

Australian PM dismisses refugee hunger strike over ASIO bans

Mark Church
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Prime Minister Julia Gillard yesterday vehemently backed bans imposed by the Australian Security Intelligence Organisation (ASIO), the domestic spy agency, on 55 refugees held in indefinite detention. She flatly dismissed a 10-day-old hunger strike by 28 of the detainees, declaring full confidence in ASIO's branding of them as threats to "national security."

The Sri Lankan, Burmese Rohingya and Iranian detainees, some of whom have been incarcerated for four years, began their fast inside Melbourne's Broadmeadows immigration detention centre last week. Under the Labor government's regime, they have been refused protection visas, despite being officially classified as refugees, because of adverse assessments by ASIO. They have also been denied the right to know, let alone challenge, why they have been blackbanned.

As a result, they have been thrown into a legal back hole, barred from living in Australia and imprisoned but unable to be deported because they would face persecution.

Those taking part in the hunger strike include 25 Tamils who fled the Sri Lankan government's ongoing military occupation of the island's north, two Rohingyas who were treated as illegal immigrants in Burma and an Iranian. They have erected a banner with slogans such as "real refugees need real life."

Growing weaker and ill, four have been hospitalised since they began their fast. One refugee told the media: "If they can't [release us] ... kill us on mercy basis because we can't handle this life anymore." In the past, other refugees banned by ASIO have attempted to commit suicide.

Ten days ago, some of the refugees received partially blacked-out letters from ASIO, supposedly disclosing the reasons for their imprisonment. The letters provided

no evidence for the vague allegations against them. One Sri Lankan man was assessed as being "strongly ideologically supportive" of separatist Liberation Tigers of Tamil Eelam. His letter simply asserted that ASIO believed he was "likely to engage in acts prejudicial to Australia's security" if granted a visa.

These assessments are deliberately lacking in detail so as to make them virtually impossible to challenge in court. ASIO and the government rely on a classic "Catch-22": the detainees cannot be told why they are regarded as "security" threats, because any disclosure of the sources and information being used against them would threaten "security."

Gillard rejected concerns that the ASIO bans were based on information from the Sri Lankan government, which has a notorious record of branding all Tamils as "Tiger" or "terrorist" suspects. Gillard insisted that ASIO officers were "not naive, they're analysts, they use the best intelligence they can to give us the best advice they can."

It is almost certain that ASIO's allegations derive from the Sri Lankan government—the very regime the refugees are fleeing. The Labor government, which supported the Colombo government as it militarily crushed the Tamil Tigers in 2008-09, has been strengthening its intelligence, police and military ties with the Sri Lanka authorities (see: "Australia boosts links with Sri Lankan regime").

Earlier, Immigration Minister Brendan O'Connor had contemptuously brushed aside the hunger strike, declaring that "the government will never make any policy changes based around any particular withdrawal of eating or other forms of conduct."

There is bipartisan support in the political establishment for abrogating the basic legal and democratic rights of these detainees. Opposition

shadow attorney-general George Brandis said the hunger strikers had “no one to blame but themselves” because they had come to Australia “unlawfully,” and he saw no need for any review of ASIO decisions.

Along with the redacted letters sent by ASIO, the hunger strike followed a visit to the detainees by former Federal Court judge Margaret Stone. She was appointed by the government last October to review their cases, in a bid to provide a figleaf of legitimacy to the ASIO bans. Stone informed the asylum seekers that her recommendations could be meaningless because the final decision on their plight still rested with ASIO, O’Connor and Attorney-General Mark Dreyfus.

One refugee told the Fairfax Media: “She [Stone] has been appointed by the attorney-general but the decision that she makes has no legal standing and we feel that the government is trying to deceive us by having this independent reviewer. They want to keep us in detention for a long time and are using [this process] to buy some time.”

When the government appointed Stone last October, the Greens hailed the move as a significant reform. Senator Sarah-Hanson Young said she was “relieved that the government has accepted our recommendation of an independent review.” This charade has now been exposed. While posturing as critics of the government’s treatment of refugees, the Greens have kept the government in power over the past three years and supported the entire framework of so-called border protection.

It is not a crime to seek asylum, it is a basic legal and democratic right. There is a right under international law to flee persecution and apply for refuge without being punished or discriminated against. Yet, since the introduction of mandatory detention by the previous Labor government in 1992, tens of thousands of refugees have been imprisoned, often for years. Since 2010, the Gillard government has extended this regime by establishing crude detention camps on two remote Pacific islands—Nauru and Manus—where hunger strikes and protests have also broken out.

The authoritarian powers granted to ASIO also set a dangerous political precedent for anyone, not just refugees, to be persecuted as a “security threat” without the fundamental right to see and challenge the allegations. Already, similar powers have been used since 2001 to deport political activists and secretly

interrogate people accused of terrorist sympathies.



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