

Outrage--and silence--over concentration camps for immigrants

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A political furore erupted recently in France, according to the *International Herald Tribune* of August 8-9, over an article in a far-right newspaper calling for 'police roundups and concentration camps to rid France of illegal immigrants'.

The issue arose because a group of immigrant workers had carried out an occupation of the Vatican's Paris embassy, demanding French residence permits. Under France's racist immigration laws, the workers were defined as 'illegal'. A front-page editorial in the weekly neo-fascist publication, *National Hebdo*, called for their immediate expulsion saying: 'If police roundups and concentration camps are required, that is not a problem.' It went on to assure 'leftist journalists' that it had carefully chosen its wording and considered Nazi methods to be 'indispensable tools for a just cause'.

The *IHT* article made no specific reference to Lionel Jospin's Socialist Party government, apart from saying that it urged the demonstrators to end their occupation. The newspaper reported that French politicians joined in the public outrage at *National Hebdo*'s proposals. By contrast, when the measures advocated by the French fascists were actually implemented in Australia, not a word of opposition was mouthed by any politician, in Australia or elsewhere.

In 1991, the Australian Labor government set up a concentration camp at Port Hedland, in a remote, isolated part of Western Australia. 'Concentration camp' is defined by the Collins English dictionary as 'a guarded prison camp in which nonmilitary prisoners are held'. Surrounded by barbed wire, and with a capacity for 700 inmates, the Port Hedland camp was specifically designed for the imprisonment of hundreds of refugees who had started making their way by boat to Australia in late 1989, fleeing war, repression and poverty in Cambodia. Later arrivals came from Vietnam, southern China and Indonesia. The Villawood detention centre, located in

Sydney's western suburbs, was utilised by the Laborites for the same purposes.

Several thousand immigrants and their families, including babies born in custody, have been detained during the 1990s, some of them for years, without charge or trial. More than 75 percent have been forced to leave the country. Both camps are still in use, with successive governments doing their utmost to strip inmates of every legal and democratic right.

In one of the more publicised cases, two groups of Cambodian refugees, who arrived in 1989 and 1990, were imprisoned at Villawood and Port Hedland for two years, before being advised that their applications for refugee status had been denied. The Labor government justified its actions on the basis of a section of the Migration Act stipulating that anyone arriving by boat without prior authorisation could be detained until their vessel departed from Australia. Since the immigration authorities had already burned the boats--another punitive measure--the government insisted that the refugees could be held at will.

A subsequent High Court hearing summarised the government's argument as follows: 'The explanation of that prolonged detention in custody ... is that the vessels on which the plaintiffs arrived will never be leaving Australia. They were, the Court was informed, burned. The view was apparently taken by the Minister's Department [of Immigration] that, in a case where a vessel can never leave because it has been destroyed, temporary custody ... can continue indefinitely.'

When the refugees mounted a legal challenge to this extraordinary logic, the government rushed through an amendment defining certain asylum seekers arriving in Australia by boat, and without visas, as 'designated persons'. Under the amended Act, 'designated persons' could be detained without warrant, kept in custody, and only released for the purposes of leaving the country.

While the maximum period of detention was fixed at 273 days, a provision was made that 'time did not run' during delays in finalising refugee status applications. In other words, any legal appeals, which caused 'delays', justified the indefinite prolongation of imprisonment. Moreover, the Act directed that no court could order the release from custody of a 'designated person', thereby annulling one of the most basic legal rights - habeas corpus, namely, the right to have a court determine the lawfulness or otherwise of an arrest or detention.

The High Court ruled this latter provision to be unconstitutional, but upheld the validity of the rest of the amendment, paving the way for the continued detention and ultimate deportation of most of the refugees.

At the end of last year, a UN Human Rights Committee attacked Australia's record of arbitrary detentions in a damning report. It cited the example of a Cambodian refugee who was detained for more than four years, from 1989 to 1994, and denied any avenue of legal review. The report concluded that the Australian government had breached 'international human rights obligations'.

Commenting on the report, Amnesty International stated: 'The government's refusal to give asylum seekers a fair chance to challenge in court why they remain behind barbed wire for months or even years--a right granted to convicted felons--makes immigration detainees second class prisoners although they have committed no crime.' It continued: 'Making laws to declare automatic detention legal does not make the arbitrariness of it acceptable.'

Under immigration ministers Gerry Hand and Nick Bolkus, the Labor Party's 'left' faction was responsible for devising and implementing this policy, in line with the Labor government's far-reaching assault on the rights of all immigrant workers.

See Also:

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