

# Research challenges boat turn-back policy

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Research shows that Australia's policy to turn-back boats does little to combat migrant smuggling.

Research by The University of Queensland's Migrant Smuggling Working Group shows that Australia's policy to turn-back boats does little to combat migrant smuggling, violates international obligations and jeopardises the fragile relationship with Indonesia.

The policy to turn back [vessels](#) carrying irregular migrants – most of them [asylum-seekers](#) – was reintroduced by the government in December 2013, and 16 vessels have been returned to Indonesia or Sri Lanka since.

Professor of Criminal Law and coordinator of the Migrant Smuggling Working Group Dr Andreas Schloenhardt said that effect of the policy was questionable.

"One of the main effects of the turn-back policy has been a shifting of Australian responsibilities to other countries and a rejection of Australia's obligation under international refugee law," he said.

"The execution of the 'turn-backs' has placed passengers and crew on board the vessels, as well as Australian Navy and Customs personnel, at risk of serious injury and death, especially if the vessels are not seaworthy or are sabotaged by desperate migrants.

"The policy has only achieved one of its objectives: that is, to prevent irregular migrants, most of whom seek asylum, from arriving in Australia."

Dr Schloenhardt said the [policy](#) had not addressed the causes of migrant smuggling and had placed a greater burden on transit countries such as Indonesia.

"Asylum seekers bound for Australia instead remain in, or are returned to, countries where they have no permanent status, where they may have to live in hiding, and where the persecuted face a real risk of being returned to their persecutors," he said.

"Returning vessels carrying asylum seekers from Australia has severely damaged Australia's already poor human rights record relating to asylum seekers and has tarnished Australia's image.

"It has effectively rendered Australia's signature of the Refugee Convention meaningless."

The research, co-authored by UQ student Colin Craig, titled [Turning Back the Boats: Australia's Interdiction of Irregular Migrants at Sea](#), is to appear in a forthcoming edition of the *International Journal of Refugee Law*.

Provided by University of Queensland

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