

Amnesty International criticises Australia's human rights record on refugees

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A high profile visit to Australia by Amnesty International's Secretary General Irene Khan in early March has underscored the abuse of basic democratic rights involved in the country's mandatory detention of asylum seekers—a policy backed by both the Howard government and the Labor opposition.

Khan's five-day trip to Australia was the first for an Amnesty International head in the organisation's 40-year history. It was provoked by growing international media coverage of the plight of hundreds of refugees detained for months and years, often in isolated locations, without any recourse to basic legal processes.

Khan was denied permission to visit the Woomera Detention Centre, sited in remote desert country, where desperate detainees have conducted a series of protests in the past months aimed at forcing the government to process their asylum applications.

All 530 of the remaining Woomera inmates, including 144 children, have been held for over six months. Of those, 84 have been detained for more than a year. In February, several hundred Afghan refugees began a two-week hunger strike after detainees sewed their lips together. Over 40 attempted a simultaneous suicide, by hanging or swallowing painkillers and shampoo.

Before arriving, Khan was deliberately low key, saying she had not been able to develop a "dialogue" with the government from overseas. She requested meetings with Prime Minister Howard and Immigration Minister Philip Ruddock. By the end of the trip, however, after new hunger strikes broke out at Woomera and the government refused to budge an inch, the relationship had deteriorated to the level of a public brawl.

On her arrival on March 5, Kahn addressed the

National Press Club where she indirectly criticised the Howard government for whipping up anti-immigration sentiment. "It is all too easy to feed people's fears that the threat comes from abroad, to create a climate of suspicion, mistrust, xenophobia, and racism," she said. "It is all too easy to confuse those fleeing terror with those who are suspected of causing terror—and, in that process, of curtailing the rights of refugees and asylum seekers."

Referring to the labelling of asylum seekers as "queue jumpers," Khan explained that "there is no queue they could have joined in the first place" and that immigration officials find the vast majority of asylum seekers to be refugees under the UN convention. She condemned the practice of locking refugees away "without charge or review by a court, simply because they lack a visa".

She pointed to the hypocrisy of government spokesmen who condemned so-called people smugglers but supported the "Pacific Solution", whereby cash-strapped former Australian colonies have been paid over \$20 million by the Australian government to keep 1,200 refugees in holding camps. "Diverting boat loads of people to detention centres in Nauru and Papua New Guinea—in exchange for huge sums of money—perpetuates the very trafficking of human misery that the Australian government claims it is seeking to prevent."

In the course of her speech, Kahn declared that Australia was in breach of a number of international conventions, including the Universal Declaration of Human Rights. "The United Nations Human Rights Committee found Australia's practice of detaining asylum seekers to be arbitrary and unlawful. Furthermore, the Convention on the Rights of the Child prohibits the detention of children, except as a last

resort and for the shortest appropriate period of time.”

Australia’s Temporary Protection Visas (TPVs) may also contradict international laws. While asylum seekers who arrive with a visa and are found to be refugees are granted full citizenship rights, those who arrive without a visa and are determined refugees are given a TPV. Refugees on TPVs live in uncertainty. Their status is open to review every three years, they are not able to bring their families to Australia and they cannot travel overseas.

Kahn said Australia “cannot pick and choose which rights it will apply, how and when.” Two years ago, the government ignored UN reports of human rights abuses in Australia and “announced a more selective engagement with UN human rights bodies.” Last month, the Coalition government accused the UN Human Rights Commission’s Mary Robinson of having “some agenda” and threatened to bar her representative from visiting the Woomera Detention Centre.

Khan expressed concerns that Australia’s policy would encourage other governments to follow suit. In response to a question posed by an ABC reporter, she said: “There is a real risk of that happening, because in our business when we raise human rights situations in one part of the world, we are very often told, ‘Well, look at what so and so is doing’.”

She delivered an oblique warning to the Australian ruling elite that the government would find it difficult to pursue its interventions in East Timor and elsewhere on the basis of human rights if there were not a change in the refugee policy. “[T]he Australian government cannot credibly advocate human rights elsewhere, if it fails to promote the same standards in its own country. It needs to re-examine its policies on refugees and asylum seekers, both because of its obligation to uphold human rights of these people, and also because these policies may actually undermine, rather than promote, Australia’s professed goals at home and abroad.”

In a blunt response to her speech, Howard refused to meet with Kahn. Her discussion with Ruddock, a member of Amnesty International, was just as fruitless. Wearing his Amnesty International badge, Ruddock emerged from the meeting unmoved. “Detention is public policy in Australia, which will not be unwound.” Ruddock said he would consider Kahn’s request to visit the Woomera Detention Centre, but later turned it

down.

The following day, reports emerged from Woomera of self-mutilation and hunger strikes by over 140, mainly Iraqi, asylum seekers. Detainees dug 15 graves before their gardening shovel was confiscated, signposted them the “Woomera Graveyard”, and buried themselves in extreme summer temperatures. Eight detainees were treated for heat exhaustion, two in Woomera hospital, but the graves continued to be filled by detainees. One Iraqi man leapt off a roof onto the perimeter fence’s razor wire and an Iraqi woman slashed her wrists when her application for refugee status was rejected.

After Howard accused the protesting detainees of trying to blackmail the government, Kahn intervened in their defence, saying: “It just shows the situation is going from bad to worse and something has to be done before more people take this kind of desperate action.” She also said: “It would be an improvement if the government’s decisions to detain were reviewed—at the moment the government is judge and jury.”

The Howard government scraped back into office in last year’s national election by demonising refugees in order to divert attention from its own responsibility for growing social inequality. At the conclusion of Kahn’s trip, Ruddock reiterated the government’s stance by casting another racist slur on people fleeing from desperate and dangerous situations. “The comments that are made about detention policy reflect either an unwillingness or a failure to understand the nature of the populations that we’re now dealing with,” he declared.



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