Beaconsfield Pde Albert Park 3206	email bssc@cyberspace.net.au
Chilout - Children out of detention	www.chilout.org
Sydney Based-Melbourne Office just open.	
Ecumenical Migration Centre	PH: 9410 6044
90 Brunswick St. Fitzroy VIC.	

To find out how you can help go to their websites; or get to the websites through the Refugee Council of Australia's website- refugeecouncil.org.au. This is a comprehensive directory.

'Bad things happen when good people stand by and do nothing'