

Australian government detains nearly 1,000 refugees offshore

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Since August 27, when the Howard government blocked entry to 433 rescued refugees aboard the *Tampa*, a Norwegian freighter—infringing all international norms for the treatment of asylum seekers—its unprecedented action has been transformed into an increasingly brutal policy, enforced by a flotilla of naval warships and patrol boats. Nearly 1,000 refugees are currently being detained on military troop ships or in hastily-erected detention camps on tiny islands in the Indian and Pacific Oceans.

Three weeks ago, heavily-armed SAS personnel herded the *Tampa* refugees, most fleeing from Afghanistan, aboard a military troop carrier, the *HMAS Manoora*, which set sail for the remote and impoverished Pacific island of Nauru, despite a written request by the asylum seekers to apply for protection visas in Australia under the international Refugee Convention. Soon after, 237 Iraqi and Palestinian refugees on board a small Indonesian fishing boat, the *Aceng*, were detained by naval warships off Ashmore Reef, several hundred kilometres from Australia's north-west coast, and forced to join the already over-crowded *Manoora*.

Several days later, on September 13, a boat carrying 130 people escaping from the Middle East was intercepted by the navy near Ashmore Reef and refused permission to land. Because the boat was leaking, its passengers were loaded onto the empty *Aceng*. On the same day, naval personnel several times boarded another fishing boat carrying 129 Middle Eastern asylum seekers off Ashmore Reef, unsuccessfully trying to eject the vessel from Australian waters. Finally, after refugees threatened to jump overboard, the boat was detained off the reef.

For almost two weeks, the asylum seekers were kept aboard the two boats in squalid and dangerous conditions, huddling under canvas sheets. One reporter who flew over the boats described the scene: "In stifling conditions under the tropical sun, they wait and wait. To pass the time, about 250 asylum seekers swim, some in life jackets, others clinging to the side of the boat. On board, others wash their clothes and hang them in every spare nook and cranny or sit under tarpaulins providing much-needed shade."

Immigration Minister Philip Ruddock this week ordered that the refugees be forced aboard a naval ship, the *HMAS Tobruk*,

but has refused to state their destination, except to reiterate that they will not be permitted into Australia.

In the meantime, a boat carrying 62 Sri Lankan asylum seekers was stranded off the Australian-controlled Cocos (Keeling) Islands, about 3,000 km from the West Australian capital of Perth, after being refused permission to land. Residents of the islands told the *Australian* that the conditions aboard were horrendous, with refugees "taking it in turns bailing out the water" to keep afloat. Eventually, its passengers and six crew were taken to a vacant quarantine station on the island. According to residents, the Sri Lankans were on the verge of drowning before the government begrudgingly allowed them ashore.

While Howard and Ruddock have refused to reveal their plans, it appears that the government hopes to offload more asylum seekers onto Nauru. Searching for possible alternatives, Foreign Minister Alexander Downer has been having discussions with the President of Kiribati, an equally small and cash-strapped state that consists of a number of tiny atolls in the central Pacific. In the meantime, huts are being erected as temporary holding facilities on Australia's Christmas Island—where, ironically, the government refused to permit the *Tampa* to dock.

Christmas Island residents, who opposed the government's treatment of the *Tampa* refugees, have objected to the construction of the holding camp, which is sited just 50 metres from the island's rubbish dump. Local councillor Gordon Thompson told reporters that the tip has flies, cockroaches, rats and centipedes. "We do not want a detention camp and we certainly don't want a detention camp on that site," he said.

All of the government's actions are in breach of its own Migration Act, as well as the Refugee Convention, which both recognise the right of asylum seekers to apply for refugee status in Australia. Its conduct has no clear legal authority, despite a Full Federal Court decision last week reversing an earlier ruling that the *Tampa* refugees were illegally detained and expelled.

Later this week, however, backed by the Labor Party, Howard and Ruddock intend to push through parliament retrospective laws to legitimise their operations and create a new far-reaching anti-refugee regime. The legislation will remove Australia's offshore territories from the country's migration zone and

permit refugees to be detained indefinitely in the “excision zones”. No legal challenges will be permitted to the treatment of asylum seekers in these zones. Ruddock and his department will have absolute power to reject asylum applications, with no right of review by tribunals or courts.

After spending more than a month at sea, the *Tampa* refugees have found themselves locked in the most primitive facilities, erected on a disused sporting ground in the middle of Nauru’s former phosphate mine. The camp, hastily built by the Australian army, is made of corrugated iron, plastic sheeting and shade cloth on dirt floors. Infested with mosquitoes, it provides little protection against Nauru’s equatorial heat.

Despite a \$20 million handout from Canberra, Nauru’s government does not have the resources to accommodate the refugees for more than a few months. Even if refugees are granted asylum status by officials from the International Organisation for Migration—a process expected to take months—the Howard government has refused to guarantee them entry and no other countries have yet agreed to accept them.

Some 200 Iraqi and Palestinian asylum seekers from the *Aceng* have refused to disembark, reiterating their requests to apply for refugee status in Australia. Ruddock has refused to rule out using military force to remove them from the *Manoora*. Army troops, including SAS personnel, have been flown to Nauru to prepare for a possible confrontation.

Nauru’s police have attempted to enforce a media blackout on the refugees, imposed by Chubb security, the firm hired by the Australian government to guard the camp. Despite harassment, several journalists have spoken briefly to detainees. “There is no independence for us... here ... we are like prisoners,” one refugee told an Australian Broadcasting Corporation reporter through a wire fence.

Refugees gave an *Australian* journalist descriptions of the poor conditions aboard the *Manoora*. Ali, from Afghanistan, said there were only two toilets to cater for the 433 *Tampa* asylum seekers. People were allowed on deck just four times in 30 days and the food was poor and inadequate. The refugees were deprived of news—they did not even know about the terror attacks on New York and Washington.

Many of the passengers were already traumatised after being rescued by the *Tampa* from a sinking boat. “For three days we were in danger,” Ali said. “I thought it would be the end of my life.” The refugees were thankful to the *Tampa*’s captain for rescuing them, and initially thought that the Australian SAS troops were sent to the ship to help them, only to find themselves barred entry to Australia.

In addition to the offshore detainees, more than 3,000 asylum seekers are still incarcerated on the mainland, some of them having been detained for years. Last Friday, the government backed the use of tear gas and water cannon to put down renewed protests at Woomera, one of the six onshore detention centres.

Detainees had begun chanting “freedom, freedom” in

response to an International Refugee Day demonstration outside the centre’s walls. One of the participants in the demonstration, Barbara Rogella, a registered nurse who once worked at the centre, told reporters: “All of a sudden, for reasons that we don’t know, the crowd at the detention centre started to disperse...There have been two of those tear gas things directed at the fence and they [officials] just shot one of them into the crowd of refugees.”

Justice Minister Chris Ellison later confirmed and defended the use of tear gas and water cannon, saying it was necessary to maintain order. The demonstration was the third major protest at Woomera in just over 12 months and at least the second time that authorities have resorted to tear gas and water cannon, never used before in Australia. Protests and mass breakouts have also erupted at other camps, most recently at Villawood in Sydney.

The United Nations High Commissioner for Refugees (UNHCR) has criticised the removal of the *Tampa* refugees and the Howard government’s new laws. “UNHCR is concerned that this one time operation [against the *Tampa* asylum seekers] may set a damaging precedent,” a spokesman said. Its officials have reluctantly agreed to process the non- *Tampa* refugees in Nauru, after initially objecting to the Howard government’s request for the use of scarce funds and staff from an agency that is responsible for more than 20 million refugees worldwide.

In a formal submission to an Australian Senate committee, the UNHCR urged the Howard government to accept more asylum seekers from camps in Iran and Pakistan, where 3.5 million Afghani refugees are trapped. It also warned that new laws allowing the immigration department to reject applications from people without identification documents could lead to breaches of the Refugee Convention. One of Ruddock’s senior officials told the committee that the new laws could affect 80 percent of asylum seekers arriving by boat.

Howard and his ministers have used the *Tampa* crisis, followed by the terror attacks in the United States, to vilify refugees, slander them as likely terrorists and whip up xenophobic sentiment in the lead-up to a federal election, due to be held within weeks. They have been supported by a compliant media and assisted to the hilt by the Labor Party, which has pledged to pass all the government’s anti-immigrant legislation.



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