

November 2009 - fact sheet

THE INDONESIAN SOLUTION

The Oceanic Viking

After almost four weeks of refusing to leave, the 78 Tamil asylum seekers onboard the Australian customs ship, the "Ocean Viking", are now in a detention centre at Tanjung Pinang, Indonesia. Women and children are being housed within the detention centre.

In a fantastic victory, they have been promised that those with UNHCR status (i.e. the 37 who hold UNHCR refugee cards) will be resettled in Australia with 4–6 weeks. Others found to be refugees will be resettled within 12 weeks. Some have been stranded in Indonesia for over four years.

The Merak

This boat was stopped by the Indonesia Navy after a direct call from Australian Prime Minister Rudd to Indonesian President Yudhoyono in early October. The boat is anchored off at the Indonesian port of Merak and has 255 people — mostly Tamils (there's one Burmese) — on board, including "Alex", their English-speaking spokesperson.

One hundred and nine of them have refugee status from the UNHCR in Malaysia or Thailand. Another 24 have UNHCR "final status pending" letters.

At least 20 of them, including the nine year old Brindha, have relatives in Australia. Others have come more recently—out of Sri Lankan concentration camps, including Menik Farm.

The Indonesian government has restricted access to the boat and said the refugees must leave the boat before the asylum seekers can be processed. After also pressuring them to leave the boat, the International Organisation for Migration, which is funded by the Australian government, has now withdrawn support.

The refugees have no medical assistance and conditions on the boat are deteriorating with the onset of heavy rains.

The hypocrisy of the Indonesian Solution

The Rudd government has announced an "Indonesian Solution" under which the Indonesian government will be paid hundreds of millions of dollars to detain and warehouse asylum seekers.

Under the Rudd Labor government's policy in Australia, detention is meant to be a last resort

and women and children are not housed behind razor wire. But in Indonesia, there is effectively mandatory detention and women and children will be housed in secure and barred detention centres.

Although Australia will co-ordinate the interception of asylum boats by the Indonesian Navy, it will take no responsibility for the treatment of asylum seekers or their resettlement.

Effectively, Kevin Rudd's "Indonesian Solution" will replicate the disgraced Pacific Solution of the Howard government.

Even those found to be refugees in Indonesia are not afforded work rights. There is no school, even for primary school children. People are fed and watered and sheltered by IOM at Australia's expense, but Indonesia is not a signatory to the Refugee Convention and has a record of deporting asylum seekers.

A recent report described some Indonesian detention centres as "appalling," with perhaps hundreds of juvenile detainees kept in a situation where they suffer unsanitary conditions, malnutrition, vomiting and diarrhea, and beatings. For the report 'Behind Australian Doors', see <http://behindaustriandoors.wordpress.com>

In July 2009, there was a hunger strike by Afghan asylum seekers many who had already spent months in detention across Indonesia. The resettlement figures for refugees in Indonesia to Australia are disgraceful —

- During 2006-07, Australia took in 32 people
- During 2007-08, Australia took in 89 people
- During 2008-09, Australia took in 35 people

Under the Rudd government, the humanitarian intake as a percentage of Australia's overall immigration intake is less than it was under the Howard government, and half as much as it was under the Keating government.

If the Rudd government increased its refugee intake to what it was under the Keating Labor government, all the asylum seekers in Indonesia could easily be accommodated.

The Situation for Tamils in Sri Lanka

The repression of Tamils in Sri Lanka continues. The new Inspector General of Police (IGP), Mahinda Balasooriya, has reimposed checking of households of Tamil residents in

Colombo. Police personnel have been instructed to question any visitor lodged in a residence not registered with the respective police station in the area and to take any person not registered living in a household into police custody.

Six months after the end of the war between government forces and the Liberation Tigers of Tamil Eelam (LTTE), Sri Lanka continues to confine around 250 000 people who fled fighting in the north in closed internment camps.

When United Nations Secretary-General Ban Ki-Moon visited the camps on May 23, he described them as "by far the most appalling scenes I have seen." The camps are under military control.

The military controls whether the displaced can leave camp premises — even to seek medical care — and detainees are denied basic legal protections. The Sri Lankan government has widely publicised recent releases from the camps, but Amnesty International has received reports that many people have been held by local authorities to determine whether they had links to the LTTE. Since the war ended in May 2009, many thousands of people detained in camps have been subjected to 'screening' by the security forces looking for LTTE members. An estimated 12 000 people (including children) suspected of links to the LTTE have been arrested, separated from the general displaced population and detained by the authorities in irregular detention facilities, such as vacated school buildings. Detainees have not been charged with any offence, and have been denied legal counsel and due process. Many are held incommunicado.

Journalists, human rights observers and aid agencies have not been given full access to the camps. This obstructs the ability of human rights organisations to conduct crucial human rights work such as providing legal aid or assisting with family reunification. The International Committee of the Red Cross (ICRC) has not had access to the camps since July. Amnesty International is calling on the Sri Lankan government to unlock the Tamil internment camps in Sri Lanka.

The displaced civilians should have unrestricted freedom of movement; they have committed no crime and should be allowed to leave the camps if they wish. Without independent monitors, people in the camps are at risk of human rights abuses from the security forces, including torture, executions, enforced disappearances and sexual violence. The media, human rights observers and aid agencies should be given full, unhindered access to the camps.

Why don't the Tamil asylum seekers go to India?

More than 100 000 refugees from Sri Lanka are living in camps in Tamil Nadu. But a Sri Lankan naval crackdown on refugees attempting the short boat trip to India, and torrid conditions in Indian refugee camps, have forced many Tamils fleeing persecution to seek asylum in more distant nations such as Australia. According to Brahma Chellaney, Professor of Strategic Studies at the Delhi-based Centre for Policy Research, it was now "far more dangerous to try to reach India than Southeast Asia. In the name of fighting remnant Tamil Tigers they attack boats of refugees; they have arrested people and sunk boats."

Asylum seeker numbers: how does Australia compare?

Around 2,000 asylum seekers arrived by boat in 2009. This compares to Pakistan who host 1.8 million refugees, predominantly from Afghanistan. Syria is hosting 1.1 million and Iran, 980 000; Jordan, which is a tiny country with a small population, is hosting 500 000 refugees. Tanzania and Chad, countries far poorer than Australia, have more than 300 000 refugees each. Canada at the end of 2008 had 49 000 people seeking asylum, and its refugee intake is more than double Australia's. (Figures from interview Refugee Council of Australia, Nov 2009)

Iraq – another push factor

Australia may soon be seeing more Iraqi asylum seekers. The UNHCR reports that over a million Iraqis in Syria who may soon be looking for new countries. UNHCR has called on the 26 resettlement countries, of which Australia is one, to increase their quota.

Resettlement is only offered to a small percentage of refugees — less than 10 percent of the overall number of those who apply for resettlement are submitted, and from this 10 percent, a much smaller number are actually resettled.

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www.rac-qld.org – thank you!

See also Project SafeCom's website, "Kevin Rudd, stuck in Merak":
www.safecom.org.au/stuckinmerak.htm