

Australian government to reopen PNG refugee detention centre

By Will Morrow
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The Australian government announced an informal agreement last week with Papua New Guinean Prime Minister Peter O'Neill to reopen the notorious Manus Island refugee detention centre. The centre would be a holding pen for asylum seekers aimed at deterring other refugees from travelling by boat to Australia. The announcement comes amid mounting legal obstacles to Labor's plans to deport 800 asylum seekers to Malaysia as another harsh deterrent.

Few details have been released. Immigration Minister Chris Bowen stressed that the centre would take "several weeks" to be reopened, and that only an informal agreement had been reached. Already though, Bowen has insisted that Australian authorities will operate the facilities, with no role for the United Nations High Commissioner for Refugees.

Australian Prime Minister Julia Gillard has been pressing for the centre to be reopened for months, but the plan was put on hold due to the illness of former PNG prime minister Michael Somare, who finally stepped down last month. O'Neill was installed as prime minister at the beginning of August, following protracted factional infighting in the government. The day after his installation, O'Neill was phoned by Gillard, and immediately made clear his support for reopening the Manus Island centre.

Pointing to the factors at play in his decision, O'Neill used his first speech as PM to stress "closer ties" with Australia. At the same time, the PNG government made clear it expects substantial financial contributions from the Australian government, on top of Australia's existing aid for its former colony. The Manus Island provincial governor has drawn up a list of 28 infrastructure projects that he wants to negotiate with Australian officials as the price for reopening the detention centre.

Manus Island is located near the equator, some 400 kilometres north of the PNG mainland. The detention centre was used by the former Coalition government of Prime Minister John Howard until 2004, and became infamous for its appalling conditions. A number of asylum seekers attempted suicide in a desperate attempt to draw attention to their plight. In 2002, the Royal Australasian College of Physicians called public attention to the presence of a drug-resistant strain of malaria that had been diagnosed in 15 detainees. The doctor in charge of the island's hospital, Otto Numan, told the *Australian* today that malaria remained "a day-to-day" problem, with 10,525 cases diagnosed in 2009 alone.

Along with a similar centre in Nauru, Manus Island formed part of the Howard government's "Pacific Solution" in which refugees languished for years. Amid rising public opposition, Labor, while maintaining the anti-democratic regime of mandatory detention, pledged at the 2007 election to overturn the Pacific policy and establish a 90-day limit for the processing of asylum seekers.

The so-called "Malaysian Solution" announced by Gillard in May outstrips the punitive policies of the Liberal-led opposition. Defending the decision to reopen Manus, Immigration Minister Chris Bowen attacked the current Liberal policy of reopening the Nauru detention centre by saying it was not effective enough in deterring refugees. "Papua New Guinea would be a useful complement to what we're doing in Malaysia," he said. With Nauru, "you still have people coming to Australia ... and then resettled in Australia."

Under the Malaysian agreement, 800 asylum seekers will be removed to the south-east Asian country, which in turn will resettle 4,000 refugees in Australia. The 800 will join some 90,000 other refugees in Malaysia,

without access to public education or healthcare and threatened with exploitation as a source of cheap labour.

Since finalising the deal with Malaysia, 265 refugees, including around 50 children and teenagers, have arrived at Christmas Island, an offshore detention centre north-west of Australia. They are being held there until arrangements are made to deport them. The Gillard government has repeatedly stressed that unaccompanied minors, women and the sick would not be exempted from deportation to Malaysia.

The Labor government planned to move ahead with the deportation of the first batch of refugees two weeks ago, but was prevented from doing so by a High Court injunction. The full bench of the High Court will begin to hear a legal challenge to the government's plan on August 22.

Under the Migration Act, the immigration minister has the right to decide which countries are suitable as alternate places of detention. The Refugee Immigration Legal Centre, representing 36 adult refugees and 6 unaccompanied minors slated for deportation, is disputing Bowen's interpretation of the section, which includes as criteria whether a country complies with "relevant international law concerning ... protection" and has "relevant human rights standards".

Malaysia is not a signatory to the international Refugee Convention, which means there is no legal obstacle to forcibly returning refugees to the country where they faced persecution. Malaysia is also notorious for its abuse of the basic democratic rights of immigrants.

On Monday, lawyers for the refugees signalled they might call the immigration minister to testify at the hearing. Last weekend, he issued an affidavit defending his decision, stating that his department "reassured [him] that Malaysia did provide basic support and protection to asylum seekers".

Bowen's statement, however, is contradicted by a Department of Foreign Affairs and Trade (DFAT) submission to the minister on May 3, just four days before he announced the "Malaysian solution". It raised serious questions about Malaysia's abuse of democratic rights, pointing to the use of "detention without trial" and the "death penalty and caning as forms of judicial punishment". It cited Amnesty International reports, which found that 29,759

foreigners were caned between 2005 and 2010 in Malaysia.

The Labor government has already made clear that it has no intention of reversing its plan. Like Howard, Gillard is deliberately whipping up anti-refugee sentiment to divert attention from the social crisis being worsened by its austerity measures at home. Its persecution of asylum seekers is, however, generating public opposition. A recent Herald-Nielson poll showed that only 28 percent of respondents supported sending asylum seekers to another country.

The Greens, which are in a de facto coalition with the Labor government, have stepped in to deflect opposition to its asylum seeker policy. In partnership with the conservative Liberal-National opposition, the Greens have established two Senate inquiries into the "Malaysian solution" and into the immigration detention system. Like previous Senate inquiries, the latest will do nothing to alter government policy while allowing the Greens to posture as humanitarian defenders of refugees.

By joining hands with the Liberals, the Greens are providing them with a platform for their anti-refugee policies. Asked if he thought the mandatory detention of refugees was wrong, opposition spokesman Scott Morrison bluntly replied: "It's Liberal policy." The only difference between Liberal and Labor is over who is more effective in keeping refugees out of Australia, and where to incarcerate "boat people". As for the Greens, the party objects to the worst aspects of mandatory detention, but has no fundamental opposition to Labor's "border protection" regime and continues to support the Gillard government in parliament.

All of these parties are opposed to what should be the basic democratic right of all working people—to live and work with full citizenship rights in Australia or any other country in the world.

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