

Australian government launches vicious attack on human rights commissioner

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The Australian government of Prime Minister Tony Abbott responded to last week's release of a Human Rights Commission (HRC) report exposing the appalling conditions facing child refugees in detention by launching a vicious political attack on the commission and its chairwoman, Gillian Triggs.

The HRC report, "The Forgotten Children: National Inquiry into Children in Immigration Detention," is based on interviews with hundreds of refugee children incarcerated in the detention camps run by the Australian government on Christmas Island and Nauru. It provides damning evidence of the catastrophic impact of the illegal detention policies of successive Coalition and Labor governments.

The report concluded that "the laws, policies and practices of Labor and Coalition Governments are in serious breach of the rights guaranteed by the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights." It called for a Royal Commission into the detention of child refugees.

Speaking in parliament on February 12, the day after tabling the report, Abbott declared that "it would be a lot easier to respect the Human Rights Commission if it did not engage in what are transparent stitch-ups like the one released the other day." He explicitly rejected the call for a Royal Commission. In an interview with 3AW Radio host Neil Mitchell, Abbott declared that the HRC should be "ashamed of itself."

While refusing to respond to a single issue raised by the report, Abbott claimed that the HRC's decision to conduct the inquiry, months after Labor lost the 2013 federal election, was determined by partisan political aims of attacking the Coalition. As Triggs herself noted, however, the data collected in the report covers children detained for over a year—spanning both

governments.

Abbott's attack let loose an extraordinary and vindictive witch-hunt against the commission and against Triggs herself by other government ministers and the Murdoch media. Coalition MP George Christensen declared that Triggs "has effectively sidelined herself and the HRC from having any credibility with the Abbott government... she needs to tender her resignation." Liberal backbencher Andrew Nicol also called on Triggs to resign, saying her position was "untenable."

Right-wing Murdoch shock-jock commentator Andrew Bolt claimed Triggs had "betrayed" refugees and that "the best she could now do for them is resign as president of the taxpayer-funded Australian Human Rights Commission and hand over to someone not so obviously an activist." Murdoch's *Daily Telegraph* tabloid launched a personal smear-campaign with an article containing lurid allegations about Triggs' treatment of her severely disabled daughter.

A February 13 article in the *Age* newspaper revealed that the Abbott government had spent the previous months doing everything it could to suppress the report. After receiving the HRC report last November, the Abbott government delayed tabling it in parliament until the very last day required by law. Over this time, the government placed immense pressure on Triggs to resign. According to the *Age*, an official acting on behalf of Attorney-General George Brandis orally requested to Triggs to resign, without providing any reason, and suggested that "some other position" would be made available if she did so.

This witch-hunt is a crude attempt to silence Triggs and any opposition to the government's anti-refugee policies more broadly. In the wake of these events, Australian Bar Association president Fiona McLeod SC

and Law Council of Australia president Duncan McConnell published a joint statement declaring the campaign against Triggs and the HRC as “unprecedented” and “alarming.” It stated that “personal criticism directed at her or at any judicial or quasi-judicial officer fulfilling the duties of public office as required by law is an attack upon the independence and integrity of the Commission and undermines confidence in our system of justice and human rights protection.”

The extraordinary campaign against Triggs is aimed at deflecting attention from the findings of the HRC report, which included:

* At the time of the report’s completion, there were 584 children detained in onshore centres, another 179 on Nauru and 304 on Christmas Island. Of these, 56 were unaccompanied by any guardian. 204 were aged 2–4, 336 were primary-school age, and another 153 were infants. From January 2013 to March 2014, 128 children were born in detention. The average detention time for both children and adults was over a year.

* From January 2013 to March 2014, 128 children committed desperate acts of self-harm. Another 171 children threatened to do so. The age of the children involved ranged between 12 and 17 years. In total, 105 children were assessed by the government’s own psychological team as being of “high imminent risk” or “moderate risk” of suicide or self-harm and required ongoing monitoring. Some 34 percent of the detained children were defined as having mental illness.

* The living arrangements for many families consists of a single 3 x 2.5 metre shipping container “room,” to which the children are confined for most or all of the day. Asked to give three words to describe their detention, 58 percent of the children used the words “sad, unhappy, depressing, mentally affecting, crazy making,” another 20 percent said “Nothing to do/boring/watching time/frustrating/no school,” and 20 percent used the word “hopeless.”

* In response to the question of why they felt unsafe in detention, 31 percent referred to fighting among refugees, another 24 percent referred to desperate protests involving self-harm by detainees, and another 28 percent said they or other people around them were mentally unwell.

The government’s response to the report’s conclusion that it was in breach of international

conventions highlights the utter hypocrisy of Canberra’s “human rights” diplomacy. Australian governments, Labor and Coalition, have repeatedly supported the US in its use of bogus “human rights” pretexts to mount diplomatic provocations and military interventions. These include the 2011 war on Libya, the ongoing regime-change operation in Syria, and the new US-led war in the Middle East.

Yet, when the official human rights watch-dog in Australia demonstrates that governments, past and present, are brazenly flouting basic democratic rights and international law, a political campaign is waged to denigrate its chairperson. If a similar sequence of events occurred in a country that had come into the cross-hairs of US and Australian imperialism, it would be cited the pretext for regime change.

The Labor opposition’s response is no less cynical. Immigration spokesman Richard Marles said the attack on her was “outrageous” and a case of “shooting the messenger.” Yet Labor is just as responsible for the heinous treatment of refugees, which is also documented in the HRC report. The previous Gillard Labor government reopened the Pacific Island gulags on Manus Island and Nauru, and declared that asylum seekers would never reach Australia. Indefinite detention in these hell-holes is being used to discourage other refugees from exercising their basic democratic right to claim asylum in Australia.

While the HCR report refers only to the detention of children and families, the mandatory detention of asylum seekers on Manus Island and Nauru violates international law. The horrors facing asylum seekers, both children and adults, are a direct consequence of these conscious bipartisan policies, which are being used to divert the immense social tensions within Australia into reactionary xenophobic channels.



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