

# Australian government plans to deport refugees to Malaysia

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The Labor government of Prime Minister Julia Gillard last weekend took its vicious anti-refugee measures to a new level by announcing an agreement to deport 800 asylum seekers to Malaysia, where they will languish indefinitely in squalid conditions.

The blatant purpose of Gillard's deal with Malaysian Prime Minister Najib Razak is to deter refugees from exercising their rights under international law to flee persecution and seek political asylum. Although details of the scheme are yet to be finalised, Gillard refused to rule out children, pregnant women and the sick being removed to Malaysia, insisting that the plan had to be "tough."

While the government claimed that its intention was to end the incentives for "people smugglers," the punitive scheme is clearly directed against the refugees themselves. Gillard stated: "Do you think you would [attempt to travel to Australia]? ... You've only got one shot. You've only got so much money... You've only got one life to lose. And you [throw in] all your money... to potentially lose your life and go to the back of the queue in Malaysia."

Gillard's so-called "queue" amounts to a virtual life sentence, with refugees either trapped for years in Malaysia, which is notorious for abuses of basic democratic rights, or forcibly removed back to their country of origin.

The UN High Commissioner for Refugees (UNHCR) reported last year that 83,000 refugees were already living in Malaysia, in constant fear of victimisation and police brutality, despite being recognised by the UNHCR as genuine refugees. Another 12,000 asylum seekers are still applying for refugee status.

In Malaysia, not all refugees are detained but they are denied access to public education and healthcare, and cannot legally work. While Malaysian PM Razak claimed the asylum seekers would be free to "mingle" in the community, those caught working are subjected to bare-

skin caning and thrown into detention.

Malaysian Human Rights Commissioner Datuk Subramaniam estimated that "1,300 illegal foreigners have died during detention" between 2002 and 2008, according to the Malaysian *Star Online*. Australian web publication *New Matilda* reported that in some cases detainees received one cup of water each day and were "held in overcrowded environments with 300-400 people in a 30 square metre room, which often lack[s] ventilation."

In order to magnify the deterrent effect, the Gillard government reportedly plans to stagger the 800 deportations to Malaysia over a prolonged period of time so as to create a feeling of doubt in the minds of all asylum seekers that they might be among those consigned there. To accompany the plan, a PR campaign with the slogan of "Don't do it" has been translated into Farsi, Dari, Pashto, Arabic and Bahasa Indonesian, and broadcast in foreign countries.

In exchange for accepting the 800 refugee arrivals, Malaysia will send to Australia 4,000 refugees, determined by the UNHCR to be in need of protection, over four years, at a rate of 1,000 per year. Australian Immigration Minister Chris Bowen cynically claimed that this was a "good humanitarian outcome."

In reality, the temporary lift to the small annual refugee intake, to just over 14,000 per year, is simply the price that the Labor government calculated that it had to pay in order to ramp up its punitive efforts to repel asylum seekers. More than 6,500 refugees are currently being detained for deliberately lengthy periods—many have been incarcerated now for 18 months or more—in Australian onshore and offshore facilities.

Labor's "Malaysian Solution" goes beyond the "Pacific Solution" of former Liberal Prime Minister John Howard. Under that program, refugees attempting to reach Australia's shores were transported to detention camps on

Manus Island, a Papua New Guinean territory, or the South Pacific island of Nauru. They were denied the most basic legal and political rights, and detained for up to five years.

As a result, severe mental health problems, incidents of self-harm and attempted suicides were widespread among detainees. Some of those eventually allowed into Australia have never recovered psychologically. Moreover, they were issued only with a Temporary Protection Visa (TPV), barring them from bringing spouses and family members to Australia and exposing them to the continuing risk of being sent back to their country of origin.

Amid mounting public revulsion at Howard's inhuman regime, upon Labor's election in 2007, it was compelled to close the Nauru and Manus Island camps and abolish the TPVs. In recent weeks, however, the Gillard government has begun to reinstate all the essential tenets of this system. Last month, Immigration Minister Bowen announced that refugees convicted of any offence, no matter how minor, while in detention would be subject to deportation or the issuing of a temporary visa.

This week, in addition to preparing to send asylum seekers to a life of misery in Malaysia, the Gillard government announced negotiations with PNG to recommission the Manus Island facility.

Throughout its empty posturing against the "Pacific Solution," Labor emphasised that Nauru had not signed the 1951 Refugee Convention. Now the Gillard government is negotiating a deal with Malaysia, which is not a signatory to the Convention either, and therefore has no legal obligation not to *refouler* (forcibly return) refugees to their country of origin, regardless of the threat to their safety.

Gillard's announcement came barely a week after East Timorese President Jose Ramos-Horta dealt the apparently final blow to Labor's hopes for an equally punitive "regional refugee processing centre" in Timor. Since coming to power in a backroom coup last June, Gillard had held out the prospect of building such a detention centre as the cornerstone of Labor's strategy to stop the arrival of refugee boats.

Under conditions of an ongoing global economic crisis that is affecting wide sectors of the Australian economy, Gillard's anti-refugee measures are an attempt to divert rising social and political discontent with her government by scapegoating asylum seekers.

The Malaysian deal was announced just three days before this week's federal budget, the central focus of

which is a series of measures to slash welfare benefits and force unemployed workers, sole parents and disabled workers into low-paid work.

Alongside the budget's cuts to welfare and other social spending, the Labor government allocated more than \$1 billion for detention centres in 2011-12—an increase of \$819 million—and an additional \$3.3 billion for anti-refugee "border protection" measures, including \$292 million for the Malaysian plan, as well as increased naval and aerial surveillance.

Labor's measures are in line with those being taken by governments across Europe, and the Obama administration in the US, to shut their borders to destitute people fleeing persecution and war.

All sections of the Labor Party are unanimous in their support for this agenda, despite media speculation that there were reservations in the so-called left faction about the Malaysian plan. After being briefed by the government, prominent "left" Senator Doug Cameron told the *Australian* that he considered the Malaysian plan an "innovative" solution to the problem of immigration.

The entire political establishment is complicit in this offensive. The Gillard government is seeking to outdo the Liberal-National Opposition, whose leader Tony Abbott has demanded a full return to the "Pacific Solution" in order to "stop the boats."

While the Greens nominally oppose the plan, they have made abundantly clear that they will not withdraw their support for the minority Gillard government, despite the party's leader Bob Brown stating that the two major parties were "recreating the Howard solution effectively."

Despite their expressions of concern for asylum seekers, the Greens are only proposing a more "humane" form of the same reactionary border protection policy that bars refugees from freely entering Australia.



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