

Australian government instigates moves to quash PNG judge's refugee inquiry

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Showing its utter contempt for core legal and democratic rights, the Australian government last week prevailed on the Papua New Guinea administration to terminate a judicial inquiry into the deaths, injuries, inhuman conditions and other abuses inside the Australian-controlled refugee detention camp on PNG's remote Manus Island.

In an extraordinary admission, PNG Foreign Affairs and Immigration Minister Rimbink Pato revealed last weekend that his government decided to shut down the investigation as a result of discussions with visiting Australian Prime Minister Tony Abbott and his immigration and foreign ministers. "It's a joint effort," Pato said. "We're the best judges in terms of what's happening on the ground, but we're in concert because this is a partnership. We're together."

PNG National Court Justice David Cannings initiated the inquiry in response to last month's vicious suppression of protests by Manus Island detainees that resulted in the death by bashing of 23-year-old Iranian Kurd, Reza Berati and serious injuries to dozens of other asylum seekers.

Cannings was investigating whether the conditions on Manus Island complied with the minimal human rights standards of the PNG constitution.

The "joint effort" to block his inquiry underscores the readiness of the Australian ruling elite to overturn fundamental legal rights and constitutional norms, both in PNG and within Australia. It also demonstrates Canberra's determination to cover up its role in sanctioning the brutal force used on the night of February 17–18 against the defenceless refugees, who were demonstrating against their indefinite detention on Manus Island.

Abbott, who was on a three-day official visit to the former Australian colony, denied any discussion with

PNG Prime Minister Peter O'Neill "about the inquiry by the judge" but clearly backed the decision to quash it. "All of our policies," he declared, were "designed to stop the [refugee] boats and they are working."

Abbott's chilling comments confirmed the political calculations behind the violence inflicted on the refugees—to deter all asylum seekers from trying to reach Australia. This is in direct violation of the international Refugee Convention, which recognises a right to flee persecution.

Cynically, Australian Immigration Minister Scott Morrison, who accompanied Abbott, said the shutting down of the inquiry was a "matter for the PNG government," but commented: "Minister Pato has kept me informed of the Papua New Guinea government's response to Cannings and other related inquiries."

O'Neill applied to the PNG Supreme Court to quash Justice Cannings' inquiry just hours after the judge allowed a small delegation of observers, including a handful of journalists, to visit the Manus Island camp for the first time.

Journalists were visibly shocked. They spoke of broken glass, overcrowded makeshift dormitories riddled with bullet holes and filthy toilets, as well as dysfunctional showers, worm-infested food and broken electric fans amid sweltering heat. They commented on the detainees' obvious fear of the local security guards.

"It was probably one of the more confronting things I've seen in my career as a journalist," reported Liam Fox for the Australian ABC. "People were telling us to come and inspect this dormitory or that dormitory, where they say there were many bullet holes in the wall." Fox was surrounded by detainees in the "Mike Compound" where Reza Berati was killed. "He was, they say, bashed and fell off the stairwell and then was bashed on the ground where he fell."

On February 17–18, a rampage by Australian-funded PNG police mobile squad officers, firing live rounds, was accompanied by local security guards and thugs armed with machetes pillaging the camp and attacking detainees. The purpose was to instil terror in the desperate asylum seekers and demonstrate the ruthlessness with which the reactionary detention regime would be enforced.

The detainees' protest was provoked by the Australian and PNG authorities to provide the pretext for just such a savage response. After earlier bolstering the security detail at the camp, authorities organised a mass meeting of the 1,300 detainees to inform them that they would never be permitted to settle in Australia or a third country. With the PNG government refusing to guarantee resettlement, this left the prospect of permanent incarceration in the Manus camp, or a return to the country from which they were fleeing.

At last Friday's joint press conference, O'Neill confirmed this situation. He said it was unclear how many refugees would be resettled in PNG. "A good majority" of the asylum seekers were "not genuine refugees," he insisted. Abbott promptly agreed with this unsubstantiated assertion and added that Australia would assist PNG to "swiftly repatriate" them.

Justice Cunnings launched another inquiry after O'Neill obtained an order to quash the first on the dubious grounds that the judge had shown "apprehended bias." O'Neill is now moving to block the second inquiry, arguing that the lawyers and doctors involved are not registered in the country. Cunnings granted Australian lawyer Jay Williams one week's access to the detention centre to interview detainees, but Williams was ejected from the camp yesterday by security personnel.

Australia's media and political establishment backed shutting down the inquiries. In a March 24 editorial, the *Australian* expressed appreciation for O'Neill "staying the course" and not being "dissuaded" from implementing the arrangements that "contributed greatly to the success of Operation Sovereign Borders"—the military operation to repel refugee boats and dump their passengers back in Indonesian waters via flimsy lifeboat capsules.

Asked on ABC television's "Insiders" program last Sunday whether the inquiry should go ahead, former Labor minister Penny Wong echoed the Abbott

government in saying it was a "matter for PNG." Likewise, the Greens refused to condemn the shutdown. Greens senator Sarah Hanson-Young merely said the decision to quash the inquiry "smells fishy."

Labor and the Greens bear full responsibility for the abuses at Manus Island and the entire regime of "border protection" and incarceration of refugees. The previous Greens-backed Labor government reopened the Manus Island facility in 2012, as part of range of measures designed to punish asylum seekers and prevent any from entering Australia.



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