Australian government announces tougher laws against asylum seekers

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18 April 2001

In the face of growing condemnation both at home and abroad, the Australian government has decided to step up its attacks on refugees. Not only will the mandatory detention of asylum seekers continue, legislation announced recently by immigration minister Philip Ruddock will ensure that conditions in the country's detention centres become even more intolerable.

Under the proposed legislation, detention centre guards employed by the private company Australasian Correctional Management will have the power to strip search detainees, including children as young as 10; detainees who make weapons can be jailed for three years; the penalty for escaping detention will be increased from two to five years in prison. Guards will also have the authority to force visitors to walk through x-ray screens and have their possessions scrutinised.

The aim of the new measures is to reinforce the government's attitude that asylum seekers are criminals, unless proven otherwise. The very fact of their predicament—being forced to flee their country of origin—is sufficient to justify imprisonment and repeated humiliation.

Having introduced the mandatory detention policy in the early 1990s, the opposition Labor Party, not surprisingly, raised no serious objection to the legislation. Opposition immigration spokesman Con Sciacca would not rule out supporting the strip search provision and indicated he had no problem with the rest of it. He said he had an “open mind” on the penalty for making weapons.

Ruddock announced the details just hours after a riot erupted at the Curtin Detention Centre in Western Australia, involving 200 detainees. Desperate inmates set buildings on fire and a large crowd cornered two guards, before being subdued with teargas.

The minister blamed the action on a group of inmates who had concluded that their asylum applications had been rejected. With characteristic indifference, he callously remarked: “Some people seem to believe they will be able to force our hand, that they will get different decisions if they are able to put pressure on us. There is no way that we will succumb to that type of pressure.”

According to recent reports, some 800 out of a total of 2,300 asylum seekers presently in detention camps have been refused residency and face deportation. A significant number of these have been in detention since their appeals were exhausted, in some cases up to two years ago. The government cannot deport those who come from countries without any Australian diplomatic presence, like Iraq and Afghanistan, so its solution is to incarcerate them indefinitely. Amnesty International's refugee co-ordinator, Graham Thom commented: “In other Western countries, after one month detainees can go to court to question why they're still being detained.” He said that several Afghanis whose applications had been rejected told him they wanted to go back. “They said they would prefer to die free than be detained for ever.”

In a letter to the editor of the Australian Catholic Social Justice Council's journal, replying to criticisms of conditions in the detention centres, Ruddock provocatively claimed that “the level of amenity and services are higher than many Australians experience in their own homes.” Later, in a television interview, he declared that applications were processed in such an “extraordinarily short period of time... it's now being used by people smugglers as one of their advertising tools.”

The reality is that the centres are worse than prisons. Most are located in remote and inhospitable desert regions, where summer temperatures regularly exceed 45 degrees Celsius. Detainees live in overcrowded conditions, with few, if any, recreational facilities. Newspapers and television viewing are largely proscribed and inmates are often unable to contact their families for months. Guards are abusive and frequently violent. The most vulnerable detainees, particularly the young, become severely disturbed, depressed and suicidal.

The Curtin riot was only the latest in a series of protests, riots, mass breakouts and hunger strikes sparked by the sub-human conditions and lengthy delays in the processing of applications. The week before, 40 asylum seekers staged a

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revolt at the Port Hedland Detention Centre in north-west Western Australia while 14 refugees staged a breakout from Sydney's Villawood Detention Centre. Enraged by the successful escape, the government authorised immigration officials and police to raid more than 50 homes of visitors to the detention centre or members of local refugee support groups. The home of ABC radio current affairs presenter John Highfield was one of them, because of his wife's involvement in advocacy for refugee children.

Arsalan Nazarian from the Free the Refugee Campaign attacked the action. “It is already appalling that refugees are locked up like criminals. Now those who support refugee rights are also treated as criminals.” Nazarian told the *World Socialist Web Site* that the purpose of the raids was to intimidate refugee advocates and to prevent them from speaking out. Refugee lawyers, nurses and others who visit the detention centres in an official capacity are already required to give an undertaking not to speak about what they see.

“The detention centres are hellholes,” Nazarian said. “Just last week, one detainee attempted suicide after hearing that he was to be deported... Refugees come here for a new life, not continued persecution. Is it any wonder they try to escape?”

On April 1, a former Pakistani refugee, doused himself with petrol and set himself alight outside Parliament House, in Canberra, in protest at repeated government delays in processing applications for his family to join him in Australia.

In 1995 Shahraz Kayani was granted asylum on the grounds of religious persecution after entering the country legally on a visitor's visa. The 47-year-old father of three suffered depression after the Immigration Department twice refused permission for his wife and children to emigrate, even though he had become an Australian citizen. The Department's grounds were that his 10-year-old daughter suffered cerebral palsy and would therefore become a “financial burden” on the government. Kayani had been waiting seven months for a final decision on his third application.

Later it emerged that the health service had written to Ruddock's office a week before the incident, expressing concern that Kayani was suicidal. Ruddock failed to read the letter until afterwards. A spokesperson for the minister simply commented: “We get thousands of letters like that.” Despite pleas from Kayani's brother, an Australian resident, and assurances that the family would pay all medical expenses for Kayani's daughter, Ruddock has refused to be “pressured” into expediting the case.

Media coverage of the Kayani incident has been critical of the government, underscoring a noticeable shift in its treatment of asylum seekers in general. References to “invasions” by “boatloads” of “queue-jumpers” and “economic refugees” and calls for increased coastal surveillance and tougher measures have been replaced with criticisms of the government as an “unyielding bureaucracy” and insistence on a “more humane” approach.

A recent article in the *Age* commented: “... the conditions of refugees are, by definition, desperate, and it is not surprising therefore that they resort to desperate measures. The desire for a better life is not easily quenched. Once here, the refugees deserve our compassion.” The *Sydney Morning Herald* declared: “Careers are on the line... Mr Ruddock now risks being seen as a tired stalwart of an indefensible system crying out for a minister to reform it.”

A whole host of conservative commentators from religious leaders to right-wing academics have joined in the criticisms, attacking the government's new legislation and urging it to abandon its mandatory detention policy. There are several factors involved. One is concern that the policy compromises Australia's international image as a defender of “human rights,” particularly within the Asia-Pacific region. Another is a belief that the country needs to attract more immigrants, not fewer—a sentiment being expressed by significant sections of business. The Howard government's current approach serves to discourage potential migrants, even those who are wealthy and highly skilled.

But perhaps most importantly, there is a growing recognition among the more conscious sections of the bourgeoisie that the government's vicious and anti-democratic treatment of the most vulnerable layers of the population can become a focus for mounting hostility and resentment among ordinary working people—many of whom are themselves migrants—towards the political establishment as a whole.

For its part, the Howard government has calculated it cannot afford to change tack. With its traditional base of support among small business and professional people dwindling, it is increasingly dependent upon rightwing layers who will countenance no letup in its anti-refugee rhetoric.

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