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Newsletter | April 2020

Like many workplaces around the world, the Peter McMullin Centre on Statelessness team has transitioned to working remotely due to the COVID-19 crisis. Though the way we are working is currently very different, we continue to pursue our research, engagement and teaching work from our homes.

We consider the rights of the world's most vulnerable to be even more acutely important right now, and as such our work on statelessness feels more vital than ever.

We hope you are all safe and staying occupied during this time. We very much look forward to resuming our public events once some normalcy returns to our working lives.

Statelessness Intensive Course 2020

Prior to the COVID-19 crisis taking hold in the region, the Centre held the second ever Statelessness Intensive Course at Melbourne Law School. It is hard to believe the course took place only a few months ago and we feel fortunate to have had the opportunity to run the program given the current situation.

The course was a great success, attracting 28 participants from 14 different countries. We were thrilled to have such a brilliant cohort of participants who either worked or studied in the field of statelessness or in a closely related area. They included lawyers, academics, NGO representatives as well as government employees and representatives of international institutions. The participants were keen to share knowledge and experience, making for a stimulating and dynamic environment throughout the week.

We were fortunate to have an exceptional team of guest lecturers in the course program and are indebted to the UNHCR Statelessness Section in Geneva for lending us Melanie Khanna to help deliver and facilitate course content. Our opening event featured presentations by Peter McMullin and Louise Aubin (UNHCR Canberra) and a very special *Welcome to Country* by Aunty Dianne Kerr. The program also included an outing to Melbourne's fantastic Immigration Museum and a formal course dinner featuring an inspiring speech by Centre Board member, David Manne (Refugee Legal).

Many thanks to all involved in such a successful course and we very much look forward to planning and delivering the third iteration of this annual event.



The Potential Impact of COVID-19 on Stateless Persons

The COVID-19 pandemic is having a serious impact on people all over the world, particularly in relation to the most vulnerable. Stateless people face disproportionate risks in relation to the virus. Because they lack proof of nationality, stateless persons often cannot access healthcare and other social welfare services, meaning they are without crucial safety nets to support them during this crisis.

Stateless persons are at high risk of being placed in immigration detention all over the world because they generally lack identity documents or valid residence permits. The [most recently available government statistics](#) show that there are currently 45 stateless people in Australian immigration detention facilities. The [Commonwealth Department of Health](#) identifies people in detention facilities as one of the groups most at risk of contracting the virus; [doctors](#) and peak medical bodies have also raised concerns about the potential risk of spread of COVID-19 within these centres.

In March, The Australasian Society for Infectious Diseases and the Australian College for Infection Prevention and Control released a [statement](#) urging the Commonwealth Government to consider releasing people held in detention into suitable housing in the community. The peak professional bodies note that people held in crowded conditions in detention cannot practice adequate social distancing or self-isolation.

This week, Academics for Refugees, Doctors for Refugees and Librarians for Refugees have written an [open letter](#) to the Australian Government, calling on the Australian Government to take immediate measures to prevent and control the spread of COVID-19 amongst vulnerable refugees and asylum seekers. The [Refugee Council of Australia \(RCOA\)](#), along with people held in immigration detention, have also raised concerns about insufficient protections available inside detention centres to protect people from the virus, noting some detainees have compromised immune systems and chronic medical conditions, placing them at higher risk of serious infection. [Research](#) has found that those detained in Australian immigration facilities for more than 24 months have particularly poor health. The [average period](#) of time people currently spend in detention is 513 days, with 23% of people having been detained for more than 730 days, or 2 years. Shortages of basic hygiene items including soap and hand sanitiser in detention facilities have been

[reported](#). Last month, a security guard at a Brisbane hotel being used as a place of detention for approximately 80 people [tested positive](#) for the virus, increasing fear amongst people held in detention facilities that they are very vulnerable to a potential COVID-19 outbreak.

In addition to the 45 stateless persons held in immigration detention in Australia, we know that there are [at least 107](#) stateless persons in community detention and approximately [62 living in the community](#) on Bridging Visas. The Refugee Council of Australia (RCOA) has identified the heightened vulnerability of people living in community, stating that, 'people seeking asylum who are living in the community without access to financial support and Medicare are some of those at greatest risk for the COVID-19 and also those that cannot adhere to public health requirements like self-isolation'. RCOA is [calling on the federal government](#) to ensure all people seeking asylum can access Medicare and financial support as a public health measure to protect them, and by connection, the broader Australian community in this pandemic.

Internationally, advocates are deeply fearful about [the situation of Rohingya people](#) living in refugee camps in Bangladesh. Crowded conditions and lack of sanitation, including severely limited access to clean water, presents serious challenges to preventing COVID-19 transmission in the event of an outbreak, which could have catastrophic consequences. There are currently no health facilities in the camps to manage positive cases.

The [Institute on Statelessness and Inclusion](#) is urging states imposing restrictions on access to medical assistance based on citizenship or legal status to immediately lift them. They note that stateless persons will be particularly vulnerable to contracting and transmitting COVID-19 and may be denied treatment unless governments around the world address this issue as a matter of priority.

Last week, the UNHCR issued a [joint statement](#) urging governments to ensure that all people – including refugees and migrants – are afforded healthcare in the face of this global challenge.

Throughout this challenging period, the Peter McMullin Centre on Statelessness will be closely monitoring the impact of COVID-19 on stateless persons, particularly in Australia.

At the end of this newsletter you will find a summary of recent news articles about the potential impact of COVID-19 on stateless persons.



Migration, Refugees & Statelessness Seminar Series

This year's seminar series is obviously on-



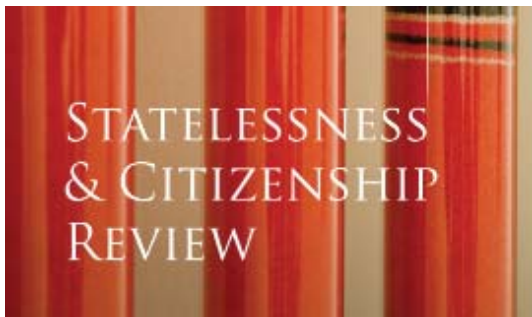
Book Launch: *The Watermill*

On 5 March, the Centre was pleased to partner with Text Publishing in hosting the

hold indefinitely, though we were lucky enough to have the opportunity to offer two fantastic seminars prior to the COVID-19 crisis taking hold in Australia.

On 13 February, Talha Abdul Rahman, an Advocate on Record before India's Supreme Court, and Peter McMullin Centre Visiting Fellow, presented to a full house at Melbourne Law School. Talha's comprehensive seminar focussed on the current situation of citizenship determination in Assam from a legal perspective.

On 12 March, the University of Melbourne's Dr Louise Olliff and the inspirational Arash Bordbar, co-chair of UNHCR's Global Youth Advisory Council presented on the rise of refugee self-representation in global dialogue on forced displacement.



Statelessness & Citizenship Review

Submissions for Volume 2 Issue 1 of the SCR closed on 15 January 2020, and submitted articles are currently under peer review. The new edition is set to launch in July 2020. [Visit SCR website](#)



Global PhDs on Statelessness

The Global PhDs on Statelessness (GPS) network continues to grow, with ten new members added this year so far. The

launch of Arnold Zable's new book [The Watermill](#). Arnold is a Melbourne-based author of fiction and non-fiction with a focus on human rights and in particular refugee rights. The book was launched by Tim Costello AO and the evening opened by Centre Director Professor Michelle Foster. Colleagues from the Melbourne Social Equity Institute also supported the event.



PMCS in the News

3 March: [Stateless is a TV show – but it's also the harsh reality behind the wire in Australian detention.](#)

Professor Michelle Foster and Research Fellow Katie Robertson co-write an op-ed for The Guardian on 3 March, coinciding with the airing of ABC drama 'Stateless' starring Cate Blanchett.

29 Feb: [Hundreds of Indonesian Former IS Members, Families Could Become Stateless](#)

Professor Michelle Foster provide expert opinion in Voice of America article.

26 Feb: [Millions in India Could End Up in Modi's New Detention Camps](#)

Dr Christoph Sperfeldt, Senior Research Fellow, provides expert opinion for Bloomberg article on the Assam situation.

11 Feb: [High Court rules Aboriginal Australians cannot be 'aliens' under the constitution](#)

Michelle Foster is interviewed by SBS News about the High Court of Australia's groundbreaking decision of Love & Thoms.

Centre is delighted to host the network which was established to showcase the varied approaches for statelessness research, and as a way for PhD students and doctoral researchers to stay up-to-date on relevant news and events and connect with each other. [Visit GPS webpage.](#)



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Recent news articles

Australia:

[Letter from Presidents of the Australasian Society for Infectious Diseases and the Australian College for Infection Prevention and Control](#), 19 March 2020

[‘Fears for refugees after guard at Brisbane immigration detention centre tests positive for coronavirus’](#), *The Guardian*, 19 March 2020

[‘Fears coronavirus could spread to asylum seekers in Australian immigration detention’](#), SBS News, 22 March 2020

[‘We are sitting ducks for Covid 19’: asylum seekers write to PM after detainee tested in immigration detention’](#), *The Guardian*, 24 March 2020

[‘Leaving no-one behind: Ensuring people seeking asylum and refugees are included in COVID-19 strategies’](#), Refugee Council of Australia, 31 March 2020

International:

[‘Rohingya refugee camps a Covid-19 time bomb’](#), *Asia Times*, 20 March 2020

[‘Migrants, Stateless at Extra Risk from Virus’](#), Human Rights Watch, 24 March 2020

[‘Rohingya refugees in Bangladesh at risk of COVID-19 infection’](#), *Al Jazeera*, 30 March 2020

[‘Myanmar: Displacement Camps Are COVID-19 Tinderboxes’](#), Human Rights Watch, 25 March 2020

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