

Has the Australian government been lying to Iranian asylum seekers?

Jake Skeers
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Internal Immigration Department documents recently released by the *Australian Financial Review* and statements by the Iranian consulate in Canberra throw into doubt announcements by the Australian government last March that an agreement with Iran allowed for the forced deportation of Iranian asylum seekers.

If the Howard government has lied about the deal, this would not be the first time it has been caught deceiving the Australian population about its dealings with refugees.

During the notorious “children overboard” affair, the government released deliberately misleading photographs, then falsely claimed that refugees on a boat bound for Australia had thrown their children overboard. The lies, accepted uncritically by the media, became a key element in Prime Minister John Howard’s campaign to demonise asylum seekers in the lead up to the 2001 federal election.

The recently leaked documents reveal that the government has been desperately trying to negotiate a deal with Iran, particularly since late last year, to deport the 274 Iranian refugees currently being held in Australian detention centres. The Iranians are the largest national group of boat arrivals still in detention. Several have been held for over four years, and more than 200 have exhausted the few avenues of legal appeal available. Many fear torture, jail and even worse if they are forced back to Iran, and so, despite the hellish conditions in the centres, are determined not to be pressured into accepting repatriation.

On March 12, Immigration Minister Philip Ruddock declared that the government had signed a Memorandum of Understanding (MOU) with Iran to return the asylum seekers. Under the deal, detainees who had been denied refugee status would be given 28

days to accept a lump-sum payment and a one-way ticket to Iran. In exchange, the Australian government would provide 2,000 working holiday visas to young Iranians. Ruddock indicated that the terms of the MOU allowed for the involuntary deportation of asylum seekers who refused to return “voluntarily” to Iran.

Following Ruddock’s announcement, immigration department officials visited the Iranian detainees to try to convince them to accept the “voluntary” package. They told the refugees that if they refused, Iran would accept their forced deportation from Australia “in the near future”.

But documents released by the *Australian Financial Review* earlier this month suggest that this may have been a ploy to deny Iranians accurate information about their situation.

The documents spell out that the immigration department’s strategy was to pressure the Iranian refugees to accept a voluntary return on the basis that there was an actual or perceived threat of forced deportation. One of the documents is a draft report dated December 2002 by John Okley, assistant secretary of international co-operation in the Department of Immigration, entitled “Return of Iranian Nationals: Update on negotiations and proposed next steps”. It states: “the key to enlisting voluntary departure lies in the creation of a credible threat of involuntary removal.”

The report proposes that the Australian government enlist Iranian officials to visit the detention centres. In concert with the visit, immigration officials would distribute a letter suggesting that Iran and Australia were working together to involuntarily deport detainees who did not accept voluntary deportation. This would create an impression that Iran was actively supporting removals. A sample draft letter, addressed to “the

Iranian detainees” declares: “If you do not choose to return in a dignified manner the Australian Government will take steps to return you to Iran in the near future. This return will not provide you with the same benefits....”

Okley notes in the report that Iran almost never accepts the involuntary deportation of its nationals. He could only cite the case of Switzerland, where an agreement was reached with a local embassy to deport 100 Iranians. The deal broke down—after only one asylum seeker was deported—when the national government in Tehran discovered its existence.

The Iranian government fears that if it allowed forced deportations then governments in Britain, France, Germany and the Netherlands may attempt to return tens of thousands of Iranian asylum seekers. Iran, with a per capita GDP around one tenth of Australia’s, is already holding around two million refugees, mostly from Afghanistan.

A spokesperson at the Iranian Embassy in Canberra told the *Australian Financial Review* that there was no agreement for the involuntary deportation of Iranians. “We shall not accept the forced repatriation of Iranians from any country.” The embassy later reiterated this position and added: “But if the Australian government put Iranians on a plane and dumped them on our tarmac, obviously we would not reject them. No country can reject its own nationals.”

The government has refused a Senate request to table the MOU in parliament. Government Senator, Helen Coonan, said it was not in the “public interest” to release the agreement, insisting it would “not be released publicly at any time.”

This is not the only aspect of the government’s immigration policy that is shrouded in secrecy. The immigration department routinely incarcerates asylum seekers in detention centres with limited access to lawyers or advocacy groups, denying the media any access to the centres. It then tries to manipulate public opinion by releasing selective and often damaging “information” about the detainees’ conduct inside.

Most of the Iranian asylum seekers are held at the Baxter detention centre, located some 400 km from the nearest major city, Adelaide. Lawyers, psychologists and refugee advocates told a UN reporting team last year that they regularly had difficulty accessing the

detainees. Lawyers need a specific request from a detainee, while other organisations and individuals must apply to Ruddock to gain entry.

The UN report, drawn up by an envoy for the UN Human Rights Commissioner, concluded that the Howard government denied detainees “appropriate, concise and regular information about their rights. In some cases it was felt that accessing legal aid with regard to complaints about treatment and conditions in the detention centres presented a genuine difficulty.”

The government’s attempted expulsion of the Iranian refugees is part of its broader agenda of clearing the camps. Currently there are around 1,000 asylum seekers in detention in Australia and 500 in Australian-financed camps on the impoverished island of Nauru and Papua New Guinea’s Manus Island, including more than 100 children. Since November 2001, after the Australian military launched a massive operation to expel refugee boats from Australian waters, culminating in the drowning deaths of 353 asylum seekers, no refugee boat has reached the country. As a consequence, detainee numbers have halved in the past two years.

Rather than simply granting the remaining refugees asylum, the Howard government is intent on forcing them back. It hopes its deal with Afghanistan’s Karzai regime, which currently allows for the return of Afghans who have accepted a so-called “voluntary” package, will be extended to allow forcible returns. At the same time, Howard has already indicated that Iraqis will soon be sent back to a country that lacks the most basic infrastructure and security.

Under conditions where its refugee policies contravene UN conventions, human rights treaties and the most fundamental democratic rights, the Howard government is increasingly resorting to secrecy, threats and lies to carry them through.



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