

Australian government denies basic rights to refugees

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The ugly face of the Gillard government's new refugee regime was on display this week on Christmas Island. Customs and police officers were armed with pistols to offload a boatload of asylum seekers being transported to the remote island, where they will be imprisoned until they can be removed to another country.

In a flagrant breach of international law, the Labor government is insisting that Australian authorities will not process the refugee applications of the new arrivals and that they will be deported to countries such as Malaysia and Papua New Guinea.

Clearly, the show of force—at least one officer was dressed in a military-style camouflage uniform—was intended to intimidate the 55 arrivals, mainly from Iran, and deter any protests or outcry once they were told their fate.

Already this week, more than 100 asylum seekers, who arrived on three boats, have been detained on Christmas Island, where they will be held indefinitely until they are removed. The second boat carried 32, from Afghanistan and Pakistan, and the third had 20 passengers, whose origins have not yet been announced.

Prime Minister Julia Gillard has specifically refused to rule out deporting sick, pregnant and infant refugees. In the meantime, they will be kept in Christmas Island's Bravo compound, previously used to hold only adult men because of its harsh conditions. The compound consists of demountable buildings surrounded by two rows of high fencing.

In preparation for unrest among the detainees, the government has beefed up its police force on the island. The day the new refugee rules were announced, an extra 27 Australian Federal Police (AFP) officers were flown in, bringing the total to 108. In March, AFP officers violently suppressed a riot at Christmas Island's main facility, using tear gas, "flash bang" stun grenades and potentially lethal bean bag bullets.

A Memorandum of Understanding signed with Malaysian Prime Minister Najib Razak on May 8, once finalised, allow Australia to deport 800 asylum seekers to Malaysia, a country that is notorious for its abuses of human rights, particularly those of refugees. (See: "Australian government plans to deport refugees to Malaysia")

The Labor government claims to have assurances that Malaysia will treat the refugees humanely, but Eric Paulsen from Malaysia's Lawyers for Liberty group told the *West Australian*: "All of a sudden, without any changes to Malaysian immigration laws and policies, will asylum-seekers suddenly become immune to their day-to-day reality of arbitrary arrest, detention, harassment, extortion, jailing and whipping? We doubt that very much."

Labor's aim is to deter asylum seekers from exercising their basic democratic and legal right, recognised by the international Refugee Convention, to seek protection from persecution. Gillard has declared: "The message... is don't come to Australia expecting to be processed because you won't be. You will be held pending removal."

Labor's policy goes beyond that of the previous

Howard government, infamously known as the “Pacific Solution.” Refugees were detained for up to five years on Papua New Guinea’s Manus Island and the South Pacific island of Nauru. Their claims for asylum were, however, eventually assessed. Nearly all were found to be genuine refugees and many ended up being admitted into Australia. Gillard’s regime consists of trying to bar refugees permanently by consigning them to languish in other Asia-Pacific countries, potentially for decades.

Gillard has personally identified herself with this anti-democratic policy. A global PR campaign featuring a short video titled, “No to people smuggling,” has been uploaded onto YouTube. It includes Gillard’s personal threat: “If you spend your money, you get on a boat, you risk your life, you don’t get to stay, you go to Malaysia, and you go to the back of the queue.” The message has been translated into Tamil, Arabic, Dari, Farsi, Pashto and Sinhalese.

While this policy is depicted as disrupting “people smuggling,” it initiates a new kind of refugee trafficking—between governments.

Discussions are also underway with Papua New Guinea to recommission the Manus Island detention centre, which is expected to hold between 400 and 600 people, and with Thailand, whose foreign minister, Kasi Piromya, has expressed interest in the Malaysian “template.” Under that “template,” Australia will accept 1,000 refugees a year from Malaysia, in return for the 800 to be dumped there.

Neither Thailand nor Malaysia are signatories to the Refugee Convention, so there is no legal barrier to their governments expelling refugees back to their countries of origin, regardless of the threat to their lives. In both countries, refugees and other so-called “illegal immigrants” provide a source of highly exploited labour because they cannot work legally or access public health care and education.

In Thailand, a string of nine detention centres along the border with Burma holds over 100,000 mainly Burmese refugees, some of whom have been held for more than 26 years.

The Gillard government has sought to cast its talks with Malaysia, Papua New Guinea and Thailand as part of a Regional Cooperation Framework, even though the Fourth Bali Summit on people smuggling and transnational crime failed to reach agreement on any definite proposals in March.

Instead, a non-binding agreement between the 43 Asia-Pacific states present—as well as the United Nations High Commission for Refugees and the International Organisation of Migration—promoted the vague idea of a “regionally consistent” system of processing refugees. This included a possible regional processing centre, which would undoubtedly become a holding pen for asylum seekers, but no government has agreed to host such a detention camp.

Labor’s program has become a web of sordid deals between governments, each seeking to demonise and unload asylum seekers in order to further their own domestic political agendas. In this human trafficking operation, the basic democratic rights of thousands of refugees are being flagrantly violated as they are condemned to months and years of detention.



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