

# Australian government threatens to imprison Timorese refugees

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The hypocrisy of the Australian government's claims to be concerned by the fate of the East Timorese people has been exposed by its threat to detain fleeing refugees. Australia's northern coast is only 600 kilometres from Timor, making it feasible for the victims of the Indonesian terror to seek sanctuary, whether by boat or evacuation flights.

All available media reports show that the Indonesian military and its death squads are killing, burning and looting at will across the territory, slaughtering all those identified as independence supporters. At least 600 people have been massacred this week. The *Timor Today* website estimates that 100,000 have been forcibly evacuated to West Timor, with another 50,000 fleeing into the mountains.

Yet, despite pleas that Australia provide sanctuary, the Howard government has agreed only to evacuate about 200 Timorese United Nations staff and their immediate family members. And even they will not be permitted to stay more than three months.

Immigration Minister Philip Ruddock made the announcement late on Thursday night. "If people arrive here unlawfully there is a legal obligation to detain them," he stated. Ruddock refused to soften the anti-refugee policy adopted by successive Australian governments—both Liberal and Labor. All asylum seekers arriving without permission are hunted down, rounded up and imprisoned without trial in overcrowded detention centres.

Ruddock said the government had made changes to immigration regulations to create a "flexible regime" to deal with the emerging situation in East Timor. This so-called flexibility consists of extending to the 200 evacuated UNAMET staff the draconian legislation introduced earlier this year for 4,000 Albanian Kosovar refugees.

Under the "Safe Haven" Act passed for the Kosovars, refugees given temporary visas must leave after three months and have no legal rights in Australian whatsoever. The Act declares that any application they attempt to make for refugee status or any other category of visa shall be invalid. Refugees have no right to appeal to a tribunal or court against any decision that the government makes to refuse, cancel or cut short their visas. They can be deported, without appeal, on arbitrary grounds, including endangering "national security", inciting "disorder" and harming Australia's "international relations".

Among those calling for the Australian government to provide refuge is the Northern Territory Ethnic Communities Council, based in Darwin, the city closest to Timor. "Hurry up please, people are dying," said the council's Nina Lemos, who has lost contact with her family members who fled Dili, the now-deserted East Timorese capital, earlier this week. "There is nothing that the Australian people can do, except apply pressure to the government."

The government's callous indifference to such pleas is consistent with the official record since the Indonesian invasion of East Timor in December 1975. All Australian governments have refused asylum to East Timorese refugees.

Just last year the Howard government fought a battle in the Federal Court over its refusal to grant refugee status to several thousand Timorese people living in legal limbo in Australia. In the case of *Lay Kon Tji v Minister for Immigration and Ethnic Affairs*, Ruddock and the government insisted that the East Timorese were not refugees because they could seek entry to Portugal—on the other side of the world. Even though Canberra is the only Western administration to recognise the Indonesian annexation of East Timor, the

Howard government cynically based its legal argument on the fact that, according to the United Nations, Portugal remained the sovereign power over the half-island.

Even more recently—just weeks ago—Ruddock sent a top-level delegation headed by his departmental secretary to discuss with Indonesian immigration, police and military authorities joint action to stop refugees from Indonesia arriving by boat on Australia's shores. “Discussions during the visit to Indonesia focussed on extending existing co-operation with Defence, Immigration, Police and Customs authorities, and improving the exchange of information,” Ruddock said in a media release on September 2.

In others words, while posturing as a critic of the Jakarta-organised carnage in Timor, the Australian government is collaborating closely with the Indonesian military to prevent people fleeing from any part of Indonesia—including East Timor.

In the same media release, Ruddock boasted that the government had just deported 85 Chinese boat people, taking to 186 the number removed from the Port Hedland Detention Centre in two weeks. He said the removals clearly spelt out to potential “illegal” entrants that they would be detained and sent back as quickly as possible. One of the government's known concerns is to clear space in the 700-person facility for recent arrivals from Indonesia.

At the same time, the Howard government has stepped up its efforts to coerce the remaining Kosovar refugees to leave. Some 1,000 of the refugees are reported to be seeking to remain in Australia. The government has set an October 30 deadline for their departure and is offering what amounts to a bribe of \$3,000 per adult and \$500 per child for every family and individual who leaves before that date. Those who refuse will not only be denied the cash, but will face deportation under the “Safe Haven” Act.

The government's trampling on the democratic and legal rights of the Kosovar and Timorese refugees enjoys the bipartisan support of the Labor Party opposition as well as the Greens and Australian Democrats in the Senate. All endorsed the sweeping provisions of the “Safe Haven” Act, ensuring its swift, unanimous and little-known passage through both houses of parliament three months ago.



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