

## Sent home to no home at all

*Social Issues briefing #038, 14/3/2005. [Amended 17/3/2005]*

I feel dead inside. It doesn't feel like they've made a decision to deport me. It feels like the clock has started ticking down to my execution.

[Amir Mesrinejad]

Amir Mesrinejad is from Iran. He is currently being held in Villawood IDC, where he has been for over 4 years. Since being in detention, Amir has become a Christian, but he may be deported shortly.

There are many Christians who have regularly spent time with him over the past few years, and have no doubt as to the genuine nature of his Christian faith. His words, actions and general conduct reflect a deep and growing faith. He is a regular and active part of weekly Bible Studies in Villawood IDC and has recently passed his eighth Moore Theological College Preliminary Theological Certificate examination.

In the past few days the Immigration Minister has made a final decision to refuse to issue a protection visa to Amir. This means that he can be deported to Iran at any time.

Given the serious nature of a conversion to Christianity in Iran, it would seem that deporting Amir to Iran would place his life in grave danger. Amir has had a job offer by the Anglican Diocese of Sydney, he has a letter of support from the Archbishop Peter Jensen, and the support of Rev Dr Dean Drayton, National President of the Uniting Church in Australia.

It is simply unbelievable that Australia could consider sending Amir back to Iran, where apostates from Islam face the death penalty by law. His conversion to Christianity is public knowledge, which serves only to heighten the danger he would face. Though the death sentence may be seldom used, the High Court upheld a case concerning an Iranian convert to Christianity - *SGKB v Minister for Immigration and Multicultural and Indigenous Affairs* [2003] FCAFC 44 (18 March 2003) – in which it was stated:

*“...the Tribunal appears not to have considered the seriousness of the consequences to the appellant of his conversion becoming known to the authorities. The Tribunal accepted that the penalty for apostasy might be death. The evidence demonstrated other quite serious consequences, including loss of government employment. It ought to have considered whether or not the mere possibility of a death sentence, regardless of how remote that possibility might be, could itself constitute persecution. In our view, to live under the shadow of such a threat might well do so.”*

Amir is seeking the protection of Australia because he has a very real fear of persecution.

Just last week it was reported that the Immigration Minister is to re-assess the cases of 23 Iranian Christian asylum seekers being held in Baxter detention centre. Why the reassessment? Because of new information that has come to light about changing circumstances in Iran which are significant enough to convince the Minister that certain asylum seekers who have converted to Christianity could face very real persecution. The applications are expected to be reviewed in the coming fortnight.

The Department of Immigration makes decisions on behalf of the people of Australia. Our silence on such issues conveys our approval of and agreement with them. The recently released report *Deported to Danger: A study of Australia's treatment of 40 rejected asylum seekers* found that 35 out of the 40 people interviewed were living in dangerous circumstances immediately on arrival at the point of deportation. This study found a growing volume of claims which speak of people spending fear-filled lives in hiding or, even worse, disappearance, imprisonment, torture or death after being deported from Australia.

- If officers of the Government are dubious about Amir's conversion to Christianity in view of it occurring while he was in Australia, we note that the excessive lengths of time taken to deal with detainees significantly changes the 'moral terrain'. Very long periods of detention have their effects on people, and momentous life changes can be expected to occur during a lengthy detainment. In adverse detention conditions, it is not surprising for people to discover the hope held out in the Christian gospel; and the danger inherent in such converts returning to oppressive anti-Christian regimes is enough to eclipse whatever doubts departmental officers may have had about the person's original application. Any suspicion that Christian conversion is a mere ploy fails to notice that lengthy detentions set the conditions under which such serious life changes are likely to occur. Rather than being suspicious of the conversion, then, government officers need to acknowledge that they bear some responsibility for it.

- If Amir's application has been rejected because the Government has doubts about the genuineness of his Christian conversion, we would challenge the Government's dismissal of the testimonies of the many people, Christian and non-Christian (and including two significant denominational leaders), who have come into contact with Amir.
- If the Government supports the genuineness of Amir's Christian conversion, but still believes that he will not be in danger of persecution, then we would question the Government's understanding of genuine Christian faith, and of responses to that in Iran. Conversion from Islam remains a crime punishable by death, and even if the law does not often carry out the punishment, there are many recent cases where the people have taken the law into their own hands.
- If the Government believes it reasonable to expect that Amir should live 'discreetly' as a Christian in Iran, to avoid persecution, then its officers need to speak to those with whom he has been living in Villawood for the past several years, who can testify to his outgoing nature and character. Moreover, at the core of Christian identity is a willingness to "declare the praises of him who called you out of darkness into his wonderful light" (1 Peter 2:9). Even if Amir was to suppress this praise and practise his faith 'discreetly', his Christianity is now a matter of public record; hence the danger to him remains.

The UN Convention on Refugees, to which Australia is a signatory, states that applicants for asylum must have "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" in their home country. A worldwide discussion is currently underway as to whether these provisions are broad enough in the modern world. Senator Vanstone's decision against Amir would appear to be in stark contrast, and suggests that the Australian Government and its officers wish to reduce the provisions to exclude religious persecution. A decision to deport Amir, then, would seem hostile to the liberal provisions of the Convention as regards religion in general.

But more specifically, we also note the particular offensiveness of such a decision to the Christian community, many of whom now consider Amir to be one of our their. Noting the recent High Court decision to extend protection to two Bangladeshi gay men, the Minister's decision against Amir will create a general impression in the mind of the Christian populace of a shift in government priorities away from the concerns of Christian people. Of course, should any harm then come to Amir in Iran, the decision will be remembered very bitterly indeed.

**What can you do?** Do not be silent about this matter. Don't debate with yourself about it. Write **now**, on behalf of your brother Amir. *His life may depend upon it.*

**Write a letter and fax it to the Immigration Minister and the Prime Minister TODAY:**

**The Hon Amanda Vanstone**

Minister for Immigration and Multicultural and Indigenous Affairs  
Parliament House  
Canberra ACT 2600  
Fax: 02 6273 4144

Email: <http://www.minister.immi.gov.au/contact/index.htm> -  
[emailhttp://www.minister.immi.gov.au/contact/index.htm#email](mailto:http://www.minister.immi.gov.au/contact/index.htm#email)

**The Hon John Howard, MP**

Prime Minister  
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Fax: 02 6237 4100

Email: <http://www.pm.gov.au/email.cfm><http://www.pm.gov.au/email.cfm>

*Andrew Cameron & Tracy Gordon, for the Social Issues Executive, Diocese of Sydney*

**Sources/Further Reading:**

- Refugee Review Tribunal, December 2003 Bulletin found online at <http://www.rrt.gov.au/publications/bulletin/decbull03.04.pdf>
- David Penberthy, "Are we sending a man to his death?" *Daily Telegraph*, Monday March 14, 2005 p21

- *Deported to Danger: A study of Australia's treatment of 40 rejected asylum seekers*, Edmund Rice Centre for Justice and Community Education.

*Note: This paper is intended to assist discussion and may be corrected or revised in future. Short responses to [social.issues@moore.edu.au](mailto:social.issues@moore.edu.au) are very welcome, but the SIE cannot guarantee a reply. To access this free regular briefing, visit <http://www.sydneyanglicans.net/socialissues> and to receive it by email, follow the link '[Sign up for our free weekly briefing!](#)' Visit <http://sie.moore.edu.au>, our second website, for other material.*

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