

Australian government uses Nauru as a neo-colonial prison for immigration detainees

Mike Head**19 February 2025**

Prime Minister Anthony Albanese's Labor government announced last Sunday that it had struck a deal with the tiny remote Pacific country of Nauru, initially to take three immigration detainees.

They are among the 280 immigration detainees who had been released from indefinite detention by order of the High Court in a 2023 ruling known as NZYQ (the initials arbitrarily assigned to the refugee who won the case).

Despite acknowledging that another High Court challenge was likely, Immigration Minister Tony Burke said the three unnamed ex-detainees had already been re-incarcerated and would be sent to Nauru within seven days. He declared that this was just the start, with further forced deportations to follow.

This amounts to state human trafficking. It marks a new plunge by the Labor government, working in partnership with the Liberal-National Coalition, into a Trump-style program of mass deportations to hellhole conditions. This is combined with a flouting of legality and a resort to neo-colonial bullying of tiny impoverished states.

This is in line with draconian measures by governments globally, now spearheaded by the Trump administration, to demonise and deport people fleeing war, persecution and impoverishment—making them scapegoats for worsening domestic social conditions.

In return for an undisclosed sum of money, Nauru's government has “agreed” to grant 30-year visas to three victims of this policy. They will effectively be consigned to live under a supervised regime, potentially for life, supposedly with shared accommodation and working rights.

This is a precedent for the activation of legislation jointly pushed through parliament by Labor and the Coalition late last year to thwart the High Court's NZYQ ruling by bribing third countries to take detainees.

Ludicrously, Burke insisted that Nauru had voluntarily offered to accept the three ex-detainees. Queried on the Australian Broadcasting Corporation's (ABC) “7.30” TV program, Burke stated: “They are a sovereign nation. They made a decision that they believed that an arrangement of

this sort, there was a way of it being in their national interest. And I respect that.”

Such a contemptuous response flies in the face of the history of Australian colonial domination, both past and present, over the small island of just 21 square kilometres and fewer than 13,000 people.

Nauru, once a German colony, was occupied by Australia, Britain and New Zealand after World War I. The island was ruthlessly stripped of most of its valuable phosphate resources before being granted nominal independence in 1968.

From 2001, Nauru was the location for an Australian-financed offshore detention centre for refugees who had attempted to seek asylum in Australia. Empty for several years, the Nauru facility was reopened by the Albanese government in 2023 and is again housing asylum seekers in primitive conditions.

Just two months ago, in return for a pittance in aid, the Albanese government imposed a pact on Nauru that gives Australian governments veto powers over Nauru's diplomatic and foreign policy, and will dominate its financial and communication infrastructure.

Similar “agreements” with Australia were inflicted last year on two other former colonies, Papua New Guinea and the tiny island state of Tuvalu, all on the condition that they line up unequivocally with the US-led and Canberra-enforced confrontation with China.

In its NZYQ verdict, the High Court partially overturned a two-decade regime of indefinite asylum-seeker and non-citizen detention that the court had previously sanctioned. The judges in NZYQ decided that immigration detention was constitutionally unlawful where there was “no real prospect” of deporting a person “in the reasonably foreseeable future.”

The government has moved to thwart that ruling by forcibly deporting people to other countries like Nauru, regardless of whether those states are signatories of the international refugee convention, which prohibits removal back to countries that refugees had fled, fearing death or

persecution.

Burke complained to the media that the government's previous move to re-imprison the detainees by introducing "preventative detention" laws had failed. It had proven to have a test for imprisonment that was too "high" to permit "preventive detention on a huge scale," for which he would have "jumped at every single opportunity."

The government also tried to nullify the NZYQ ruling by joining the Coalition to rush through parliament laws to impose ankle bracelets, curfews and other police-state restrictions on released detainees. But the High Court then ruled that these were another form of unlawful indefinite punishment.

These laws have been accompanied by bipartisan and media scaremongering, demonising the detainees as "serious criminals," murderers and rapists. Many are traumatised refugees, and all have completed any prison sentences they received for earlier convictions. If they were citizens, they would not be incarcerated.

Lawyers have said they will launch urgent legal challenges to the Nauru deportations. Asylum Seeker Resource Centre deputy chief executive Jana Favero told the *Australian*: "To send people to Nauru is a life sentence and we are considering all options, including legal challenges, and will continue to fight for people's rights."

Such deportations could also terminate cases in which some ex-detainees are seeking to have the cancellation of their Australian visas overturned through the Administrative Review Tribunal.

At the same time, there are growing concerns about the appalling and punitive conditions inflicted on people held in the Nauru detention camp since Albanese's government reopened it. One detainee told the ABC's Radio National on Tuesday they were suffering from food shortages and soaring living costs.

Heidi Abdel-Raouf, the Asylum Seeker Resource Centre's Detention Casework Policy Lead, told the program the accommodation was substandard and cockroach-infested, with some people lacking fridges and washing machines. They were losing weight and faced inadequate healthcare, with 65 percent suffering physical health conditions and many experiencing mental ill-health.

Labor's resumption of the inhuman "Pacific Solution" of detention on remote islands imposed by Coalition and Labor governments from 2001, is being accompanied by forced and dangerous refugee boat "turnbacks" by naval or Australian Border Force vessels, conducted behind a wall of military secrecy.

At the end of last year, despite popular opposition, Labor and the Coalition joined hands to go far further, passing three threatening anti-immigrant bills. One was a potential

mass deportation bill. Immigration officials admitted that more than 80,000 people on bridging or temporary visas could be expelled from the country under its provisions.

The second bill ordered migrants being expelled from the country to "cooperate in efforts to ensure their prompt and lawful removal," or they could be imprisoned repeatedly for up to five years. The third bill provided the government with the power to confiscate mobile phones from detainees, to prevent them from communicating with the outside world.

After the Nauru announcement, Greens Senator David Shoebridge said Labor was pandering to the Coalition and its leader Peter Dutton by choosing a "divisive and dehumanising path."

The Greens are appealing for a de facto coalition to prop up the Labor government after the imminent federal election, which is expected to result in an unstable minority government and a deep crisis of capitalist rule.

"This posturing by Labor doesn't build their brand, all it does is legitimise Dutton's brutal rhetoric on migration and citizenship," Shoebridge said.

In reality, the Labor Party's role is not an aberration. It was founded on the racist White Australia policy of excluding non-European migrants. In recent decades, Labor has spearheaded attacks on asylum, including the introduction of mandatory detention for refugees in the 1990s, and the reopening of offshore detention camps in 2012.

Since the 1990s, both Labor and Coalition governments have set precedents for other Western governments to shut their doors, block boats, detain asylum seekers and either return them or transport them to grim locations.

Now "foreigners," including international students, are being blamed for the deteriorating social conditions produced by capitalism's economic and cost-of-living crisis and the channelling of billions of dollars into military spending amid the US-backed Gaza genocide and the preparations for a war against China.

This is a vicious nationalist drive to divide working people, domestically and globally. To defeat it means fighting for the international unity of working people in the common struggle against capitalism and for socialism.



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