

Iranians Continue to Be Persecuted after Fleeing Iran: Australia's Human Rights Dilemma

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In light of the 2009 post-election protests and their aftermath most Iranians were expecting more reports, articles and critiques from around the world rebuking human rights abuses in Iran. Violence against and suppression of peaceful protesters, political activists, students, minorities and innocent citizens escalated after the 2009 elections. Since then many disturbing reports have described regular ruthless crackdowns against peaceful protests and harassment of individual activists and their families and friends.

One of the most horrific discoveries has been the harsh and cruel treatment, including rape, torture and execution, of political prisoners. A large number of student activists and other human rights activists have been given the death penalty. Consequently, the number of Iranian refugees increased dramatically in many countries, particularly countries such as Australia since it is a signatory to the Refugee Convention (the 1951 Convention Relating to the Status of Refugees) and the 1967 Protocol Relating to Refugees.¹

The Australian government has set up several enclosed detention camps across the country to detain men, women and children fleeing persecution from places such as Iran.² One of Australia's immigration detention centres is situated in the quiet Sydney suburb of Villawood.

It is a short drive from Sydney's various ethnic communities, restaurants, stores, function centres and places of worship frequented by Sydney's Iranian population. Sadly, the names, stories and situation of the people in Villawood are almost unknown to the majority of Australian Iranians. Many other minority ethnic groups whose members constitute the detention centre's population are also unaware of the disturbing state of detained asylum seekers and related issues.

A large number of Iranians have been detained in Australia after fleeing their homeland to escape ethnic, religious and political persecution. Most Iranians living in Sydney feel very strongly about the human rights abuses committed by the Islamic Republic and often speak out against them when questioned about their political views. But unfortunately, Iranian detainees are rarely visited by members of Australia's Iranian community and activists from different backgrounds have had trouble gathering an effective support base from Iranian-Australians.

The depressing reality is that detainees sometimes spend one to five years in detention.³ Some have had their cases rejected two or three times and have had to wait months before receiving feedback or answers. They

1 Amnesty International, Australia, Australia's Obligations to Refugees and Asylum Seekers (2009) at <http://www.amnesty.org.au/refugees/comments/20430/>. Accessed 10 May 2011.

2 Currently there are fifteen detention centres across Australia and one on Christmas Island (offshore detention centre).

3 G. J. Coffey, I. Kaplan, R. C. Sampson and M. M. Tucci, 'The meaning and mental health consequences of long-term immigration detention for people seeking asylum' *Social Science & Medicine* vol 70: pp 2070–9 (2009). On June 9, 2005, Peter Qasim was transferred from the Baxter Detention Centre to a psychiatric hospital after spending over seven years in the Australian immigration detention system. He has served the longest period as a detainee.

experience humiliation at the hands of some case officers, case managers and detention centre staff who often patronize asylum seekers as if they were recalcitrant children. Detainees experience numerous hardships during their time in detention, including severe psychological trauma. This is due to being detained for simply seeking asylum in a country that has pledged to protect them. In addition, they are made to live in constant fear of being sent back where their fate will be either imprisonment or death.

Research conducted at the Edmund Rice Centre indicates that Australia is sending or attempting to send asylum seekers back to dangerous situations.⁴ For many rejected and returned asylum seekers, travelling to and resettling in the country they once fled is precarious for both them and their families.

Back in Iran, the families of the detainees in Australia's immigration detention system suffer from having little or no knowledge of the exact whereabouts or situation of their relatives. Also, the families have no certainty about the future of their relatives in the Australian detention system or their own security in Iran.

In 2010 an Iraqi school teacher and father of three in detention in Australia committed suicide by hanging himself. A group of Iranian detainees discovered the body, held it aloft while someone notified security staff, burned the rope with a lighter when Serco staff could not provide a sharp instrument to cut the rope, removed the rope from around the man's neck where it had become embedded and carried the body to an open area to wait for paramedics. The detainees did not receive any counselling or support after this horrific experience, and the negligent management of the centre (Serco) responded by

issuing staff with a utility pack which contained a knife.

This is one example of the tragedy that can result from living in an immigration detention centre in Australia. One detainee expressed the irony of detention in a developed and free country such as Australia by saying 'When they execute someone in Iran at least they don't make you carry the dead body away... at least you're not forced to live with the individual and get to know him before they kill him.' The death of the Iraqi man followed the suicide of a Fijian man a month earlier. Shortly after the loss of the Iraqi man a young English man took his own life after being in detention for a short time.

The human rights situation in Iran and many other countries is distressing and urgent action needs to be taken to defend basic human rights. The human rights abuses have created a new wave of refugees who escape via various routes and using different means. Countries such as Australia have agreed to the UN convention and protocol pertaining to the protection of refugees and asylum seekers and are final destinations primarily for this reason.

For some asylum seekers the trip to Australia is a life threatening voyage by boat which is arranged with much difficulty and danger in the transit country. The ordeal that Iranian asylum seekers undergo when traveling to places like Australia is a last resort and represents the extent to which the human rights crisis in Iran has deteriorated. Last year a boat carrying over ninety asylum seekers, many from Iran and Iraq, crashed into the jagged rocks off Christmas Island. Nearly sixty people died while distressed locals on the shore tried to assist those struggling to survive in rough sea conditions by throwing life jackets for them. A desperate rescue mission involving the Australian Customs and Border Protection, HMAS Pirie and ACV Triton recovered approximately forty two men, women and children.

The Australian government has promised to protect refugees and asylum seekers and ensure they are treated with respect and dignity. One of Australian government's policies is mandatory

4 Edmund Rice Centre for Justice and Community Education in Cooperation with the School of Education Australian Catholic University, No Liability – Tragic Results From Australia's Deportations Interim Report (Sydney: Edmund Rice Centre, 2003). Also see the Edmund Rice Centre's public statement entitled 'Grave Concerns Over Australia's MOU with Afghanistan' http://www.erc.org.au/index.php?module=pagemaster&PAGE_user_op=view_page&PAGE_id=126. Accessed 10 May 2011.

detention which means that asylum seekers are kept behind fences and razor wire until their claims for refugee status are approved. Holding asylum seekers in detention gives the Australian Department of Immigration the chance to conduct medical and background checks and arrange for case workers to interview and evaluate claims for asylum. As mentioned above, this has taken up to five years for some.

In the past couple of years between 90 to 99.7 percent of asylum seekers who arrived by boat have proven to be legitimate refugees and are permitted to remain in Australia.⁵ However, for a significant number of asylum seekers the period in detention has become a new form of persecution. From the time they arrive in Australia until their release from detention they experience a different brand of trauma and abuse from that encountered in places like Iran.

For some Iranian asylum seekers another set of difficulties begin after being recognised as a refugee and released from detention. Hostile public opinion, racism, an antagonistic media, isolation, integration problems and indifference and insensitivity from their own community are encountered in various ways and to different degrees once a refugee has been granted a visa and released from a detention centre.

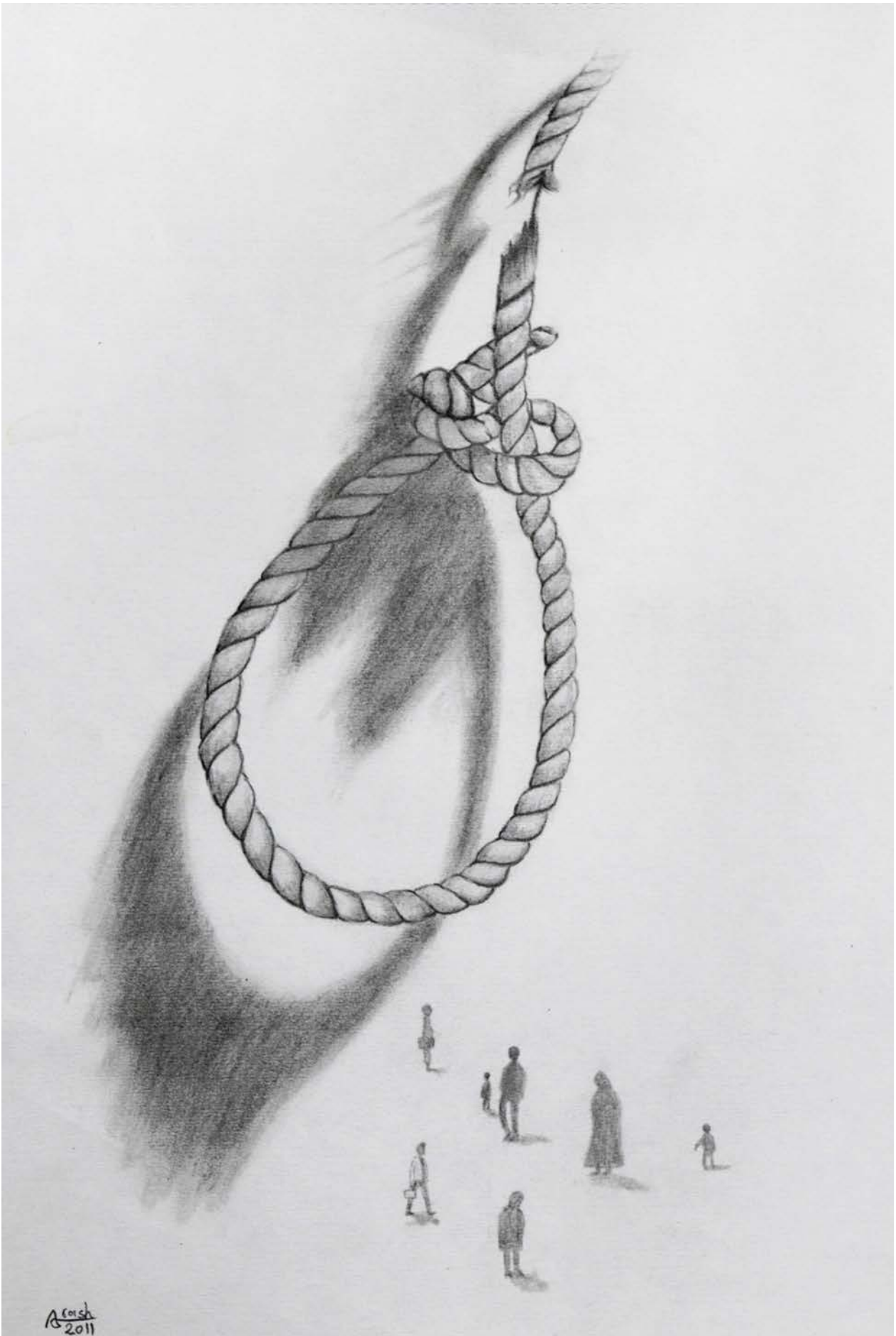
One sad case is that of a young Iranian man who suffered a seizure while in detention and then collapsed a number of other times. He was hospitalised, lost feeling in his legs and developed a stutter. After he recovered and was eventually granted asylum his health deteriorated again. He still suffers from anxiety attacks, experiences numbness in his legs, stutters worse than before and has fainted a number of times. In addition, he has few friends he can depend on, has difficulties learning and

practising English and receives little advice about his rights in a new society.

Human rights and democracy are for everyone and a lot more needs to be done in every corner of the world, particularly in places where people have little or no possibilities for voicing their concerns. Lack of access to media and the suppression of communication with the rest of the world have resulted in late recognition of many crimes. In other words, atrocities often occur when governments, organisations and individuals act too slowly. However, limited information and communication cannot be used as an excuse in relation to the situation in Iran. All forms of media, particularly the internet, have been bombarded with images, videos, accounts and reports about the ruthless crackdown and human rights abuses committed against peaceful protestors.

In a similar way, regardless of the available information and condemnation, the situation in Australia's detention centres has got out of hand. It is embarrassing when individuals from Iran are treated worse in Australia than they were treated in Iran. It is unacceptable when a man escapes Iraq in hope of a new life in Australia and ends up paying with his life. Citizens of free and democratic countries have a responsibility to respond to their pleas for help.

5 J. Phillips, 'Are boat arrivals "genuine refugees"?' Asylum Seekers and Refugees: What Are the Facts? at <http://www.aph.gov.au/library/pubs/bn/sp/AsylumFacts.pdf>. Accessed May 10 2011. Also see Edmund Rice Centre, 'Debunking Myths about Asylum Seekers' at http://www.erc.org.au/index.php?module=documents&JAS_DocumentManager_op=viewDocument&JAS_Document_id=64. Accessed 11 May 2011



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