

Human Rights Watch underscores Australia's abuses of refugees

By Max Newman
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In its annual report on world human rights abuses, the US-based Human Rights Watch (HRW) last month highlighted the inhumane conditions and denial of basic democratic rights facing asylum seekers at the hands of the Australian government.

The HRW's *World Report 2016*, surveying over 90 countries around the globe, paid particular attention to the abuses in Europe. There, refugees face barbed wire fences, attacks by border guards and police and being herded into camps, accompanied by a wider "roll back of human rights protections," stepped-up mass surveillance and curtailment of free speech.

But, as the HRW report documents, these abuses are mirrored in Australia's "border protection" regime of denying entry to anyone seeking asylum via boat and of incarcerating refugees on Nauru or Papua New Guinea's Manus Island, where they suffer indefinite detention and further abuses.

Under this policy, implemented by the current Liberal-National government with the full support of the Labor Party, the Australian navy forcibly turns away refugee boats, and any asylum seekers who reach Australian waters are thrown into "offshore" detention camps on Nauru and Manus.

The report condemns the "heavy human toll" being taken by "the government's failure to respect international standards for asylum seekers and refugees." Australia "outsources its obligations to asylum seekers and refugees" to "poorer, less well-equipped, and unsafe countries such as Nauru and Papua New Guinea (PNG)."

The HRW adds: "Australia has also returned several boats carrying migrants and asylum seekers to Sri Lanka and Vietnam." The report further notes that in May Indonesia accused the Australian government of "paying more than \$US30,000 to people-smugglers to

turn a boat back to Indonesia."

The report states: "As of October 31, 2015, 929 asylum seekers and refugees were detained on Manus Island, PNG, while 621 were in a center on Nauru." It draws attention to the long detention times of those imprisoned in the camps. "Three years after Australia first started sending asylum seekers to PNG, not a single refugee had been resettled."

The HRW also points to the pressure being applied to detainees to return to the countries they fled, despite the likelihood of persecution or death. "In August, an asylum seeker detained on Manus Island for more than two years was persuaded and paid by Australian officials to return to Syria. He has said he was detained by intelligence officers upon arrival in Damascus, and in October, was injured by shelling."

The report cites an Australian Human Rights Commission (AHRC) investigation finding "that mandatory and prolonged detention had profoundly negative impacts on the mental and emotional health and development of children. More than 300 children committed or threatened self-harm in a 15-month period in Australian immigration detention, and 30 reported sexual assault."

Further, an immigration department review into the conditions in Nauru found: "Thirty-three asylum seekers allege they have been raped or sexually assaulted at the center." HRW also refers to an Australian Senate inquiry that concluded the conditions on Nauru were "not adequate, appropriate or safe."

These official reports actually whitewashed the responsibility of successive governments, Liberal-National and Labor alike, for the treatment of refugees, and called for limited "reforms" and "transparency" while supporting the underlying "border protection" framework.

Even these reports were treated with hostility by the government. HRW comments that after the release of the AHRC report in early 2015, “senior government officials made personal and unsubstantiated attacks on the credibility and integrity of the president of the AHRC, Professor Gillian Triggs, including calling for her resignation.”

The report also criticises the introduction of the Border Force Act last May, which made “it a crime punishable by two years’ imprisonment for anyone who works directly or indirectly for the Department of Immigration and Border Protection, including contractors such as doctors and aid workers, to disclose information obtained by them while doing that work.”

This Act, which received bipartisan support, sought to silence the continued revelations of the oppressive conditions facing asylum seekers, particularly by former employees who worked at the centres.

The HRW report also points to the expansion of the mandatory and indefinite detention regime beyond refugees to other “unlawful non-citizens,” including children. It notes the December 2014 Migration Act amendment to allow the Australian government to cancel the visas of “non-citizens” for “committing certain offenses or failing a ‘character test,’ which is affecting migrants, long-term Australian residents (including those from New Zealand), and refugees.”

According to the report: “New Zealand citizens bear the brunt of changes to Australia’s immigration laws and face detention and deportation,” provoking a New Zealand government minister to accuse Australia of a “concentration camp approach.” In fact, some 200 New Zealanders and others have been thrown into detention, many on Australia’s Christmas Island outpost in the Indian Ocean, and are threatened with deportation, even after living in Australia for most of their lives.

The HRW report outlines the broader ramping up of repressive powers during 2014 and 2015, particularly the “extensive and overly broad new counterterrorism laws.”

The report cites the Australian Security Intelligence Organisation (ASIO) Act amendments which “criminalize disclosure of information ‘that relates to a special intelligence operation’ punishable by 5 or 10 years’ imprisonment.” These measures have a “chilling effect on whistleblowers, human rights defenders, and journalists, and impede reporting that

fosters legitimate public debate and is in the public interest.”

The report also highlights the Australian Citizenship Amendment (Allegiance to Australia) Bill, which allows the government to strip citizenship from “dual citizens who act in a manner ‘contrary to their allegiance to Australia,’ including engaging in or supporting terrorist activities.”

Despite cataloguing such violations of basic democratic rights, the HRW report claims that “Australia has a solid record of protecting civil and political rights.” In an accompanying media release, HRW’s Asia director Brad Adams implored Australia to “seriously rethink its abusive refugee policies” and “take steps to restore its international standing as a rights-respecting country.”

In reality, the record of the Australian political establishment is no aberration. Like all its Western government counterparts, it is seizing on the reactionary and catastrophic consequences of the US-led predatory wars in the Middle East—which include the flight of millions of refugees and outbreaks of terrorism—to justify police-state measures to block asylum seekers and in the future suppress opposition to the underlying program of war and austerity.

The author also recommends:

Human Rights Watch report documents attack on democratic rights in US and Europe
[1 February 2016]

Australian High Court sanctions indefinite offshore detention of refugees
[4 February 2016]

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<http://www.wsws.org>