

Chinese refugee forced to have abortion after deportation from Australia

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Amid the fanfare surrounding the arrival in Australia of the first 400 refugees from Kosovo, purportedly demonstrating the humanitarianism of the Howard government, details emerged of another case that highlights the true character of Australia's official attitude towards refugees.

A right-wing independent Senator, Brian Harradine, last week presented Parliament with details of the deportation of a heavily pregnant woman to China in 1997, following the final rejection of her application for asylum. After returning to China she was forced, under China's one-child law, to undergo an abortion only 10 days before her baby was due to be born.

The 28-year-old woman had been held at the remote Port Hedland Detention Centre in the north of Western Australia for three years. She was one of a group of 61 adults and 23 children who arrived from southern China by boat in 1994. Only 32 were subsequently granted refugee status, three were granted residency on humanitarian grounds, and another was granted special residency. Forty-six were deported, two escaped and four are still in detention.

The woman was forcibly deported with her three-year-old daughter, who was born at the detention centre. In a videotaped interview, smuggled out of China, she tells of how she pleaded with government officials to be allowed to give birth in Australia before being deported. The manager of the detention centre assured her that the Australian authorities had made a deal with the Chinese government and that documents had been arranged to allow her to keep the child.

When she arrived in Beihai, in southern China, she had searched in vain for an Australian official who was supposed to have the promised papers allowing her to keep the baby. She was then "hunted down" by the family planning organisation and taken to a hospital

where the baby was aborted by induction. In the video she showed a copy of the abortion certificate.

Each year, the Howard government and the Australian review tribunals and courts reject tens of thousands of refugee applications, most from Asia and Africa, on the grounds that they lack a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion".

Having either deported them or refused them entry, the government takes no further responsibility for ensuring their safety. Andrew Metcalfe, an immigration official, summed up this policy. Responding to Harradine's evidence, he said: "The department has no specific measures or indeed brief to actively monitor the circumstances upon their arrival if they are a failed asylum seeker."

Immigration Minister Philip Ruddock made the following statement: "If people have a belief that they are going to suffer persecution within the terms of the international convention, their obligation is to put their claims to us. Our obligation is to assess those claims and do so with integrity."

Ruddock said that in this latest instance, no plea was made directly to him. Yet the most obvious reason was that the detention centre manager assured the woman she and her baby would be safe. There is no suggestion that he advised her that she could make an appeal to the Minister.

Initially, Ruddock also claimed that: "As a matter of principle, we would not normally return a person who is late in a pregnancy, where it is deemed to be inappropriate that they should be carried on an international aircraft." On Monday he was forced to acknowledge that the women had indeed been deported and that in fact she had been almost nine months

pregnant. After earlier announcing an internal inquiry, he unveiled a so-called independent investigation, to be headed by David Sadlier, a former director-general of ASIO, the political intelligence agency.

Harradine has criticised Sadlier's appointment and called for a review of the policy of deporting pregnant women to China. However, Harradine, who has a particular political agenda, bound up with a long-standing hostility to the Beijing Stalinist regime, has not raised the broader inhumanity shown toward asylum seekers.

Other voices of concern have been raised. According to Independent Council for Refugee Advocacy spokesman Richard Egan, forced abortion following deportation is not an isolated occurrence.

One woman was deported to China in January 1997 while more than five months pregnant and was forced to undergo an abortion. Another, who had become pregnant with her fourth child at the detention centre, after being refused medical attention for a faulty IUD, was deported in May 1997, after her appeal for asylum was rejected. Ruddock refused to intervene in the case, saying that he had not considered and did not propose to consider whether to exercise his power to allow her to apply for refugee status.

The Chinese government's position, according to an official at the Chinese Consulate in Perth, is that there is no policy of forced abortion in China. However, the Australian government is well aware that forced abortions are routinely carried out.

In 1994, asylum was granted to a Christian Chinese woman on the grounds of religious and conscientious objection. She had worked as a gynaecologist at a hospital in Jiangsu province. Over a period of seven years, she was forced to carry out as many as 10,000 abortions, even on women who were up to eight months pregnant. In testimony before a parliamentary committee, she recounted how women were brought to her kicking and screaming and then tied by their hands and feet to the table. Another witness provided graphic details of late-term abortions performed without anaesthetics or painkillers.

Is it conceivable that the government holds contradictory attitudes towards refugees? Does it have one policy toward Chinese "boat people" and another toward Kosovar Albanians? In reality, there is no difference.

Before allowing the Kosovars into the country, a special Bill was drafted and rushed through the Senate, effectively stripping them of any legal and democratic rights. They will have no right to apply for permanent asylum and no right to appeal to any court or review body. Their children--including those born in Australia--will have no such rights either.

How will they be treated once the government decides that it is "safe" for them to return? That remains to be seen. When one considers that NATO has been dropping bombs containing depleted uranium on their homeland and much of Kosovo has been reduced to rubble, it may be quite some time before many of them will want to return voluntarily.



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