How committed is the Australian government, in reality, to its stance against the death penalty and in broader terms, to human rights?

Let's return to the High Commission's home page. The statement concerning Mollah's execution came in the same week that Amnesty International issued a report describing some conditions at the Manus Island immigration detention centre in Papua New Guinea as violating prohibitions on torture.

Among other things the report found detainees could avail themselves of just 500 ml of water per day, that there was no shade outside despite regular hot conditions and that detainees needed to spend hours each day queuing for food and to use toilets which often had no soap, leading to unhygienic living conditions. Asylum seekers have committed no crime – they have a right to seek asylum.

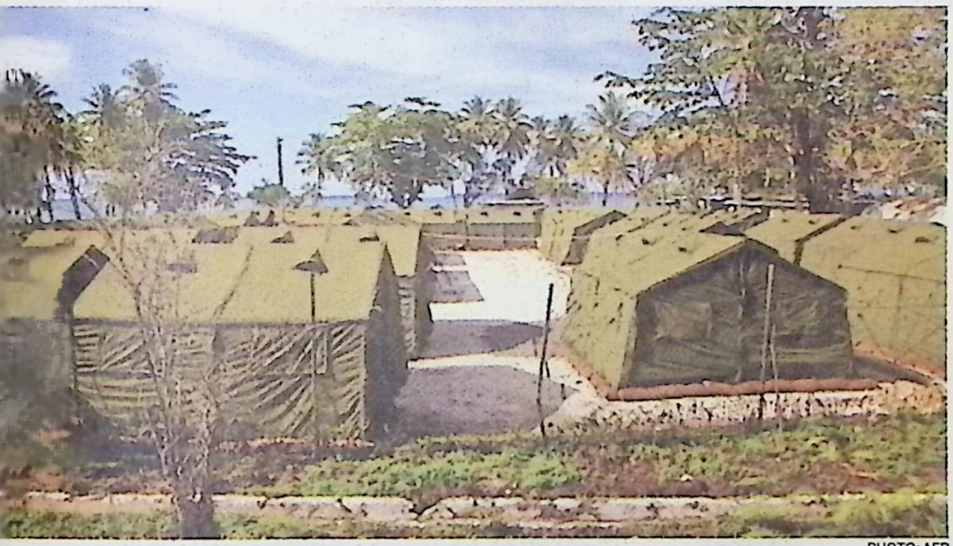


PHOTO: AFP

Part of the Manus Island Regional Processing Facility.

Neither are Australian immigration detention centres stranger to past instances of self harm, attempted and successful suicides, such is the desperate nature of the conditions in which those who seek Australia's help and protection can find themselves – including children.

The Australian government so recently requesting Bangladesh to consider the concerns of the UN special rapporteur will almost certainly ignore the Amnesty International report.

The statement came in the week too where the Australian High Court delivered judgement in the case of the Sri Lankan refugee known as Ranjini concerning the Australian government's use of indefinite detention without trial.

Individuals determined to be refugees cannot be sent back to their country of origin – they are normally granted visas. But if the Australian Security and Intelligence Organisation decides a refugee is a risk to national security they are detained pending resettlement in a third country, which in practice never happens.

Such indefinite detention results from a secret assessment in which the refugee has no opportunity to present counter arguments or traditionally, even to know the nature of the security concerns involved – in other words, there is no judicial process. But then, there is also no crime.

Curiously, the majority of those currently held in indefinite detention are Tamil Sri Lankans. Meanwhile the Australian government has instituted cooperation with the Sri Lankan government to stop Tamils from boarding boats headed ultimately for Australia. There is an incentive to maintain cosy relations.

Ranjini is the widow of a senior Tamil Tiger but was originally granted refugee status, allowing her to live freely in the community – where she remarried and established a new life for herself and her two children. However, a subsequent adverse security assessment resulted in her detention a year later. Her third child was born in captivity last January and is still there.

The High Court ruled that in Ranjini's case the Department of Immigration erred, but did not directly rule on the appropriateness of indefinite detention.

Yet surely a government concerned enough to raise its voice in defence of Mollah's rights, one with a sometimes-expressed stance against the death penalty, does not need a court to tell it that indefinite detention of non-criminals is wrong. It is arguably crueller than the death penalty, since in the latter case there has been a trial and serious crime.

Given the relative advantages in natural wealth, stability and development Australia enjoys, it is a country with the potential to be a world leader in justice and human rights issues. This potential remains unfulfilled.

At the very least until it cleans its own house, perhaps on justice matters that are of significance to the people of Bangladesh, the Australian High Commission in Dhaka would simply do better to stay silent. Perhaps they could note the implications of their website's home page.

— ANDREW EAGLE