

Australia: Biloela residents continue protests against deportation of Tamil refugee family

By Max Newman
2 July 2018

The people of the rural Queensland town of Biloela, with a population of less than 6,000, have conducted months of protests demanding the Liberal-National Coalition government halt the deportation of a Sri Lankan Tamil asylum seeker family.

Residents have picketed courts in Melbourne numbers of times, travelling nearly 2,000 kilometres to demand the family's release. They have made direct appeals to Home Affairs Minister Peter Dutton to use his ministerial powers to grant asylum to this family, but the government has continued to try to deport them as quickly as possible, despite their legal appeal rights.

The Australian Border Force (ABF) seized the family of four—husband and wife Nadesalingam and Priya, two-year-old Kopiga and nine-month-old Dharuniga—from their home at 5 am on March 5, and they have been detained ever since.

Accompanied by police and government-contracted Serco guards, ABF officers ripped the children from their beds and gave the family only 10 minutes to pack before being forced into a plane and flown to a detention centre in Melbourne.

The raid was conducted just one day after Priya's bridging visa expired, despite the family being told an extension would be granted. Once imprisoned in Melbourne, the parents reported they were forced, under threat of being separated from their children, to sign documents that approved their "voluntary removal" back to Sri Lanka.

Priya and Nadesalingam arrived in Australia separately, in 2012 and 2013, after fleeing Sri Lanka's brutal 26-year-long civil war. Both are Tamil asylum seekers and, despite the military defeat of Tamil separatists in 2009, face harassment, imprisonment, torture and possibly death if returned. They married in Australia in 2014.

While languishing in the detention centre for nearly 120 days, they have fought for the right to asylum through an exhaustive legal battle, with the ever-present threat of deportation looming over them.

Last Monday, the Federal Court granted a last-minute injunction to prevent their deportation. The previous week, the ABF issued them with a deportation notice a day after the Federal Circuit Court rejected their appeal against deportation. The notice said they could be deported by June 26, despite the family's legal right to appeal the court's decision within 21 days.

Caroline Graydon, principal solicitor at the Asylum Seeker Resource Centre, said the ABF's actions were a clear attempt to "deny [the family] their legal rights ... to consider their options, get proper advice about whether they have grounds for an appeal, and to lodge their appeal." Graydon applied for an urgent hearing to seek the injunction.

Significantly, the residents of Biloela launched into action upon hearing of the ABF notice. Angela Fredericks, one of the residents leading the Biloela campaign, characterised the ABF's actions as "underhanded" and organised vigils and protests in Melbourne demanding the family be allowed to stay in Australia.

This is not the first time the ABF has subjected the family to such treatment. In March, they were about to be deported to Sri Lanka, via Perth airport, on the other side of Australia. After a last-minute legal intervention they were, literally, removed from the plane and returned to detention.

This callous treatment underscores the determination of Prime Minister Malcolm Turnbull's government to deport the family, in violation of their basic legal and democratic rights, in order to send a wider punitive message.

Such deportations are central to the “border protection” policy, enforced by Labor and Coalition governments alike. This regime denies the right to asylum to all refugees who try to reach Australia by boat, forcing them back to sea, forcibly deporting them or imprisoning them indefinitely.

The fight taken up by the town’s people has brought to light the disturbing details of this raid. Similar raids are carried out across the country, hidden from the public eye.

Immediately after the pre-dawn raid in March, Fredericks launched a change.org petition stating: “Our community is not ready to let this family go. They love living and contributing to our society. We want them here.” The petition now has over 102,000 signatures.

The government remains defiant. Dutton has not commented on the case, but a spokeswoman for his department said: “This family’s case has been comprehensively assessed ... they have consistently been found not to meet Australia’s protection obligations... Foreign nationals who do not hold a valid visa are expected to depart voluntarily to their country of citizenship. Those unwilling to depart voluntarily will be subject to detention and removal from Australia.”

This is a bipartisan policy. In 2012, the Greens-backed Gillard Labor government reached an agreement with Sri Lankan President Mahinda Rajapakse for the deportation of all Sri Lankan asylum seekers who flee to Australia by boat, initially sending back 700. The Coalition government has continued that practice under Rajapakse’s successor, Maithripala Sirisena.

Biloela residents have appeared on television programs demanding that the family be allowed to live and work in Australia.

Interviewed on Channel 10’s “The Project”, Fredericks cut straight across the argument that the inhumane refugee policies protect Australia’s “security.” She said the government claimed the policy “is to protect Australia, but you look at this family who have been here for six years, who are contributing, hardworking... kicking them out, who is that actually protecting?”

In late May, on the Australian Broadcasting Corporation’s “Q&A” program, two Biloela residents made passionate appeals for the family’s release.

Challenging the xenophobic rhetoric around asylum seekers Maria, one resident, said she knew there were “fears” that refugees are “draining our welfare system,” but “this family was working.”

“Others might say they are taking Australian jobs,” but “this man [Nadesalingam] was working in a small rural community, doing a job that not a lot of other people want to do ... they are valued and contributing members of our community.”

Another resident said being “taken with their children and placed in detention” was “just another form of passive torture that these people have to live with every day.”

The fight taken up by the Biloela residents, and the widespread support they have won, cut across the corporate media descriptions of rural and working class Australians as being “xenophobic” or “racist.”

Similar outrage is developing in the US and Europe, where refugees are being subjected to the kinds of boat turnbacks, raids and brutalisation pioneered in Australia for the past two decades. In the US, scenes of Immigration and Customs Enforcement (ICE) agents removing immigrants from the streets, from their homes and workplaces, separating children from their parents and sending them to internment camps indefinitely, provoked large demonstrations across the country last weekend.

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