

Revelations about Australia's former immigration minister

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After seven and half years as Australia's immigration minister, Philip Ruddock was last month elevated to the position of attorney-general by Prime Minister John Howard. Just prior to his promotion, a series of revelations emerged about the conduct of the Immigration Department while he was in charge. Although quickly buried by the media, they paint a graphic picture of fraud, duplicity and hypocrisy.

Throughout his term as immigration minister, Ruddock became notorious for stripping asylum seekers of their basic legal and democratic rights under the banner of the "rule of law". In the name of deterring "queue jumpers" who could afford to pay "people smugglers" he defended the government's use of military warships to turn back sinking refugee boats or remove their passengers to concentration camps in the South Pacific. All of this was necessary, he insisted, in order for the government to uphold the interests of those refugees who had been waiting "in the queue"—for years on end—to be included in the government's tiny annual quota of 12,000 humanitarian visas.

Ruddock appeared regularly on television portraying himself as a dispassionate and objective servant of the "law" who was completely incorruptible, and who could not abide the rules being bent. Refugees locked away for years in remote detention camps who attempted suicide or staged protests against their indefinite incarceration were castigated as emotional blackmailers, intent on coercing the minister into repudiating his principles.

Recent reports show that even as he was doing so, his own department was routinely utilising illegal methods, involving false passports and bribery, to deport unwanted refugees to other countries. And behind his carefully cultivated public image, Ruddock was sitting astride a system in which well-connected immigration applicants were donating thousands of dollars to the ruling Liberal Party in the expectation of obtaining visas—through Ruddock's personal intervention.

Reports of official involvement in passport fraud were first raised in an interim report by the Australian Catholic University and the Edmond Rice Centre entitled "No Liability: Tragic results from Australia's Deportations". The researchers' initial focus was on the appalling conditions that refugees confronted in Iran, Syria, Iraq, Afghanistan, Nigeria and Zimbabwe after being deported by the Australian government. But after several deportees—in different countries—independently raised the Immigration Department's illegal deportation methods, the team began to probe their allegations.

According to the report, six out of the ten interviewees deported to Syria had been encouraged by Australian officials to acquire false passports. Unable to deport them to their home countries of Iraq and Kuwait, Ruddock's department resorted to criminal measures. An official from either the Immigration Department or Australian Correctional Management (ACM), the company that holds the government contract to run its detention centres, pressured the detainees to obtain forged passports with a promise of resettlement in Syria.

Mushaal Abdul Matar, an Iraqi, described how Australian officials put his life at risk. Moreover, his account suggests that the passport ruse had high-level backing. Matar explained how he was instructed by an ACM official to obtain a fake Syrian passport and visa and was then, in August 2001, deported by the government. Upon his arrival in Abu Dhabi, an official detected the crudely falsified passport, which displayed lower rather than upper case letters and contained no Syrian exit or entry stamps. Guards stripped Matar naked, verbally abused him, incarcerated him and threatened to hand him to the Iraqi authorities. After he threatened suicide, local officials agreed to return Matar to Australia instead.

Three months later, Australian officials again deported Matar—on the same false passport. But this time, Australian consular officials helped him avoid passport checks in Singapore and Istanbul and kept him on the plane during transit at Abu Dhabi.

A forensic document specialist told the Australian Broadcasting Corporation's *Lateline* television current affairs program that Matar's passport was so patently false that he was astonished to hear that Matar had entered Australia once and left the country twice without detection.

Along with forged passports, immigration officials knowingly supplied misleading airline tickets. One man described how the Immigration Department bought him a one-way ticket to Kuwait, knowing he was not able to enter that country, and that he would instead be living in Syria. Although the man chose to go to Syria rather than face continued incarceration in Australia, it was not until the day he was deported that he was told by an official that he would be living there unlawfully. The immigration official instructed him to tell the Syrian authorities that he was merely stopping over in Syria. He was to show his ticket to Kuwait as proof.

Interviewees also said immigration officials gave them money and told them to place specific amounts in their passports in order to bribe border officials in different countries.

Ruddock's department employed these methods of systematic fraud and deception in order to circumvent a situation in which stateless asylum seekers were being denied entry into any other country. Rather than grant them asylum, the government preferred to dump them illegally, and wash its hands of them—no matter what the human consequences.

Ruddock also emerged at the centre of revelations concerning favorable treatment for certain visa applicants. It appears that he made a practice of exercising his personal discretion, under the Migration Act, to grant visas to applicants who had made substantial donations to the Liberal Party, overruling prior refusals by the Immigration Department, tribunals and even courts.

Many of the allegations involved Karim Kisrwani, a friend of Ruddock's and a well-known figure in the Liberal Party. Until the scandal erupted, he was a regular at Liberal fundraisers and often arrived with wealthy visa hopefuls.

Among them was Dante Tan, a fugitive businessman who faced insider-trading charges in the Philippines. The Philippines government issued a warrant for his arrest after he was allegedly involved in the largest stock market manipulation in Philippines history and then failed to appear at a Department of Justice hearing.

In 2001, the Australian Immigration Department cancelled Tan's business migration visa, which he had held since 1998, for breaching visa obligations. However, after a \$10,000 contribution to Ruddock's electoral office and an approach by Kisrwani, Ruddock intervened. His department reversed the visa decision. Tan was eventually granted Australian citizenship.

Apparently, authorities left Tan off the Immigration Department's 225,000-name movement-alert list, even though his conviction in the Philippines should have triggered an automatic listing on the database. Clive Troy of the Australia Philippines Business Council described the error as "unbelievable," considering that the Manila migration office was "known for its slow-coach nitpicking" and "bureaucratic bog, insensitivity, harshness and extremely high rejection rate of visa applications".

Tan sought to influence at least two other politicians. Liberal parliamentarian Ross Cameron lobbied Ruddock on Tan's behalf after Tan and Cameron had cruised around Sydney Harbour together and Tan's lawyer, Anthony Torbay, had given \$2,000 to Cameron's election fund. Tan also donated \$9,880 to the Labor Party after a discussion about visas with Labor Senator Nick Bolkus, a former immigration minister.

Ruddock granted another of Kisrwani's associates, Bendweny Chawki Hbeiche, a humanitarian visa after Kisrwani donated \$3,000 on his behalf at a Liberal Party benefit attended by Ruddock. Hbeiche, a Lebanese citizen, had been denied a refugee visa by the Immigration Department, the Refugee Review Tribunal, the Federal Court and twice by Ruddock, until the money changed hands.

Ruddock's explanation for the about-turn was that he had not been informed that Hbeiche's sisters were Australian residents until the case came up for the third time. But it soon emerged that the departmental file had, indeed, contained the full names and ages of Hbeiche's sisters. Ruddock was obliged to revise his story. He claimed that no one had informed him of donations to the

Liberal Party or to his own office. Kisrwani, however, admitted on SBS television's *Dateline* program that he had personally informed Ruddock that visa applicants had donated to the Liberals.

Tan and Hbeiche were but two of the 55 visa applicants recommended by Kisrwani to Ruddock between 2000 and 2003. According to figures presented to a Senate inquiry, Kisrwani enjoyed an unprecedented 47 percent success rate in obtaining visa approvals from Ruddock, with the minister granting 17 visas, denying 19 and reserving judgment on another 19.

By contrast, the success rate of those referred to the minister by the Refugee Review Tribunal on humanitarian grounds was less than 17 percent. Of the 126 applications made to Ruddock by Amnesty International since November 1999, the minister granted just 16 percent.

The figures are even more surprising when one considers that Kisrwani is not a registered migration agent and could face criminal charges if he were found to have given migration advice in return for fees. The federal police are reportedly investigating allegations that he received a \$4,000 fee from Chinese businessman Jim Foo for "migration advice" as well as \$220,000 from Dante Tan.

Under Ruddock's leadership, it became increasingly difficult to obtain refugee or humanitarian visas. But when it came to wielding his discretionary powers, the minister was extraordinarily generous.

Ruddock exercised his visa discretion, on average, 251 times per year, more often than any previous immigration minister. In comparison, his two Labor predecessors, Nick Bolkus and Gerry Hand, intervened 104 and 27 times per year, respectively. Moreover, Ruddock's discretion has only benefited applicants from certain countries. Since 1999, 146 Lebanese citizens and 173 Fijians have obtained visas through Ruddock's personal intervention. Yet, applicants from Afghanistan and Iraq—the home countries of the majority of refugees who have fled to Australia over the past four years—have been granted zero and five interventions respectively.

These revelations make clear that the Howard government's vilification of refugees and immigrants has nothing to do with "upholding the law". Rather, led by Ruddock, the government has systematically flouted refugees' legal and democratic rights, while at the same time adopting the very methods it accuses "people smugglers" of employing.



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