

Australian Labor government trying to push through bill for mass deportations

Mike Head

24 November 2024

Evidence came to light last week showing that more than 80,000 people could be removed from Australia to as-yet-unnamed third countries, which would be paid to take them under the Labor government's latest immigration deportation bill.

Mass deportations on such a scale would rival in their size and brutality those being proposed by US President-elect Donald Trump, given the difference in population size between the US and Australia.

Trump confirmed last week that he intends to declare a national emergency and use the US military and national guard forces to deport millions of migrants as soon as he takes office next January 20.

Like capitalist governments internationally, Prime Minister Anthony Albanese's administration is heading down the same path. It is once again seeking to outbid the Liberal National Coalition in its anti-immigrant measures. These are designed to demonise refugees, international students and other "foreigners" and make them scapegoats for the worsening cost-of-living and housing crisis that is hitting millions of working-class households.

With bipartisan support by the Coalition, Labor's deportation bill passed the House of Representatives last Wednesday. It was supposed to be examined in a rushed one-week inquiry by the Senate Legal and Constitutional Affairs Committee, which held a hearing last Thursday evening.

At that hearing, Home Affairs Department officials conceded that the bill could affect far more people than the 246 released from immigration detention prisons last November. Those releases came after the High Court finally ruled, after two decades, that the indefinite detention of people who could not be deported constituted unconstitutional punishment without a court order.

The bill would authorise the Australian government to pay third countries to accept non-citizens on a "removal pathway," regardless of whether those countries were signatories to the international Refugee Convention barring removal to face death or persecution.

Michael Thomas, the Home Affairs Department's group

manager of immigration compliance, revealed that those on a removal pathway included:

- An estimated 75,400 people with no valid visa in the Australian community.

- 4,452 people on bridging visa E, so they can make "acceptable arrangements to depart Australia".

- 986 people in immigration detention.

- 493 in community detention.

- 246 on bridging visa R (BVR), released as a result of the High Court's NZYQ ruling that indefinite detention is unlawful.

- A further 96 people on BVRs that predated that supreme court decision.

Officials claimed that most of the 80,000 could return to their home country, and thousands did so voluntarily. However, legal and human rights groups testified that if passed, the Migration Amendment Bill 2024 would allow governments to dump refugees and migrants in countries where they could be warehoused indefinitely, potentially in inhumane conditions.

The bill would permit Australian governments to make "third country reception arrangements" by paying foreign governments to detain deported people. The Albanese government already does this on the remote Pacific island of Nauru, where it reopened the detention camp last year.

The bill would immunise Australian governments from any liability for harm, injury or death caused by such overseas detention, which has led to numerous deaths, some by suicide, over the past two decades.

In the past, some civil liability claims have succeeded. In 2017, an agreement was reached between detainees imprisoned on Papua New Guinea's Manus Island and the then Coalition government, following a claim of unlawful detention and negligence. Other refugees secured court orders to be brought to Australia to access urgent, lifesaving treatment unavailable in Nauru or Manus Island. Some cases are ongoing.

The bill would give governments extraordinary powers to effectively reverse refugee protection findings made by

tribunals or courts and continue imposing punitive visa conditions on asylum seekers who remain in Australia.

The bill would further allow the Albanese government to quickly re-detain, either domestically or in Nauru, people released as the result of the High Court's NZYQ ruling. It could claim that they could now be re-incarcerated for the purpose of likely deportation.

Currently, asylum seekers who reach Australia by boat can be sent to Nauru. The new provisions extend this power to "bridging visa R" (BVR) holders.

By ministerial decree, via regulations, the Labor government also has begun re-imposing police-state curfews and ankle bracelet monitoring on ex-detainees, defying yet another High Court ruling this November 6 that these measures too amounted to unconstitutional punishment.

In another bill, the Albanese government is proposing to give immigration ministers powers to ban mobile phones in migration detention facilities, cutting off detainees from communications, including family contact and support.

In the UK, the Starmer Labour government is similarly executing plans to deport at least 14,500 people deemed to be "illegal" migrants, exceeding the two previous six-month records set during Conservative government rule of 13,410 in 2018 and 14,389 last year. Sir Keir Starmer's government has signed "returns agreements" with countries such as Vietnam, Bangladesh, India, Pakistan, Nigeria, Serbia and Georgia.

This is part of a wider poisonous agenda to divide working-class people and pit them against each other along national and ethnic lines under conditions of declining living standards, a deepening economic and social crisis and a plunge into war. Right across Europe, governments are outdoing each other with reactionary moves against refugees and democratic rights.

Labor's bill is not an aberration. Like the Keating Labor government, which became the first in the world to impose mandatory detention on asylum seekers in 1992, this Albanese government is spearheading an assault on one of the most defenceless sections of the international working class.

This bill is reminiscent of the last Labor government's "Malaysian solution," which sought to dump refugees in a country that had not signed the Refugee Convention. Prime Minister Julia Gillard's legislation was struck down by the High Court in 2011 for breaching the requirements of the Migration Act at the time, not to remove asylum seekers to countries where there was no protection against removal to face harm.

In response, that Labor government went further. In July 2013, then led again by Prime Minister Kevin Rudd, it declared that no asylum seekers arriving by boat in

Australian waters would ever be permitted to settle in the country. That set a global precedent for a blanket ban on refugees. Asylum seekers were transported to primitive detention camps in Papua New Guinea—one of the world's most impoverished countries.

Such measures violate one of the most fundamental legal and democratic rights—the right to flee repression and seek asylum from persecution, without punishment or discrimination. The Refugee Convention formally enshrines these rights, together with core rights to freedom from arbitrary detention and other human rights abuses, the provision of essential health and education facilities, and access to the courts by refugees to challenge their treatment.

Legal and human rights groups' representatives denounced the latest bill at Thursday's Senate committee hearing. Josephine Langbien, associate legal director of the Human Rights Law Centre, for example, testified that the bill allowed people removed to be separated from their families "sending them to permanent exile in third countries against their will."

In an earlier media statement, Langbien pointed out: "This will expand Australia's disastrous offshore detention regime, under which people have died and suffered conditions amounting to torture." She added: "Despite multiple High Court rulings, the government is intent on further punishing this small group of people—and potentially impacting thousands of others in the process."

Despite such objections and widespread opposition throughout working-class immigrant communities, the Albanese government is escalating its nationalistic offensive, including by vowing to keep slashing the number of international students in the country.

This is being accompanied by a filthy propaganda campaign throughout the corporate media depicting formerly detained refugees as murderers and rapists, and blaming students and immigrant workers for the worsening affordable housing crisis.

Vulnerable members of society, including those brutalised by years in detention, are being vilified to impose authoritarian measures. This is setting precedents for use throughout the working class as a whole, as social conditions keep deteriorating and billions of dollars are poured into military spending amid the US-backed Gaza genocide and the lurch into wider war against Russia and China.



To contact the WSWS and the Socialist Equality Party visit:

[wsws.org/contact](https://www.wsws.org/contact)