

Project SafeCom News and Updates

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1. Taxi drivers and Tony Abbott could learn from children in detention
2. Prime Minister becomes asylum seeker in short film 'Turnback'
3. Simon Longstaff: Andrew Chan, Myuran Sukumaran and 'Stop the Boats'
4. Fiji's Bainimarama criticises Australia's asylum seeker regime
5. Italy rescues 10,000 refugees from Mediterranean over two days
6. Brussels plans migration centres outside EU to process asylum applications
7. Treatment of asylum seekers breaching torture convention: UN
8. Police investigate Save the Children whistleblowers over Nauru abuse report
9. Report into alleged sexual abuse by charity workers at Nauru 'disturbing'
10. Qantas bans protesters who disrupted Tamil asylum seeker transfer
11. Qantas Bans Second Passenger Over Tarmac Tamil Protest
12. Qantas bans student who stood up for what she believed in
13. Nigerian man critical after Yongah Hill immigration detention centre bashing
14. MEDIA RELEASE: Nauruan police arbitrarily arrests refugees
15. MEDIA RELEASE: More than 100 Nauruan refugees arrested
16. Nauru unrest: Almost 60 refugees arrested in protest over access to Australia
17. More than 100 refugees on Nauru arrested in police crackdown
18. More than 100 refugees arrested after protests on Nauru, advocates say
19. MEDIA RELEASE: Nauru refugees abused, robbed and bailed
20. Refugees on Nauru say they were forced to sign bail orders banning protests
21. MEDIA RELEASE: Arrested refugees held overnight: observers needed
22. Nauru police release refugees, charge 174 for 'unlawful' protests
23. Nauru police hit back at brutality claims, say protesting refugees used children as 'shields'
24. Orange lifeboats used to return asylum seekers to be replaced by 'fishing boats'
26. Abbott government buys cheaper Vietnamese fishing boats to tow back asylum seekers
27. Australia's wooden boats for asylum seekers raise legal challenge – advocates

1. Taxi drivers and Tony Abbott could learn from children in detention

Taxi drivers and Tony Abbott could learn from children inside our detention camps

Sydney Morning Herald
March 5, 2015 - 1:51AM
Elizabeth Farrelly

My airport taxi-driver recently had a little rave. Cabbies, he confided, have special knowledge – which days people sleep in, sites of the traffic-jams du jour, that sort of thing. They also know, he said, how to talk to people, tailoring the topic to the type. I knew then it'd get interesting.

He said bikes were ruining the city; streets should be for cars, with even school children tunnelled beneath. I defaulted to my no-taxi-arguments policy. My driver moved right along. "Asians", he averred, were taking over, pursuing by stealth what the Japanese had failed to win in World War II. I said nothing.

Segueing neatly to topic three, my driver insisted that "boat people" routinely endanger their children in order to infiltrate our communities. I zipped my lips. Finally, he said that unless Australia had a recession very soon, to bust house prices, he'd have to return to Greece.

This is not about Greeks, or even racists. It's about how the trickle-down effect, so spectacularly unsuccessful in things economic, works to legitimise attitude.

When a government makes it okay to treat difference – including difference of opinion – as a form of personal threat, the trickle-down is easy, since it validates a base primate instinct. The vilification of Gillian Triggs for her Forgotten Children report is a casebook study.

The disgraceful and sustained attack on Triggs has nothing to do with competence and everything to do with politics. Its effect is both to undermine our civilising institutions and to legitimise primitive instincts. No wonder, as the ABC recently reported, almost half of Australians self-identify as having anti-Muslim attitudes.

On Monday, the Senate censured Attorney-General George Brandis as "unfit for office" after his pursuit of Triggs. That was proper, but went nowhere far enough.

The shock of watching Liberal party thugs sledge the Human Rights Commission for daring to dissent, echoed the shock of watching those black-clad IS psycho-puppies jack-hammer 3000-year-old winged Assyrian bulls. The separation of powers is our priceless cultural artefact. At least IS was sufficiently ashamed to take its video down.

Abbott remains unapologetic. Apparently it's bad to criticise government, but just fine to attack the very institutions that differentiate us from the totalitarian regimes against which our government purports to defend us.

The government makes much of Triggs' timing. Indeed, this is its whole argument for partiality, arguing that she "waited" to conduct her inquiry until the government was Liberal. But it is no more than a tactic, allowing them to sidestep the content of Forgotten Children almost entirely.

And the timing question works both ways. Abbott works hard to cast Triggs' judgment, more generally, as "extremely questionable". But why, if he was so unhappy, did he wait to proclaim this dissatisfaction until after Forbidden Children was submitted?

And while we're on timing, it is significant that the government took a full three months to table Triggs' report, submitted in November. Strategy time. Abbott came out swinging. He called Triggs' report a "transparent stitch-up," a "blatantly partisan, politicised exercise", a cause for institutional shame. Repeatedly we heard the "I have lost confidence" rhetoric, designed to imply incompetence. But in fact, Triggs' sin was to tell an uncomfortable truth.

The government's tactic is two-fold. One, generate scandal to neutralise your critics. Two, let this same beat-up shroud the real issue. Why? Because the real issue is one that our government fears Australians will not tolerate. Not misogyny. Not competence. Children in concentration camps.

But partisan? Had they even read the thing? Triggs' foreword alone shows the breadth of her target. She examines the past 23 years of shameful detention, and selects the Labor-dominated decade 2004-14 (since the last report) as the period of "law and policy review".

Triggs notes that 1072 people (including 15 children) died trying to reach Australia during the five Labor years to 2013. The years 2012-13, she says, brought both the largest ever inflow of refugees and the tightest admission policies (Gillard's).

She writes that Labor's "no advantage" policy from August 2012 left "about 31,000 asylum-seeker families and children in a legal black hole in which their rights and dignity have been denied, in some cases for years." She cites both Labor minister Chris Bowen and Liberal minister Scott Morrison failing to expedite children's release. Seems pretty even-handed to me.

Government supporters argue that detention numbers, including children, were higher under Labor, and that's true. But it's also true (says the ABC fact-check) that under Abbott 89 per cent of people have been imprisoned longer than three months, compared with 20 per cent under Labor.

About 20 per cent of detainees are children. By March 2014, there were 1068 such children, mostly primary-school age and about 17 per cent babies.

In a child's life, time matters. The average detention length is now 14 months. More than 100 babies have been born in detention. One-third of the children suffer mental health issues that would, in mainland Australia, warrant out-patient care, yet there they're exposed to dangerous adults or shut for hours each day in shipping-container dwellings. Little wonder they self-harm.

These small people come seeking our help. Queue jumpers, you say? They're escaping life-threats (41 per cent), government persecution (31 per cent), war (12 per cent) and torture (4 per cent). "I'm Syrian," said one child on Nauru. "My country has war ... If my country was good I don't need Australia". "My father and brother were killed," said another, unaccompanied. "I wouldn't be here if I didn't have to." Yet another watched family and friends having their noses hacked off. These kids do not need more trauma in their lives.

Mothers weep because their babies have nowhere clean to crawl. The rooms are filthy, hot and cramped. Infants have constant eye and ear infections. Suicide watch for these mothers is maintained not by a nurse, but by a Serco guard.

Our 11 camps breach Australia's international human rights obligations in a dozen different ways. Journalists are forbidden. So Triggs voices the voiceless. This is every bit as bad as what's been going on at Knox. Worse. But, what. We don't care because they're not rich white kids?

<http://www.smh.com.au/comment/taxi-drivers-and-tony-abbott-could-learn-from-children-inside-our-detention-camps-20150304-13ulod.html>

2. Prime Minister becomes asylum seeker in short film 'Turnback'

Lights Canberra Action: PM becomes asylum seeker in paranormal short film Turnback, as director wins prize for third year in row

ABC News Online

By Alkira Reinfrank and Elise Pianegonda

First posted Sat 7 Mar 2015, 10:14am

Updated Sat 7 Mar 2015, 10:37am

A short politically motivated film in which an Australian prime minister has an out-of-body experience as an asylum seeker in detention has won the annual Lights Canberra Action festival.

The film, Turnback, last night took out the award for best film and its director Hew Sandison, 22, also won the prize for best editing and best director.

It was the third year in a row Mr Sandison's film took out the top spot and the fourth time his work featured in the festival.

But he said his winning entry was one of the more politically driven Lights Canberra Action entries this year.

"It's a little drama that sees a prime minister of Australia in his Commonwealth car when it gets hijacked by some assailants who hook him up to this machine that transfers him into the mind of an asylum seeker in one of our detention centres," Mr Sandison said.

"I've always felt strongly about this issue and it's something that needed to be talked about. Film is the way I talk."

Mr Sandison said the festival and its films under seven minutes in length were the perfect way to engage with a younger audience.

"Less and less, young people are engaging with traditional media," he said.

"The digital world, particularly with films and stories and narratives, is a good way to engage them.

"If you're able to nail a short film, bearing in mind our shrinking attention span, then I think that's a great way to start a debate."

Mr Sandison wrote, produced, directed and edited the film which will be released online this month.

Full story at <http://www.abc.net.au/news/2015-03-07/pm-becomes-asylum-seeker-in-paranormal-short-film-turnback/6285962>

3. Simon Longstaff: Andrew Chan, Myuran Sukumaran and 'Stop the Boats'

Andrew Chan and Myuran Sukumaran's plight raises questions about Australia's 'Stop the Boats' policy

The Age
March 5, 2015 - 5:05AM
Simon Longstaff

I write this as the lives of Andrew Chan and Myuran Sukumaran hang in the balance. Sentenced to be shot to death by an Indonesian firing squad, they may be dead by the time these words are published. I hope not.

The discussion of the fate of Chan and Sukumaran raises as many profound questions for Australians as it does for our neighbours in Indonesia. For our part, these questions include the following: are we genuinely opposed to the application of the death penalty per se? Or are we only outraged by the possible execution of Australians? If we oppose the death penalty for all, then did we do all we could to petition for clemency in the case of Imam Samudra, Amrozi bin Nurhasyim and Huda bin Abdul Haq, the infamous "Bali Bombers" executed for their part in that atrocity? Did the terrorists' apparent lack of remorse and repentance make a difference to our collective judgment in their case? Would Chan and Sukumaran be abandoned if they too remained unreformed? These are just some of the questions that arise at the individual level. However, President Joko "Jokowi" Widodo's policy of showing no mercy for convicted drug traffickers gives rise to an even larger issue with which we must contend.

The essence of Jokowi's position is that the harshest of means (death by firing squad) is justified by the ends of saving his citizens from the blight of addiction and death at the hands of those who profit from the illicit trade in narcotics. Although it is difficult to check the statistics, the Indonesian government claims that approximately 50 people lose their lives to this menace – every day. Jokowi's policy of "no mercy, no hope" for convicted drug traffickers is his answer to the slogan "Stop the Drugs".

What then of the slogan "Stop the Boats"? It is difficult not to see a close parallel between the reasoning of Jokowi, when dealing with convicted drug dealers, and that of recent Australian governments (Labor and Liberal) when dealing with the plight of those fleeing oppression and persecution by boat in hope of asylum. In its most potent form, recent policy has been very much in the vein of "no mercy, no hope".

Of course, no Australian government would ever intend the death of asylum seekers. However, policies that include the possibility of indefinite detention, conditions of confinement that rob a person of their sanity and the promise that no person coming by boat will ever be settled in Australia, are clearly designed to deter any future attempts by asylum seekers to breach the seal of Australia's sovereign borders by sea. In a direct echo of Jokowi, the Australian government ultimately measures the success of its policies in lives saved.

Some people will object to any comparison that is made between the Jokowi government's use of the death penalty as the ultimate deterrent (that does not work) and the policies of various Australian governments in response to asylum seekers coming by boat (which in the case of the Abbott government has "stopped the boats"). Clearly, no Australian government has intended the death of asylum seekers. Indeed, the very opposite has been one of their declared aims. So, at that level, I believe any comparison to be unfair and unwarranted. However, there is a deeper level at which the linkage deserves serious consideration by all Australians. Specifically, do we accept or reject the underlying claim that the "ends justify the means"?

The idea that "the ends justify the means" (or that we should "do whatever it takes") is one of the most pernicious principles yet conceived by humankind. It is the recognition of the terrible force of this idea that lies behind the warning that, "the road to hell is paved with good intentions". Yet, more and more people are taking this road, enthralled by their belief in the absolute virtue of their cause; accepting as "necessary – if sometimes tragic" the destruction they cause along the way. To be clear, there is nothing wrong with "good intentions" – the trouble comes when people pursue their noble ideals without the restraint of firm ethical boundaries.

The most extreme examples of this maxim can be found in the thoughts and deeds of totalitarian regimes and their supporters. Armed with absolute certainty – political, religious ... whatever – the totalitarians are willing to kill, torture, terrorise and degrade in order to bring about their "perfect state". Islamic State is just the latest example of this malignant approach to the world. Before them, there were Christian crusaders, Islamic "Mahdis", fascists, Marxists, Maoists and unnamed others ... all prepared to commit atrocities with the conviction that their deeds were vindicated by the attainment of some greater good.

The attention given to such extreme cases can make us blind to lesser examples that lie on the same "ends-means" spectrum. The execution of Andrew Chan and Myuran Sukumaran is just such a case. The Australian Immigration Minister saying that he will "do whatever it takes" to stop the boats is another. Millions hope and pray that Chan and Sukumaran will be spared. Millions hope and pray that refugees will be accorded true sanctuary, as is their right. We should all hope (and the religious should pray) that our political leaders will banish the crude belief that the "ends justify the means" including the denial of mercy and hope. If I am sure of anything, it is that the world needs more mercy and more hope – not less.

Dr Simon Longstaff is the executive director of the St James Ethics Centre.

<http://www.theage.com.au/comment/andrew-chan-and-myuran-sukumarans-plight-raises-questions-about-australias-stop-the-boats-policy-20150304-13ufm0.html>

4. Fiji's Bainimarama criticises Australia's asylum seeker regime

Fiji PM Frank Bainimarama criticises Australia's regime for resettling asylum seekers in Pacific

ABC News Online

Posted Tue 3 Mar 2015, 5:30am

Fiji's prime minister Frank Bainimarama has taken a swipe at Australia's practice of resettling asylum seekers in the Pacific.

Hundreds of asylum seekers who arrived in Australia have been resettled in Pacific nations after having their claims processed in Nauru and Papua New Guinea.

Mr Bainimarama has told the UN Human Rights Council in Geneva that Fiji wanted closer scrutiny of the practice.

"If human rights are universal, no country should be able to contract out an obligation to respect them, especially when dealing with the displaced, the vulnerable and the children," he said.

"Fiji's position is that the international community can no longer continue to turn a blind eye to what we consider to be one of the greatest human rights challenges in the Pacific."

Mr Bainimarama said Fiji was at a time of "momentous change" regarding its own human rights and pointed to the country's democratic election last year.

"That election took place on the basis of a new constitution that for the first time creates a secular state ... reaffirms civil and political rights and also guarantees the Fijian people an unprecedented array of social and economic rights," he said.

"This includes the right to education, the right to adequate health care, adequate food and water, housing, sanitation, economic participation, a just minimum wage, social security and specific rights for people with disabilities and children."

He said every citizen in Fiji "enjoys substantive justice and opportunity".

"In stark contrast to other countries such as Australia and the US, for example, the colonial experience in Fiji was not one of large-scale dispossession of land and rights and marginalisation of the indigenous people," he said.

"Today, approximately 91 per cent of all land in Fiji is owned through customary ownership by the indigenous people and cannot be permanently alienated under any circumstances.

"This has given the indigenous people a level of security that has been noticeably absent in other countries and has been central to their social and economic wellbeing."

In the speech, the prime minister was also critical of the world's response to climate change and its effects in the Pacific.

"The repeated failure of the industrialised nations to curb their carbon emissions is a direct threat to the human rights of people living in vulnerable small island states like Fiji, including the right to life.

"The very existence of some of our neighbours is threatened."

<http://www.abc.net.au/news/2015-03-03/fiji-pm-criticises-australias-asylum-resettlement-regime/6275896>

5. Italy rescues 10,000 refugees from Mediterranean over two days

Ministers call for more help from the EU as number of migrants is said to outpace last year's rate, which totalled 170,000

The Guardian

Associated Press in Rome

Thursday 5 March 2015 06.51 AEDT

More than 10,000 refugees have been saved in the Mediterranean north of Libya in the past two days but 10 people died at sea, Italian officials have said.

A flotilla of rescue vessels, including from Italy's coastguard and navy, and three cargo ships saved 941 people in seven separate operations on Tuesday. On Wednesday, the coastguard and two cargo ships rescued 94 migrants whose motorised dinghy was in distress 40 miles (65 km) north of Libya.

Survivors were ferried to southern Italian ports. The migrants rescued on Tuesday had been aboard five motorised dinghies and two larger vessels. One of the larger boats capsized and 10 people were later found dead.

For months now, hundreds – sometimes thousands – of migrants fleeing conflicts or poverty have been reaching Italy every week on smugglers' boats from Libya.

Italy's interior ministry said 7,882 migrants arrived in the first two months of this year, compared to 5,506 over the same time in 2014. A total of 170,000 migrants and asylum seekers were rescued at sea by Italy's coast guard, navy and other vessels including cargo ships last year. It is believed the tally will be higher this year.

The coastguard said the migrants saved in the latest rescues claimed to be Syrians, Palestinians, Libyans, Tunisians and people from sub-Saharan Africa.

More than 30 children were among those rescued. One of the 50 pregnant women aboard was urgently evacuated for medical treatment.

A tug deployed at offshore oil platforms raised one of the first alarms before joining in the rescue operations about 50 miles north of Libya, the coast guard said.

For years, Italy has been appealing to the EU to help with ships, aircraft or funding. It points out that most of those rescued intend to reach relatives or jobs in other European countries.

This year, an EU patrol mission known as Triton replaced Italy's Mare Nostrum air and sea mission that had saved tens of thousands of lives. Triton patrols only EU national waters, while the Italians had carried out rescues off Libya's coast, where many of the unseaworthy and overcrowded vessels founder.

Italy says it won't turn its back on those in danger. "Often the SOS call [arrives] when the migrant boats are outside the Italian rescue zone, 50 or 60 miles from the Libyan coast," the coastguard commander Filippo Marini told the AP.

International law obliges Italy to alert the coastal country with jurisdiction, he said, but calling on Libyan authorities would yield little help due to the country's chaotic security situation.

"If there is no reaction or intervention for this country, we must rescue these people," Marini said.

The EU's smaller-scale mission is fodder for rightwing Italian politicians, including Matteo Salvini, the leader of the anti-immigrant, anti-Europe Northern League party.

"Ten more dead and 900 clandestine migrants ready to disembark," Salvini said on Wednesday. "In Rome and in Brussels, there are full pockets and hands stained with blood."

The migrants' traffickers are reportedly getting even more ruthless. An Italian child protection advocate, Carlotta Bellini of Save the Children, said migrants have recently reported that armed traffickers demanded they jump into the boat and depart even if weather is bad.

Italian lawmakers also demanded the EU do more. Khalid Chaouki, from premier Matteo Renzi's Democratic party, lamented "this unexplainable European indifference".

In Brussels, the migration commissioner, Dimitris Avramopoulos, told reporters: "Now more than ever we need a comprehensive and long-term strategy." He spoke after a commission orientation debate on the EU's new migration policy.

Italian officials have expressed concern that militants could mingle among migrants from Libya, where a group affiliating itself with Islamic State (Isis) has gained a foothold.

<http://www.theguardian.com/world/2015/mar/04/italy-rescues-10000-refugees-from-mediterranean-over-two-days>

6. Brussels plans migration centres outside EU to process asylum applications

European commission wants to use offices and embassies outside EU to process applications for asylum and refugee status before migrants reach Europe

The Guardian
Ian Traynor in Brussels
Friday 6 March 2015 01.20 AEDT

The European commission is planning to establish immigrant-processing centres outside the EU for the first time, in a radical policy departure aimed at stemming the movement of hundreds of thousands of people across the Mediterranean.

Struggling to draft coherent immigration strategies at a time when the issue has become one of the most toxic in the politics of many EU countries, the European commission announced it was fast-tracking a policy paper on migration.

Dimitris Avramopoulos, the commissioner in charge of home affairs including migration policy, said Brussels wanted to use EU offices and embassies in third "countries of origin" to process applications for asylum and refugee status before the migrants reach Europe. The aim would be to reduce the numbers of migrants illegally landing on EU shores.

The new policy is strongly supported by Italy, which is on the front line of what has become one of the world's most perilous migration routes, the Mediterranean. Of the 270,000 migrants who arrived illegally in the EU last year – 1.5 times more than the previous year – 220,000 came via the Maghreb and across the Mediterranean, according to Frontex, the EU's external borders agency.

More than 3,500 drowned attempting the crossing. Another 1,000 arrived in Sicily this week after being rescued, including 10 who drowned.

While EU governments view the influx as a crisis, migration professionals argue that the figures are a lot less dramatic than commonly portrayed by politicians.

Full story at <http://www.theguardian.com/world/2015/mar/05/european-commission-third-country-immigrant-processing-centres>

7. Treatment of asylum seekers breaching torture convention: UN

UN report says Australia's treatment of asylum seekers breaches torture convention

ABC News Online
By Danuta Kozaki
Posted Mon 9 Mar 2015, 6:58am

A report by the United Nations has found Australia is breaching the international convention against torture in its treatment of some asylum seekers.

The report has been prepared by the UN's special rapporteur on torture, Professor Juan Mendez, and is being tabled in Geneva today at the UN Human Rights Council.

Professor Mendez said Australia had failed to provide adequate detention conditions and that it should end the detention of children.

His report also said Australia should put a stop to the escalating violence on Manus Island.

Human Rights Law Centre director Daniel Webb said Australia was breaching the convention against torture it signed years ago.

"Now Australia is being found to breach that convention to cruel, inhuman and degrading treatment," he said.

Mr Webb said the report was a condemnation of Australia's indefinite detention of asylum seekers on Manus Island and the conditions there.

"It is basically Australia being named and shamed on the world stage as a country that fails to comply with the convention against torture, and I think that ought to be a real wake-up call," he said.

The Federal Government has been contacted for comment.

<http://www.abc.net.au/news/2015-03-09/un-reports-says-australia-breaching-torture-convention/6289892>

8. Police investigate Save the Children whistleblowers over Nauru abuse report

Exclusive: Immigration department asks AFP to investigate submission to Human Rights Commission detailing sexual and physical abuse of children

The Guardian
Ben Doherty
Wednesday 4 March 2015 11.01 AEDT

Child protection whistleblowers who alerted the Australian Human Rights Commission (AHRC) to child sexual abuse, violence and self-harm on Nauru are being investigated by the Australian federal police.

Guardian Australia has discovered the AFP has been asked by the Department of Immigration and Border Protection to investigate Save the Children staff who anonymously wrote a submission to the commission's inquiry, outlining cases of sexual and physical abuse of children, and acts of self-harm.

Submission 183 said: "We believe that the children have been subjected to multiple violations of their human rights and wrongdoing from multiple parties.

"Unfortunately, due to confidentiality clauses that have been imposed on us by the Department of Immigration and Border Protection, we are unable to provide our full names and ... titles ... However, we believe the evidence that will be submitted will validate the statements that we are making in this submission."

The submission detailed specific allegations – including names and dates – of sexual abuse of child detainees, violence and bullying of children, suicide attempts by children and medical neglect.

Appended to the submission as evidence of its claims were more than 100 working documents from Nauru, including minutes of meetings, incident reports, intelligence notes, and email correspondence.

Submission 183 was made public by the AHRC, but the appended documents were not.

The commission's inquiry, which attracted more than 200 submissions, has been intensely controversial since its report, *The Forgotten Children*, was launched in February.

The report is excoriating of both Labor and Coalition administrations for their policies and practice of detaining children.

The commission was refused permission to visit Nauru. It relied on first-hand professional accounts such as submission 183, and testimony from detainees. The commission found: "Children on Nauru are suffering from extreme levels of physical, emotional, psychological and developmental distress."

Tony Abbott has rejected the report as partisan, and a "transparent stitch-up".

The AFP confirmed to the commission it was investigating the author or authors of submission 183 over the attached working documents.

Police are investigating a suspected breach of section 70 of the Crimes Act, concerning "disclosure of information by commonwealth officers". A single disclosure carries a penalty of up to two years in jail.

Guardian Australia sought access to the suppressed documents attached to submission 183 under freedom of information laws, but was refused access. Guardian Australia was told by the AHRC the release of the documents would prejudice a police investigation that was underway.

The AHRC said: "In oral submissions from the Australian federal police they have confirmed there is a current investigation into the unauthorised disclosure of the documents attached to submission 183."

"The department and the AFP submit, and I accept, that disclosure of the documents would ... prejudice the investigation".

The immigration department told the AHRC the documents' release would "attract media attention" leading to a "real risk that material witnesses may be discouraged from volunteering information".

The immigration department confirmed to Guardian Australia the AFP investigation was commenced at its request.

"As the AFP is currently investigating this issue, it would not be appropriate to comment further at this time," a department spokeswoman said.

A spokesman said Save the Children was aware of the AFP investigation and would cooperate fully with police inquiries.

"The *Forgotten Children* report confirms Save the Children's view that prolonged, mandatory detention of children has profound and devastating impacts on their physical and mental wellbeing. Our staff remain firmly focused on doing everything in their power to minimise such harm, to the extent possible in the circumstances," the spokesman said.

The AFP confirmed to Guardian Australia it had "accepted the matter for investigation" and that the investigation was ongoing.

According to the AHRC, the attached documents withheld included: Transfield Services incident investigation reports; the identities of confidential intelligence sources within the detention centre, and; "Wilson's case notes dealing with a number of ongoing issues in relating to bullying, racial tension, allegations of assault by a member of staff, sexual assault harassment and intimidated and specific threats to public safety".

Transfield Services said the public release of documents detailing its operations and conditions on Nauru would reveal personal details of detainees and compromise its ability to keep order.

"We are concerned that the disclosure of such documents may lead to incidents of protest and riots as disclosure of such material may also enable others to use the information to the detriment of the good order of the operations of the regional processing centres," it said.

The AFP is regularly asked to investigate leaks of information from the Department of Immigration and Border Protection.

Almost every referral made to the AFP by federal government agencies for "unauthorised disclosure of commonwealth information" in the past 18 months has been directly related to journalists reporting on asylum seekers and immigration.

At least eight referrals to the police were on the subject of asylum-seeker stories, over reports in Guardian Australia and the West Australian.

<http://www.theguardian.com/australia-news/2015/mar/04/police-investigate-save-the-children-whistleblowers-over-nauru-abuse-report>

9. Report into alleged sexual abuse by charity workers at Nauru 'disturbing'

Moss review: Report into alleged sexual abuse by charity workers at Nauru detention centre disturbing, aid organisation Save the Children says

ABC News Online

By Matt Watson

First posted Sat 7 Mar 2015, 12:46pm

Updated Sat 7 Mar 2015, 1:04pm

Aid organisation Save the Children says it is frustrated and angry over a "disturbing" intelligence report that sparked the Moss review into allegations of sexual misconduct at the Nauru detention centre.

The review was set up to examine allegations that staff from the charity acted inappropriately at the Nauru detention centre.

The review, headed by former integrity commissioner Phillip Moss, was announced by former immigration minister Scott Morrison in October and is due to be released on Tuesday.

The Moss review examined why 10 Save the Children aid workers were sent home from the detention centre and whether they fabricated allegations of sexual abuse.

An intelligence report released this week by Greens Senator Sarah Hanson-Young showed there was no evidence to support claims of misconduct and the review was based on vague allegations.

The report stated; "It is considered probable that refugee advocates and some service providers are engaged with asylum seekers, and refugees, to manufacture situations where 'evidence' can be obtained of the unsuitability of Nauru for processing and resettlement..."

It also claimed "It is probable there is a degree of internal and external coaching, and encouragement, to achieve evacuations to Australia through self-harm actions."

However, Senator Hanson-Young said the review was a witch hunt.

"The reason that I took the extraordinary step to read the report into Hansard is that I believe the Save the Children workers who are implicated in the report, and were fired from their jobs, deserve to know what accusations were being made against them," she said.

"We can't trust the Government on this - they now have form - we've seen that from the exposure of the intelligence report.

"The Government simply cannot be trusted to tell the truth to the Australian public.

"The report must be released in full - there's no two ways about that.

"The report simply contains a series of vague allegations without any actual evidence of inappropriate action by any staff member in the centre.

"It seems, from this intelligence report, that the only crime committed by those employees was to report accusations of abuse and the inappropriate behaviour of security guards, who are employed by the very same company that wrote this intelligence report."

Save the Children spokesman Matt Tinkler described the intelligence report as "disturbing" and the organisation was frustrated by the allegations.

"Especially as you can imagine for those staff who ultimately lost their jobs as a result of this so-called intelligence report," he said.

"It's not the kind of report that should be relied upon to attack an organisation like Save the Children."

Immigration Minister Peter Dutton's office declined to comment.

<http://www.abc.net.au/news/2015-03-07/report-into-allegations-of-abuse-on-nauru-disturbing/6287966>

10. Qantas bans protesters who disrupted Tamil asylum seeker transfer

Qantas bans protesters who disrupted Tamil asylum seeker transfer; AFP investigating

ABC News Online

By Sally Brooks

First posted Fri 6 Mar 2015, 1:23pm

Updated Fri 6 Mar 2015, 1:24pm

A Melbourne university student who staged a protest on a Qantas flight over the transfer of an asylum seeker has been temporarily banned from the airline and asked to attend an interview with the Australian Federal Police.

On February 2 Jasmine Pilbrow, 21, staged a protest at Melbourne Airport amid fears an asylum seeker on board would be deported once the plane arrived in Darwin.

The Tamil asylum seeker, known as Puvaneethan, 25, was being transferred from detention in Victoria to a Darwin detention centre.

Ms Pilbrow distributed flyers titled Save Puvaneethan from torture and urged passengers to refuse to sit down unless Puvaneethan was allowed to get off.

Two other passengers chose to get off the plane in protest at the asylum seeker's treatment.

Two weeks later, on February 16, all three parties received a letter from Qantas banning them "until further notice" from flying with the airline.

"Your actions are unacceptable and will not be tolerated by the Qantas Group or the Jetstar Group," the letter from Qantas head of security stated.

You are not permitted to:

- Travel on any flight operated by a member of the Qantas Group or the Jetstar Group;
- Travel on any codeshare flight operated by another airline (including Emirates) that has a Qantas or Jetstar flight number, such as "QF" or "JQ", on your ticket; or
- Purchase any flights on a Qantas issued ticket, either through Qantas directly or through a travel agent acting on our behalf, or ask or allow any person to do so for you.

Ms Pilbrow said Qantas had also asked the Australian Federal Police to investigate the protest.

"On Tuesday I've been asked to an interview with the AFP," she said.

She said she did not know whether police would press charges.

A Qantas spokeswoman said the temporary no-fly ban had been issued while the investigation was underway.

"This is standard procedure among most airlines. I can't provide further comment while the AFP investigation is happening," she said.

Asylum seeker was flown to Darwin a few days later

The protest in February resulted in Puvaneethan being removed from the flight, but a few days later he was transferred to Darwin without incident.

"He was told he was going to a medical appointment and instead taken to the airport and transferred to Darwin," Ms Pilbrow said.

Puvaneethan lived in Victoria for two years but was brought back into detention once his claim for asylum had been processed and was found not to be a refugee, Ms Pilbrow said.

"The [Federal] Government said although he had reasons to flee the country when he did, it's now safe to go back," she said.

Puvaneethan was not sure if there were plans to deport him back to Sri Lanka, she said.

Ms Pilbrow said the Refugee Action Collective, who had organised her protest, was annoyed the two other passengers had been banned from flying.

"I was expecting this kind of thing to happen and I intentionally went on the plane to stop it, however the other two passengers didn't cause any delays to the flight, they hopped off immediately," she said.

"We think it's quite unfair that they've been banned and that there is an investigation into them as well."

The Immigration Department declined to comment.

<http://www.abc.net.au/news/2015-03-06/qantas-bans-passengers-protest-tamil-asylum-seeker-transfer/6286614>

11. Qantas Bans Second Passenger Over Tarmac Tamil Protest

At least two people have been banned from flying Qantas over a protest to stop the deportation of a Tamil asylum seeker. Max Chalmers reports.

New Matilda
3 Mar 2015
By Max Chalmers

A second passenger involved in a refugee protest on a Qantas flight has been handed an indefinite flight ban by the airline, castigated for their "unacceptable" behaviour, and apparently offered no course of appeal.

Jasmine Pilbrow boarded QF 383 in early February with the aim of preventing the transfer of a Tamil asylum seeker who had recently been returned from the community to detention, and was due to be transferred from Melbourne to Darwin. Advocates feared from there he would be returned to Sri Lanka and face immediate persecution.

Friends of the man rushed to the gate and bought a ticket for the flight which Pilbrow then boarded, refusing to take her seat and delaying departure for approximately 50 minutes.

In a dramatic show of support, two fellow passengers who were not involved in the action, nor with any refugee support group, stood up with her, and eventually agreed to disembark from the flight.

This morning, Fairfax media reported that one of those passengers has now been issued an indefinite travel ban with Qantas, despite the fact they do not appear to have contributed to stalling the flight.

New Matilda has confirmed Pilbrow has also been issued with an indefinite ban, though she was not aware of it until she saw the Fairfax report and checked an alternative email address linked to her Qantas Frequent Flyer account.

"Based on the incident from QF838 on 02 February 2015, we have decided to issue this ban and will not be able to uplift you," the email from Qantas' head of security said. "Your actions are unacceptable and will not be tolerated by the Qantas Group".

Despite angering Qantas, and a number of passengers on the flight, the protest temporarily succeeded in preventing the transfer of Tamil man. Two days later, however, he was brought in for what was understood to be a medical check-up and boarded on another flight.

He remains in the Wickham Point detention centre in Darwin but has not been deported.

Pilbrow, who studies in Melbourne, said she was concerned about how the ban would impact her ability to visit her family in Alice Springs.

"Because I grew up in Alice and Qantas was the only airline, I was travelling very regularly, at least twice a year since the age of five," she told New Matilda.

She was highly critical of Qantas' treatment of the other passengers who stood up and spontaneously joined the protest.

"I think it's really bad. I understand why they've done it to me because it was my intention to delay the flight, and I was honest about that and apologised to the other passengers," she said.

"I think [the other people who stood up] should immediately be given back the right to fly with Qantas."

Qantas did not confirm the number of bans issued, and said an investigation into the matter was being undertaken by the Australian Federal Police.

Sarah Algar, Qantas' senior adviser for corporate communications, PR and publicity, told New Matilda it was standard procedure to issue a flight ban to passengers while such an investigation was pending.

She said Qantas was not undertaking its own investigation into the issue.

An AFP spokesperson responded to questions by issuing the following statement: "Police are continuing with their enquiries. As this matter is ongoing it is not appropriate to comment further."

Pilbrow said she had not been contacted by the AFP.

Aran Mylvaganam, a spokesperson for the Tamil Refugee Council, said he believed Pilbrow's stand had helped ensure the short-term safety of the Tamil man at the heart of the drama.

"We believe that it created the attention that he needed. His case had been completely ignored, and he was going to be deported," he said.

The Department of Immigration told New Matilda at the time that the incident was a "routine transfer [that] involved a domestic movement and was not a deportation", but did not deny the intention to later deport the man from Darwin.

<https://newmatilda.com//2015/03/03/qantas-bans-second-passenger-over-tarmac-tamil-protest>

12. Qantas bans student who stood up for what she believed in

Sydney Morning Herald
March 7, 2015 - 10:49AM
Su-Lin Tan

Victoria University student Jasmine Pilbrow, who protested the transfer and deportation of a Tamil man to Sri Lanka on board Qantas flight 838 on February 2, has been banned from the airline.

A nameless head of security from Qantas sent a letter to Ms Pilbrow's email account saying her "actions are unacceptable and will not be tolerated by the Qantas Group or the Jetstar Group".

The letter also said Qantas tried to contact Ms Pilbrow, but she says she did not receive any calls.

Ms Pilbrow, who had boarded the plane, refused to sit down until the refugee, 25-year-old Puvaneethan, was taken off the plane.

"If he is sent back to Sri Lanka, he is likely to be imprisoned and tortured," she said.

Puvaneethan was being flown from Melbourne to Darwin possibly en route to Sri Lanka, according to the Tamil Refugee Council. He has since returned to the Melbourne Immigration Detention Centre.

Ms Pilbrow had not checked her email and only found out about the ban after reading a story published on Fairfax Media last Tuesday about her and two other passengers, 51-year-old Paul Leary and his colleague, who were also travelling on the plane.

"I tried to follow up on the ban but there was no number for me to call. When I called Qantas headquarters they sent me to customer service who told me to fill out a form if I had a complaint about the ban," Ms Pilbrow said.

"Communication at Qantas needs to be fixed up."

While Ms Pilbrow was unhappy at the way Qantas communicated the ban to her, she said it was unfair the other two passengers, who were not part of the protest, were banned too.

Mr Leary has since filed a complaint with the Victorian Civil and Administrative Tribunal's human rights division on the grounds the ban discriminates against him on the basis of his political belief.

Mr Leary and his colleague had asked to leave the plane because they were not comfortable with Puvaneethan's treatment.

"This occurred in the most polite way that you could - by standing up, pressing the call button and getting a Qantas steward to come over," he said.

He said they at no point tried to disrupt or delay the flight and were not directed to leave the plane.

Mr Leary then found out he was subject to a no-fly ban and a security review when he was returning from Darwin after travelling there on a different airline.

The flight ban on the three passengers applies to all Qantas or Jetstar flights as well as any codeshare flights operated by other airlines, such as Emirates.

Both Ms Pilbrow and Mr Leary's Frequent Flyer memberships have also been suspended.

Qantas' terms of carriage stated it could refuse to carry passengers.

A Qantas spokeswoman said a temporary no-fly ban has been issued to the three passengers while the Australian Federal Police is investigating the incident.

"The AFP is investigating this matter so it would be inappropriate for us to comment. The temporary no-fly ban will remain in place until the AFP's investigations are finalised," the spokeswoman said.

"However it's fair to say that the aisle of an aircraft is not the same as a town square. All airlines have clear rules about the need to follow crew instructions at all times, and no-fly bans show how seriously this is taken."

The police came on board during the protest on February 2 and escorted both Ms Pilbrow and the Tamil refugee off the plane.

The police searched Ms Pilbrow and told her she would be facing fines but would not be charged.

When she learnt of the ban from Qantas, she rang the federal police who requested she attend an interview on March 10.

"Police are continuing with their enquiries. As this matter is ongoing it is not appropriate to comment further," an AFP spokesperson said.

Ms Pilbrow is seeking legal advice.

<http://www.smh.com.au/national/qantas-bans-student-who-stood-up-for-what-she-believed-in-20150306-13xosl.html>

13. Nigerian man critical after Yongah Hill immigration detention centre bashing

ABC News Online

By Nicolas Perpetch

Posted Fri 6 Mar 2015, 10:45am

A Nigerian man is in a critical condition in a Perth hospital after being bashed in a West Australian immigration detention centre.

The Department of Immigration and Border protection confirmed there was an "incident between several detainees" on Thursday at the Yongah Hill detention centre, next to the town of Northam, about 80km north-east of Perth.

Both Australian Federal Police and West Australian police, including detectives and a forensic team, were sent to the centre.

A witness said the man was in a compound of the centre largely reserved for convicted criminals awaiting deportation.

It is understood several of the assailants were from New Zealand.

A detainee who witnessed the attack said the victim was beaten inside the Falcon compound's television room.

"When they took him to hospital, he was still walking but he was bleeding," the witness said.

The man was initially taken to Northam Hospital, but then transferred to Royal Perth Hospital, where a spokeswoman said he was in a critical condition.

Several detainees at Yongah Hill have told the ABC they believe the man is in a coma.

The immigration department said in a statement that detention service provider Serco was "providing the department with a full report into the circumstances of the incident".

"Law enforcement agencies have been informed," the statement said.

Serco and the Australian Federal Police have been contacted for comment.

WA Police referred inquiries to the Immigration Department.

Northam Shire president Steven Pollard said he did not know the exact circumstances of the incident but it was a concern.

"Obviously, any fighting or any incidents that require some sort of medical attention are a problem," Mr Pollard said.

"But I'm reasonably confident the department is on to the whole [issue], and they'll be looking into this incident and be making any adjustments as required."

Yongah Hill detention centre is now about half full of asylum seekers and half full of people detained for visa compliance breaches.

They include non-citizens who were sentenced to 12 months or more jail in Australia, have served their sentence and now face deportation under section 501 of the Migration Act.

People who have committed armed hold ups and been convicted of child sexual assault are among the section "501" detainees inside Yongah Hill.

Asylum seekers and other detainees have previously said they are terrified of the 501s, who have brought with them hardened prison attitudes, where guards are viewed as "dogs".

The union representing the guards, United Voice, previously warned mixing the 501s and asylum seekers was a dangerous mistake and the centre was a "pressure cooker".

The facility was originally set up to house single adult male asylum seekers in 2012.

<http://www.abc.net.au/news/2015-03-06/tensions-at-yongah-hill-immigration-detention-centre/6285502>

14. MEDIA RELEASE: Nauruan police arbitrarily arrests refugees

Wednesday March 4, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

In a move that will seriously increase tensions on Nauru, Nauruan police have arbitrarily arrested at least eight refugees this morning.

The police picked off the individuals and a family group, including children, as they left the family compound at Anabare to go to the shops.

The arrests follow increasing threats and intimidation from Nauruan police since the non-cooperation campaign began last week and the first peaceful protest of the campaign last Friday, 27 February.

A notice distributed by Nauruan police yesterday (Tuesday 3 March) warned refugees that there would be penalties of up to three years jail for taking part in protests. (notice attached).

Police yesterday also told refugees that they will only be allowed to protest inside their compounds.

The arrests are clearly an attempt to pre-empt a further protest planned for this afternoon, Wednesday, 4 March.

Refugees are now attempting to assemble at the police station at Yaren settlement to demand the release of all those arrested.

For many of the refugees, the actions of the Nauruan government to stifle democratic protests are similar to the actions of the dictatorships from which they have fled.

Today's police action comes in response to a campaign of non-cooperation with the detention regime on Nauru and the first two of a series of peaceful protests by the refugees.

Nauruan police attacked a peaceful protest last Friday (27 February), punching some protesters and knocking others to the ground, to try and prevent the rally marching around the island.

The Nauru government press release (3 March, "...refugee advocate groups stirring up trouble in Nauru") can only bring more disrepute onto the Nauruan government. There is no basis for any of its claims. No refugee has been arrested for

"throwing stones" or any other form of damage. Police have failed to respond to complaints by refugees against violent police and locals.

Police inaction and the government's attempt to stifle refugee protests have only encouraged a minority on Nauru to believe they can threaten refugees with impunity.

Documentary evidence of the 27 February rally clearly shows the police attacking refugees, including punching a refugee to prevent him recording the protest.

The refugees have appealed for solidarity from the local Nauruan community to oppose the collaboration of the Nauruan government with Australia's offshore processing of asylum seekers.

Banners have been placed around the fence of the refugee compound at Anabare re-iterating the refugees' intent to hold peaceful protests. One reads, "Dear Nauruan, refugees have started series of endless Peace Protests -- we don't want to fight or damage."

"The arbitray arrests this morning will only fuel the discontent on Nauru. Those arrested must be released.

"As more and more refugees are released into the community on Nauru, the political and social problems for the Nauruan government will grow. The refugees being warehoused for the Australian government are being denied resettlement and are essentially confined to Nauru against their will, as a permanently deprived underclass, with no future," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"Nauru's collaboration with the Australian government has already damaged Nauru's human rights' record. It resort to heavy-handed policing to try to stifle peaceful protests will only damage its reputation even further. Now is the time for Nauru to insist that the Australian government bring all the asylum seekers and refugees back to Australia."

For more information contact Ian Rintoul 0417 275 713.

15. MEDIA RELEASE: More than 100 Nauruan refugees arrested

Wednesday March 4, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Up to 150 refugees, including at least one family group with children, have now been arrested on Nauru this morning (Wednesday, 4 March) .

One 13 year-old has been arrested as a "protest leader". At least 40 men are in Yaren police station - photo attached. Female refugees are being held in a separate location.

The arrests came as the Nauru government has resorted to heavy-handed police action to clamp down on a campaign of non-cooperation by refugees on the island.

The refugees have been taken to Yaren police office. Dozens were arrested as refugees tried to assemble at the police station to demand the release of those who had been arrested earlier.

Two femail refugees collapsed with panic attacks in the arrests and have been taken to hospital.

More photos and videa available on request.

Contact Ian Rintoul 0417 275 713

16. Nauru unrest: Almost 60 refugees arrested in protest over access to Australia

The Age
March 4, 2015 - 5:29PM
Sarah Whyte

Nearly 60 refugees have been arrested on the main street of Nauru after protesting against the Australian government's immigration policies, the Nauruan government says.

On Wednesday, 49 male and female refugees were arrested by Nauruan police for "civil disobedience" after engaging in a protest and blocking the main road of the small Pacific island, a spokesman for the Nauruan government said.

An additional 10 refugees were arrested on Friday for also protesting against their resettlement on the island, he said. These refugees, who have subsequently been charged, were expected to be released on Tuesday afternoon, while the 49 people will remain in police custody.

"They want to settle in Australia and want to make their voice heard," he said, adding that the arrested refugees would receive catering and will be "looked after" while in the "correctional facilities".

Under Section 62 of the Nauruan criminal code, which is based on the Queensland Criminal Code 1899, no more than three people are allowed to assemble and must disperse within 15 minutes if the Nauruan police deem the group to be "unlawful assembly".

"The police will uphold law and order and the government of Nauru has condemned the actions of those who are wilfully breaking the law," a statement released by the Nauruan government said.

"Furthermore, the government is disappointed in the actions of these few people, when we have welcomed refugees as our guests and provided them with a safe environment."

There are 512 people living in the local community as refugees after the Nauruan government found them to be owed protection.

Immigration Minister Peter Dutton warned refugees that protests would have "no influence" on the Abbott government's policies.

"I say clearly to those who have been settled on Nauru that they should disregard any advice by so-called advocates that this behavior will change outcomes. It will not," Mr Dutton said in a statement.

President of Nauru Baron Waqa has previously blamed "faceless" refugee advocates for provoking violence on the island and "stirring trouble".

"Refugees seem to be using the protests as a time to escalate all sorts of allegations, but we believe they are being directed by faceless people in Australia," Mr Waqa said in a statement on Tuesday.

In February, Mr Peter Dutton announced during his first visit to the island that the detention centre would move to an "open" model which would allow selected asylum seekers to come and go from the centre on designated days during selected hours.

There are currently 802 people, including children and family groups, still being held within the Nauruan centre waiting for their refugee status to be processed. If they are not found to be owed protection, they will be expected to return to their country of origin.

Greens Immigration spokeswoman Sarah Hanson-Young used the protests to again call for the Immigration Department to release the Moss report into allegations of sexual assault and whistleblowing in the detention centre.

"The situation both in and out of the Nauru camp is untenable," she said. "The government is sitting on the crucial Moss report that will help the Australian people to understand the situation on the island."

<http://www.theage.com.au/federal-politics/political-news/nauru-unrest-almost-60-refugees-arrested-in-protest-over-access-to-australia-20150304-13v0nz.html>

17. More than 100 refugees on Nauru arrested in police crackdown

More than 100 refugees on Nauru arrested as police crack down on peaceful protests

Arrests come after Nauru police warn refugees not to gather in groups, and footage emerges of refugees being assaulted during a demonstration

The Guardian
Ben Doherty
Wednesday 4 March 2015 14.48 AEDT

More than 100 refugees, including several children, have been arrested on Nauru for protesting in the island's capital, as video has emerged showing refugees being assaulted as they protested peacefully at the weekend.

The majority of refugees were arrested for walking towards the Nauruan police station in Yaren, to protest the arrest of eight others earlier in the day.

At least 40 men are being held in the police cells at Yaren, others are being held in other locations. It is unknown if, and when, they will face a court.

The initial eight were arrested as they walked from the refugee compound to the shops on Wednesday morning.

They were arrested reportedly because they were believed to have been ringleaders in earlier protests over the weekend. One of that group is understood to be 13 years old.

Nauru's police chief had warned refugees they would be jailed if they gathered publicly in groups larger than three.

The director of Nauru police, Corey Caleb, distributed a four-page document to refugees on Tuesday that said while he respected their "right to expression", they must desist with public demonstrations.

Long-standing discontent on Nauru – where some refugees and asylum seekers have been held for 18 months – has erupted into protest over the past week.

Asylum seekers inside the detention centre have engaged in a campaign of peaceful non-co-operation, refusing to attend classes or speak with case managers.

Refugees on Nauru live in the community. They are restricted by government decree in where they can go: they cannot visit schools, the hospital, the harbour or airport, but are, usually, free to move about the small island.

Asylum seekers - who are still waiting for their refugee status to be determined - live in the detention centre camps. But the centre is moving towards an 'open detention' regime, where they will be allowed to leave the detention centre during the day.

A group of refugees staged a series of public demonstrations over the weekend, protesting their resettlement and living conditions on the island.

Video from the island at the weekend shows police clashing with demonstrators, including women and children, and it shows one man attacking a refugee as he peaceably filmed the demonstration.

The video, shot on mobile phone, shows a group of demonstrators walking slowly towards a police line on a road.

The group is noisy, chanting "justice", but peaceful. Several protesters have their hands crossed above their heads and some are kneeling.

A policeman holds up his hand to stop the protesters.

As the protesters come close to the police, scuffles break out between police and some demonstrators, including one woman wearing a chador.

One refugee close to the camera is filming the demonstration on his mobile phone.

A Nauruan man, not wearing any uniform, steps from behind the police line to punch the refugee in the face while he is not looking.

The refugee staggers, and drops his phone, but picks it back up and resumes filming. He does not retaliate.

The assailant retreats behind the line of police officers.

The Nauru government has said protesters threw stones at police, injuring three and damaging a car.

Nauruan president Baron Waqa said in a statement: "There has been no violence against refugees from police, but police will continue to enforce the law, which includes preventing mobile protests that endanger lives".

The emergence of the video comes as refugees and asylum seekers were given a four-page document from Corey Caleb, the director of police of Nauru.

In the document dated 2 March, Caleb writes that while the Nauru constitution protects a person's "right to freedom of expression", the Queensland Criminal Code of 1899 – which is operative law on Nauru – states that "any person who takes part in an unlawful assembly is guilty of a misdemeanour, and is liable to imprisonment".

The director of police writes that any assembly of three or more people on Nauru can be broken up by a justice of the peace, saying: "His excellency the president of Nauru charges and commands all persons here assembled to immediately disperse themselves and peacefully to depart to their habitations or to their lawful business or they will be liable to be imprisoned. God save the president of Nauru."

The missive from Caleb says demonstrators will be given 15 minutes to break up any protest.

“Any persons who, being so assembled, continue together to the number of three or more, and do not disperse themselves within the space of a quarter of an hour after the giving of the command are guilty of an offence, and each of them is liable on summary conviction to imprisonment.”

Calls to Caleb from Guardian Australia were not returned.

President Waqa has said “faceless people” in Australia were inciting resistance on Nauru.

“Refugees [are] safe in the country and talk to the contrary is blatant lies spread by Australian advocates and lawyers,” he said in a statement.

“We believe they are being directed by faceless people in Australia.”

The Australian immigration department has said the protests are a matter for Nauruan authorities.

Immigration minister Peter Dutton said refugee protests would not influence the government’s commitment to its regional resettlement policy.

“If people who have been resettled on Nauru believe that these activities will change Australia’s position – they are wrong ... those who come illegally by boat will never be settled in Australia.”

He said refugees should treat the people and government of Nauru with “gratitude and respect”.

“I believe Nauru’s authorities have acted with restraint in the face of some days of these provocative actions and understandably Nauru’s police will deal with any breaches of Nauruan law. If people breach the law then they should expect to face the consequences of their actions.”

Ian Rintoul from the Refugee Action Coalition said Nauru’s collaboration with the Australian government on asylum seekers had damaged its human rights record and heavy-handed policing to stifle protests would further harm its international reputation.

“As more and more refugees are released into the community on Nauru, the political and social problems for the Nauruan government will grow,” Rintoul said. “The refugees being warehoused for the Australian government are being denied resettlement and are essentially confined to Nauru against their will, as a permanently deprived underclass, with no future.”

<http://www.theguardian.com/world/2015/mar/04/up-to-70-refugees-nauru-arrested-police-crack-down-peaceful-protests>

18. More than 100 refugees arrested after protests on Nauru, advocates say

ABC News Online

By Pacific affairs reporter Liam Fox and staff

Posted Wed 4 Mar 2015, 2:34pm

Nauru police have arrested more than 100 refugees in connection to recent protests on the Pacific island, advocates say.

The Refugee Action Coalition (RAC) said a 13-year-old was among the 150 refugees arrested on Wednesday.

The ABC believes the number of those detained vary from 70 to about 100.

RAC spokesman Ian Rintoul said two women collapsed with panic attacks during the arrests and were taken to hospital.

"The refugees have been taken to Yaren police office," he said in a statement.

"Dozens were arrested as refugees tried to assemble at the police station to demand the release of those who had been arrested earlier."

The arrests came after hundreds of refugees staged protests in recent days against what they said were deplorable living conditions and treatment by locals on Nauru.

They vowed to continue their campaign of non-cooperation with the Nauruan and Australian governments.

"It's quite clear the police were responding or concerned about the fact that there was going to be a demonstration this afternoon," Mr Rintoul told the ABC.

"They circulated threatening notices yesterday saying people could face up to three years' jail for being involved in protests."

Australia has been sending asylum seekers who arrive by boat to Nauru and Manus Island in Papua New Guinea for processing.

Around 400 people have been released from the Australian-run detention centre to live in the community after being given refugee visas by the Nauruan government.

Refugee says arrests were warrantless

An Iranian refugee, who wanted to remain anonymous, said some people were arrested on Tuesday night.

"They were at their home asleep when [the police] knock on the door and say 'please come out' ... and [the police] arrest them," she told the ABC.

"When they asked why, the police said 'you should come to police station' and arrested them without any crime."

In a statement before the arrests, the Nauruan government accused demonstrators of throwing stones at police and injuring three officers during Friday's protest.

Nauru's president, Baron Waqa, said all asylum seekers were safe in his country and that talk to the contrary was "blatant lies spread by Australian advocates and lawyers".

Mr Rintoul, who is in regular contact with refugees on Nauru, said the arrests will only increase tension between locals and refugees.

"This is just a really ridiculous response I think from the Nauruan government," he said.

"What they have to confront is that their agreement with the Australian government has left them with a huge social and political problem.

"You've got a permanent group of people that are living in very deprived circumstances with no future.

"Until they address that, the idea that the Nauruan police are going to be able to contain 25 per cent of the population is absurd."

Nauru's director of police, Corey Caleb, did not respond to requests for comment.

A spokeswoman for Nauru's government said the government did not give media interviews.

<http://www.abc.net.au/news/2015-03-04/police-arrest-more-than-100-refugees-in-wake-of-protests-on-nau/6280596>

19. MEDIA RELEASE: Nauru refugees abused, robbed and bailed

NAURU REFUGEES BAILED AFTER 48 HOURS OF ABUSE AND APPALLING CONDITIONS: NON-COPERATION CAMPAIGN WILL CONTINUE

Friday March 6, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

All of the 183 refugees arrested on Nauru have been released -- the last of them only on Friday afternoon, 6 March, 48 hours after their arrest.

While most have been given general bail notices that do not specify charges (copy attached) or dates for court appearance, ten refugees have been bailed to appear in the District Court on 18 March on charges of "unlawful assembly".

Harrowing stories of robbery, mistreatment and appalling jail conditions have emerged since the refugees' release. No food was provided for the prisoners for 24 hours during their incarceration. In some cases the refugees were also without water for 24 hours.

In one of the cells at the Yaren police station, 22 male refugees were held in one cell with no toilet.

POLICE ROB REFUGEES

Nauruan police have also stolen mobile phones and hundreds of dollars from the property of those in custody. There are numerous allegations of heavy-handedness and beatings by police and threats against the refugees.

The Nauruan authorities are also guilty of collectively punishing refugee camps by cutting the power to the compounds since Wednesday night.

"Along with the Australian government, the Nauruan government stands condemned for its violation of the human rights of refugees. Almost 200 refugees were rounded up on Wednesday because they dared to protest against offshore processing and being denied a future," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"The Nauruan government has allowed Australia to turn Nauru into a prison colony for refugees."

Despite warnings from police not to protest, morale among the refugees is high -- and the campaign of non-cooperation will continue.

(Attached is a photo of a protest against the arrests, 4 March, outside the Yaren police station. Some of the participants themselves were later arrested.)

For more information contact Ian Rintoul 0417 275 713

20. Refugees on Nauru say they were forced to sign bail orders banning protests

Protesters released after a demonstration about conditions on the island say they had to agree to bail conditions that prohibit gatherings of more than three people

The Guardian
Ben Doherty
Friday 6 March 2015 15.56 AEDT

Refugees on Nauru say they were forced to sign bail sureties of \$500 – promising not to protest again – in order to be released from prison.

At least 183 refugees, including women and children, were arrested this week for protesting against their temporary resettlement and living conditions on Nauru.

Tension has been rising on the island after a week of non-cooperation and street demonstrations by refugees.

One refugee from Iran, who Guardian Australia has chosen not to name, said she and dozens of other refugees were released from prison at 11pm on Thursday night after being arrested on Tuesday. But they were freed only after signing a bail form which forbids them from "breaching the peace", which includes gathering in groups of more than three.

"They gave a paper to us and said 'this is your freedom paper but first you have to sign that you never go protest [again]'. People were in a bad situation and they said, 'If you don't do it, we keep you here and you can't go home.' All people sign by force because we didn't have another choice," she said.

"Many people [were] sick because they couldn't take [take] medicine for two days. And many family sign that paper because their children was at home alone."

Several family groups were arrested on Tuesday. Children were released that night, but in some cases, both of their parents were held in prison until Thursday. The refugees were given an interpreter, but were not given access to lawyers before they were asked to sign the paper.

One refugee told Guardian Australia they were crammed, "more than 20 of us", into a single prison cell.

"When we asked them for food or water they said 'if you don't like this situation you have to [go] back to your country'."

"They kept us in very bad situation and some of the women were sick ... but they just laughing at us."

The bail form refugees were required to sign commits them to a surety of \$500, to be paid if the refugee fails to appear in court when summonsed, or if he or she breaches bail conditions. The handwritten bail conditions are: "to keep peace and not to re-offend".

The bail form does not say with what offence they have been charged, or if they have been charged at all. Refugees, who are given an allowance of \$180 a fortnight, have said any fine would be an impossible to pay. Those who have found jobs earn about between three and four dollars an hour.

According to a directive issued by the Nauru police director, Corey Caleb, breaching the peace includes gathering in groups larger than three. Any protesters who fail to disperse when ordered can be jailed.

Refugees are also restricted in where they can go on the island. They cannot go to schools, the hospital, airport, harbours or parliament.

Nauru's constitution guarantees "every person in Nauru ... freedom of conscience, of expression and of peaceful assembly and association".

Guardian Australia called Caleb several times on his mobile phone, but calls were not answered.

Nauru's president, Baron Waqa, said police had not been violent towards refugee protesters, but that they would not be allowed to demonstrate on the streets. He said "faceless people" in Australia were inciting resistance on Nauru.

"Refugees [are] safe in the country and talk to the contrary is blatant lies spread by Australian advocates and lawyers," he said in a statement.

Australia's immigration minister, Peter Dutton, said the protests on Nauru were a matter for local authorities, but that Australia's offshore resettlement policy would not be influenced by protests.

"If people who have been resettled on Nauru believe that these activities will change Australia's position – they are wrong ... those who come illegally by boat will never be settled in Australia."

He said refugees should treat the people and government of Nauru with "gratitude and respect".

<http://www.theguardian.com/australia-news/2015/mar/06/refugees-on-nauru-say-they-were-forced-to-sign-bail-orders-banning-protests>

21. MEDIA RELEASE: Arrested refugees held overnight: observers needed

ARRESTED NAURU REFUGEES HELD OVERNIGHT: HUMAN RIGHTS OBSERVERS NEEDED

Thursday March 5, 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Almost 200 refugees including up to 80 women have been held in detention overnight after mass arrests on Nauru, throughout Wednesday, 4 March.

The underage children being held by police, including one 7 year old who had been arrested early Wednesday morning, were removed from police cells by case workers, yesterday. However, many then spent the night without their parents who remained in custody.

More information emerged about Wednesday's draconian police action, including that the police had arrested refugees inside the family compound as early as 4.00am.

The police action continued throughout the day with a further 50 refugees being arrested outside the police station at Yaren, in the afternoon, as they waited for news of those arrested and demanded their release.

The Nauruan government seems determined to push all those arrested through the court although it is not clear what charges could be laid against them.

"Independent legal and human rights observers are urgently needed on Nauru. The Nauru government is trying to criminalise the refugees. This kind of action is straight out of the Australian Immigration detention handbook, said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"Service providers Connect say they cannot help those arrested. The Nauruan judicial system cannot be called fair or independent given the history of Nauruan governments sacking magistrates and legal officers that defy their wishes," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"This is not the first time that Nauru police and the courts have been used to trample on the democratic rights of asylum seekers and refugees. Scores of asylum seekers were wrongly arrested and held on trumped up charges after the so-called riots in July 2013."

"The Nauruan government is perpetuating the persecution of refugees who came to Australia seeking protection. It is being paid tens of millions of dollars to maintain a Pacific penal colony on behalf of Australia."

Refugees at liberty on Nauru have told the Refugee Action Coalition that their campaign of non-cooperation will continue until they get their freedom.

For more information contact Ian Rintoul 0417 275 713

22. Nauru police release refugees, charge 174 for 'unlawful' protests

ABC News Online

Posted Fri 6 Mar 2015, 4:24pm

Nauru police say they have released all 183 refugees who were arrested in connection to mass protests this week, with the majority charged with "unlawful assembly".

Hundreds of refugees staged demonstrations over their resettlement and living conditions on the Pacific Island nation.

On Thursday, Nauru justice minister David Adeang confirmed 183 people were taken into custody for supporting public disorder and coaching refugees to use social media.

Superintendent Kalinda Blake told Radio Australia that 174 had been charged and released on bail while a police investigation was underway.

She said they were charged with unlawful assembly, obstructing police officers, damaging property and serious assault during Wednesday's protest.

Ms Blake denied reports of children being taken into custody.

"[The protesters] had children held in front of them trying to stop police officers from trying to arrest those involved," she said.

"Nauru police simply removed the children and had case managers take them back into the camp."

Locals concerned about unrest: police

An exception was a 13-year-old boy who was arrested after a court issued a warrant for his arrest for allegedly throwing rocks at police, Nauru police said.

"The law of 'unlawful assembly' applies when three or more are gathered with intent to cause fear," it said in a statement on Friday.

"The behaviour of the refugees by shouting and raising their arms in an aggressive manner has caused fear in the community.

"Nauruans are a peaceful people and we do not culturally behave this way. This was explained to the refugees but they did not listen."

A Nauruan national was arrested and charged with assaulting a refugee, according to police.

Australia has been sending asylum seekers who arrive by boat to Nauru and Manus Island in Papua New Guinea for processing.

Under the immigration policy, asylum seekers at offshore detention centres will not be resettled in Australia even if their refugee claims are approved.

Around 400 people have been given refugee visas and released from Nauru's detention centre to live in the Pacific island community.

<http://www.abc.net.au/news/2015-03-06/nauru-police-deny-children-arrested-during-refugee-arrests/6286732>

23. Nauru police hit back at brutality claims, say protesting refugees used children as 'shields'

The Age

March 6, 2015 - 5:22PM

Heath Aston

Police in Nauru have claimed protesting refugees "used their children as shields" from being arrested and denied claims by refugee advocates of police brutality during widespread unrest on the island this week.

Nearly 200 refugees were arrested on Tuesday after Nauruan police stepped into quell public demonstrations by a group of former asylum seekers who have been resettled on the tiny Pacific island.

They were protesting at living conditions that include a ban on refugees visiting schools, the island hospital, the harbour or the airport.

The unrest ignited just as preparations were being made for asylum seekers in the Australian-run detention centre to be granted freer access outside the camp.

Nauru Police said on Friday that all 183 people had been released, with 174 of those charged and given bail.

"All were charged with unlawful assembly with some charged with serious assault, assaulting of police, damaging property, damaging of police vehicle and obstruction of police in the execution of their duty," police said in a statement.

Refugees were made to sign bail agreements with \$500 sureties for breaking conditions imposed, which media reports say includes a ban on gathering in groups of more than three.

The statement said police wished to "clarify misleading reports" about the protest, saying there was a right to demonstrate on Nauru.

"The way these refugees were acting not only obstructed people and vehicles but created fear by throwing of rocks and other behaviour. It should also be noted that the behaviour of the refugees by shouting and raising their arms in an aggressive manner has caused fear in the community. Nauruans are a peaceful people and we do not culturally behave this way," police said.

"Reports of children being taken into custody are false. Some refugees used their children as shields when being arrested, but these children were moved by police and given to the care of case workers. Children were not taken into custody."

Police claimed they "acted respectfully and lawfully at all times" but the statement is in contrast to the claims made by refugee advocates who monitor events on the island.

Ian Rintoul of the Refugee Action Coalition said: "Harrowing stories of robbery, mistreatment and appalling jail conditions have emerged since the refugees' release. No food was provided for the prisoners for 24 hours during their incarceration. In some cases the refugees were also without water for 24 hours.

"Nauruan police have also stolen mobile phones and hundreds of dollars from the property of those in custody. There are numerous allegations of heavy-handedness and beatings by police and threats against the refugees," he said.

"The Nauruan government has allowed Australia to turn Nauru into a prison colony for refugees."

<http://www.theage.com.au/federal-politics/political-news/nauru-police-hit-back-at-brutality-claims-say-protesting-refugees-used-children-as-shields-20150306-13xhjf.html>

24. Orange lifeboats used to return asylum seekers to be replaced by 'fishing boats'

Exclusive: Lifeboats have been used to send asylum seekers back to source countries but a 'multi-million dollar' deal has been signed for new boats built in Vietnam

The Guardian
Ben Doherty and Helen Davidson
Thursday 5 March 2015 17.20 AEDT

Australia is to replace the controversial orange lifeboats currently used to send asylum seekers back to their source countries, signing a "multi-million dollar deal" to have 10 custom-made "alternative transportation vessels", resembling Asian fishing boats, built in Vietnam.

Australia initially purchased five of the 12-metre wooden-hulled vessels, then ordered another five. The first arrived in Australia in October.

The government has refused to answer questions on how much the new boats cost, or under which country's flag they will be registered, if at all. A spokeswoman for the immigration minister said only: "customs and border protection uses a variety of vessels to prepare for and perform its maritime tasks".

At least three of the ships have been delivered to Darwin and have been sitting in dry dock, while two are reportedly in a south-east Asian country, ready for deployment from there.

The boats were transported to Australia with instructions that they be kept out of public view, according to a source with knowledge of the project.

The project is being overseen by Hong Kong firm Dragon Industries Asia, and the boats were built in Vietnam. On its website, Dragon Industries says it is a "multi-million dollar project". Dragon Industries managing director Tim Clements declined to comment on the project, referring Guardian Australia to customs and border protection, citing contractual restrictions.

A government source confirmed the shipbuilders were “bound by confidentiality agreements”.

Dragon’s website says it was charged with overseeing construction of five “alternative transportation vessels” from Vietnamese-based shipbuilders.

“Dragon Industries Asia was tasked by a government agency to manage procurement of five vessels from preliminary design and approval through to construction, seaworthiness trials, international delivery logistics and customs clearance.

“This multi-million dollar project was delivered to exceptionally tight deadlines, with final delivery of all vessels within 18 weeks of project inauguration. Upon completion of the vessels Dragon was given a repeat order making the overall project a 10-vessel contract to be delivered by the end of the last quarter in 2014.”

Since being contacted by Guardian Australia, Dragon Industries has removed some details of the project from its website. The original version can be seen [here](#).

Guardian Australia has located at least three of the boats currently in dry dock in Darwin. The vessels resemble fishing boats common through south-east and south Asia, particularly those found in Sri Lanka and Indonesia.

The boats have been undergoing quarantine procedures. They are painted white, one with red, one with blue, another with green, trim. At least two have been named Farah and Harum. It is understood the boats have been fitted out with fuel, food and water, navigation equipment, life jackets and life buoys for return journeys.

Previously, Australia has put asylum seekers it tows back into orange lifeboats, bought from a Chinese company at a cost of \$46,000 each. Australia bought 12 of the lifeboats, which are used only once, and abandoned once they reach Indonesia.

It is unknown how many of the orange lifeboats have been sent back to Indonesia, but a source with knowledge of the new boat project says several of the lifeboats remain in Australia’s possession, both on the mainland and offshore.

Irregular migration by sea remains at near-record levels across south-east Asia. An estimated 64,000 asylum seekers travelled by boat across the region last year, most through the Bay of Bengal from Bangladesh and Burma, heading south towards Thailand, Malaysia, Indonesia and Australia.

Boats are still attempting to come to Australia from south Asia too. In January this year, Sri Lankan authorities arrested a man for allegedly organising 72 asylum seekers to travel by boat from Negombo on the west coast of the island. But only one boat – in July last year – has reached Australian waters since the Abbott government’s Operation Sovereign Borders began in December 2013.

Head of Operation Sovereign Borders Lieutenant General Angus Campbell confirmed in January this year that 15 boats carrying 429 asylum seekers have been forcibly returned to Indonesia and Sri Lanka since the commencement of the operation.

Not all have been returned by lifeboat. Sometimes asylum seekers are handed over to the navies of other countries, such as Sri Lanka, in other instances asylum seekers’ own boats are towed back, or repaired by Australia and sent back.

The high court ruled on-water transfer operations were legal in a judgement delivered in January, but the United Nations opposes Australia’s actions, saying asylum seekers intercepted at sea should not be returned against their will to source and transit countries without proper on-land processing.

“UNHCR’s position is that they [asylum seekers intercepted at sea] must be swiftly and individually screened, in a process which they understand and in which they are able to explain their needs. Such screening is best carried out on land, given safety concerns and other limitations of doing so at sea.”

Beyond the cost in boats and money to Australia, tow-backs have been controversial in Indonesia, and caused significant damage in the relationship. Australia violated Indonesian sovereignty six times in two months when navy ships patrolling for asylum seeker boats made incursions into the archipelago nation’s territorial waters.

“Each incursion was inadvertent and occurred as a result of miscalculation of Indonesian maritime boundaries by Australian crews,” a government review found.

A statement from the Indonesian government said it: “deplores and rejects the violation of its sovereignty and territorial integrity by the Australian vessels”.

“The government of Indonesia underlines that any of such violation of whatever basis constitutes a serious matter in bilateral relations of the two countries. Indonesia therefore demands that such violation will not recur in the future.”

<http://www.theguardian.com/australia-news/2015/mar/05/orange-lifeboats-used-to-return-asylum-seekers-to-be-replaced-by-fishing-boats>

26. Abbott government buys cheaper Vietnamese fishing boats to tow back asylum seekers

The Age
March 5, 2015 - 5:25PM
Sarah Whyte

A small fleet of brightly coloured Vietnamese fishing boats based in Darwin are believed to be replacing the orange lifeboats used by the Customs and Border Protection department to tow back asylum seeker boats that make it to Australian waters.

Fairfax Media understands that 10 red, blue and green wooden boats have been bought by the Customs department from Dragon Industries Asia as "tow back" boats in a multi-million dollar project.

Having succeeded in "stopping the boats", it appears the Abbott government has opted for a cheaper alternative to the orange lifeboats, which cost the government \$7.5 million last year.

It is believed each orange lifeboat, which can only be used once, costs about \$200,000.

On the Dragon Industries Asia website it confirms that the Customs and Border Protection Department is a client and that it has has tasked the company to deliver 10 "alternative vessels" from "preliminary design".

On its online company profile it says: "Recent projects include: Australian Customs and Border Protection 10 x Alternative transportation vessels Supply, project management and delivery."

"This project was delivered to exceptionally tight deadlines, with final delivery of all vessels within 18 weeks of project inauguration," it says.

"Upon completion of the vessels Dragon was given a repeat order to be delivered by the end of the last quarter in 2014, further enhancing Dragon's ability to service it's [sic] clients quality, delivery and management needs."

In a company tweet, it shows one of the managers Marc Brujins sitting on a tugboat, with the caption, "moving 5 specialized transportation craft to a heavy lift vessel for final delivery!"

The boats are now being stored at Spot on Marina in Darwin. A spokeswoman of the Marina told Fairfax Media to contact the Customs department for any further information.

When Dragon Industries Asia was contacted on separate days by Fairfax Media, a spokesman said that the company was actually a software company. Then on a separate call, the spokesman refused to hand over the details of the managing director Tim Clements.

In a Facebook message, the company replied to Fairfax Media inquiries saying: "Please be advised that any information in relation to Operation Sovereign Borders must be obtained from the Australian Government.

The immigration department also did not deny the boats had been procured, refusing to answer questions on why the boats had been brought or for what purpose.

A spokesman said: "Customs and Border Protection uses a variety of vessels to prepare for and perform its maritime tasks."

<http://www.theage.com.au/federal-politics/political-news/abbott-government-buys-cheaper-vietnamese-fishing-boats-to-tow-back-asylum-seekers-20150305-13wa8x.html>

27. Australia's wooden boats for asylum seekers raise legal challenge – advocates

Asian fishing boat-style vessels to be used for forcible returns could be unsafe and therefore breach international obligations, says Human Rights Law Centre

The Guardian
Ben Doherty
Friday 6 March 2015 18.55 AEDT

Australia's multimillion-dollar deal to build boats in Vietnam in which to return asylum seekers to the countries they have left could raise new legal challenges to its controversial forcible return policy.

Guardian Australia revealed on Thursday the government had signed a "multimillion-dollar" deal with shipbuilder Dragon Industries Asia to build 10 wooden-hulled vessels, resembling Asian fishing boats.

The boats will be used to forcibly return asylum seekers to the source or transit country from which they have come, replacing the orange lifeboats Australia currently uses.

The orange lifeboats currently used by Australia are reported to be “unsinkable”.

The Australian government has declined to comment on how much the boats cost, or under which country’s flag they will be registered, if at all, saying only “customs and border protection uses a variety of vessels to prepare for and perform its maritime tasks”.

Daniel Webb, director of legal advocacy with the Human Rights Law Centre, said a government primarily concerned with safety at sea would not put people on “fishing boats” in the middle of the ocean.

“The high court has made clear that there are important limits on the government’s maritime powers. In particular, it can’t offload asylum seekers in an unsafe place.

“There’d be serious questions about the lawfulness of dumping people on to the decks of these fishing boats in the middle of the ocean. The government’s continued secrecy around ‘on-water matters’ is designed to prevent these questions from being asked in court.”

In January, the high court, in deciding that Australia acted lawfully in trying to take 157 asylum seekers back to India, nonetheless said there were limits on Australia’s ability to send asylum seekers out of the country.

Asylum seekers could not be sent, or placed, somewhere unsafe, justices Kenneth Hayne and Virginia Bell said.

“A maritime officer may not place a person in a place unless satisfied, on reasonable grounds, that it is safe for the person to be in that place.”

Returning an asylum seeker to harm – refoulement – is illegal under international refugee law also.

Guardian Australia has obtained footage of at least five of the boats being sea-trialled in preparation for the transportation to Australia.

It shows some of the boats battling waves as they make their way out of harbour.

The boats were launched in December last year, it is believed in Vietnam, from where they were loaded onto a transport vessel to be brought to Australia.

Several of the boats are in dry-dock in Darwin. It is unknown if, and when, they will be put into service.

The Australian government has confirmed 429 asylum seekers, on 15 boats, have been intercepted and returned to the country from which they came since Operation Sovereign Borders began in December 2013.

The asylum seekers have been sent back either in their own boat – sometimes repaired by Australia – in an orange lifeboat, or carried on a customs vessel and handed to another country’s authorities.

Greens senator Sarah Hanson-Young said putting asylum seekers on the wooden boats to return them was “outrageous”.

“First Tony Abbott wanted to stop the boats, then he wanted to buy the boats and now he’s gone ahead and spent millions of dollars building the boats. What a joke.

“The Australian government needs to fess up to the Australian people and explain just how much they’ve spent on these ridiculous boats.

“There are serious safety concerns with forcing refugees on to wooden fishing boats and then pushing them back out to sea.”

<http://www.theguardian.com/australia-news/2015/mar/06/australia-wooden-boats-asylum-seekers-legal-challenge>