

# Papua New Guinea trial obscures Australian responsibility for refugee's death

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The two local men accused of murdering Iranian Kurdish asylum seeker Reza Barati inside the Australian refugee detention camp on Papua New Guinea's Manus Island in February last year have secured a re-opening of their trial in order to allow more witnesses to testify.

Their legal move cuts across efforts to make them solely to blame for the killing and obscure the underlying responsibility of successive Australian governments for Barati's death.

Barati, just 23, suffered a severe brain injury during several days of rioting that erupted in the detention centre after the detainees were told they would never be allowed to enter Australia and could be forced to remain in Papua New Guinea (PNG) indefinitely.

The trial of two detention centre workers, Joshua Kaluvia and Louie Efi, finished on September 29, when the PNG national court heard closing submissions, and Justice Nicholas Kirriwom reserved his decision on the wilful murder charges faced by both men.

The PNG police investigator for the case told the court he had evidence implicating expatriate guards, an Australian and a New Zealander, in Barati's death, but was unable to secure their return to PNG for questioning.

Kaluvia and Efi subsequently sent a letter to the judge, arguing that their constitutional rights to a fair trial had been violated because their state-appointed solicitor called no witnesses, other than themselves, in their defence. Justice Kirriwom then reopened the trial to hear from more defence witnesses on November 30.

Despite only Kaluvia and Efi standing trial, all of the witness statements presented before the court said that more than 10 other people were involved in Barati's killing. This includes employees of the Salvation Army and G4S, the British-based security firm placed in

charge of the detention facility by the Australian government.

During three days of protests by detainees, from 16 to 18 February 2014, more than 60 people were injured, one man was shot by police, another lost an eye, another had his throat cut and Barati died, suffering a heart attack as a result of a catastrophic head injury.

Kaluvia is alleged to have hit Barati twice with a piece of wood spiked with nails, while Efi allegedly dropped a large rock on Barati's head as he lay bleeding at the top of a flight of stairs. The other witness statements gave a conflicting account of the murder.

One statement said: "I saw about a total of 13 G4S local officers and two expatriate officers kicked Reza Barati in his head with their boots. He was putting up his hands trying to block the blows from the boots."

In the Australian government's own review into the riots, released in May last year, a witness stated that Barati was assaulted by "more than 10 officers" and that he could "recognise all of them, it was including PNG locals, PNG guards and Australian expats [sic]."

The Australian and New Zealand governments, as well as G4S, have blocked the return of these expatriate workers to PNG to stand trial, despite objections by the PNG government and police. PNG Prime Minister Peter O'Neill has reportedly raised the issue with the Australian government, calling for "respect" for PNG law.

While the refusal to return the expats is designed to place the sole blame for Barati's killing on two local PNG employees, the underlying purpose is to cover up the responsibility of Australian governments for Barati's death.

The Manus Island camp was initially set up by the Liberal-National government of John Howard in 2001

as part of its “Pacific Solution” of incarcerating refugees on remote islands. The facility was reopened in 2012 by the minority Labor government of Julia Gillard, which was assured of a parliamentary majority by the Greens.

Under Labor’s regime, which has been continued by the Liberal-National governments of Tony Abbott and Malcolm Turnbull, those confined on Manus Island, and also the Pacific island of Nauru, face indefinite detention as a deliberate policy to deter all refugees from seeking asylum in Australia.

As the *World Socialist Web Site* explained last year, the February 2014 riot at Manus Island bore “all the hallmarks of a calculated provocation orchestrated by the Australian government in a bid to reinforce its regime of mandatory, indefinite detention of refugees in breach of fundamental democratic rights and international law.”

In February 2014, after security was first bolstered at the Manus Island camp, all 1,300 detainees were told they would never be permitted to settle in Australia. The PNG government then refused to guarantee settlement, leaving the detainees with the prospect of being imprisoned in the camp permanently or returning to the countries they fled.

When this announcement predictably triggered an angry protest, G4S quickly called in the Australian-funded PNG police mobile squad, a paramilitary unit, which stormed the camp, firing live rounds at the detainees. The unit was joined by local security guards and armed thugs carrying machetes, who ravaged the camp and attacked the asylum seekers.

The Australian government insisted that the violence was an appropriate response to the behaviour of the detainees. Prime Minister Abbott declared that “we will keep control of these centres and if people are in riotous assembly, they will be dealt with at all times fairly, but if necessary, firmly.”

Immigration and Border Protection Minister Scott Morrison, who is now treasurer in the Turnbull government, initially attempted to place Barati’s death outside the detention centre, claiming that police detained Barati while he tried to burn down the facility.

The Labor Party and the Greens convened a Senate committee inquiry into the riot that absolved the Australian government of responsibility for the violence. It called for greater “transparency” in the

continued imprisonment of refugees in concentration camp-like conditions, and improved training for security guards working at the Manus Island detention centre.

The duplicity of the Greens, who posture as defenders of refugee rights, was underscored by the fact that Greens Senator Penny Wright authored the report, while another Greens Senator, Sarah Hanson-Young, wrote a four-page addendum saying the Manus Island camp should be shut down, because “offshore processing is not sustainable.”

The Greens share responsibility for the violence against the refugees on Manus Island. Not only did they provide critical parliamentary support for the Gillard government as it re-launched the “Pacific Solution.” Above all, they agree with the reactionary premise of the bipartisan “border protection” policy—namely, that Australia’s military-police apparatus ought to prevent the entry of persecuted and oppressed people from around the world.

Since being installed in office last month, Prime Minister Turnbull has made it plain that this regime will continue. While professing “concerns” about the “situation of people on Manus and Nauru,” he declared on September 23: “It is absolutely clear that there will be no resettlement of people on Manus Island and Nauru in Australia. They will never come to Australia.”

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