



Net I PR

Network for International Protection of Refugees

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27 March 2002

Dr U Ne Oo, Secretary

The Hon. John Howard MP
Prime Minister
Parliament House
Canberra ACT 2601

Dear Prime Minister

Re: the media and community access to immigration detainees

Our organisation is gravely concerned by escalating hunger strikes as well as frequent suicide attempts by asylum seekers detained in Woomera. The detainees have resorted to such extreme forms of non-violent protests because your government has sought to isolate the detainees from refugee support networks, human rights organisations and, especially, the media. In connection with this I have enclosed a news statement from the Australian press council in February 2002 requesting greater media access to the immigration detainees held in Woomera in South Australia as well as interstate and overseas.

On this occasion, we should like to repeat our request made to the Australian Immigration Minister on 15 December 1999 (correspondence enclosed). We request that your government grant unhindered access to all non-government organisations and especially the Human Rights Committee of Australia to the detainees. In particular, the Human Rights Commission of Australia and relevant organisations should be allowed to impart information regarding the asylum-seeking procedure to all immigration detainees.

We believe it is urgent that the government allows non-government and all community groups, including the public media, access to the Woomera detention centre without restrictions. The hunger strikers may cease their protest actions only when they believe their voice is being heard by the Australian community and that they are being treated fairly by the government in the processing of their protection visa applications. We therefore request that your government immediately grants unrestricted access to the Woomera Detention Centre by community organisations and journalists.

In closing, thank you for your kind attention to this matter.

Yours respectfully

Mj
27/2/2002
(for)
(Executive Committee)

Network for International Protection of Refugees

Cc: 1. Kofi Annan, UN Secretary-General, United Nations New York, USA.
2. Ruud Lubbers, UN High Commissioner for Refugees, Geneva Switzerland.

MEDIA ACCESS TO REFUGEES

*Australian Press Council News,
February 2002*

In late November, the Press Council made a public statement about restrictions placed on media access to asylum seekers and to detention centres. The Australian Press Council is very concerned about the restrictions on media access to, and reporting of events surrounding, asylum seekers.

The Chairman of the Press Council, Professor Ken McKinnon, said that the Council unanimously deplored these restrictions: "As the Prime Minister, John Howard, has often said, a free press is crucial to the proper functioning of democracy. It is of grave concern, therefore, that his government is severely restricting the ability of the news media to report freely on a question that has become central to political debate in Australia."

Journalists are routinely denied access to people who come to Australia as asylum seekers. The immigration detention centres at Port Hedland, Woomera, Villawood in Sydney and Maribyrnong in Melbourne follow the same exclusion procedures as high-security prisons, and this policy is also being applied in the camps being constructed on Nauru and other Pacific islands. Journalists are reliant largely on official government sources for information on the detention centres and their inmates, and for information about the detection and interception of boats containing asylum seekers.

"The Government argues that the ban on speaking to asylum seekers is for the protection of the asylum seekers themselves. they may face reprisals if they return to their home countries, or their families may be threatened," Professor McKinnon added. "This risk should not be ignored by journalists, but it is possible to report an interview without identifying the person or persons being interviewed. And in any case, the asylum seekers themselves are surely the best judges of whether they or their families will be endangered if they speak out."

In the Council's view, the real issue is the right of the Australian people to know what their government is doing in their name. This right to know is effectively denied by the interview ban and other restrictions, because reporters have no means of verifying the information the government provides to them.

"while the government refuses to allow journalists to speak to asylum seekers, accusations of media manipulation will continue to be made," Professor McKinnon concluded.

News conference

Professor McKinnon held a news conference to release the statement. He was joined at the conference by Michael Stutchbury, the editor of The Australian. Mr Stutchbury described the restrictions as "a disgrace to our political system" and as an "outrageous infringement" of the public's right to know.

"The claimed regard for the privacy of asylum seekers is a sick joke," Mr Stutchbury said.

Media comments

The Council attached to its printed version of the press release some comments from journalists and editors on the restrictions their newspapers had met in seeking access to asylum seekers. Tony Vermeer, the editor in chief of Australian Associated Press, the nation's news agency, said, "AAP has tried to gain access to asylum seekers in Australia and at overseas camps but has been prevented from doing so by officials.

"At Woomera our journalist, as a condition of entry, was required by the Immigration Department to sign an agreement not to approach the camp occupants...." A similar reason was given by Papua New Guinea officials who denied our journalist access to boat people taken to the island of Manus. PNG officials told us that they wanted to allow reporters to talk to the boat people ... but had been told not to do so by Australia.

"In both cases, the reporters believed there were asylum seekers who wished to speak to the media. They felt that the restrictions were designed to silence the asylum seekers and prevent them from airing their complaints and telling their stories.

"...In the case of the boat people, there is no justification for restricting access to people who wish to talk. They have committed no crime and are pursuing their legal rights to be accepted as refugees."

His views were echoed by Karen Porter, at that time the deputy editor of The Advertiser, Adelaide.

"The Advertiser has applied to get into Woomera detention centre to speak to detainees and photograph the centre on several occasions," she said. "At the time it was opened, chief of staff Paul Starick covered the story and was allowed in once for a tour. The Advertiser also was allowed access after the Woomera breakout last year.

"At no time have Advertiser journalists been allowed to speak to detainees or identify them in pictures. ..."The information flow from Woomera is tightly controlled, with the only source being Mr Ruddock's office.

"... As a paper, we are always seeking greater access to ensure the whole story is told. The Tampa issue highlighted this point."

Off-shore access

"I sought access to the asylum seekers in Nauru, and had access to them," reported Nick Pappas, from Melbourne's Sunday Herald Sun. "Though not allowed to enter the detention facility, we had access to them through the fence. My understanding is that this access was allowed by the Government of Nauru, not the Australian Government.

"My understanding is that the Australian Government has a general ban on all access to asylum seekers. Generally the only way to get information from the detention centres is through representatives of the ethnic groups in those detention facilities.

"We do need access because otherwise all information is through the Federal Government which is obviously censored."

John Flint represented Perth's Sunday Times on Christmas Island, one of the first points of call for many refugee boats. He said: "During my brief stay on Christmas Island I was repeatedly denied access to asylum seekers being accommodated in the sports hall and just outside the sports hall. On

several occasions when I was attempting to communicate with asylum seekers I was moved on by Australian Correctional Management (ACM) managers, even though I was standing in a public place and had not crossed the cordon into the camp...."Journalists were told that there was a media liaison officer for the Immigration Department somewhere on the island, but no journalist was able to locate the 'media officer' and it became a bit of a standing joke as to where that official was hiding."

Government response

According to AAP, the Immigration Minister Philip Ruddock responded to the Council's comments. He said that asylum seekers in Australian detention centres were free to contact the media without federal government intervention.

In denying that the government was severely restricting news media access to asylum seekers, he said that the government was only anxious to protect the privacy of detainees, and that telephones in detention centres meant that asylum seekers could contact the media.

"What we restrict are journalists seeking access to asylum seekers, we don't in any way restrict detainees seeking access to journalists." Mr Ruddock also said that the Australian government did not control access to asylum seekers in Papua New Guinea and Nauru. "The issue is determined by ... the International Organisation for Migration," he said.

In a recent speech, Professor McKinnon noted, "Philip Ruddock may be handling a difficult task with aplomb but he has made rather silly claims about inmates having access to the press when they are detained behind razor wire and only have access to a single public phone (who would they know to ring)."

In late January, an ABC journalist was arrested and charged while in the vicinity of the Woomera Detention Centre and other journalists were told to leave the immediate area. --- Jack R Herman



Net I PR

Network for International Protection of Refugees
 Contact Address(*): 18 Shannon Place, Adelaide SA 5000, Australia

December 15, 1999.

Hon. Phillip Ruddock
 Minister for Immigration and Multicultural Affairs
 Parliament House
 Canberra ACT 2601

Dear Minister,

re: Non-Government Organisation and Human Rights Committee access to boat people

As the secretary of NetIPR, a South Australian based refugee advocacy group, I appeal your government to promptly grant Non-Government Organisations and the Australian Human Rights Commission access to the boat people. We have learnt that the majority of recent boat people have come from Middle Eastern countries where the residing populations there may have been under serious persecution. We are aware that your government, in the past, has not given permission to the Human Rights Commission and other NGOs to provide boat people with necessary information regarding asylum-seeking procedures in Australia.

We believe it is vital to impart boat people with the necessary information regarding asylum procedure in Australia. The boat people should be given basic information and advise such as (1) what constitutes persecution under Australian refugee laws (2) what kind of facts (i.e. the type of persecution) are to be presented before DIMA (3) which type of protection visa is likely to be granted by the Australian government upon approving their application. The Human Rights Commission of Australia should prepare such information in simple English and also in the boat-people's own languages and should deliver that information to the boat people under the supervision of independent Non-Government Organisations, such as Amnesty International and International Commission of Jurists (Australian Section).

It is fair to note that Australia does not have the capacity to save all the victims of human rights violations all over the world. Never the less, the Australian government must not hesitate to give protection to people who are in need and who are already on Australia's shore. These boat people may or may not have knowledge about human rights or the capacity to understand Australian refugee laws and the Australian legal system. However, the Australian government must treat these boat people with fairness and with proper human decency. Your government allowing the Human Rights Committee and other NGOs access to these boat people will be a step in the right direction.

We particularly request that the Minister Ruddock does not apply, whenever that may occur for some asylum-seekers at the review stage, the post-decision fees of \$1000 to these boat people. In this occasion, we appeal once again to your government to altogether abolish the imposition of post-decision fees of \$1000 for unsuccessful asylum-seekers.

From our view, which in no doubt is shared by many other NGOs within Australia, it is of the utmost importance for these boat people to be treated and to be seen to be treated with proper fairness in processing. Therefore, the processing of asylum claims for these boat people should be made fair and transparent to the general public.

In closing, we thank you for your kind attention to these matters.

Yours respectfully

M: 15/12/99

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Secretary, Network for International Protection of Refugees.