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1. Paula Matthewson: Turnbull: too left to be right for the Liberals?

There's more than just Tony Abbott standing between Malcolm Turnbull and the PM title. If he wants the top job he'll need to contend with the Liberals' hard-right faction - and time is running out, writes Paula Matthewson.

ABC The Drum

By Paula Matthewson

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It would be unwise to assume it's only a matter of time until the undeclared Liberal leadership contender Malcolm Turnbull becomes prime minister.

That's not to suggest the Liberals won't finally come to accept it's time to replace the shambolic pugilist Tony Abbott - for they must, if their Government is to survive.

The problem for Turnbull is there are differing survival instincts at play within the Liberal Party, with some MPs focused more on protecting the Government's hard-right agenda than its re-election in 2016. And the more time these hardliners have to resist Turnbull's re-ascension, the better chance they have of succeeding.

These MPs are horrified at the thought of Turnbull becoming prime minister. They know the ascendancy of the man who has audaciously continued to flaunt his progressive views since being removed from the leadership would be an undeniable repudiation of everything they had achieved (or still hoped to achieve) with Abbott at the helm.

The anticipated lurch to the left under Turnbull would essentially signal the Liberals' submission to the community's rejection of the Abbott Government's past 17 months in office; including the budget and the budget emergency narrative, the hardline opposition to a carbon price and climate action, holding the line against same-sex marriage, and the planned reform of workplace relations law.

So it's no surprise that escalating anxiety in the right's "anyone but Turnbull" camp reached fever pitch in the lead-up to last week's leadership vote. The conservatives' flag-bearer Cory Bernardi demonstrated the panic best, declaring the spill motion an ambush orchestrated by Turnbull and his supporters, and that a change to Turnbull would throw the party into a "moral abyss" resulting in a mass exodus of supporters.

If there was such an exodus, it would be more modest than mass, considering the Liberal Party's supporter base has been reduced to a rump. One pollster recently described this group as the remaining "rusted-on Coalition voters who would prefer to lose with Abbott than win with Turnbull". That's the 54 per cent of Coalition voters who prefer Abbott as leader over the 40 per cent who prefer Turnbull.

Yet it's clear from the 64 per cent of overall voters preferring Turnbull (over Abbott's 25 per cent) that, just as the times eventually came to suit John Howard even after he was rejected by his party, they have come to suit Turnbull too. Two opinion polls leading up to the spill vote found Turnbull as leader would turn around the Government's fortunes, either putting it in front of the Labor opposition, or at least within striking range.

Noting this, the question currently occupying the minds of the Liberal right will be whether the times suit any other potential leadership candidates, particularly those with a stronger predisposition to the conservatives' agenda.

This is where things may go awry for Turnbull. Going into last Monday's special party room meeting, both Foreign Minister Julie Bishop and Social Services Minister Scott Morrison said they would not challenge Abbott for the leadership - essentially giving Turnbull a clear run. Whether that commitment carries over to any future leadership stoush is yet to be seen.

While PM Abbott managed to secure a reprieve at Monday's meeting, and has reportedly been given time to prove his mended ways, this hiatus also gives the Liberal right extra time to further develop its "anyone but Turnbull" leadership options.

Bishop is an obvious contender, with popular support in the community despite her gender being seen as an obvious handicap by Liberal hardliners. The Foreign Minister may have not taken too kindly however to recent suggestions in the media that her role as deputy leader was in peril. This could only have been seen as threatened retribution from Abbott supporters for Bishop's perceived siding with Turnbull.

Then again, Bishop certainly doesn't lack ambition and so may well be prepared to forgive and forget if that's what it takes to get the top job.

However, if she were to become prime minister through the good graces of the Liberal right, Bishop would be wise to keep a watchful eye on Morrison. The ever-ambitious Social Services Minister, who was a favourite of the conservatives while in the border protection portfolio, is now moving at full speed to soften his image in the tricky welfare portfolio (that ironically was a hospital pass from the current PM).

Despite having been in the new job for mere weeks, Morrison has already jettisoned the previous minister's widely-ridiculed pre-marriage counselling certificates, and signaled he will drop the contentious requirement for young job seekers to wait six months before getting access to welfare support. These swift decisions, along with the commencement of a media charm offensive and an earlier statement on his determination to "stop the rorts" suggest Morrison is pursuing an ambitious strategy to win brownie points from both sides of the political divide.

The longer Abbott draws out his failing prime ministership, the more time Morrison has to implement this strategy, and the greater chance there is of him becoming a real competitor for Turnbull and Bishop in the leadership stakes. There's also a chance that, in a three-cornered contest involving Turnbull, Morrison and another candidate such as Bishop, Morrison could benefit from the split vote, just as Abbott did when competing with Turnbull and Hockey for the Liberal leadership in 2009.

Time may well have been on Turnbull's side since he lost the Liberal leadership, but it is no longer. With two new leadership contenders emerging from the pack, the potential prime ministerial aspirant faces a race to convince the Liberal Party's hardliners that he is the lesser of two evils.

Turnbull's future, and essentially that of that nation, therefore rests in the hands of those who will determine whether a lurch to the left is more or less bearable than their own electoral oblivion. To assume the outcome of that deliberation would be the height of political foolishness.

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<http://www.abc.net.au/news/2015-02-16/matthewson-turnbull-too-left-to-be-right-for-the-liberals/6114396>

2. Richard Ackland: On asylum seekers, Malcolm Turnbull asks us to swallow the unswallowable

Turnbull's supporters love his peacock performances. But his defence of Philip Ruddock and the government's asylum seeker policy are no improvement on Abbott

The Guardian
Friday 20 February 2015 14.21 AEST
Richard Ackland

Malcolm Turnbull's peacock performance on Monday night's Q&A kept his adoring audience spellbound. Surely, though, he was having a lend of us. In particular, he expected us to swallow two unswallowable assertions: Philip Ruddock was an outstanding minister of the Howard era, and it is the Coalition's humanitarian policies that are rescuing hundreds of children from immigration detention centres. As Tony Hancock would say on Hancock's Half Hour, "turn it up".

Ruddock first. Tuesday's decision by the Court of Military Commission Review to overturn the verdict and vacate the sentence in David Hicks's case could not have been more apt.

Here was the final nail in the coffin of a carefully constructed "legal system" run by politicians rather than lawyers. The US's military commissions flouted every convention of fairness and decency. They were designed to get convictions – read Michael Mori's book, *In the Company of Cowards*, to find out how.

We know Hicks was stitched-up with a newly invented war crime that was retrospectively applied: material support for terrorism.

Ruddock insisted this was a valid offence, even though by 2007 the process and the charge were widely regarded in legal circles as illegitimate. In late 2006, then-prime minister John Howard admitted that he could have fetched David Hicks home at any time, but choose not to do so.

Mori, who was Hicks's Pentagon-appointed Guantanamo defence lawyer, says this was a misstep by Howard, because it showed politicians had usurped the rule of law and had control of the situation.

Ruddock, with his gleaming Amnesty International lapel badge, refused to sign the Fremantle Declaration, a document signed by all the attorneys-general of Australian states and territories affirming the right to a fair trial, access to the Geneva Conventions, prohibition of indefinite detention and affirmation of commitment to protections under the International Covenant on Civil and Political Rights.

According to Turnbull, Ruddock is "esteemed by all of the Liberal party right across the country".

Ruddock's spiritual descendant, George Brandis, was doing his best on Thursday to keep the flame alive, issuing a statement on Hicks from Washington, saying: "The review was about the validity of the US law under which he was convicted, not about whether he carried out the activities of which he was accused."

In other words, the charges against Hicks are the main game, forget the fact that his conviction is null and void.

As immigration minister, Ruddock was instrumental in the creation of the "Pacific Solution", the dumping of asylum seekers on client states where their rights were abrogated.

He's not only father of the house, he's the father of this wretched "solution". Thereafter he always had the look of a man who'd sold his soul to the devil.

Which gets us to Turnbull's claim that it is virtuous Coalition policies that account for the rescue of children from immigration detention. This was raised in the context of the Human Rights Commission report on The Forgotten Children.

This is what he said on Q&A:

At its peak, under Labor, there were 2,000 children in detention. At the time of the election, when we came into government (September 2013), there were just under 1,400. Now there are 136. So we, with our policies, have reduced the number of children in detention by 90%.

Leaving aside the fact that there had been a 31% drop in the number of children in immigration detention in the last three months of the Labor government (excluding Nauru), if we drill down a bit we'll discover the agenda behind the Coalition's virtuosity.

There are a couple of factors at play. One of them was the government's eagerness to secure passage of the amendments to the Migration Act and the Maritime Powers Act. These were the amendments that changed the definition of refugee and gave the minister extraordinary powers to hold, to refuse, to decide the outcome of asylum applications and, in the process, to shred Australia's international obligations.

The other was the fact that the Human Rights Commission's report on the way children were being treated in immigration detention was lying around the attorney general's desk from 11 November last year, undisclosed to the public for three months until 11 February, when it was tabled.

Both these factors drove the government's decision to accelerate the rate at which children were removed from detention facilities.

Between October 2013, just after the Abbott government took office, and the end of August 2014, the Coalition had removed 24.8% of children from immigration detention – a smaller percentage than Labor's last three months in office.

What is important about August 2014? That is the time the Migration and Maritime Powers Act's amendments were being planned, largely in response to high court decisions that went against the minister earlier that year. The legislation was introduced a month later, on 29 September.

As we know, former immigration minister Scott Morrison used the children as pawns to get those measures through a difficult senate. He said children would be given temporary protection visas if the legislation was passed – even though he could have released them on bridging visas the day he became minister.

This is why the last hold-out senator, Ricky Muir from the Motoring Enthusiasts Party, voted for the amendments. Muir said it was a choice between a "bad decision and a worse decision".

In the period the legislation was in contention and immediately afterwards the government released 651 children from detention. That was a reduction of 82.5% – not quite the 90% claimed by Turnbull.

This rapid response also enabled a chorus of government ministers to say the Human Rights Commission's findings are "out of date".

However, while the raw number of children detained in camps was going down, over the same period the average length of time they were being held was going up.

After the Abbott government came to office in September 2013 the average number of days children and adults were held in immigration detention shot up from 115 to 438 days (nearly 15 months) as at the end of last December.

In July 2013, when Labor was in office, the average days in detention was 72. Morrison was keeping adults and children in detention on average six times longer than the lowest average period under Labor.

The government is not reporting the release of any children from Nauru, probably because none have been removed.

It is not to be found in any departmental statistics, but refugee workers on the ground say that some of the children removed from Australian centres and Christmas Island have actually been sent to Nauru.

One thing we do know is that if someone goes to Nauru, even if they have to come to Australia for medical treatment, they will always wind up back on the phosphate outcrop.

Judging by the figures and the timing, the rapid removal of children from detention camps by the Coalition was much more to do with politics than humanity.

If this is Turnbull's idea of progressive Liberal policies, don't expect any serious changes should he ever steal the crown.

<http://www.theguardian.com/commentisfree/2015/feb/20/on-asylum-seekers-malcolm-turnbull-wants-us-to-swallow-the-unswallowable>

3. Waleed Aly: Fuse lit with rhetorical bomb about Indonesia

By suggesting that Indonesia repay aid with clemency, Tony Abbott has taken us to a dark place.

Brisbane Times
February 20, 2015
Waleed Aly

So, this is what it looks like when you outsource your foreign policy to Alan Jones. "You do what you like, but we gave you a billion dollars when you were hit by the tsunami," he boomed recently on Q&A, his message directed squarely at the Indonesian President, who had rejected Andrew Chan and Myuran Sukumaran's death-row pleas to have their lives spared.

I'm with Jones on the cause. Very rarely would an execution be more needless than in this apparently inevitable case. Rarely have we seen better cases of demonstrated remorse and rehabilitation. But to use aid – for a disaster in which more than 100,000 Indonesians died – as leverage? That's taking us to dark places.

Perhaps it was a fit of frustration that led Tony Abbott down precisely this path. After every effort the government has made, that frustration would be understandable. Perhaps Abbott calculated that the cause was so utterly hopeless that he had given up entirely on convincing the Indonesians to relent, and chose instead to play to his domestic audience. Or perhaps Abbott didn't grasp the gravity of suggesting that Indonesia "reciprocate" for our aid with clemency.

But that's the problem. Abbott isn't running talkback. He's running international diplomacy. And in that world of maddeningly polite, highly coded speech, this is a rhetorical bomb. It says our aid is conditional, that it imposes obligations and that if we feel those obligations haven't been met, we might just withhold it in future.

That's a hell of a thing to imply, even in private. Especially when you're a country currently slashing foreign aid, and already hugely outspent by countries like China. But said in public, it's a wealthy country with far less leverage than it thinks trying to lord it over a developing one.

Hence Indonesia's extraordinary diplomatic serve: "no one responds well to threats," declared a spokesman for the foreign ministry, which sounds ominously like a diplomat's way of saying "you've just blown it". It's a particularly sharp response that reveals a particularly sharp sensitivity. Partly this is about the politics of drug smuggling in Indonesia. Every nation has its irrational belligerences; its issues where the politics dictate it is impossible to be too tough, where compassion is recast as weakness, and weakness is unforgivable. For us, it's probably boat people. For Indonesia, it's probably drugs. And when that's the political logic, the very last thing you can be seen to be doing is capitulating before a threat. "If you need something from somebody always give that person a way to hand it to you," advises one of Sue Monk Kidd's characters in *The Secret Life of Bees*. That is precisely what our tsunami aid manoeuvre has denied Indonesia.

But this stand-off is also about something bigger. Perhaps the most alarming aspect of Indonesia's response is its allegation that "people will show their true colours": that our "threats" are not an isolated faux pas, but reveal something deeply characteristic about us as a nation. That through Indonesian eyes, this is all part of a broader pattern of objectionable behaviour.

Those objections are well rehearsed: we treat Indonesia's sovereignty with contempt, ignore their cries of offence, and then feel entitled to order them to do our bidding. It's at moments like these that such Indonesian grievances come home to roost.

Some of this tension is ancient: our support for East Timorese independence is scarcely forgotten, and fuels a long-standing fear we want to break chunks off Indonesia's territory. But much of it is recent, too. Some of this is transient – as with Indonesia's anger over the Gillard government's snap suspension over the live cattle trade.

Other objections are more enduring, as with our asylum-seeker boats turnback policy – an objection only amplified when it became clear Australian naval vessels had crossed, unauthorised, into Indonesian waters. It's the kind of thing we forget and dismiss, but to a nation like Indonesia with a weak navy and a gigantic coastline to defend, it feels like a serious violation of its borders.

Meanwhile, both sides of politics have long demanded Indonesia crack down on people smuggling in a way that barely acknowledges that the asylum seekers there don't want to stay, and Indonesia doesn't want to keep them. That makes it far

more our problem than theirs, but one we've insisted they solve. We got a sense of the level of tension this causes when Indonesia decided to release the transcript of conversations between both countries' foreign ministers in which Julie Bishop asked for asylum-seeker issues to be kept "behind the scenes". This was a clear, angry attempt to embarrass Australia.

Then, of course, there were the revelations the Rudd government had tapped the phones of the Indonesian president and his wife. Indonesia swiftly demanded an apology, to which the new Abbott government responded by refusing even to acknowledge the practice, much less pledge it would be abandoned. Abbott defended Australia's "intelligence gathering" as "reasonable", and Indonesia recalled its ambassador and temporarily withdrew all co-operation on people smuggling.

Meanwhile, perhaps for colour, the government's pollster, Mark Textor, likened the Indonesian foreign minister to a "1970s Filipino porn star" and upon learning of Indonesia's offence throughout the episode, tweeted that "no-one gives a rat's arse in the real world".

Well, it's all pretty real now. Sure, hope is eternal, but we're at the point of hoping for a miracle. Perhaps it was always destined to be this way. I'm certainly not blaming the Australian government for Chan's and Sukumaran's plight, and such is Indonesia's dogmatism on this that there's every chance the result would be the same, however pristine the relationship.

But whatever the case, the final exchanges of this tragedy have revealed something worth pondering: our relationship with Indonesia is in a state of disrepair. And in that relationship, there will surely come times when plenty of us will give whatever part of the rat you care to name.

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<http://www.brisbanetimes.com.au/comment/fuse-lit-with-rhetorical-bomb-about-indonesia-20150219-13irvx.html>

4. Tim Dick: Citizenship not a gift but a human right

The government has rejected the idea everyone must hold citizenship somewhere and may dump people it doesn't want in other countries.

The Age
February 17, 2015 - 8:00PM
Tim Dick

Two things are clear from the Prime Minister's bombastic weekend statement raging against the twin evils of terrorism and the benefit of the doubt.

One, he does not believe in Samuel Johnson's rule that if you have nothing to say, say nothing.

Perhaps he hoped repetition and alliteration would provide cover for the absence of either fact or detail, until their promised arrival next week.

"For too long, we have given those who might be a threat to our country the benefit of the doubt," he said on Sunday. "There's been the benefit of the doubt at our borders, the benefit of the doubt for residency, the benefit of the doubt for citizenship and the benefit of the doubt at Centrelink.

"And in the courts, there has been bail, when clearly there should have been jail."

At least there was rhyme, if not reason. On he went: "We are a free and fair nation. But that doesn't mean we should let bad people play us for mugs, and all too often they have[.] Well, that's going to stop."

Which brings us to the second conclusion: doubt any words used by a politician ahead of "but".

Some changes do seem likely after Tony Abbott makes his "national security statement" on Monday when releasing the report on the Martin Place siege.

His deeply troubled government will try to make immigration and welfare policy harsher for asylum seekers, if that's possible, given the lone actions of the madman last year which led to two innocent deaths.

Reports now support the assumption that the government will also seek to make citizenship the executive's disposable plaything even more so than now.

Australia is set to join one of the most troubling trends in the reactions of Western governments to terrorism: junking the consensus that everyone, no matter how vile, should be a citizen of somewhere. And for dual nationals, it risks forcing other countries to deal with our problems.

Before Australia Day in 1949, Australians were British subjects. The Nationality and Citizenship Act made Australian citizenship a legal reality for most, if not all. The 1967 referendum is widely seen as finishing the job for the First Australians.

Then repeated bipartisan changes to the law made it gradually easier to become a citizen, at least until 2007. That year, the Howard government reversed course, making it harder by doubling the residency requirement and introducing the multiple-choice test of Australian-ness.

Last year's report from the former Independent National Security Legislation Monitor, Bret Walker, suggested an additional power to revoke citizenship for people who are risks to national security.

This was not a novel idea, as the former immigration bureaucrat Peter Hughes wrote for the Lowy Institute. There were once calls to revoke citizenship of suspected war criminals, but no one could work out what would happen if that would make them stateless.

It seems some believe that doesn't matter anymore.

The British parliament last year allowed its government to go beyond stripping nationals of citizenship if "conducive to the public good" only if they had dual nationality. It now can do it if they did something "seriously prejudicial" to British vital interests, even if it would make them stateless. The government must think hard before doing it, but it's not prevented from making someone stateless.

In Australia, citizenship can already be lost if you renounce it, if you lie on your citizenship application or if you fight for a country at war with Australia.

It can be revoked for the children of Australian parents who do any of those things, even if the children don't do anything wrong themselves.

Those who want to go further, and strip citizenship from jihadists or others suspected of terrible crimes, even those with dual citizenship, will not be punishing those who do harm, merely exporting them. They will make our criminals someone else's threat.

Australia has form on sending those it no longer wants overseas, uncaring of the consequences to the undeserving other country. It routinely cancels the visas of permanent residents who turn badly criminal, no matter how obviously a product of this country they might be.

Living in Australia almost a lifetime is no barrier to the donation of a career criminal to a supposedly friendly country which happens to be the land of his birth, if not the entirety of his childhood, teenage years and adult existence.

Take Stefan Nystrom, brought to Australia as a newborn and deported to Sweden despite not speaking Swedish in 2006 after a long life of crime. Australia's problem, made Sweden's.

Or Robert Jovicic, born in France to Serbian parents, who came to Australia as a toddler. An extensive criminal history led the Howard government to send him to Belgrade. Australian made, Serbia's problem to deal with. The course was later reversed only when he was declared stateless and under pressure Australia let him back in.

Or Patricia Carol Toia, judicially declared a one-woman crime wave, who was deported to New Zealand despite living in Australia since she was one. A charter flight was needed as no airline would take her. Re-gifted by private jet, it took her less than a month to cause trouble for a Kiwi hotelier.

Australia needs to deal with its own criminals, including terrorists, by letting the law take its course, rather than irresponsibly dumping them overseas.

Tim Dick is a Sydney lawyer.

<http://www.theage.com.au/comment/citizenship-not-a-gift-but-a-human-right-20150216-13gndr.html>

5. Why The Coalition's Attacks On The Census Make Perfect Sense

The undermining of the Bureau of Statistics is in line with an agenda hostile to evidence based policy and willfully out of touch with reality, writes Ben Eltham.

New Matilda
19 Feb 2015
By Ben Eltham

In order to drive the government, it helps to be able to see out the windscreen. If you turn off your headlights while driving at night, no-one will be surprised when you crash.

Unfortunately, the government led by Tony Abbott has never understood this. When it comes to things like science, evidence and statistics, the government appears increasingly deluded.

By “deluded” I mean the psychological definition of a “a rigid system of beliefs with which a person is preoccupied and to which the person firmly holds, despite the logical absurdity of the beliefs and a lack of supporting evidence.”

Nothing could better describe the mindset of the Abbott government, which has consistently made policy for a reality it wishes exists, rather than the everyday reality that actually does exist.

If there is a fundamental signature to this government, it is its determination to see Australia and the world through a conservative prism. Where reality doesn't fit the Abbott government's predilections, that reality is ignored.

One aspect of this tendency is a puzzling irrationalism. No government in modern Australian history has been more hostile to evidence, science and reason than Tony Abbott's.

The rot set in almost from day one. Tony Abbott's cabinet didn't even include a minister for science.

After just two weeks in office, the government sacked Climate Commissioner Tim Flannery. As the head of the Climate Commission, Flannery's role was to try and communicate climate science to the general community. He was doing a good job of presenting the scientific reality. That made him a figure of hatred for the climate warriors of the right.

Flannery was fired, and the Commission abolished. It was the opening shot in a war on science.

Once in office, the Abbott government slashed funding to climate and environment programs. It has tried and failed to kill off the Australian Renewable Energy Agency (ARENA). It has tried and failed twice to abolish the Clean Energy Finance Corporation, an energy industry bank set up by Julia Gillard. Bizarrely, the CEFC is actually making the Commonwealth money.

The Coalition also took aim at scientific research. In the last week of the 2013 election campaign, it pledged to slash \$100 million from the nation's premier research body, the Australian Research Council. Just to make sure everyone knew the score, Joe Hockey backgrounded some friendly News Corporation journalists with a number of supposedly trivial research projects that he said didn't deserve funding. One unlucky philosopher at the University of Sydney found himself ridiculed for his work on Hegel.

In Hockey's first budget, more cuts to science and research ensued. \$111 million was cut from the CSIRO – nearly a thousand jobs have since disappeared. There were also cuts to the Australian Institute of Marine Science, the Australian Nuclear Science and Technology Organisation, the Cooperative Research Centres, to federal R&D funding, to research PhD student funding, and to virtually every federal renewable energy program.

It's not just science, mind you. The Abbott government has taken a dislike to evidence of almost any kind. It's trying to amalgamate the Australian Institute for Health and Welfare, which collects vital health statistics like hospital waiting times. It wants to abolish the Australian National Preventive Health Agency, which coordinates policy and research for preventative health.

This wilful delusion is a key reason the Abbott government finds itself so unpopular. If it had paid more attention to the evidence on higher education or health reforms, it might have sidestepped the minefields it has blundered into.

For instance, if the government had looked at the evidence in health policy, it might have saved itself from its disastrous idea to introduce a GP co-payment. Public health actually saves the health budget money in the long term.

But looking at the evidence is not something this government seems capable of. So perhaps we shouldn't be surprised that the Abbott government is considering cutting funding to Australia's census – or even axing it altogether.

Before we get too worked up at the government, it appears as though the ABS has itself proposed the move to abandon the five-yearly survey.

But the reason for that move is almost certainly declining funding. The census costs more than \$400 million to conduct. But the ABS has been starved of funds in recent budgets, including under the previous Labor administration.

Last year's budget cut \$68 million in funding for the Australian Bureau of Statistics. The ABS had to cut so many staff, its unemployment numbers became unreliable.

Why should we keep a five-yearly census? It's simple: we need it.

The census is Australia's premier public policy measurement. Demography is destiny, as the old saying goes. You can't get a more fundamental social indicator than who lives where. Without a proper measure of the population, governments at all levels can't plan for the next hospital, school, road or police station.

The census counts, because only the census counts everyone. Our public services run on high-quality statistics. The census is the foundation stone of the entire statistical edifice.

Only the census gives us the highest-quality data at the lowest level in the most detail. Many of the other statistics we rely are based on the census for their very statistical validity. Even the opinion polls that politicians pay so much attention to are based, ultimately, on the census. It is only with reference to census data that pollsters can build statistically significant and unbiased samples that reasonably reflect demographic reality.

Cutting back on census quality runs the risk of ruining decades worth of data. That's because many of the measures the ABS keeps are based on asking the same questions, in the same way, every five years. If we change the method, the data no longer becomes comparable. All of a sudden, future editions of long-running series like the Survey of Income and Housing might be compromised.

We know this can happen, because Canada has already tried it. When the Canadian government of Stephen Harper – another science-hating climate denier who has much in common with Tony Abbott – cut back on census funding, the results were dismal. The quality of the new surveys were so poor that they became almost useless at a local and regional level.

The party that should be most opposed to this idea is the Nationals. Regional and rural communities will suffer most from a damaged census, because the data for these smaller communities will no longer exist.

The government can afford to fund a proper census. It's proposing to pay hundreds of millions to internet service providers to help with the cost of its absurd data retention bill.

But don't expect the government to listen. As we've learned in the recent leadership turmoil, Tony Abbott finds any criticism difficult to handle. Like the other evidence pointing to his impending downfall, he'd rather shoot the messenger that listen to the message.

<https://newmatilda.com//2015/02/19/why-coalitions-attacks-census-make-perfect-sense>

6. Remember Those 'Draconian' Laws Morrison Passed? Here's What's Happening With Them

TPVs have still not been issued to any refugees, but the Refugee Council holds great concerns about the broader impact of the laws. Max Chalmers reports.

New Matilda
20 Feb 2015
By Max Chalmers

No Temporary Protection Visas (TPVs) have been issued to refugees since the passage of the Coalition's controversial migration amendments in late 2014, the Department of Immigration has confirmed.

The reintroduction of the visas was part of sweeping legislation passed by the senate in December, which also instituted fast track processing of claims and limited the appeal options of asylum seekers who arrive in Australia without a visa.

Refugee support organisations have been bracing for the return of the TPVs, which force refugees to have their claims re-evaluated every three years and prevent them accessing the same benefits as those who enter the country with a visa.

The Refugee Council of Australia, an umbrella organisation for support groups across the country, says the wide-ranging legislation which re-introduced the visas will take years to be fully understood, but that the immediate impacts have not been clearly explained to support groups or their clients.

Rebecca Eckard, a research coordinator at the Refugee Council, told New Matilda that the legislation introduced TPVs retrospectively, meaning a large number of people who arrived in Australia as long as five years ago had become ineligible for permanent protection visas.

Included among this group are asylum seekers who have already been accepted as refugees but have not gone through the final visa processes

"There are still hundreds of people who arrived years ago, who have been found to be refugees who are awaiting a visa, and even though they applied for permanent protection visas, because of delays, they are only going to be eligible for TPVs," Eckard said.

Refugees placed on TPVs will have the right to seek work and access medicare, but will not be granted access to the Humanitarian Settlement Services, a needs based service that helps refugees accepted through Australia's UNHCR intake settle in to the community.

They also won't be given access to the HECS-HELP scheme, meaning once refugee children finish high school they will either have to pay for university upfront or forgo higher education. Even if they establish lives for themselves in Australia, they can be deported if their visas are not renewed at the end of the three year period

Aside from concerns around TVPs, Eckard was also critical of changes in the legislation designed to fast track asylum claims.

In a statement issued to New Matilda, a spokesperson for the Department of Immigration said it held no concerns about the integrity of the new process.

"The new Fast Track Assessment process will allow protection claims to be assessed more efficiently and ensure a more robust approach to protection assessments," the statement said.

"All Fast Track applicants will receive a comprehensive, fair and objective assessment of their claims for protection by highly trained and experienced immigration case officers."

But Eckard said the new process would be "efficient and quick rather than just and fair".

The legislation, passed in the final month of Scott Morrison's tenure as Minister, means those who undergo fast track assessments will only be able to appeal to the newly established Immigration Assessment Authority (IAA), where previously they would have appealed to the Refugee Review Tribunal.

The difference sounds technical, but according to Eckard it's significant.

The IAA's website notes that "information that was not before the primary decision maker will only be able to be considered in limited circumstances".

Eckard told New Matilda many asylum seekers do not present all relevant evidence for their claims at initial hearings, and that it can take a long time before they feel comfortable telling their full stories.

"When people have been through traumatic events or torture – particularly sexual violence or claims based on sexuality or gender preference – they are not likely to present that," she said.

"Our concern is that people who have legitimate claims for protection will be excluded because of these new laws."

Labor and the Greens opposed Morrison's legislation when it was before the senate last year, warning it would provide drastic new powers to the Minister, prevent asylum seekers from having the opportunity to present their claims fairly, and leave those found to be refugees in a precarious position post release.

It passed with the support of Australian Motoring Enthusiast Party Senator Ricky Muir, who was pressured by the Coalition to vote up the legislation in return for a guarantee to release children from Christmas Island.

Earlier this week Fairfax reported that 252 children remain in detention, 116 of whom are held offshore on Nauru.

The most recent immigration detention statistics reveal no children are currently being held on Christmas Island, though advocates have argued they have simply been moved to different centres.

"The reality is those children have been thrown into detention again in Darwin instead of Christmas Island," Eckard said.

"Their situation has not materially changed."

<https://newmatilda.com//2015/02/20/remember-those-draconian-laws-morrison-passed-heres-whats-happening-them>

7. Michael Gordon: Asylum seekers: A tale of two reports

Brisbane Times
February 20, 2015 - 11:15PM
Michael Gordon

Malcolm Turnbull did his homework before Monday's appearance on the ABC's Q&A program. Knowing last week's report on children in immigration detention would be raised, he came briefed by new Immigration Minister Peter Dutton and armed with the latest statistics.

Unlike his ministerial colleagues, Turnbull chose not to take aim at the messenger, Gillian Triggs, the president of the Human Rights Commission who led the inquiry and shaped its report, *The Forgotten Children*. His Coalition collaborators will resume that unedifying preoccupation when Triggs appears before a Senate committee on Tuesday.

Instead, Turnbull used the statistics to blame the problem of uninvited boat arrivals solely on the former Labor government and to assert that the Coalition had all but solved it. "We have got the children out of detention. Labor put them in," he said.

Turnbull is a highly intelligent and articulate politician whose values sit comfortably with middle Australia. This is why, unless Tony Abbott makes the political recovery many of his admirers consider beyond him, Turnbull will be prime minister before the next election.

Many in the Q&A studio audience were no doubt sympathetic to the plight of asylum seekers, but they were so swayed by Turnbull's performance that his answers drew applause.

The pity was that the many gaps in his argument went largely unchallenged and remarked. Labor's representative on the Q&A panel, health spokeswoman Catherine King, steered clear of the blame game, instead describing Triggs' report as "as an indictment on both of us". She was spot on.

One of the biggest gaps concerns the plight of 116 children in indefinite detention on Nauru. The Forgotten Children report devotes a chapter to this issue, concluding that they are suffering from "extreme levels of physical, emotional, psychological and developmental distress". It also identifies multiple breaches of the Convention on the Rights of the Child.

The government's written response, which dismissed the 315-page report as offering "little in the way of new insights or initiatives", deemed the Nauru chapter worthy of a single paragraph, asserting that the "processing arrangements" on the island are beyond the Human Rights Commission's jurisdiction.

This is consistent with the approach the government takes to complaints about the conditions at the Manus Island detention centre in Papua New Guinea for adult males. The centres are run by sovereign foreign countries and subject to their rules, it says.

The truth, however, is that the centres are Australian-run and funded and the buck stops with the Australian government when it comes to the welfare of the detainees – eventually.

Back in September, Greens senator Sarah Hanson-Young went public with allegations of sexual abuse by security guards at the Nauru centre, after raising them with then minister Scott Morrison and receiving no reply. They included allegations that female asylum seekers were told by guards that they must expose their bodies in order to be allowed to shower for longer than the designated two minutes, and warned they would be raped when they left the centre once their refugee claims were processed.

A few days later, the minister responded by way of a "drop" to Sydney's Daily Telegraph. Under the splash headline "Claims of abuse on island go overboard", the paper reported that a leaked "intelligence report" had found that staff employed by the service provider, Save The Children, had fabricated the stories of sexual abuse.

Morrison confirmed to the paper that 10 staff from Save The Children had been removed from Nauru over the allegations – and that the matter had been referred to the Australian Federal Police. In fact, the 10 left the following day.

The 10 have never had specific allegations put to them and deny any wrongdoing, as does Save The Children.

The day the story appeared, on October 3, Morrison announced that Philip Moss, the former integrity commissioner, would investigate the allegations of sexual assault and whether they were fabricated as part of a "wider campaign" to undermine the government's policy.

The Moss report has been with the government since February 9. Unlike The Forgotten Children report, it is a report to Dutton's department, not the Parliament. There is no requirement to release it.

What we do know is that Moss took his commission very seriously, visiting Nauru at least twice and conducting extensive interviews with staff and asylum seekers, including those who allege they were sexually assaulted by Nauruan security guards.

In recent weeks, I have spoken to a number of those who were interviewed by Moss, including some who detailed allegations of sexual intimidation and abuse. The picture that emerges is of a centre where every aspect of the asylum seeker's life is strictly controlled – from what they wear to when they can wash.

"There are so many little things that add to the bigger picture that makes people so unwell," said one who has worked in detention centres on the mainland as well as on Nauru. "In onshore detention, you can see people deteriorate slowly, but I have never seen such violent and complete undoing of people's mental health as what I have witnessed on Nauru."

There are three elements to the despair described by detainees: the harsh, over-crowded conditions, living in a tent in the intense heat and humidity; the control exercised by authorities; and the uncertainty about the future. Apprehension about resettlement in Nauru is weighed against fear of resettlement in Cambodia.

How Moss deals with what he saw and was told on Nauru may become clear when the "public version" is released. Much of it may fall outside the brief he was given by the department when Morrison was minister.

For its part, the Nauruan government has moved to counter the allegations of bad, indeed criminal, conduct by local security guards. After Dutton visited Nauru this week, a statement released by the Nauru government quoted him as praising the "very responsible action" by Nauru and Nauruans in relation to the centre. "Mr Dutton is pleased with the good work being done by Nauruan staff at the RPC (regional processing centre) and is keen to see that develop," it said.

If the official message is that all is well inside the camp, and for those now in the community, it is at odds with the utter despair of those in detention.

"I was not safe in my country and no one respected me," a very young woman told me this week, "and here it's like that, too."

Michael Gordon is political editor of The Age.

<http://www.brisbanetimes.com.au/comment/asylum-seekers-a-tale-of-two-reports-20150220-13k7up.html>

8. BBC Magazine: Australia's 'beautiful prison' in Papua New Guinea

By Fariba Sahraei
BBC Persian
18 February 2015

For more than a year Australia has sent asylum seekers arriving on Christmas Island to a holding camp in Papua New Guinea. If their applications are upheld they can stay in Papua New Guinea, but will never return to Australia. A year ago there was bloodshed, and many in the camp are at breaking point.

"Imagine a large and real cage in the most isolated island, surrounded by ocean and jungle and tall coconut trees," says Omid, a 25-year-old Iranian.

"No doubt our prison is the most beautiful prison in the world."

Omid is not exaggerating. Manus Island, in Papua New Guinea (PNG), is small and rugged, covered in thick jungle, and the coastline is stunning.

It's home to around 50,000 islanders - but also to about 1,000 detained asylum seekers who never wanted to be here and are mostly desperate to get out and go anywhere except back where they came from.

Until mid-2013, Omid was a journalist in Iran. He fled the country under the threat of arrest, paying traffickers a small fortune to take him to Australia.

Like many asylum seekers setting off from Indonesia, Omid headed for Christmas Island, a tiny Australian territory much closer than the mainland.

Despite reaching Australian borders, he was relocated to an overcrowded detention centre on Manus Island, where he has been stuck for the last 18 months.

That's because of a controversial deal between Australia and Papua New Guinea in July 2013, in which Australia effectively began outsourcing much of the responsibility for these asylum seekers to its impoverished Pacific neighbour.

"Any asylum seeker who arrives in Australia by boat will have no chance of being settled in Australia as refugees," stated Kevin Rudd, Australia's prime minister at the time.

Full story at <http://www.bbc.com/news/magazine-31369186>

9. Rundle: defence of refugees begins at Gillian Triggs

Anyone who wants to stand up for the humane treatment of asylum seekers must defend Gillian Triggs from horrific attacks from the Right. And Crikey's writer-at-large has some ideas on just how to do it.

Crikey
Guy Rundle
Feb 18, 2015 1:14PM

"Defence of the Soviet Union begins at Diego Garcia!"
-- old Spartacist slogan

There's nothing about Gillian Triggs in The Australian/ today. But there will be tomorrow. Or next week. Or the week after that. Triggs has been designated an official enemy by the Right, and this week's flurry of attacks will continue. If there's been a lull at the moment, it's simply because they are digging up dirt, or trying to.

Triggs is in the cross-hairs for the recent report on children in detention on Manus Island -- a story of horror, torture and psychological damage that is difficult to read at times. The report is meticulous and has taken time. The Abbott government accuses it of being a political bomb because it has landed halfway through their term -- instead, presumably, of being released, half-done and perfunctory, in the dying days of Labor, which also imposed the policy.

Attacking Triggs' report for being political because it tells the truth about refugee detention is grimly hilarious, like an eastern European Cold War era play about someone being tried for slandering socialism by telling stories about the Gulag. "But it's true!" "Exactly, comrade. That's what makes it such a serious slander."

The ferocity of the attack, from Parliament and Newscrap, is an attack on the report, an attack on the Australian Human Rights Commission, and an attack on Triggs herself, and the sort of person she is -- a woman-lawyer from the heart of the left-liberal rights project. The attack is strategic, but there's a degree of anger and frustration within it. Triggs personifies aspects of the world -- liberal, procedural, reasonable, professional, female -- that drives men like Abbott and Brandis to conniptions. The male-menopausal chorus in the conservatoriat are happy to join in.

Triggs has already hit back, quite wisely, and shows no signs of being fazed by such attacks. But that doesn't mean such attacks have no impact. Such attacks are designed as a form of psychological warfare, to get inside the head of the person under attack. The Australian specialises in this, because it's run by bullies, and they hire bullies to do the petty work. They get off on contemplating the damage they'll do to people -- all the more, the more the Abbott government turns out to be a dud and a disaster.

That's why defending Triggs in particular, and the position she speaks from in general, is now a vital and immediate task for the refugee movement. And I don't think they've fully realised this yet. There's an obvious reason -- the conditions of people in Manus and elsewhere is so desperate that someone over here getting a bit of heat from the failing political Right appears to be somewhere down the list of urgent causes.

But that's a big mistake, because that's what the toxic Right rely on in conducting these wars. The Right will gather around a threatened personage -- until, as with Abbott, they decide to more or less drop him -- and they know the Left will parse degrees of suffering, and decide that they can't, even for a short time, shift energy from the immediate task, the wretched of the earth in a de facto stateless island prison.

But for the moment, defending Triggs is the most necessary and immediate way of advancing the cause of people on Manus, and on the next half-dozen refugee hells we establish. The Sparta slogan that begins this piece is an example of what's known in the trade as an "angular" slogan -- it shows how the whole is bodied forth in the part, Diego Garcia being the A-bomb raddled island group with a major Indian Ocean US base.

In that spirit, "attacking the mandatory detention regime begins with the defence of Gillian Triggs". Because we have to defend the person and the process by which the truth about such things is laid bare, and hit back against such attacks with double the force. I don't mean hashtags or angry tweets, I mean that the dominant refugee action groups need to divert some resources to a campaign in Triggs' support. Some of that is the usual stuff, petitions, etc, but some of it needs to be more direct. And it wouldn't take much.

For example, a leaflet drop in three Liberal marginal seats with a strong left-liberal component -- the so-called doctors' wives seats -- would do the trick. You don't even need to do the whole electorate, just find the half-dozen booths with the highest Green vote, and do it in those areas. Include a pre-paid postcard to the local member with the leaflet -- about defending the AHRC and its head from political attack -- and then retire to a safe distance.

It's not going to take more than 50 such cards going to each marginal member -- hanging on their seats for dear life, hoping Abbott gets hit by a tram in the Nullarbor before, say, September -- to start concentrating the mind. Small cost, big hit. Especially if it were repeated in two or three states.

Or something like it anyway. Could be any one of half a dozen things, but that's what's needed. Quite aside from anything else, no matter how tough someone is and accustomed to the attacks, they have a chilling effect. Responding to them is about people being clear that there is an attack on, and that solidarity with one is solidarity with all.

And defence of the Soviet Union begins at Diego Garcia.

<http://www.crikey.com.au/?p=480885>

10. United Nations group defends under-fire Gillian Triggs

The Age
February 17, 2015 - 11:27AM
Sarah Whyte

The United Nations has rushed to the defence of Gillian Triggs, urging the federal government to "respect the rule" of law in the protection of human rights and the Australian Human Rights Commission president's "high reputation".

The UN's working group on arbitrary detention has commended the work by the commission in its latest report, saying it considers the commission's statements on international law and human rights as "highly authoritative and their findings reliable".

Professor Triggs was heavily criticised by the Abbott government last week for its inquiry into children in immigration detention. Prime Minister Tony Abbott accused the commission of orchestrating a "transparent stitch-up" by releasing its report while the Coalition government was in power.

It was then revealed the government sought the resignation of Professor Triggs two weeks before it launched its extraordinary attack on the commission over its children in detention report.

Fairfax Media was contacted by the UN after Mr Abbott's comments last week, and it drew attention to its comments supportive of Professor Triggs in its recent report, published late last month.

The children in detention report, which was tabled late on Wednesday night, detailed extremely high rates of self-harm, child abuse and 33 cases of sexual assault of children in Australian-run immigration detention centres between January 2013 and March 2014 - a period spanning both the former Labor and current Coalition governments.

"The working group regards [the commission's] statements on international law and human rights as highly authoritative and their findings reliable, and urge national authorities to respect the rule of law and the international system for the protection of human rights by according the Australian Human Rights Commission and its President the respect that its role as the national human rights institution and her personal authority and high reputation require," the UN report says.

It is not the first time Mr Abbott has attacked the Human Rights Commission's President. In early January Mr Abbott questioned Professor Triggs' judgement when it was revealed that in a ruling in June she had recommended an Indonesian refugee and convicted killer be allowed back into the community after he had served his jail time.

"I think it shows what can best be described as extremely questionable judgment," Mr Abbott told reporters at the time.

Professor Triggs was also criticised for calling for an inquiry into children in detention only months after the Abbott government had won office.

The UN joins a chorus of supporters for Professor Triggs after the government's ongoing attacks. About 50 human rights lawyers, the Law Council of Australia, the Bar Association and the Australian Council of Social Services have voiced their concern about the government's response to the findings, saying such attacks were a threat to democracy.

"Personal criticism directed at [Professor Triggs] or at any judicial or quasi-judicial officer fulfilling the duties of public office as required by law is an attack upon the independence and integrity of the commission and undermines confidence in our system of justice and human rights protection" said Fiona McLeod, president of the Australian Bar Association.

The report found the number of children in detention has significantly decreased under the Abbott government, but the length of detention has dramatically increased. It also calls for a royal commission into the issue and that all children be removed from detention in both Nauru and in Australian detention centres.

There are currently 136 children being held in mainland detention facilities and 116 children being held in the offshore processing centre in Nauru.

<http://www.theage.com.au/federal-politics/political-news/united-nations-group-defends-underfire-gillian-triggs-20150217-13gq0h.html>

11. Labor objects to George Brandis's staffer 'overseeing' meeting with Gillian Triggs

Exclusive: Attorney general instructed his staff member to be present when Mark Dreyfus met human rights commissioner

The Guardian
Lenore Taylor, political editor
Wednesday 18 February 2015 15.49 AEST

Labor has complained that the attorney general, George Brandis, "inappropriately" insisted his staff "oversee" a meeting between the human rights commissioner, Gillian Triggs, and the opposition.

The shadow attorney general, Mark Dreyfus, told Guardian Australia he had complained to Brandis after the attorney general instructed his staff member be present when Dreyfus met Triggs late last year, not long after the commission delivered to government its final report on children in detention. The meeting was not about the report.

Triggs had informed Brandis that Dreyfus had asked to meet her as a “usual courtesy”. When Brandis’s deputy chief of staff, Josh Faulks, turned up at the commission’s Sydney office at the appointed time for the meeting, both Dreyfus and Triggs asked him to leave. Faulks refused, saying he was acting on the instructions of the attorney. The meeting proceeded with Faulks watching.

“Independent statutory agencies ought to be free to consult with anyone in Australia, including the opposition, without being supervised or overseen by a ministerial adviser,” Dreyfus told Guardian Australia.

“It is appropriate for ministerial advisers to be present at security briefings provided to the opposition, or when the opposition is receiving a briefing from a government department, but it is not appropriate for ministerial advisers to oversee meetings with an independent statutory agency.”

While it is demanding that staffers sit in on meetings between Triggs and the opposition, the government is refusing to meet her. Guardian Australia understands the prime minister, Tony Abbott, has refused requests for meetings, and Brandis has been unable to find time in recent months.

Sources said there was no record of any government insisting on a staff member sitting in on a meeting between the opposition and the human rights commission.

Abbott has attacked the commission and Triggs for the children in detention report which criticised the impact on children of the detention policies of both the Coalition and Labor. Abbott described it as a “transparent stitch-up” and a “blatantly partisan exercise”. Earlier this year Brandis sent the secretary of his department, Chris Moraitis, to suggest Triggs stand down from her five-year stint as commission president. During that conversation she was offered another position.

Government backbenchers have also made increasing numbers of public calls for Triggs’s resignation and threatened a parliamentary inquiry into “bias” in her organisation.

But the UN’s working group on arbitrary detention has defended Triggs’s “high reputation” and the “reliable” findings of the report, and urged the government to “respect the rule of law”.

Australia’s peak law bodies and academics have also backed Triggs, warning that attacks on her by the government are a threat to democracy.

Brandis was asked about the meeting a week after it occurred, during Senate estimates hearings late last year, and said it was routine for a staff member to be present.

“I did require a member of my staff to be present. That was routinely – routinely – required of me when I was in opposition when I was briefed as the shadow attorney general by various agencies of the executive government.

“... Ordinarily the opposition, in my view, ought to expect to be able to be briefed about the operation of an agency by the CEO of the agency. But ordinarily the minister, or a representative of the minister, would sit in.”

He said ministerial advisers always sat in on the legally required briefings to oppositions from Asio, and that made it all the more obvious that they should sit in on briefings provided not as a legal requirement, but as a courtesy.

“If a member of the staff of the attorney general should sit in on a briefing where there is a statutory right, then a fortiori the member of the staff of the attorney general ought to sit in on a briefing which is given as a matter of convention or perhaps as a matter of courtesy. That was done, and I am told that my deputy chief of staff, Mr Josh Faulks, did sit in on that briefing and he did not in any way, shape or form seek to interfere with the conversation. He was merely present, as is appropriate.”

Triggs is due to give evidence to a Senate estimates committee next week.

<http://www.theguardian.com/australia-news/2015/feb/18/labor-objects-to-george-brandiss-staffer-overseeing-meeting-with-gillian-triggs>

12. Tim Wilson laments plight of children in detention and 'vacancy in their eyes'

Human rights commissioner refuses to endorse Tony Abbott’s criticism that Australian Human Rights Commission’s report was ‘blatantly partisan’

The Guardian

Daniel Hurst political correspondent

Wednesday 18 February 2015 18.18 AEST

Australia’s human rights commissioner, Tim Wilson, has described the suffering of children in immigration detention, saying he was struck by their loss of vitality and energy and the “vacancy in their eyes”.

Wilson urged the Australian Human Rights Commission's critics – including the government that appointed him to his position – to focus on the confronting personal stories of detainees rather than political argument.

He stopped short of repudiating the government for trying to pressure the commission president, Gillian Triggs, to resign, but said in a National Press Club address on Wednesday that he supported all his commission colleagues.

Wilson refused to endorse the argument of the prime minister, Tony Abbott, that the commission's inquiry into children in immigration detention was a "blatantly partisan, politicised exercise" or a "stitch-up" against the Coalition government.

Instead, Wilson said detaining children was "a consequence of a policy over 23 years of all parties in government" and he hoped the government gave the report's recommendations "proper consideration".

"The report is called The Forgotten Children report and the worst thing we could do out of that report is distract even further from those forgotten children and the human consequences and addressing those challenges into the future," he said.

Wilson, who helped interview detainees as part of the inquiry, said locking children in detention for prolonged periods affected their mental health, wellbeing, family life and social engagement.

"Some of the interviews I did in Darwin talking directly to children, it was the vacancy in their eyes that screamed to me the challenge of what happens when you're in long-term detention, where they weren't being properly socialised or engaged," he said.

"When kids lack that vitality and the energy that makes them what they are ... when that is absent you really notice it. But this is a consequence of a policy over 23 years of all parties in government."

Wilson, a former Liberal party member, was appointed to his commissioner role a year ago by the attorney general, George Brandis, who said at the time that the commission had "taken a narrow and selective view" of its legislated functions.

Wilson said stopping the boats and the deaths at sea was important, but the follow-through was to take children and families out of detention and "to make sure that this never happens again".

The government released the report last week and Abbott reacted angrily, singling out the commission's decision to launch the inquiry after the election.

He said there were "almost 2,000 children in detention in the middle of 2013 under the former [Labor] government's watch" and the commission "ought to be ashamed of itself" for acting in a partisan manner.

The report criticised both sides of politics, described shocking incidents of self-harm, and called for a royal commission to look into the continued use of the 1992 policy of mandatory detention and also allegations of sexual assault.

Fairfax Media revealed, and Guardian Australia confirmed, that the government sought Triggs's resignation several weeks before the report's release. It is understood the request was relayed to Triggs on behalf of Brandis by the secretary of his department, Chris Moraitis.

Asked directly about the appropriateness of the government putting pressure on the commission president to resign, Wilson said he did not want to "fuel the political debate around this report" and urged everyone to "focus on the research that's gone into it and the human stories that have gone into it".

Wilson said the Human Rights Commission would "attract a certain degree of criticism" whenever it was "being active and vital".

The commission should not be afraid to defend its position and the work it was doing to improve the standing of human rights in Australia, he said.

In his wide-ranging address to the National Press Club, Wilson also argued that freedom drove human progress and that people "should want big citizens, not big government".

He said Australia was a deeply pragmatic country that cared about human rights, but not in isolation.

Australians expected people to exercise responsibility as a precondition of having rights, he said, and to gain public legitimacy freedom had to be nested with fairness and justice.

He reaffirmed his calls to change the Racial Discrimination Act, saying the law should be reoriented towards preventing public harassment rather than prohibiting offensive or insulting comments.

Wilson said his priorities for the years ahead included investigating housing affordability and access to shelter, forming a “religious freedom round table”, and releasing a report on the issues faced by people due to their sexual orientation, gender identity and intersex status.

<http://www.theguardian.com/australia-news/2015/feb/18/tim-wilson-laments-plight-of-children-in-detention-and-vacancy-in-their-eyes>

13. The Economist's perspective: Suffer the children

Tony Abbott dismisses a damning report on the detention of child asylum-seekers

The Economist Newspaper
Feb 17th 2015 | SYDNEY

“I AM a bird in a cage,” says one 14-year-old girl. “We are getting crazy in here,” says another asylum-seeker child, locked in an Australian detention centre in the tiny Pacific island nation of Nauru. The drawing of a third shouts: “Help!” Other young detainees have harmed themselves, and even attempted suicide.

Their stories have surfaced in “The Forgotten Children”, a report by Australia’s Human Rights Commission. It is the result of an eight-month inquiry last year into Australia’s practice of locking up (for indefinite periods) children who arrive on boats crammed with people seeking asylum. Gillian Triggs, the commission’s president, has called the findings “deeply shocking”. Over the 15 months to March 2014, they document 233 assaults and 33 reported sexual assaults against children (it is unclear whether by adult inmates or by staff). A third of the children in asylum detention centres had mental problems needing psychiatric support.

When the commission started its inquiry, about 1,140 children were in detention on the mainland, Nauru and Christmas Island, an Australian territory in the Indian Ocean. Most were from Iran, Sri Lanka, Vietnam, Iraq, Afghanistan and Somalia; many were stateless. Authorities have since released most of these into Australia (including more than 100 over the past two weeks) while their asylum claims are heard. That still leaves more than 300 children in detention, including 119 in Nauru, where the Australian camps are a mainstay of the economy. And the length of detentions has increased.

Ms Triggs says the policy violates Australia’s international human-rights obligations on the rights of the child, which says children should be detained only as “a measure of last resort”. Successive Australian governments have claimed that locking up boat people deters smugglers and thus prevents deaths at sea: more than 1,000 people, including at least 15 children, drowned while trying to reach Australia in the five years to 2013. Ms Triggs says the aims do not justify “the cruel and illegal means adopted”. Australia, she says, is the only country that imposes mandatory and indefinite detention on asylum-seekers “as a first action”. She wants all children and their families released on bridging visas with rights to work.

Under Tony Abbott, the conservative Liberal Party prime minister, there is little chance of that. He responded with a blistering attack on the commission, an independent public body. Its report, he said, was a “transparent stitch-up”, and politically biased. Asked on radio if he felt any guilt about the treatment of child detainees, he replied: “None whatsoever.” Mr Abbott’s government released the report only on February 12th, three months after Ms Triggs delivered it. Shortly before the release, the government reportedly sought her resignation from the commission.

Mr Abbott’s response is an example of how Australia’s approach to treating boat people is mired in populist politics. A centre-left Labor government started the mandatory detention policy in 1992. Facing a thorny election in 2001, John Howard, Mr Abbott’s predecessor as Liberal prime minister, opened the offshore detention camps in Nauru and on Manus Island in Papua New Guinea. Four years later, Mr Howard released all child detainees and their families into Australia—only after members of his own party, who had demanded a more humanitarian policy, threatened to embarrass him in parliament. Kevin Rudd, when Labor prime minister, banished all boat people to the offshore camps while contesting the last election, in 2013.

Having survived a party vote on his leadership just four days before the commission’s report, Mr Abbott is now facing strong criticism from party luminaries over his response to it. Malcolm Fraser, a former Liberal prime minister, has defended Ms Triggs publicly, and accused Mr Abbott of behaving in “bully-boy fashion”. The UN has lauded the commission’s work.

The allegations of sexual abuse could be taken up by a separate ongoing inquiry. Yet neither Mr Abbott nor Bill Shorten, the Labor opposition leader, supports Ms Triggs’s call for a royal commission into the country’s mandatory detention policy. But the report may yet put Australia under mounting international pressure to reassess its draconian policy.

http://www.economist.com/news/asia/21644010-prime-minister-dismisses-damning-report-australias-detention-children-seeking-asylum-suffer?fsrc=scn/tw_ec/suffer_the_children

14. Lost in a black hole after ASIO branded refugee a threat

After more than five years locked in Australia’s immigration detention centres, Ragav’s mind feels dulled – and he is still none the wiser about why he was locked up in the first place.

Daniel Flitton
Brisbane Times
February 20, 2015 - 11:15PM

He loved to read books, a lot of books, in the days before he had nothing but time. Long histories of world events, running to hundreds of pages. But not now.

"I don't have interest in that. After two pages, I lose myself," Ragav says.

More than five years locked in Australia's immigration detention centres has left his mind feeling dulled. He forgets people's names in a way he never did before and still cannot remember his phone number.

But he cannot forget the reason why he was locked up for such a long time – because he has never been told.

"ASIO never gives reasons," Ragav tells me.

Indefinite detention

Ragav, 42, fled from Sri Lanka during the civil war only to become one of dozens of refugees lost in the black hole of Australia's legal system, a peculiar limbo known rather antiseptically as "indefinite detention".

He could not be returned home, after the United Nations judged he had a well-founded fear of persecution.

But he was not allowed a visa to live in Australia because of a secret ASIO assessment that branded him a threat to national security.

He was never charged with breaking any laws, but had no right to appeal the security agencies' adverse finding or even know the detail of the allegations against him.

And no other country would offer him a home. Not Canada or Switzerland, where his uncles live, or in Britain with cousins.

So he was trapped in detention, for the most part at a Broadmeadows facility that is ironically named Melbourne Immigration Transit Accommodation, where depression and suicide attempts have been disturbingly common.

"I didn't realise that I would lose my life like this," he said.

Sudden change

Yet suddenly, three weeks ago, his life was unexpectedly returned.

"Ragav" is not the man's real name, and Fairfax Media has agreed not to disclose his identity because his parents and four surviving siblings remain in Sri Lanka.

But he is among at least 12 refugees to be released from detention in recent months after ASIO changed its secret assessment.

He was not given any explanation other than he was now allowed to leave.

ASIO has previously said adverse assessments of refugees are under constant review and findings are updated with new information. At one stage 54 refugees were trapped in limbo, and more than 30 still remain.

"I was genuine to the government in the interviews," Ragav says of his asylum application, in English and with the help of a translator.

He tells me how he worked as a cameraman for a media organisation supportive of the Tamil Tigers in regions under Sri Lankan army control.

He says how he came to have a profile as a contact for local and international media about university student resistance, having his camera equipped smashed, until eventually in 2006 a "military intelligence officer" warned him to leave the country.

Fearing an "accident" he flew to Malaysia and joined UN camps in the country. But denied work rights or a future, he paid \$16,500 – almost three times the going rate he later discovered – for an October 2009 passage to Australia.

He provided documents, he says, and after 18 months on Christmas Island, was sent to a camp in far north Queensland, where after another year he was told ASIO had made an adverse finding.

He was moved to Melbourne in 2012 in the months before an April 2013 hunger strike among the more than two dozen refugees held with negative findings.

"We did that hunger strike not to hurt the Australian people or government," Ragav says. "If there was inconvenience, I apologise."

But as much as a cry for help, he says, the aim of the protest was to bond desperate group together rather than sit alone in their rooms crying – and for some, attempt to end their lives.

No grudge

As the fog of indefinite days in detention recedes, Ragav looks to a future with aims to find work as a kitchenhand.

But he bears no grudge to country he asked for help.

"They told me to stay five or six years in the detention centre, and I stayed", he says. "The next day they came and told me to leave, so I left.

"I'm not angry. I'm grateful to you. I have lived with your tax money for the last six years – securely I lived. I have to be grateful to this country for keeping me comfortable."

"The normal life I was deprived, I didn't get that... but I believe in the Australian law and I trust the Australian people."

<http://www.brisbanetimes.com.au/national/lost-in-a-black-hole-after-asio-branded-refugee-a-threat-20150220-13iohb.html>

15. Sri Lanka's high commissioner to Australia among 50 diplomats recalled

New president, Maithripala Sirisena, has purged what he calls 'political appointees' from the country's foreign service, including six from Australia

The Guardian

Ben Doherty

Wednesday 18 February 2015 17.32 AEST

Sri Lanka's new president has recalled more than 50 diplomats from across the globe who were seen as "political" appointments made by the former regime - including the high commissioner to Australia, Admiral Thisara Samarasinghe, and UN representative Dr Palitha Kohona, a dual Australian-Sri Lankan citizen.

The purge is part of a global restructuring of Sri Lanka's foreign service. New president Maithripala Sirisena, who defeated incumbent Mahinda Rajapaksa in a shock result in January, campaigned on a promise to recall ambassadors he saw as political appointments.

Reports in Sri Lanka said the list of those summarily removed included "relatives of politicians and of public officials closely connected to those in the former regime".

The Sri Lankan high commission in Canberra confirmed the diplomats had been recalled.

Both of the diplomats with Australian connections attracted controversy, both relating to their positions and actions at the end of Sri Lanka's brutal 26-year civil war between government troops and the separatist Liberation Tigers of Tamil Eelam army (the Tamil Tigers).

In 2009, in the war's final phase, Kohona was foreign secretary, and was in contact with leaders from the LTTE.

On the penultimate day of fighting, he sent a text message, via an intermediary, to a senior LTTE operative regarding surrender: "Just walk across to the troops, slowly! With a white flag and comply with instructions carefully. The soldiers are nervous about suicide bombers."

The LTTE fighter, and a colleague, surrendered the next morning. They were reported dead within an hour of surrendering.

Kohona has always firmly denied any wrongdoing. He has said in interviews that while he sent the text message, it was not part of surrender negotiations, nor a guarantee of safety. "Absolutely not. This would be way beyond my authority to promise," he said.

Kohona is a dual Sri Lankan-Australian citizen, a former Australian diplomat and trade negotiator for Australia's Department of Foreign Affairs and Trade.

He has served as Sri Lanka's permanent representative to the United Nations since September 2009.

Thisara Samarasinghe was appointed high commissioner to Australia after a 37-year career in the Sri Lankan navy, which culminated in his postings as commander of the navy's eastern and then northern areas, as well as naval chief of staff, during the final years of the war.

In 2011, the International Commission of Jurists Australian section submitted a brief of evidence to the Australian federal police alleging Sri Lankan naval ships fired on civilians who were fleeing fighting in Sri Lanka's north-east at the end of the war. The ships, the brief argued, were under Samarasinghe's command.

The brief did not allege Samarasinghe was involved in shelling, or gave direct orders to that effect, but the submission stated military superiors hold a responsibility for the actions of those under their command.

Samarasinghe denied the allegations. "There is no truth whatsoever of allegations of misconduct or illegal behaviour," he said.

"The Sri Lanka navy did not fire at civilians during any stage and all action was taken to save the lives of civilians from clutches of terrorists."

The Greens leader Senator Christine Milne said Australia's decision to accept Samarasinghe's credentials was flawed. "We have to now have a full and proper review into Australia's engagement with the completely discredited, anti-democratic, shocking regime that was the Rajapaksa government," she said.

The end of Sri Lanka's civil war saw especially brutal fighting, particularly in the country's north-east.

The United Nations, which is currently undertaking an investigation into war crimes and other rights violations allegedly committed at the end of the war, estimates 40,000 civilians were killed in the final months of fighting.

Sri Lanka's purge of Australian staff is substantial. The Canberra mission has lost more staff than any other worldwide. Four Canberra staff members, including the high commissioner, and two based in Sydney have been told their commissions will end next month and they are to return to Sri Lanka.

Across the world, Sri Lanka's foreign ministry recalled 27 heads of missions, and 51 diplomats in total.

Included in the purge were envoys to Pakistan, Japan, Russia, Thailand, Afghanistan, South Africa, Israel, Iran, and Turkey.

<http://www.theguardian.com/australia-news/2015/feb/18/sri-lankas-high-commissioner-to-australia-among-50-diplomats-recalled>

16. Sri Lankans' boat intercepted off Cocos Islands

Boat carrying four Sri Lankans intercepted off Cocos Islands, says Federal Government

ABC News Online

First posted Thu 19 Feb 2015, 4:31pm

Updated Thu 19 Feb 2015, 5:12pm

The Federal Government says a boat carrying four Sri Lankans was intercepted by border protection authorities off the Cocos Islands 10 days ago.

Immigration Minister Peter Dutton said the group was transferred to Sri Lankan authorities at sea.

In a statement, Mr Dutton said Australian authorities had interviewed those on board the vessel and decided they did not require Australia's protection.

He said the Australian and Sri Lankan governments worked together to disrupt the people smuggling venture.

"The Coalition Government's policies and resolve are stopping illegal boat arrivals and are restoring integrity to Australia's borders and immigration program," he said.

"By working closely with our regional partners we save lives at sea and prevent vulnerable people being lied to and ripped off by people smugglers.

"Anyone attempting to enter Australia illegally by sea will never be resettled in this country."

<http://www.abc.net.au/news/2015-02-19/asylum-seeker-boat-intercepted-off-cocos-islands/6152002>

17. Four asylum seekers transferred at sea to Sri Lankan authorities

Asylum seekers intercepted in a boat near the Cocos islands were interviewed by border protection at sea and 'found eligible for return', says Peter Dutton

The Guardian
Shalailah Medhora
Thursday 19 February 2015 18.01 AEST

Four asylum seekers have been transferred at sea to the Sri Lankan authorities after their vessel was intercepted, immigration minister Peter Dutton said.

The boat was intercepted earlier this month north west of the Cocos Islands.

The Sri Lankan asylum seekers were interviewed at sea by border protection personnel to determine if they were refugees and in need of Australia's protection. The interviews were then assessed by senior officials at the Department of Immigration.

"All four illegal maritime arrivals were found eligible for return, consistent with Australia's non-refoulement obligations," a release by Dutton's office said. "All persons aboard the [vessel] were safe and accounted for at all times and at no stage was the vessel in distress."

Australia cannot, under international law, send refugees back to countries in which they may face harm.

The so-called enhanced screening process of interviewing asylum seekers at sea began under Labor and has continued under the Coalition's operation sovereign borders policy.

"By working closely with our regional partners we save lives at sea and prevent vulnerable people being lied to and ripped off by people smugglers," Dutton said in a statement.

"The Coalition government's policies and resolve are stopping illegal boat arrivals and are restoring integrity to Australia's borders and immigration programme. Anyone attempting to enter Australia illegally by sea will never be resettled in this country," Dutton said.

<http://www.theguardian.com/australia-news/2015/feb/19/four-asylum-seekers-transferred-at-sea-to-sri-lankan-authorities>

18. Government defends decision to return 'non-refugees' to Sri Lanka

Government defends decision to send four men back to Sri Lanka whose boat was intercepted as part of 'people smuggling venture'

ABC Radio CAF - AM
By Louise Yaxley
Posted Fri 20 Feb 2015, 5:17am

The Federal Government has defended sending four men back to Sri Lanka this month after intercepting their boat off the Cocos Islands, describing it as a people smuggling venture.

Immigration Minister Peter Dutton said interviewers determined the men were not refugees, and their return to Sri Lanka sent a "very strong message to the people smugglers".

"The intelligence tells us that the people smugglers just haven't given up ... they will continue to peddle their evil trade," he said.

"These are organised criminal syndicates that are involved in trying to leverage money out of people to get them onto boats, but those people are wasting their money, they're wasting their time, and they're wasting their effort. They will not be coming to Australia. "

Each Sri Lankan was interviewed on board the border protection boat by trained officers supported by independent qualified interpreters, Mr Dutton said.

The next day they were transferred at sea to Sri Lankan authorities.

The United Nations refugee agency has expressed deep concern about interception at sea, and the removal of people seeking Australia's protection.

But Mr Dutton said the Australian Government was "acting well and truly within not only our domestic but our international law obligations".

"We are very happy that we are acting in a responsible way," he said.

The Government recently confirmed that 15 boats carrying more than 400 people had been turned back under Operation Sovereign Borders.

'Implausible on-water screening process is legitimate'

Hugh de Kretser from the Human Rights Law Centre argued the screening process used was not safe.

"Only two out of over 400 people have been found to have a potential refugee claim yet historically we know that 90 per cent of boat arrivals on Australian shores will be found to be refugee," he said.

"It is simply implausible that this on-water screening process is a legitimate one.

"There are huge risks involved in it. People need to be brought to Australia and properly processed on land with access to proper legal advice."

Trevor Grant from the Tamil Refugee Council called it a shameful process.

"Two asylum seekers from Sri Lanka, who were returned by the Australian Government under this process, they're now living in Nepal," he said.

"They said that they were given a satellite phone by a customs and border protection [officer] while they were on the boat during their so-called interview.

"They said they couldn't hear the person on the other end of the line properly. In such circumstances it's ridiculous to believe that they could."

He said they risk being returned to persecution.

Mr Dutton said he was confident Sri Lankan authorities would "act in a way that is responsible" which "most Australians would see ... as a fair deal".

"We've found a very credible partner in Sri Lanka and there's obviously been a long-standing co-operation between our two countries," he said.

"With the new administration in Sri Lanka, I think they've demonstrated to be very effective in staring down what is a problem for all of us, that is people leaving by boats."

"We have arrangements and undertakings with the Sri Lankan Government and that has been exercised in relation to this matter."

Mr Dutton said he was "absolutely confident people [would] be dealt with according to Sri Lankan law".

"We are dealing with a very credible administration in Sri Lanka and we have a lot of faith in the discussions that we have with them," he said.

"I'm not going into the details of the exact points that we've agreed on or the arrangements we have in place, but we're absolutely confident people will be dealt with according to Sri Lankan law and we have satisfied ourselves that we do not owe these people a migration outcome."

<http://www.abc.net.au/news/2015-02-20/federal-govt-defends-sending-four-men-back-to-sri-lanka/6155204>

19. UNHCR suggests Australia may have breached international law

UNHCR investigating whether Australia breached international law with Sri Lankan boat turnback

ABC Radio CAF - AM

Danuta Kozaki

Saturday, February 21, 2015 08:18:10

ELIZABETH JACKSON: The United Nations is investigating whether Australia breached international law when it sent four asylum seekers, found at sea, back to Sri Lanka nearly two weeks ago.

The men were interviewed on board a border protection vessel through the Government's new enhanced screening process.

The UNHCR's Geneva-based spokesman for Asia and the Americas Babar Baloch has told Danuta Kozaki it's concerned that Australia might have acted illegally.

BABAR BALOCH: We have been in touch with the Australian authorities.

Our colleagues have conveyed that there have been notes of assurances from the Minister for Immigration and Border Protection yesterday that all persons were individually interviewed to determine whether they engaged Australia's non-refoulement obligation under international law.

But UNHCR's point of view is that seeking asylum is not illegal and it's a fundamental right under international law. Whenever vessels assumed to be carrying asylum seekers are intercepted or when there are indications that there are people who are in need of international protection on board, we ask for individual screening and a swift asylum or refugee status determination procedure.

And in UNHCR's view, such screening is best carried out on land, given safety concerns and other limitations of doing so at sea.

DANUTA KOZAKI: Do you think this breaches international law?

BABAR BALOCH: I can't say that for now, but that's the reason we are seeking more information on that. And we are saying that the obligation of non-refoulement, which means that people who are in need of international protections shouldn't be sent back when their lives are at risk: so it applies to Australia.

And wherever Australia intercepts these vessels that have people who are in need of international protection - whether it's inside the Australian waters or beyond that - that obligation applies on Australia.

DANUTA KOZAKI: We've heard from the Immigration Minister Peter Dutton who said that the interviews were conducted and they were determined not to be refugees and that Australia wants to send a strong message to the people smugglers?

BABAR BALOCH: I think people in need of international protection shouldn't be victims in this case because, as we have seen, a lot of people who take these risky journeys in the sea: they are actually running away from persecution and they already have their lives in danger.

So if it's done in a hasty manner it could further put them at risk. And we have conveying these concerns to Australia for time and time again.

ELIZABETH JACKSON: Babar Baloch, the UNHCR spokesman for Asia and the Americas, speaking there to Danuta Kozaki.

<http://www.abc.net.au/am/content/2015/s4184462.htm>

20. Refugee protesters on Nauru disrupt visit by Australian immigration minister

Protesters demanding resettlement in Australia interrupt Peter Dutton during his visit to reaffirm the agreement to resettle Australian-bound asylum seekers

The Guardian
Shalailah Medhora
Thursday 19 February 2015 15.12 AEST

Refugees demanding to be resettled in Australia interrupted a dinner between immigration minister Peter Dutton and a number of high-level officials in Nauru on Wednesday night.

Dutton was on an official visit to Nauru to reaffirm the bilateral agreement to process and resettle Australian-bound asylum seekers on the island nation.

He was attending a dinner hosted by the president of Nauru, Baron Waqa, at the Anibare Bay restaurant at 8pm local time when the protest erupted.

The restaurant is just 100 metres from Anibare Lodge, which houses families who have been granted refugee status.

A Facebook post urged refugees to gather outside the restaurant.

They chanted "freedom", "justice" and "shut down offshore", refugee advocates say. The protest lasted nearly two hours.

"None of them enjoyed their dinner," an unnamed refugee told the Refugee Action Coalition.

Advocates said Dutton did not visit or speak to asylum seekers while in Nauru, but a spokeswoman for the Nauruan government told Guardian Australia that Dutton and his Nauruan counterpart David Adeang visited a refugee resettlement facility during the visit.

Calls and emails to Dutton's office were not returned.

Since May 2014, 512 asylum seekers had been granted refugee status and 400 had been resettled in Nauru, Dutton said in a release.

"The Nauru government's ongoing efforts to achieve positive settlement outcomes for refugees in the areas of employment, education and community engagement have been commendable," the statement said.

"In particular, I would like to applaud the willingness and generosity Nauruans have displayed in welcoming refugees into local schools. This helps to break down social barriers and build the positive experiences that are vital to the success of the settlement strategy."

Dutton said a new centre was being built on the island.

"An open centre will give transferees more opportunities to engage with the Nauruan community before their refugee processing has been completed, allowing genuine refugees to ultimately integrate seamlessly into the community," Dutton's statement said.

Refugee advocacy group ChilOut said the Australian government has moved children out of detention in Darwin and transferred them to Nauru in the days following the release of the Human Rights Commission's damning report into children in detention.

"Children who were taken from Blaydin Point detention centre were not provided with notice – they were removed from the centre, put on a plane and deported back to a place that has caused them serious mental and physical harm," ChilOut director Claire Hammerton told New Matilda.

"These families were denied the opportunity to seek legal assistance, or to speak to the members of the community in Darwin who have offered them tremendous support during their time in Australia."

There are currently 116 children held in detention on Nauru.

<http://www.theguardian.com/australia-news/2015/feb/19/refugee-protesters-on-nauru-disrupt-visit-by-australian-immigration-minister>

21. MEDIA RELEASE: Nauru refugee protest disrupts Dutton dinner

Refugee Action Coalition
Thursday 19 February 2015
Ian Rintoul
mobile 0417 275 713

A government dinner for Immigration Minister Peter Dutton, hosted by the President of Nauru, was disrupted after refugees discovered Dutton at the restaurant adjacent to one of the refugee camps. (Photos attached).

Alerted to Dutton's presence, refugees began a spontaneous demonstration, chanting, "Freedom, Justice, shut down offshore."

As the word spread more refugees came from other camps including the more remote Fly camp for single male refugees.

The protest lasted from around 8pm to 10pm.

"None of them enjoyed their dinner," one of the refugees told the Refugee Action Coalition.

Dutton had earlier arrived on a private jet.

Last Wednesday night, a eight months pregnant Somali refugee attempted suicide by drowning. Her requests to be taken to Australia to have the baby had been turned down.

There were no indication that Peter Dutton was scheduled to meet any of the refugees or asylum seekers that Australia has transported to Nauru.

The Human Rights Commission report, The Forgotten Children, has damned the conditions in which children and their families are held in detention on Nauru.

The plight of refugees on Nauru also grows more desperate day by day. Nauru will not allow resettlement of refugees, so there are hundreds of refugees now living temporarily outside the detention camp.

REMEMBER REZA BARATI: END OFFSHORE PROCESSING

A protest vigil to mark one year since Reza Barati's death and to call for an end to offshore processing will be held on Friday, 20 February, 5.00pm at Sydney Town Hall. Speakers will include a relative of Reza's family, other Iranian refugees, The Greens and the Refugee Action Coalition.

For more information, contact Ian Rintoul 0417 275 713

22. Asylum seekers free to come and go on Nauru

Brisbane Times
February 19, 2015 - 7:22PM
Sarah Whyte

Selected asylum seekers on Nauru will soon be given the right to come and go from the fenced detention centre during agreed hours on designated days, as they wait to have their refugee claims processed on the small Pacific Island.

Immigration Minister Peter Dutton said the "open centre" model would be finalised "very soon" during his first visit to Nauru on Thursday.

"An open centre will give transferees more opportunities to engage with the Nauruan community before their refugee processing has been completed, allowing genuine refugees to ultimately integrate seamlessly into the community," Mr Dutton said.

It comes as four Sri Lankan asylum seekers were intercepted on the high seas and handed over to Sri Lankan authorities by Border Protection Command officers on Monday February 9. Each asylum seeker was interviewed by trained protection officers, Mr Dutton said in a statement on Thursday.

On Nauru, 512 asylum seekers are now living in the community after being found to be genuine refugees since May last year, Mr Dutton said. Each refugee has been given a five-year visa to live on the island.

Selected asylum seekers still being held in the centre will leave through a "designated exit point" and will be unescorted, a spokeswoman for Mr Dutton confirmed.

The detention centre on Nauru has been significantly criticised for its inadequate and unhygienic facilities. Earlier this month a medical team described the "appalling" conditions at the centre, saying there are not enough sanitary pads for women menstruating and children and women are forced to shower behind a flimsy curtain that often flies open in front of male guards.

Dr David Isaacs, a Sydney-based paediatrician, told Fairfax Media he was shocked at the conditions the 895 asylum seekers, including 116 children, lived in when he worked at the centre in December.

"Almost every child had behavioural problems relating to trauma and stress," he said.

Greens immigration spokeswoman Sarah Hanson-Young called the Mr Dutton's visit to Nauru an "unconvincing PR visit".

"When I was on Nauru, I spent days meeting with the children and families who are locked up in that hellhole and it was a shocking experience. The pervasive culture of neglect and abuse hangs heavy over the camp," she said.

Only last month Australian and Cambodian delegations met to try and encourage refugees to resettle in Cambodia. Not one asylum seeker has been resettled in the country.

<http://www.brisbanetimes.com.au/federal-politics/political-news/asylum-seekers-free-to-come-and-go-on-nauru-20150219-13jbrj.html>

23. Sayed Abdellatif and his extraordinary detention in Australian immigration

Considered a 'dangerous terrorist' because of previous convictions that have now been found to be false and revoked, Abdellatif, his wife and six children remain in limbo in the confused haze of the detention system

The Guardian
Sarah Malik and Ben Doherty
Wednesday 18 February 2015 07.16 AEST

Sayed Abdellatif's son is celebrating his 12th birthday. On a low table, plates are piled with homemade cake and colourful chunks of pomegranate, mango and kiwifruit.

The birthday boy wears sneakers and jeans. He talks loudly to his sisters and brother and mum in a broad Australian accent. The treats are offered around, and happily accepted.

It could be any party, anywhere, save for the fluorescent bands on everybody's wrists.

The Abdellatif children are visiting their dad in a separate room just off the central visitors' section of Sydney's Villawood detention centre.

The whole family are detainees, and their father is considered by Australian authorities to be an extreme security risk, "plainly a dangerous terrorist" in the words of the attorney general George Brandis. Abdellatif denies the charges, which Interpol have found not to be true.

Outside the small room used by families like the Abdellatifs, the visitors' area is packed, as it is every Sunday.

Reunited couples nuzzle in corners. Family members, friends and refugee advocates greet inmates with hugs and precious supplies from the outside. Coffee, chocolate biscuits, and food in plastic containers that have survived the metal detectors line the tables. There are no phones or cameras allowed.

Full story at <http://www.theguardian.com/australia-news/2015/feb/18/sayed-abdellatif-and-his-extraordinary-detention-in-australian-immigration>

24. Sayed Abdellatif: asylum seeker trapped in detention by callous disregard

This man and his family remain locked in Australia's detention system, despite recommendation from immigration department to grant visa

The Guardian
Ben Doherty
Thursday 19 February 2015 13.04 AEST

For two years, Sayed Abdellatif has pleaded for someone to listen, sought a way out of a labyrinth of false trails and frustrated hopes.

To Australia's discredit and his despair, there appears none. He remains trapped, nowhere and no one, within Australia's capricious immigration system.

Sayed Abdellatif's hard case has exposed just how badly the law can fail: how a lack of effort or apparent interest by Australian authorities can result in a man – and his wife and six children – being detained indefinitely, without charge, and without hope of release.

Abdellatif's case – exposed by Guardian Australia over two years now – is inherently complicated.

Few people presenting to a country's borders to claim asylum after 18 years in exile do so with simple stories. But for a democracy that proclaims to uphold the rule of law, to choose to incarcerate a man indefinitely without charge, without properly establishing the truth of the claims against him, is an extraordinary dereliction.

In 2013 – at the height of hysteria about Abdellatif the "pool-fence terrorist", so-called because Australia's security authorities had missed an Interpol red notice against him and (without incident) housed him in low-security – an investigation by Guardian Australia was able to establish that the convictions for violence against Abdellatif were without basis.

Transcripts from his 1999 trial in Cairo showed there was no mention of murder, firearms or property destruction in allegations made against him.

Based on the Guardian's investigation, Interpol took the extraordinary step of withdrawing all three charges related to violence. Two lesser charges remained.

The Australian federal police had had in its possession the same information as the Guardian for six months. During that time it had managed to get the information "partially translated", and had formed the view that the trial transcript did "not support involvement in any violence".

The AFP then failed to tell this to any other government agencies.

That the Guardian could do in weeks what the AFP, Interpol's national central bureau in Australia, could not, or chose not, to do in six months, suggests a disregard for due process, or for the law.

It speaks to a callous disregard for the welfare of people Australia has a legal – let alone moral – obligation to treat justly.

Australia's inspector general of security and intelligence was scathing of Australian authorities' handling of Abdellatif's case: "The process followed by immigration to undertake the risk assessment for [Abdellatif] lacked rigour."

And, "Overall, there was a lack of coordination, a duplication of effort and a lack of urgency in obtaining information about whether a person in immigration detention potentially matched a national security alert."

Now further doubt has been cast upon Abdellatif's convictions, with court documents stating that the evidence given against him on the remaining charges was obtained by torture, including electric shocks.

Again, these documents have been provided to the immigration department and the AFP.

Instead of seeking to establish the veracity of the convictions against Abdellatif – especially after the most serious had been found to be completely false – Australia's solution remains to lock a man up indefinitely without charge.

Even more unjustly, the former immigration minister, Scott Morrison, chose to refuse a visa application to his wife and six children – the youngest of them a boy of four who has only known life as an asylum seeker – against whom nothing has ever been alleged, in any country.

All the Abdellatifs have been found by Australian authorities to have, prima facie, a legitimate claim to asylum: that is, they face a "well-founded fear" of persecution should they be returned to Egypt.

That Australia has the right, indeed the duty, to establish the bona fides of asylum seekers who come to this country, is not contested. Australia's immigration and security authorities would be derelict if they did not.

There are questions to ask about this man's past, facts to be established. But indefinite detention must surely be a last, reluctant resort, not a first option because a case is complicated.

Abdellatif's circumstance is further complicated by the arcane and obtuse nature – and the politicisation – of the Egyptian criminal justice system.

He was convicted in absentia in 1999 in a mass show trial of 107 men that was condemned by Amnesty, Human Rights Watch and others as a political show trial contrived to marginalise Islamist political opposition to the Mubarak regime.

If Australia needed proof of how unreliable conviction in an Egyptian court can be, that was made starkly apparent by the farcical trial of the Australian journalist Peter Greste. In that case, Australia, admirably, insisted that the rule of law be upheld.

But in the case of Sayed Abdellatif, Australia has been happy to accept the judgment of a trial that was clearly suspect, and that relied on evidence obtained under torture to convict men who weren't even in the room to defend themselves.

The right to a fair trial is ancient law, and a fundamental tenet of any democratic justice system. Sixteen years since that flawed conviction, Abdellatif has never had his day in court to answer any allegations against him.

In his case, Australian authorities have casually, cruelly, abandoned the ideals they proclaim to defend.

<http://www.theguardian.com/australia-news/2015/feb/19/sayed-abdellatif-asylum-seeker-trapped-in-detention-by-callous-disregard>

25. Indefinite detention based on conviction secured by torture

Indefinite detention of asylum seeker is based on conviction secured by torture

Sayed Abdellatif faces a lifetime of indefinite detention in Australia because of an adverse Asio security assessment relying on evidence from an Egyptian court reportedly obtained by torture

The Guardian
Sarah Malik and Ben Doherty
Monday 16 February 2015 07.41 AEST

Evidence used to convict asylum seeker Sayed Abdellatif in an Egyptian military court – the basis for his indefinite detention in Australia – was obtained by torture, court documents state.

The Egyptian father of six, falsely convicted in absentia of murder in a mass show trial that has since been discredited in his home country, remains in indefinite secure detention in Australia, despite the inspector general of intelligence and security finding he was not a threat to national security.

The three most serious convictions against him were found to be false, and entirely discarded by Interpol, following a Guardian Australia investigation two years ago.

Now, court documents state torture, including by electric shock, was used to gather false admissions on other charges against him.

Abdellatif's own father, forced to give evidence against his son more than a decade ago, has sworn before a Cairo court "my words regarding my son... are incorrect and were said due [to] compulsion and torture by investigating authorities".

Despite the new information, 44-year-old Abdellatif, faces a lifetime of indefinite detention in Australia without charge or the prospect of release and sees only "a dark future".

"I will be ignored for years ... they used my life and my family's life as a game," he told Guardian Australia.

In his first interview from inside detention, Abdellatif spoke of the difficulties of being separated from his family – where his children must wear security wrist-bands to see their own father.

His children only want to lead normal lives, where they don't have to walk to school flanked by security guards.

"We don't see Dad except on weekends," one of his daughters said. "We don't sit as a family, I don't remember the last time we had a proper meal together."

The Australian government has found Abdellatif and his family have a prima facie legitimate claim to refugee status, but the Egyptian convictions have caused his asylum case to stall.

Abdellatif was convicted in 1999 in a mass trial of 107 men in Cairo military court.

The trial was widely condemned, by Amnesty, Human Rights Watch and others, as a political show trial, that relied on evidence obtained under torture, and was contrived to marginalise Islamist political opposition to the Mubarak regime.

In absentia, Abdellatif was convicted of premeditated murder, firearms possession, property destruction, membership of a terrorist group, and document forgery.

In 2013, a Guardian Australia investigation into Abdellatif's trial showed there was no mention of murder, weapons, or property destruction at his trial.

The investigation resulted in Interpol dropping all convictions for violence against Abdellatif.

Abdellatif's original 1999 conviction relies on the evidence of five men also accused in the same mass trial (one of whom has since been hanged), an Egyptian army officer, and Abdellatif's father. The evidence presented to the court alleges Abdellatif was a member of a terror network, Egyptian Islamic Jihad, that attended meetings of the group, and helped illicitly move money to members.

Abdellatif has consistently denied the allegations. He told Guardian Australia: "I have never been a member of any group. The Egyptian government [under Mubarak] used to falsely paste this charge to any person they want to punish or to get rid of."

Now, 2013 court documents – obtained by Guardian Australia, and that have also been provided to the Australian authorities – state that the admissions used to convict Abdellatif, including testimony from his father and brother-in-law, were obtained under torture.

The documents have been verified by authorities in Cairo.

The 1999 court documents state that Abdellatif's father, Ahmed, told investigators his son had occasionally sent him money, usually in the hundreds of dollars, to be deposited in certain accounts, and that his son "belongs to a religious group but [his father] did not know the name of the group".

However, a testified declaration signed by Abdellatif's father states: "I declare that all of what has been said as my words regarding my son... are incorrect and were said due [to] compulsion and torture by investigating authorities".

Abdellatif's brother-in-law, Essam Abdel Tawwab, a co-accused in the 1999 trial, gave evidence then that Abdellatif was a member of Egyptian Islamic Jihad.

But in 2013, he told the ministry of justice in a signed affidavit: "I ... declare that all the statements that were attributed to me in the public prosecution ... especially the statements that mention Sayed Ahmed Abdelmaksoud Abdellatif were written from the Security book and dictated by the Deputy Public Prosecutor. I objected to the statements and I denied them. I was subjected to torture and electrocution in order to sign the paper."

Affidavits submitted to the Egyptian supreme military court from two more of the co-accused who gave evidence against Abdellatif state: “their confessions in this case were the result of severe torture and physical and moral compulsion that they were subjected to by the dissolved State Security Apparatus”.

The State Security Investigations Service, the principal domestic security and intelligence agency of the Mubarak regime, and which conducted the investigation, was dissolved in 2011, after evidence emerged it was involved in “extraordinary rendition”, and tools of torture and secret cells were uncovered at its headquarters.

In a 2012 re-trial of seven of the convicted men, Egypt’s supreme military court ruled on the evidence presented in the mass trial of the 107: “the claims and accusations against those accused are surrounded by thick layers of doubt and suspicion that weakens the evidence derived therefrom”. All seven were acquitted.

An Interpol red notice on Abdellatif’s name still exists. It now lists convictions for “membership in a terrorist group” and “providing forged travel documents”, charges Abdellatif strenuously denies.

The terror conviction relates to allegations that Abdellatif was an operative of Egyptian Islamic Jihad, of which he said “I have never been a member”.

His only other purported “link” with terrorism was his employment by the Albanian branch of the Revival of Islamic Heritage Society. This was mentioned at his 1999 trial, but was not part of his conviction.

Abdellatif left RIHS, an multi-national Islamic civil society organisation, in 1996.

Six years later, in 2002 – and three years after Abdellatif’s convictions in Cairo – the Pakistan and Afghanistan branches of RIHS were proscribed by the United Nations after they were infiltrated by al-Qaida.

Those branches alone remain outlawed. The UN’s Consolidated List of wanted terrorists and terror organisations states: “Only the Pakistan and Afghanistan offices of this entity are designated”.

However, in 2008, the US government banned the organisation worldwide, alleging it “used charity and humanitarian assistance as cover to fund terrorist activity”.

Abdellatif claims, while he worked at RIHS, the Albanian branch was “clear” and he never had any involvement in organising or funding terrorism.

“It was a charity organisation. We were building mosques, supporting adoption.”

Abdellatif’s employment by RIHS has never been part of any conviction against him. No authorities have ever alleged his involvement with RIHS was improper, or linked to any terrorist activities.

Abdellatif also denies the final Interpol conviction: providing forged travel documents.

A report last year by Australia’s inspector general of intelligence and security found Abdellatif did not attempt to conceal, or lie about, his identity to Australian authorities at any time.

Abdellatif has provided the Egyptian court documents, and translations, to Australian authorities.

The Australian federal police said its inquiries were simply “to ascertain the identity of Mr Abdellatif”.

“The information contained in the Interpol Red Notice and any investigation into these allegations is a matter for the Egyptian authorities.”

The AFP directed all other inquiries on Abdellatif to the Australian Security Intelligence Organisation. Asio, however, refused to answer questions, saying it “does not comment on individuals or investigations”.

However, a source with knowledge of the case confirmed Abdellatif remains the subject of an “adverse” security assessment by Asio, despite the withdrawal of all convictions for violence against him, and significant concerns over the fairness of his trial on other charges.

From his detention compound in Villawood, Abdellatif told Guardian Australia he had been honest with Australian authorities “but they cheated me”.

He said Australian Federal Police did not reveal to him the details of the initial “red notice”, and he was not told of the false convictions against him.

“The first time I became aware [of the charges] was from the media. I was shocked.

“During the interview with AFP I told them everything, but they hid everything from me. They didn’t tell me anything. I didn’t know why I was put at extreme level of risk.”

Abdellatif says he has lost faith in the Australian government, which he believes is keeping him incarcerated out of embarrassment at its own consistent mishandling of his case.

“They don’t want to say sorry. They want to say ‘we were right and you were wrong’.”

“We are innocent people and we proved our innocence,” Abdellatif says. “I want to prove my innocence to the Australian community because I don’t trust the Australian government.”

The inspector general’s report from last year said Abdellatif was not a threat to national security.

The report also heavily criticised Asio, the AFP and the immigration department for their handling of the case, saying the authorities lacked urgency, withheld information from each other, and made basic errors.

<http://www.theguardian.com/australia-news/2015/feb/16/indefinite-detention-of-asylum-seeker-is-based-on-conviction-secured-by-torture>

26. Morrison defied advice in denying Sayed Abdellatif chance to apply for visa

Exclusive: Asylum seeker remains in detention more than a year after immigration department head recommended that he and his family be considered for visas, advice that was not heeded by the former minister

The Guardian
Sarah Malik and Ben Doherty
Tuesday 17 February 2015 07.14 AEST

In one of his final acts as immigration minister, Scott Morrison defied the advice of his officials by refusing to allow asylum seeker Sayed Abdellatif to apply for a visa, despite all convictions for violence against him being found to be false. A government agency has also said he was no threat to national security.

The Egyptian father of six, falsely convicted in absentia of murder in a mass show trial that has since been discredited in his home country, remains in indefinite secure detention in Australia by ministerial order, more than a year after the minister’s own department chief said he should be considered for a visa.

A 2013 Guardian Australia investigation into irregularities in Abdellatif’s trial resulted in Interpol dropping all convictions for violence against him.

And court documents revealed by Guardian Australia – that have been provided to Australian authorities – state that the admissions used to convict Abdellatif on other charges, including testimony from his father and brother-in-law, were obtained under torture.

Despite the removal of all of the convictions involving violence, and serious doubts raised about the remaining crimes, Abdellatif remains incarcerated in a secure wing of Villawood, separated from his family, and facing the real prospect of indefinite detention, in immigration limbo until he dies.

It is also in spite of the government finding he and his family have a prima facie legitimate claim to refugee status, and the head of the immigration department asking then minister Morrison to consider allowing Abdellatif to apply for a visa.

A year ago, then secretary of the immigration department, Martin Bowles, wrote that a submission had been sent to Morrison, requesting he consider “lifting the bar” against Abdellatif applying for a visa.

“The submission requests minister Morrison’s consideration of his non-delegable, non-compellable power to lift the ... bar for Mr Abdellatif and his family,” Bowles wrote.

However, after 10 months’ consideration, and in the final days of his term as immigration minister, on 10 December last year, Morrison refused to allow Abdellatif to apply for a visa.

Guardian Australia has obtained a copy of the letter sent to Abdellatif:

“After careful consideration of your case ... the minister was not satisfied that it is in the public interest to exercise his power ... to lift the application bar and allow you and your family to make an application for a protection ... visa,” it says.

The minister offered no reason for his refusal, made under Section 46A(2) of the Migration Act, which grants the minister broad powers to refuse a visa application on grounds of undefined “public interest”.

Only the immigration minister can lift the bar.

The power now rests with Morrison's successor, Peter Dutton. He refused to answer written inquiries about Abdellatif but a source within his department said the minister was aware of the case.

A spokesman for the department said it had "offered Mr Abdellatif's family placement in the community. They declined this offer". Abdellatif's family say they do not want to be separated from their husband and father.

Morrison did not respond to questions on his decision to deny Abdellatif, as well as his wife and six children, the right to apply for a visa.

The Australian federal police told Guardian Australia it did not make recommendations on immigration matters, and that the extent of its inquiries into Abdellatif were to establish his identity.

"The information contained in the Interpol Red Notice and any investigation into these allegations is a matter for the Egyptian authorities."

The AFP directed all other inquiries on Abdellatif to the Australian Security Intelligence Organisation. Asio, however, refused to answer questions, saying it "does not comment on individuals or investigations".

However, Guardian Australia has confirmed Abdellatif remains the subject of an "adverse" security assessment by Asio, despite the withdrawal of all convictions for violence against him, and significant concerns over the fairness of his trial.

The case has been a consistent embarrassment to Australian authorities – in particular the immigration department, the AFP and Asio – whose handling of the case was condemned in a report by the inspector general of intelligence and security.

Dr Vivienne Thom found that the AFP was provided with evidence, in Arabic, showing Abdellatif's convictions for violent crimes were false, and had been removed.

It took the agency six months to translate the documents, but, even then, the AFP did not tell Asio or immigration of this information.

"Overall there was a lack of co-ordination, a duplication of effort and a lack of urgency in obtaining information about whether a person in immigration detention potentially matched a national security alert."

The inspector general's report made it clear Abdellatif was not a threat to national security.

<http://www.theguardian.com/australia-news/2015/feb/17/morrison-defied-advice-in-denying-sayed-abdellatif-chance-to-apply-for-visa>

27. MEDIA RELEASE: Remember Reza Barati - still waiting for justice

REMEMBER REZA BARATI -- STILL WAITING FOR JUSTICE
CLOSE MANUS ISLAND

Tuesday 17 February 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

The first anniversary of the killing of Reza Barati will be marked by vigils, protests and other actions around the world.

GetUp is organising a "Light the Dark" event asking people to light a candle to mark the year since Reza was brutally killed and scores of others savagely injured when PNG police provided cover for the murderous attack by expatriate and local G4S employees.

On Manus Island, where scores of people still carry the physical scars of the savage attack, asylum seekers hold their own ceremonies inside the detention centre.

In New South Wales, a dramatic sky-writing event, "Shut Down Manus " will appear above the Sydney Opera House (1pm) and Canberra (3pm). (Press release with details will follow.)

International vigils are planned in The Hague, Paris, Geneva, Belfast and Wellington. There will also be a vigil in Melbourne.

In Sydney, Perth, Brisbane, and the Gold Coast protests will be held this Friday, 20 February. In Sydney, a protest vigil is planned for Friday, 20 February, 5.00pm at Sydney Town Hall. Speaker will include a relative of Reza's family, other Iranian refugees, The Greens and the Refugee Action Coalition.

"One year, since Reza's death and there is still no justice. The investigation has all the signs of being a cover-up. Two locals who have been charged with Reza's murder remain in jail, but there is no sign of the trial that could expose more details of those involved in the attacks. Eye-witnesses have not been interviewed," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"The PNG police investigation has already cleared PNG police from involvement although the evidence of them shooting asylum seekers that night is incontrovertible.

"There is no sign that the PNG police are actively pursuing the expatriates they allege were involved in Reza's killing.

"But the real responsibility for Reza's death lies with the Australian government. The brutality that was unleashed on defenceless asylum seekers on 16, 17 February 2014 remains a pervasive feature of the Manus detention centre.

"The ruthless suppression of the recent mass hunger strike has seen the detention become even more a prison-camp. Around 36 so called 'ringleaders' remain in isolation in Charlie Compound where the fence has been wrapped in plastic to prevent people seeing in or out."

"There will no justice for Reza until all of those involved in his murder are on trial and until Manus is closed and all of the asylum seekers are brought to Australia."

For more information, contact Ian Rintoul 0417 275 713

28. MEDIA RELEASE: 'Shut Down Manus' written in the sky

Distributed by:

Ian Rintoul
mobile 0417 275 713
Refugee Action Coalition
Tuesday 17 February 2015

On February 17 at 1pm "SHUT DOWN MANUS" will be written across the sky above the Sydney Opera House.

To mark the anniversary of Iranian asylum seeker Reza Barati's death in Australia's Manus Island offshore detention centre, three individuals launched a crowdfunding campaign to skywrite the 500m-large letters. The Pozible campaign received an overwhelming response, with the funding goal reached in less than 48 hours. By the end of the 6-day campaign, 348 people from Australia and beyond donated a total of \$9,700, nearly doubling the original target. Donations ranged from \$3 to \$200.

The campaign received so much support that the organisers were able to fund a second message on the same day. "CLOSE NAURU" will appear above Parliament House in Canberra at 3pm.

"The response shows that there is widespread condemnation for Australia's treatment of asylum seekers and refugees - and the very existence of our asylum seeker detention centres." co-organiser Gabrielle de Vietri explains. "It shows how determined Australians and global citizens are to see an end to a policy that deliberately inflicts suffering upon people fleeing persecution and seeking refuge in Australia."

The giant words over Australia's most loved and picturesque harbour, will send a clear message to Tony Abbott that thousands of Australians do not support the mandatory indefinite detention of asylum seekers.

On Tuesday 17 February, it will be one year since 23-year old Iranian asylum seeker Reza Barati was killed under Australia's care in the Manus Island detention centre. Many others were injured. Since then, 700 prisoners have gone on hunger strike, and others have swallowed detergent and razor blades in an effort to insist upon their rights as human beings, and to plead for release from the oppressive and dangerous conditions inside the camps.

"We thought it couldn't get much worse than it was one year ago, but since Barati's brutal death, Australia's treatment of asylum seekers has only become more inhumane", de Vietri said. De Vietri was one of the artists who successfully spearheaded the international campaign against Transfields' involvement in mandatory indefinite detention and the profits from this being used to fund the Sydney Biennale in 2014.

"No matter how concerned we may be about border security or drownings at sea there can be no excuse for what happened to Reza Barati, nor for the suffering of all the other men, women and children in Australia's detention camps. As the recent Human Rights Commission Report shows, keeping children in detention is extremely damaging for them. Australians would not tolerate any other group of children being treated in this way."

Government secrecy surrounding the policy's execution, means the Australian public is not kept fully informed of the situation asylum seekers face while in Australia's care.

This action has been coordinated by three individuals, unaligned with any groups or political parties. The action will not only be a demand for the humane and rapid processing of asylum seeker claims, but also a message of hope and solidarity for those inside the detention centres.

"We know sky-writing won't solve the problem, but it contributes to the mounting public pressure against Australia's unforgivable treatment of those seeking our help," they state. "And it's one of the few things we can do to raise our voices against a bipartisan policy of deliberate cruelty."

The organisers wish to add their own protest to those of other concerned Australians standing up for asylum seekers -- from the passengers on a recent flight who stood up for the forcefully deported Tamil man on board, to religious leaders holding prayer vigils in politicians' offices, and the live-TV protest that took place at the Australian Open. They encourage other concerned Australians to come up with new ways to show their profound objection to a policy that is in breach of Australia's human rights obligations, as well as basic standards of decency.

"These vulnerable people in Australia's care have been placed out of sight, but they are certainly not out of mind."

Onlookers and campaign supporters will be sharing their photos of the event using the hashtags #ShutDownManus and #CloseNauru.

When & where:

1pm February 17 2015 above Sydney Opera House

Vantage points for filming/photographing

- Blues Point
- Balmain East Wharf
- Goat Island
- Balls Head Reserve
- Waverton Peninsula

3pm February 17 2015 above Parliament House, Canberra

Vantage points for filming/photographing

- Rond Terrace by the Lake at the end of Anzac Parade
- Queen Victoria Terrace (Capital Hill Side)
- lawn in front of Parliament house (with wide-angle lens)

The messages should take approximately 12 minutes to be sky-written

More info:

<http://pozible.com/project/190844#description>

Contact:

Asha Bee Abraham on behalf of organisers

0468 794 235

Email: unalignedindividuals@gmail.com

29. Sydneysiders offered a unique message in the sky: Shut down Manus

Sydney Morning Herald

February 17, 2015 - 5:48PM

Sarah Whyte

Sydneysiders more accustomed to seeing declarations of love or advertisements written in the sky were exposed to a more political statement on Tuesday - close Manus Island detention centre.

As many workers were enjoying their lunch or exercising in the CBD at 1pm, a skywriter was penning the words "Shut down Manus" above the iconic Opera House.

The message was to mark the one-year anniversary when asylum seeker Reza Barati was killed when violence swept through the centre on February 17, 2014.

It came one week after the Australian Human Rights Commission released its report into children in detention, saying hundreds of children had been abused and calling for them to be removed from detention immediately.

The report sparked fierce debate, with Prime Minister Tony Abbott criticising the commission over the report, saying it should be "ashamed of itself" and that the report was a blatant attack on his government.

Three artists, who are not associated with any refugee or political groups, crowd-funded the idea for the skywriting and raised \$9700 online in a week.

One of the artists, Asha Bee-Abraham, said the trio had already been contacted by an asylum seeker on Manus Island thanking them for their efforts.

"We got a Facebook message from a detainee saying that 'even words cannot express my appreciation to you and all your people who have empathy for our plight I am so happy to see that lots of people with hearts and compassion still exist'.

"It's fantastic, that's exactly the sort of impact we wanted to have," she said. "So many Australians don't agree with the government's policy and want to treat asylum seekers with dignity."

The group also commissioned a skywriter to write "Close Nauru" over Parliament House in Canberra at 3pm.

"There can be no excuse, children and men are suffering in the detention centres."

There are now 136 children in mainland Australian detention facilities and 116 children.

Last month asylum seekers on Manus Island staged protests and hunger strikes, saying they would be killed if they were resettled in the community in Papua New Guinea.

<http://www.smh.com.au/federal-politics/political-news/sydneysiders-offered-a-unique-message-in-the-sky-shut-down-manus-20150217-13h7fc.html>

30. Anniversary of Reza Barati's death marked by skywriting over Opera House

One year on from the death of the Iranian asylum seeker during unrest at the Manus Island detention centre, those charged with his murder are yet to be convicted

The Guardian
Ben Doherty
Tuesday 17 February 2015 14.32 AEST

A year since the murder of Reza Barati on Manus Island, no date has been set for the trial of his alleged killers.

Twenty-three-year-old Barati was killed on 17 February 2014 during three days of rioting and assaults at the Australian-run Manus Island immigration detention centre, in which more than 70 asylum seekers were seriously injured.

A parliamentary inquiry found the violence was "eminently foreseeable" and preventable, and that the Australian government was ultimately responsible for the breakdown in security.

A government report found Papua New Guinea police entered the detention centre and G4S guards ran riot, attacking asylum seekers. Some asylum seekers had a "belligerent attitude" and had been insulting local staff, the report found.

Barati, who was not involved in the rioting or protests, was fatally injured when he was allegedly attacked by detention centre staff with a wooden pole and then had a large rock dropped on his head.

He died that night on a concrete wharf near the detention centre, "bleeding from the back of his skull on to the ground", according to the doctor who treated him.

G4S guard Louie Efi and Salvation Army employee Joseph Kaluvia were arrested and charged with Barati's murder by August.

However, the case has stalled in the PNG criminal justice system. The last movement on the case was in November, when Judge Iova Geita adjourned the case because no lawyers had been appointed for the suspects.

No date was set for the case. Judges visit Manus Island, a remote island north of the PNG mainland, only on circuit.

PNG police are reportedly still hunting three further suspects.

Protests and vigils have been planned across Australia, and around the world, to mark the anniversary of Barati's death.

Above the Sydney Opera House on Tuesday, a skywriting plane wrote "Shut Down Manus", and in Canberra another wrote "Close Nauru" above parliament house. Manus Island and Nauru are the sites of Australia's two extra-territorial offshore detention centres.

GetUp is organising a "Light the Dark" campaign, asking people to light a candle to commemorate Barati's death. Vigils are planned for Sydney, Melbourne, Perth, Brisbane and the Gold Coast, and in the Hague, Paris, Geneva, Belfast and Wellington.

An asylum seeker on Manus Island told Guardian Australia detainees were still haunted by the nights of rioting last February: "They have forced ... asylum seekers and exiled them to an island far away in the Pacific Ocean and detained them. In a united protest [against] their indefinite detention and unclear situation after six months ... for one week they are chanting 'freedom' in the camps.

"On 17th of February the G4S guard in charge of security after breaking into the camp bashing and beating and shotguns which was ended by the murder of ... Reza Barati and 160 injuries."

Several detainees are still suffering from injuries sustained during the rioting.

The situation on Manus Island remains unsettled. Nearly 700 detainees undertook a hunger strike on the island last month, and more than 40 were arrested when guards forcefully ended the protest.

Detainees have been returned to the detention centre from Lorengau prison, where they had been held. But some have been taken to Chauka – Manus's secret solitary detention compound – while others have been returned to different compounds from those they were arrested from.

<http://www.theguardian.com/australia-news/2015/feb/17/anniversary-of-reza-baratis-death-marked-by-skywriting-over-opera-house>

31. Manus asylum seekers mark one year since Reza Barati death

Manus Island asylum seekers mark one year since bashing death of Reza Barati

ABC News Online

By Papua New Guinea correspondent Liam Cochrane

First posted Tue 17 Feb 2015, 5:32pm Tue 17 Feb 2015, 5:32pm

Updated Tue 17 Feb 2015, 5:44pm Tue 17 Feb 2015, 5:44pm

Asylum seekers at the Manus Island detention centre have marked one year since Iranian man Reza Barati was beaten to death while in custody.

Mr Barati was killed in a riot at the centre when locals overran the Australian-run detention centre in Papua New Guinea.

Security guards, police and others stormed the compound on the night of February 17, 2014, killing the 23-year-old Iranian with blows from timber, fists and a rock. Dozens of others were injured.

The ABC has obtained a letter from another Iranian asylum seeker still inside the centre which has paid tribute to Mr Barati's friendship, and to the thousands of Australians who held protests and vigils after his death.

"We had not expected that muscular and strong Reza Barati was beaten to death in an unfair manner," the letter said.

"You are not aware that thousands of kind Australians held a candlelight vigil in memory of you and remained on the streets for a few hours to prove that humanity is still alive.

"The Australian people are not similar to their racist government."

Two Papua New Guinean men have been charged with murdering Mr Barati, but the case has not progressed in months.

Police on Manus Island could not be reached for comment.

"Your murderers and their bosses are freely walking around," the letter said.

"Your memory remains in our minds and hearts."

A ceremony for Mr Barati has been planned for inside the detention centre tonight.

The letter also mentioned Hamid Kehazaei, an Iranian asylum seeker who died from septicaemia after cutting his foot at the Manus Island centre.

"Reza, I know that freedom for you and Hamid was just a dream, it was an unachievable dream which was not fulfilled here, but now you guys are entirely free. Rest in peace," the letter said.

The activist group Getup said those taking part in the vigil on Tuesday would light candles at sunset to publicise that little had changed at the centre since Mr Barati's death.

Australians took to social media with the hashtag #LightTheDark to mark the incident and share images of candles and speak out against mandatory detention.

Around 1,000 asylum seekers remain in detention on Manus Island.

In Sydney, a skywriter wrote the words "Shut down Manus" to mark the anniversary.

The skywriting was organised by three artists who used crowd funding to pay for it.

In the days following Mr Barati's death, thousands of Australians staged candlelight vigils to protest against his death.

<http://www.abc.net.au/news/2015-02-17/manus-island-detainees-mark-anniversary-of-reza-barati-death/6131606>

32. Darwin immigration detention centre closes due to 'success'

Darwin immigration detention centre closes due to 'success in stopping boats'

ABC News Online

First posted Sat 21 Feb 2015, 12:17pm

Updated Sat 21 Feb 2015, 12:28pm

The Federal Government has announced it will close one of its immigration detention centres in Darwin after its "success in stopping the boats".

Immigration Minister Peter Dutton said the Blaydin Point centre was no longer needed because of the Abbott Government's success in stopping the people smuggling trade.

The Blaydin Point centre, which the Government had named an Alternative Place Of Detention (APOD), is set to close in April.

An APOD is listed by the Immigration Department as a "facility is for people we assess as being minimal risk to our communities".

"APODs are often used to accommodate families, children and people in need of medical treatment," it said.

"APODs can be in the form of rented housing in the community, hotel rooms and other community housing through arrangements with other government departments."

Announcing the closure, Mr Dutton said in a statement the immigration detention network "ballooned under the Labor Government and came at a significant cost".

"The closure of Blaydin means that taxpayers save more than \$18 million a year in lease costs alone," he said.

Detainees currently held at Blaydin Point will be taken to other detention centres, moved into the community or released on bridging visas.

Mr Dutton said the immigration department would liaise with companies and contractors that had business arrangements with the facility.

The Blaydin Point facility was in the news in December 2014 when two pregnant women and their families refused to get off a bus for three days.

<http://www.abc.net.au/news/2015-02-21/blaydin-point-immigration-centre-closes/6174730>