

13 March 2016 Refugee Action Coalition Media Release
Hazara Asylum Seeker Being Deported to Danger

A 42 year-old Hazara asylum seeker is scheduled to be forcibly deported to Kabul on Monday 14 March after appeals to the Minister for Immigration were rejected. The case once again highlights the deep flaws in the refugee determination process and the system of Ministerial discretion.

The Hazara man was first rejected at the Refugee Review Tribunal in March 2013. "There needs to be an appeal process that can deal with the fact that changed circumstances, in this case, three years can make a fundamental difference in any country's situation, let alone in a country like Afghanistan," said Ian Rintoul, spokesperson for the Refugee Action Coalition. "Afghanistan wasn't safe in 2013. The situation is so obviously more dangerous in 2016."

The Australian Department of Foreign Affairs Afghanistan information in February 2016 warns of 'the extremely dangerous security situation and the very high threat of terrorist attack'; and that 'the frequency of attacks in Kabul, including in the most heavily fortified areas of the capital, has increased significantly in 2015 16 and further attacks are be expected'. "Attacks", it says, "can occur anywhere, anytime, particularly in Kabul, and the southern and eastern provinces."

The Hazara asylum seeker will be the first forcible removal to Afghanistan since two Hazaras were forcibly deported in late 2014.

One of them, Zainullah Naseri, was removed in August 2014 on the basis of a December 2012 Refugee Review Tribunal decision. Following his return he was seized by the Taliban when attempting to travel to his home village along a road about which the Tribunal had stated that 'the level of risk does not reach the threshold of a real chance'.

"The flaws that were obvious in the refugee determination process then have not been fixed. The dangers in Afghanistan are even greater now," said Rintoul, "We urge the Minister to use his wide discretionary powers to reconsider this case and halt this removal."

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