

Refugees risk health and lives to reach Australia

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21 June 1999

In the wake of the economic breakdown in Asia has come a sharp increase in the number of refugees arriving illegally by boat in Australia this year. More than 700 have undertaken perilous voyages and endured terrible conditions on unseaworthy vessels. By the end of the year, the total will almost certainly surpass the previous record of over 1,000 in 1994-95.

By contrast, during 1997-98 only 159 people attempted to enter illegally by sea. This followed concerted campaigns by successive Labor Party and conservative governments in Australia to block arrivals and swiftly deport unwanted refugees. Despite these measures, the boat landings have now become more frequent than ever, with some tiny vessels finding their way thousands of kilometres down both the east and west coasts of Australia for the first time.

In addition, the number of people being refused entry at the airports due to missing or forged documents has increased, from 500 in 1994-95 to 1,555 in 1997-98.

The majority of the boats are from southern China, a journey that takes five weeks. According to immigration officials, organised people-smuggling networks are targetting Australia after a series of crackdowns in the United States. But by no means all the arrivals are from China. Others are travelling even greater distances. Recent boatloads have included people from Africa and the Middle East.

One Afghani refugee trekked across four countries and spent \$12,000 in smuggler's fees before entering Australia on a forged passport.

In one of the latest arrivals, on June 13 Australian authorities intercepted two Indonesian fishing boats on Ashmore Reef in the Timor Sea, 610 kilometres north of Broome in Western Australia. Amongst the 96 people on board were Turkish Kurds, Iraqis and Afghanistans. In late May, the Australian High

Commission in Nairobi reportedly prevented a boat carrying 2,000 Somalis from setting sail.

This is part of a global trend. Governments on every continent, but particularly in Europe and North America, have restricted their intakes of legal migrants and introduced increasingly harsh measures against refugees and asylum seekers, forcing them to resort to illegal means to escape poverty and persecution. Three years ago, it was estimated that more than four million people were seeking refuge worldwide. With the collapse of the Asian "miracle" and the imposition of International Monetary Fund restructuring measures in one country after another, this flood appears to be rising.

Recent boat landings on the Australian east coast provided rare glimpses of the privations and hardships suffered by those on board.

On the *Ji Chong Lee*, a 35-metre Taiwanese fishing boat, which was seized 10 nautical miles off Broken Bay, near Sydney on June 4, conditions were so overcrowded that the 112 people on board would have had to sleep in shifts because there was no room for them all below deck. The living quarters consisted of refrigeration storerooms, which stank of fish and fuel. People apparently slept on cardboard sheets. The boat was thought to have left China in late April.

On May 17, 69 people, mainly young men and one child, were found hidden in the bilge of an 85-metre cargo boat off Jervis Bay, south of Wollongong. One Customs officer described the conditions as "appalling" and "sickening". People were crammed into an unlit cell the size of a small living room, with only a single bucket to serve both as a latrine and wash basin. Australian authorities had tracked the *Kayuen*, a Panamanian-registered vessel, for a month, after nautical charts were found in luggage at Sydney airport.

The physical dangers facing the refugees were highlighted on May 27 when 79 people fled into crocodile- and mosquito-infested mangrove swamps to avoid capture after their vessel ran aground on Cape York Peninsula, in Australia's extreme north. The boat had been under pursuit by Customs police. Days earlier, a boat had been beached near the northern Queensland city of Cairns after striking treacherous coral reefs.

While the mass media has shown some of the conditions on the boats, nothing has been revealed about the refugees themselves, except their countries of origin. They remain completely anonymous. As soon as they are detected, they are treated like criminals, incarcerated and transported to the remote barbed-wire holding centre at Port Hedland, on the northern coast of Western Australia.

From there the government forcibly deports them as quickly as possible. In order to prevent them lodging applications for refugee status or appeals against deportation, the detainees are denied access to counsellors and legal advice.

Even so, the four detention centres at Port Hedland, Perth, Maribyrnong and Villawood are fast reaching their maximum capacity, holding up to 1,036 people. The government is now considering locking detainees up in military facilities.

Assisted by the media, the Howard government is attempting to depict all those involved in illegal immigration as criminals. Typical is an article that appeared in the *Sydney Morning Herald* on February 1. "As economic reform loosened social shackles inside China, overseas Chinese communities, including Sydney's, would increasingly become a magnet for a range of criminal activities such as illegal immigration, narcotics, kidnapping and fraud," it stated.

"Reform" is a euphemism for economic processes that are seeing the closure of state-owned industries and the removal of agricultural subsidies, driving millions of peasants off the land and into the cities in a desperate search for work. Over the past decade, the Beijing regime has increasingly accommodated itself to the demands of the transnational corporations for open access to the giant country's resources, markets and cheap labour.

Throughout South-East Asia, the Middle East, Eastern Europe, Africa and the former Soviet Union,

hundreds of millions of workers and peasants are also being displaced by market-driven "reforms".

Having characterised the victims of these economic processes as criminals, the Howard government is moving to similarly stigmatise lawyers who attempt to assist refugees to exercise their few remaining legal rights in Australia.

According to a report in the *Australian* on June 14, Immigration Minister Philip Ruddock "now believes that many of the Chinese illegals landing on our shores may simply be common criminals. In other words they are not duped innocents. Which makes the behaviour of the law firms who then set about representing these people even more suspect."

Ruddock's venom was particularly directed against one law firm that has launched a class action on behalf of 2,900 refugees. The High Court is yet to decide on another class action involving 700 people.

The government currently has legislation before the Senate to extinguish the right of asylum seekers to appeal to the courts against decisions of the government's own Refugee Review Tribunal. The government and its Labor Party predecessors have already abolished many grounds of appeal.

These measures have profound implications for civil liberties, the judicial system and the legal profession. First they seek to strip refugees of virtually all legal rights, a precedent that could be extended in the future to other vulnerable groups, including non-citizens, immigrants, students, the unemployed, social security beneficiaries and Aborigines. Second, they attempt to intimidate lawyers from taking cases that challenge official policies and practices.



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