

# Project SafeCom News and Updates

Monday, 2 November 2015

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# 1. Pamela Curr: Mental health care - Non existent

Pamela Curr

Tuesday October 27, 2015

Tonight we learn that yet another young man on a bridging visa in the community has ended his life. After days of action by a friend trying to get mental health care for his friend who was increasingly fearful and paranoid, believing he was being followed and life was at risk, he has died by his own hand in Brisbane Airport. His friend has sought help from police, support agencies and even immigration department for his sick friend to no avail. Now it looks as though he has been taken away to detention for trying. Tomorrow we will try to find him in the detention labyrinth which swallows people on any pretext. It is strange that the death has been kept secret.

The reality for all people in Australia, whether citizen or not is that the system fails again and again. The added burden for people seeking asylum is that they may be re-detained for being mentally unwell.

Just today I have been ringing around in circles for a young person who is asking for help urgently. He spent 7 hours sitting in the waiting room of a public hospital feeling sick and desperate yesterday. Finally taken inside to emergency to be spat out at midnight with a letter for a mental health service. Today he followed instructions only to be told wrong address, wrong process, must be triaged somewhere else first. I contacted triage- no humans available only voicemail. Hours later again wrong process. The man is too young- must attend another service and so it goes on.

If a mentally well, 66 year old articulate native English speaker feels like banging her head against a brick wall, what hope do depressed, anxious, panicky young people have of getting through to someone who actually treats them. The system is failing all of us. No wonder so many are dying in front of trains, hanging themselves in desperation and reaching for pills to end it all in this country.

All the talk during Mental Health Week is meaningless if there is no funding to at least have a human being at the end of a phone to answer a call for help and then psychologists and doctors to provide a service to offer this help, to listen and treat anguished souls and calm troubled minds.

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Pamela Curr

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## 2. Aust detention 'fails breastfeeding mums'

Nine News / AAP

October 25, 2015 9:36pm

Nursing mothers in immigration detention aren't getting enough support, breastfeeding advocates say.

A joint statement from Lactation Consultants of Australia and New Zealand and seven other groups urges the federal government to improve support and facilities for breastfeeding mothers in the Nauru and Manus Island detention centres.

The infant mortality rate in the camps is 10 times the rate of Australia's, and nursing mothers in detention are "under incredible stress", LCANZ president Helen Adams said in a statement.

"Lack of appropriate support puts the health and even the lives of these babies at risk - they need a high level of assistance," she said.

"Babies on Nauru are at particular risk as the unhygienic environment and hot temperatures of the detention centre are ideal for disease to spread.

"The safest way to feed babies is breastfeeding but mothers are not being provided with proper assistance to breastfeed, and where they are formula feeding they are not being given the right resources."

Ms Adams said nursing mothers in detention need one-on-one support and access to private and safe feeding areas, as well as internationally certified lactation consultants to ensure they continue breastfeeding.

They also need sterile, ready-to-feed infant formula in disposable bottles in the event breastfeeding fails, she said.

<http://www.9news.com.au/national/2015/10/26/00/14/aust-detention-fails-breastfeeding-mums>

### 3. [Young Iranian man] dies at Brisbane airport

Brisbane Times  
October 29, 2015 - 6:23AM  
Amy Remeikis

A young Iranian man took his own life at the Brisbane airport on Tuesday, after what refugee advocates believe was months of depression and despair.

Supporters told Fairfax Media the man, thought to be either 25 or 26 years old, had travelled to Brisbane recently, after his release from a Melbourne hospital.

They said he was met by police at the airport and placed in a hotel, which he later left, returning to the airport in the early hours of Tuesday morning, and suicided.

A Queensland Police spokeswoman confirmed officers attended a non-suspicious sudden death at the Brisbane Airport on Tuesday and a report was being prepared for the Coroner.

A spokeswoman for the Australian Federal Police said the Queensland Police Service were the lead agency on the investigation.

The Immigration department was contacted for comment late on Wednesday night, when Fairfax Media first learnt of the death.

The Department of Immigration and Border Protection responded on Thursday: "This is a matter for Queensland Police please direct your enquiry to them."

Refugee advocates in both Brisbane and Melbourne had heard of the death, claiming the man had been attempting to seek help for mental health issues when he was discharged from the Royal Melbourne Hospital last week.

Investigations are continuing.

<http://www.brisbanetimes.com.au/queensland/man-dies-at-brisbane-airport-20151028-gklbig.html>

### 4. Asylum seeker found dead at Brisbane airport 'feared deportation'

'He was scared to stay here,' says a friend of the 26-year-old Iranian, who had grown increasingly worried he was being followed

The Guardian  
Ben Doherty  
Thursday 29 October 2015 15.44 AEDT

An asylum seeker living in the community on a bridging visa has taken his life at Brisbane airport, allegedly fearful he was soon to be deported.

Reza, a 26-year-old Iranian whose last name cannot be published out of concern for retribution against his family, had grown increasingly worried that he was being followed and would be taken into detention.

"He was scared to stay here," a friend said.

"He was scared and thinking that people would get him if he stay here. He thought that he must escape from this area as police and people were chasing him. He got to Brisbane and he stayed in the street until morning."

The friend said Reza called him at 7am on Tuesday and said: "I am tired. Always police and people follow me. I want to kill myself. Tell my family."

Queensland police confirmed to Guardian Australia they were preparing a report for the coroner following the discovery of the body of a 26-year-old man at Brisbane airport.

There were no suspicious circumstances surrounding the death, police said.

Reza had been living in Melbourne for two years on a bridging visa but had recently been dealing with severe mental health issues. He had become convinced he would be detained by immigration in an attempt to return him to Iran. He told friends he was being followed.

There has been a spate of asylum seekers on bridging visas attempting self-harm and suicide. Earlier this month, Afghan Khodayar Amini self-immolated in a park in Dandenong, south-east of Melbourne.

He had been living in his car, fearful of having his visa cancelled for an allegedly making a threatening phone call. It was understood to be related to a mental health episode.

Another Afghan asylum seeker, 27-year-old Mohammad Nasim Najafi, died in his room at Yongah Hill detention centre in Western Australia in August. His cause of death is the subject of a coronial inquiry.

Najafi had previously shared a room with Amini at Yongah Hill.

In Papua New Guinea on Tuesday, an Afghan refugee being held at the East Lorengau transit centre on Manus Island attempted suicide.

The man, who was a doctor in Afghanistan but has battled serious mental health issues in recent months, was found unconscious on a vomit-stained mattress on the floor of his room at the centre.

He was taken to Lorengau hospital in a serious condition, but has since been released and returned to the transit centre.

In response to questions from Guardian Australia about both incidents on Tuesday, a spokeswoman for the department of immigration said: "These are matters for the Queensland police and PNG Government respectively."

<http://www.theguardian.com/australia-news/2015/oct/29/asylum-seeker-found-hanged-at-brisbane-airport-feared-deportation>

## **5. UN human rights agency urges decency from Australia and Nauru over alleged rape victims**

Sydney Morning Herald  
October 28, 2015 - 10:47AM  
Nicole Hasham

The United Nations human rights agency has condemned the official response to sexual assault victims on Nauru and says a pregnant refugee who says she was raped should urgently receive an abortion if she wants one.

A 23-year-old Somali woman who goes by the pseudonym Abyan has alleged a rape at Nauru 15 weeks ago left her pregnant. She is seeking a termination.

The Turnbull government flew her to Australia for the procedure earlier this month, but returned her to the island a few days later, claiming she rejected treatment when it was offered.

Abyan's advocates said she simply asked for counselling so she could make an informed decision before proceeding.

UN High Commissioner for Human Rights spokesman Rupert Colville said the organisation has been in direct contact with Abyan who is mentally and physically fragile and "deeply traumatised by her experiences since the day of the alleged rape".

"She has refused to give information to the Nauru police about her attacker because she is understandably afraid of reprisals," Mr Colville said in a statement.

"She does not feel safe, given that her alleged attacker lives on Nauru, which is a very small island state with a population of around 10,000."

Australia and Nauru must urgently provide "a decent option" for Abyan, enabling her to obtain "adequate mental and physical care and to terminate her pregnancy if she desires".

Mr Colville was concerned about reports that Nauru police failed to act against alleged perpetrators of violence against women, particularly when the victims were asylum seekers and refugees.

"We are aware of a growing number of sexual assault and rape allegations since Australia restarted its policy of transferring asylum seekers to Nauru for processing in 2012," he said.

He cited the case of Nazanin, an Iranian asylum seeker allegedly sexually assaulted in May last year who was evacuated to Australia for treatment of "mental and physical consequences of the ordeal".

She remains in Australia while her brother and mother are on Nauru, not knowing when the family will be reunited.

Mr Colville also condemned Nauruan officials for their treatment of another Somali refugee who claimed she was raped in August, saying the police report, including the victim's name and details of the rape allegation "was inappropriately given to the media".

He noted no arrests have occurred over the alleged rapes - a trend that left his office "very disturbed".

"[I]mpunity for such serious crimes increases the risk they will be repeated," Mr Colville said.

"It is a matter of particular concern that asylum seeker and refugee women who have allegedly been raped or sexually assaulted are left in unsafe conditions, given their own vulnerable status and the close proximity of their attackers, and tend to be stigmatised by the population and by members of the Nauru police force.

"Women are also less likely to speak out if they fear reprisals and see little-to-no chance of justice being done."

<http://www.smh.com.au/federal-politics/political-news/un-human-rights-agency-urges-decency-from-australia-and-nauru-over-alleged-rape-victims-20151027-gkkcai.html>

## **6. United Nations issues urgent call for Australia, Nauru to care for 'deeply traumatised' pregnant refugee Abyan**

ABC News Online  
By political reporter Francis Keany  
Posted Wed 28 Oct 2015, 8:05am

The United Nations High Commissioner for Human Rights (UNHCR) has called on authorities in Australia and Nauru to do more to help a pregnant refugee who says she was raped.

The 23-year-old, known as Abyan to protect her identity, was transferred to Australia for an abortion after claiming she was assaulted.

She was subsequently returned to Nauru without undergoing the procedure.

Rupert Colville, a spokesman from the Office of the High Commissioner for Human Rights (OHCHR), said the woman required further assistance.

"We call upon Australia and Nauru to urgently provide a decent option for Abyan ... to obtain adequate mental and physical care and to terminate her pregnancy if she desires," Mr Colville said in a statement.

"OHCHR has been in direct contact with her.

"Abyan is in a very fragile mental and physical condition and is deeply traumatised by her experiences since the day of the alleged rape."

He said the UNHRC was concerned at reports police on Nauru had failed to take action against alleged perpetrators of violence against women, and that Abyan was fearful for her safety.

"She has refused to give information to the Nauru police about her attacker because she is understandably afraid of reprisals," Mr Colville said.

"She does not feel safe, given that her alleged attacker lives on Nauru, which is a very small island state with a population of around 10,000."

The UNHCR said it was "very disturbed" at the growing number of sexual assault and rape allegations being made since Australia re-established its offshore immigration detention network in 2013.

There have been conflicting reports about what happened when Abyan was sent to Australia for treatment.

The Federal Government said she chose not to undergo the abortion, but lawyers acting for Abyan said she was not given adequate support on her arrival to Australia and wanted more time to make a decision.

<http://www.abc.net.au/news/2015-10-28/un-calls-on-australia-and-nauru-to-care-for-abyan/6891250>

## **7. United Nations calls on Nauru and Australia to resolve Abyan case urgently**

UNHCR says pregnant Somali refugee on Nauru is 'very fragile' and condemns culture of impunity for crimes against refugees and asylum seekers on the island

The United Nations has weighed into the long-running controversy over the pregnant refugee Abyan, urging Nauru and Australia to find a “decent” healthcare outcome and condemning the culture of “impunity” for crimes committed against asylum seekers and refugees.

Abyan, 23, was allegedly raped on Nauru on 18 July and became pregnant. She has been asking to terminate the unwanted pregnancy since 1 September.

She was flown to Australia for the procedure on 12 October, but hastily returned to Nauru in secret five days later – without having the operation – after, she says, she asked for counselling and an explanation of the procedure.

The Australian government says she changed her mind, and declined the operation. She denies this.

The office of the UN’s High Commissioner for Human Rights has been in direct contact with Abyan on Nauru, and says she is physically and mentally unwell.

“Abyan is in a very fragile mental and physical condition and is deeply traumatised by her experiences since the day of the alleged rape,” Rupert Colville, spokesman for the UNHCHR said in Geneva overnight.

“She has refused to give information to the Nauru police about her attacker because she is understandably afraid of reprisals. She does not feel safe, given that her alleged attacker lives on Nauru, which is a very small island.”

Colville called on Australia and Nauru to “urgently provide a decent option for Abyan”. Daniel Webb, from the Human Rights Law Centre, said Abyan should be brought to Australia.

“Abyan came here seeking safety but has suffered great harm in our care. It’s clear the only decent thing to do is bring her to Australia for the sensitive, professional medical treatment she needs. It’s not about politics, it’s a matter of basic human dignity,” he said.

He said the failure of Nauruan authorities to prosecute anyone for offences against asylum seekers and refugees had contributed to the island not being safe for them, particularly women.

“People who have escaped danger should be able to rebuild their lives somewhere safe. It is increasingly clear that Nauru is not a safe place for the women we’ve sent there,” Webb said.

The UN said it was concerned about a culture of impunity for crimes, particularly sexual assaults, committed against asylum seekers and refugees on the island. “We are aware of a growing number of sexual assault and rape allegations since Australia restarted its policy of transferring asylum seekers to Nauru for processing in 2012,” it said.

Colville cited the case of Najma, who was allegedly raped by two men in September. A Nauru police investigation concluded there was insufficient evidence to lay charges against anyone, but the UN said the distribution to media of the police report, which included the woman’s real name and other sensitive details, was “inappropriate”.

The UN spokesman also referred to the case of Nazanin, who was gang-raped on Nauru last May and who remains in Australia for treatment of the “mental and physical consequences of the ordeal”. She has been separated from her mother and brother, who remain on Nauru. Her mother has attempted suicide several times, and her brother, Omid, says both women are deeply distressed by the separation.

“My sister she just screams and cries on the phone. She cannot speak any more. She just screams and cries and my mother cannot help her,” Omid told Guardian Australia.

Colville said no one had been arrested in any of these cases. “OHCHR is very disturbed by this trend, since impunity for such serious crimes increases the risk they will be repeated.

“It is a matter of particular concern that asylum-seeker and refugee women who have allegedly been raped or sexually assaulted are left in unsafe conditions, given their own vulnerable status and the close proximity of their attackers, and tend to be stigmatised by the population and by members of the Nauru police force. Women are also less likely to speak out if they fear reprisals and see little-to-no chance of justice being done.”

Guardian Australia has approached the Nauruan and Australian governments for comment in response to the UNHCR statement, made in Geneva on Tuesday local time.

[The names of all asylum seekers and refugees have been changed to protect their identity]

<http://www.theguardian.com/australia-news/2015/oct/28/united-nations-calls-nauru-australia-resolve-abyan-case-urgently>

## 8. The Guardian Australia: This is Abyan's story, and it is Australia's story

The private details of a refugee who asked for an abortion after an alleged rape in offshore detention on Nauru have thrown into sharp focus divisions over Australia's hardline stand on offshore detention

The Guardian  
Ben Doherty  
Wednesday 28 October 2015 11.48 AEDT

For all the unwelcome intrusion into her private life, for all the angry public debate, for all the wasted expense and the time spent just waiting: nothing, for Abyan, has changed.

She is still on Nauru, still scarred by the trauma of an alleged rape, and still bearing a pregnancy she doesn't want.

This month, the 23-year-old Somali refugee was flown to Australia for a termination she had begged for weeks for, only to be secretly spirited back on a private charter flight without the operation when she asked for more time, for counselling, and for an explanation of the procedure.

Her private circumstance has become the stuff of newspaper headlines, her image the front page picture of some newspapers, her distress the political fodder of parliament.

She is unwell, deeply traumatised, and desperately concerned for her future.

But Abyan's tortuous case has come to represent more than her own unhappy circumstance.

While the former prime minister, Tony Abbott, was only too eager to bang the drum for the Australian government's hardline stand in his Margaret Thatcher lecture on Wednesday, Abyan's story betrays unease in Canberra and elsewhere on the mainland. Questions have been asked in parliament. Campaigners have demonstrated on her behalf. The United Nations in Geneva has urged Nauru and Australia to find "a decent option" for the "deeply traumatised" woman.

Abyan's situation has become emblematic of Australia's serious questioning of a policy of sending asylum seekers to its tiny, impoverished client state in the middle of the Pacific. She has become the symbol of the calculated cruelty, of the contradictions and of the unsustainability of Australia's \$3bn offshore detention regime.

Full story at <http://www.theguardian.com/australia-news/2015/oct/28/this-is-abyans-story-and-it-is-australias-story>

## 9. Somali refugee Abyan becomes a political pawn after abortion request on Nauru

Sydney Morning Herald  
October 24, 2015  
Tom Allard

Entering the second trimester of her pregnancy, "Abyan" is a shattered woman.

Carrying the child, she says, of her rapist, the 23-year-old Somali refugee has just four to six weeks before it becomes problematic to perform the abortion she first requested on September 1.

Sick, confused, and racked by uncertainty, Abyan has said she still wants the termination, even after being returned to Nauru from Sydney by the Australian government after refusing two appointments at an abortion clinic.

Abyan spent six days in Australia and was traumatised by the experience. She now wants the termination in another country, prompting a frantic, complex and extremely difficult attempt by lawyers and supporters to arrange a third country for the procedure. Abortion, in Nauru, is illegal.

"She is completely distressed about ending a pregnancy after so long," says Pamela Curr, the refugee advocate who speaks with her regularly.

It is hard to imagine a more anguished predicament for any young woman, let alone someone who fled the terrorist group al-Shabaab in her war-torn homeland and has spent two years in detention on Nauru with no prospect of a new home.

Back on Nauru, a desolate island on the equator with 10,000 inhabitants, Abyan says she is "very sick" as she waits and weighs her decision about termination.

For one night, she left accommodation in the general population to seek the protection of the detention centre.

The trigger, she says, was "media harassment" from journalist and former Liberal Party operative Chris Kenny, the first reporter allowed on to Nauru in 18 months.

On Monday, Kenny interviewed her and faithfully reported her insistence that she didn't tell anyone in Australia she didn't want an abortion. What upset her exactly is uncertain but Kenny asked who raped her, and why she hadn't told police.

Fairfax Media can confirm detention centre staff were told by Abyan she was being "harassed" by Kenny and Australian immigration officials were informed.

The next day, police and Kenny came to her home to ask for a statement about her sexual abuse.

After the visits, the identity of Abyan is now widely known, as is her home, refugee activists says.

"She's desperately ill and she's terrified. There's no security at her accommodation. Anyone can come up and do anything," says Curr.

Abyan's fears are borne from personal experience, and that of others. There have been three reported sexual assaults of refugees outside the detention centres this year, including her own.

Between September 2012 and April 2015, detention centre operative Transfield Service logged 33 sexual assault incidents, including nine judged critical or major.

Although Abyan has not gone to Nauru's police, two others have. Their experience helps explain Abyan's reluctance to follow suit.

The investigation of an alleged rape of a 26-year-old Somali woman known as "Najma", whose distressed phone call to police in the hours after she had been abducted and raped was recorded and obtained by the media, found there was no assault.

She was subsequently threatened by Nauru's justice minister David Adeang with being charged with making a false complaint.

After being picked up by police battered and half-naked after being raped outside Nauru's detention centre, Syrian refugee "Nazanin", was left in a police van en route to the station. The police, reports ABC's Lateline, watched fireworks for 45 minutes.

Nazanin was then reportedly left in an undressed state for hours while police interviewed her. Police have not rejected her complaint outright but cannot find the perpetrators.

When Prime Minister Malcolm Turnbull – as communications minister – described Australia's asylum seeker policy as harsh and cruel, he could not have chosen better case studies.

In the case of Abyan, she is becoming a totem of Australia's harsh offshore processing system for refugees.

As the government comes under pressure from the Greens and increasingly vocal refugee, human rights and medical activists, Abyan's experience has become embroiled in competing claims and the stock-in-trade of politics, the half truth.

The fog of secrecy surrounding border protection policy means the facts surrounding Abyan's time in Australia are easily contested and hard to independently verify.

Minister for Immigration Peter Dutton's first comment after Abyan's departure was "she had decided not to proceed with the termination", adding "comments from some advocates to the contrary are a fabrication."

It would be hard to make a more emphatic declaration.

Later, Abyan would dispute his assessment in a letter obtained by Fairfax Media and in an interview she gave Kenny.

In Senate estimates, Neil Skill, the immigration official who authorised forced exit from Australia, gave a more nuanced explanation:

"I have seen advice from two medical professionals indicating that she had declined to undergo the procedure on the day and also declined the offer of a scheduled appointment in a week's time. On the back of that information, I made the determination that there is no medical procedure at this point of time and that the individual should return to Nauru."

The caveat "at this time" was used repeatedly and accords with Abyan's insistence she never told medical staff in Australia she wanted to keep the baby.

Dutton outlined the multiple appointments Abyan had with medical staff, including doctors. She was also given access to an interpreter. But officials would not detail the nature of the medical care.

The arrival on Nauru of Kenny – a former chief of staff to Turnbull and now associate editor of the Australian – also generated rancour and competing claims, with the combative conservative battling vitriolic abuse on social media.

Curr says she was on the phone to Abyan when she heard her start screaming, allegedly after sighting the police and Kenny arriving for his second visit. Curr says the refugee was distressed and told Kenny and a photographer to "go away".

Kenny denies he bullied Abyan or acted in cahoots with the police. Rather, he spotted them by chance and followed them to Abyan's house. He says she was "distressed" at first when they met but invited him into her house for the interview, with her flatmate acting as interpreter.

Even after the first interview that upset Abyan, she agreed to talk to him again, and have a photo taken as long as it didn't identify her.

What is not in dispute is that Abyan complained of media harassment, went to a medical clinic and was moved to the detention centre after the first encounter. Kenny reported the development himself.

The journalist would not, however, comment on whether the \$8000 non-refundable visa application fee demanded by Nauru was waived for him. The fee blocks many journalists from trying to get a visa, especially as media companies who have paid it have been stalled, or rejected.

Turnbull is adamant that no-one on Nauru will be resettled in Australia. The policy has stopped boats laden with asylum seekers coming to Australia, and the deaths at sea that were regular occurrences under Labor.

However, there are concerns people smugglers may challenge the new Prime Minister by sending more boats to Australia.

And the asylum seeker policy is being tested at home too. Some 240 asylum seekers have been returned to Australia for medical care from Nauru and Manus Island are staying here – at least for the time – after lawyers launched a High Court action to have offshore processing ruled unconstitutional.

The court case and the injunction that's keep those asylum seekers in Australia appears, at least in part, behind Abyan's return to Nauru. Indeed, Dutton suggested Abyan was in Australia looking for a "migration outcome", something her lawyer George Newhouse denies.

Either way, after being informed by two health workers that Abyan had declined the two abortion appointments, Neil Skill moved quickly. He worked into Wednesday evening to organise a charter jet for Nauru.

It cost an estimated \$100,000 to get her out of Australia on Friday, even though there were commercial flights available two days later.

The charter was necessary, say Skill, because Abyan was "a risk with regard to the non-compliance and disrupting the airline".

If Abyan, 15 weeks pregnant at the time she left, was only rejecting an abortion "at this time", it is astonishing officials would take such a drastic step. They would surely know it would be likely to cause additional trauma to a woman already reeling.

At the very least, it appears to be a dereliction of the duty of care of a damaged and distressed woman.

The hardline treatment of Abyan will send a clear message of deterrence to would-be boat people and people smugglers. That is the point of the government's asylum seeker policy.

The rest of the world, though, is hearing a different message as foreign media such as the New York Times highlight Abyan's saga while Amnesty International gears up for a global campaign highlighting Abyan's plight.

It will be a message of a vulnerable woman's harrowing story and callous treatment by the Australian government.

<http://www.smh.com.au/federal-politics/political-news/prisoners-island-offers-little-hope-for-new-life-20151022-gkkgkx.html>

## **10. Pregnant refugee Abyan to return to Australia from Nauru for medical treatment, Peter Dutton says**

ABC News Online

By political reporter Stephanie Anderson

First posted Wed 28 Oct 2015, 1:29pm

Updated Wed 28 Oct 2015, 3:52pm

A pregnant refugee who says she was raped on Nauru will return to Australia to talk to doctors about having an abortion, Immigration Minister Peter Dutton says.

The 23-year-old Somali woman, known as Abyan, will return for expert treatment, Mr Dutton said.

He declined to provide dates for her travel, telling Sky News: "It's important that we respect her privacy".

"She should come to Australia, not only to speak to a doctor in terms of the termination but also to seek mental health services," he added.

Opposition Leader Bill Shorten has criticised the Government's handling of the case, saying it had been "mismanaged".

In a statement, Mr Shorten said the woman needed to be treated with dignity.

"I have serious concerns about the way this woman has been treated by the Government since she first made her request for a termination," he said.

"This is a distressing and complex case and Abyan's privacy must be respected. Labor is deeply concerned that the Liberal Government has mismanaged this case and the impact that this has had on this young woman.

"I have no idea why it took so long for this young woman to get the help she needs."

### ***'Refugees are not being raped': Nauru***

The Nauruan Government responded to coverage of Abyan's case and requests for more media transparency by saying that allowing journalists on the island would prompt asylum seekers to "protest and riot".

In a statement, justice minister David Adeang labelled the questions put to the government "ridiculous".

"Nauru has no obligation to answer the Australian media," he said.

"The Australian media approaches us with great arrogance and an air of racial superiority ... In return, we have little respect for them.

"Nauru is safe, refugees are not being raped.

"But this truth doesn't suit the activist journalists," he said.

Abyan was brought to Australia earlier this month seeking a termination.

She was later transferred to Nauru without medical treatment, but the reasons for the lack of termination remain contentious.

Earlier this month, the Immigration Department defended its handling of Abyan.

Mr Dutton said she was transferred back to the Pacific island after telling medical staff she no longer wanted to go ahead with the procedure.

"We provided a charter flight for this lady to come to Australia, she received medical assistance and made a decision that she didn't wish to go ahead with the procedure," he told Radio National.

"I'm very, very concerned about the privacy of this lady, but I'm dragged into this debate to clear up what I think is a political motivation by some of the advocates."

Mr Dutton also dismissed reports that the woman did not receive medical treatment while in Australia.

### ***'Refugee 'deeply traumatised', UN says***

Earlier today the United Nations High Commissioner for Human Rights (UNHCR) called on authorities in Australia and Nauru to do more.

Rupert Colville, a spokesman from the Office of the High Commissioner for Human Rights (OHCHR), said the woman required further assistance.

"We call upon Australia and Nauru to urgently provide a decent option for Abyan ... to obtain adequate mental and physical care and to terminate her pregnancy if she desires," Mr Colville said in a statement.

"OHCHR has been in direct contact with her.

"Abyan is in a very fragile mental and physical condition and is deeply traumatised by her experiences since the day of the alleged rape."

Mr Dutton said the UN's comments had no bearing on the decision to bring Abyan back to Australia.

He said his department had not held any discussions with outside agencies regarding the case, criticising advocates making comments based on social media posts.

"People haven't sought the facts from us," he said.

<http://www.abc.net.au/news/2015-10-28/pregnant-refugee-abyan-to-return-to-australia/6893174>

## **11. Abyan, pregnant refugee on Nauru, will return to Australia for medical treatment**

Peter Dutton, the immigration minister, says woman who had requested abortion after alleged rape will come back to Australia

The Guardian  
Shalailah Medhora  
Wednesday 28 October 2015 16.32 AEDT

Abyan, the pregnant refugee who was brought to Australia for an abortion and then controversially flown back to Nauru, is to return to Australia for medical treatment.

The woman, originally from Somalia, alleges that she was raped on Nauru. She will return to Australia for medical advice on seeking an abortion, and also for mental health support, the Australian immigration minister, Peter Dutton, announced on Wednesday.

The 23-year old was brought to Australia for an abortion earlier this month, but was returned to Nauru less than a week later. She is nearly 15 weeks' pregnant.

Dutton insisted earlier this month that she changed her mind, a claim he reiterated on Wednesday. Both the young woman and her Australian lawyers deny that claim.

Since returning to Nauru, the refugee has told the Australian newspaper that she still wants an abortion, but does not wish to return to Australia.

Dutton said that she has now changed her mind about returning to Australia.

"She will travel to Australia and will seek some expert assistance from medical staff in Australia, and that's as it should be, and we've said all along we would do what was in the best interest of this particularly lady," Dutton told Sky News on Wednesday.

"The medical experts have spoken with the lady, and she's accepted the advice she should come to Australia, not only to speak to a doctor in terms of the termination, but also to seek mental health services."

The immigration minister said that the discussions over bringing Abyan to Australia have been ongoing for a number of days, though he would not be drawn as to when she would leave Nauru.

"I don't want this to be some sort of media spectacle," he said. "It's important that we respect her privacy."

The announcement comes shortly after the United Nations urged the government to find a "decent option" for Abyan (not her real name).

"Abyan is in a very fragile mental and physical condition and is deeply traumatised by her experiences since the day of the alleged rape," Rupert Colville, spokesman for the UN office of the high commissioner for human rights, said.

"She has refused to give information to the Nauru police about her attacker because she is understandably afraid of reprisals. She does not feel safe, given that her alleged attacker lives on Nauru, which is a very small island."

Accessing an abortion on Nauru is highly restricted, requiring the consent of both the mother and the father before the procedure can be carried out. Papua New Guinea, where asylum seekers on Nauru are often sent for medical treatment, prohibits abortions after 14 weeks.

Ian Rintoul from the Refugee Action Coalition, who has been in regular contact with Abyan, said news of her imminent move back to Australia was "welcome" but overdue.

"Peter Dutton and this government have put her through three weeks of unnecessary mental anguish. This decision should have been made at the end of August."

Rintoul warned Abyan - who fled Somalia in 2007 and after her family was killed in a rocket attack - was deeply affected by the events of recent months, and her recovery from the trauma of her assault would be significantly longer than simply the termination procedure.

"The treatment of Abyan is emblematic of the treatment of refugee and asylum seekers in general on Nauru," he said.

"The action that the government has taken now is because of significant public pressure that has shone a light on her situation. But the way they have treated Abyan is the way all asylum seekers and refugees in offshore processing are treated, and the government surrounds their actions with secrecy, a total lack of transparency and accountability, so the public cannot know."

<http://www.theguardian.com/australia-news/2015/oct/28/abyan-pregnant-refugee-on-nauru-will-return-to-australia-for-medical-treatment>

## **12. Pregnant Somali refugee 'Abyan' to return to Australia for medical advice: Peter Dutton**

Sydney Morning Herald  
October 28, 2015 - 5:31PM  
Nicole Hasham

A pregnant Somali refugee who says she was raped on Nauru will return to Australia to discuss her abortion and mental health with medical experts, Immigration Minister Peter Dutton says.

He rejected suggestions the decision was influenced by concern from the United Nations, which on Wednesday urged the Turnbull government to allow the woman "a decent option".

The 23-year-old woman who goes by the pseudonym Abyan has alleged a rape on Nauru 15 weeks ago left her pregnant. She is seeking a termination.

The Turnbull government flew her to Australia for the procedure earlier this month, but returned her to Nauru a few days later, claiming she rejected treatment when it was offered.

Abyan's advocates said she simply asked for counselling so she could make an informed decision before proceeding.

On Wednesday Mr Dutton said medical experts on Nauru had met the woman and she had accepted their advice to travel to Australia for medical assistance, despite initially saying she did not wish to return.

He did not say if she would proceed with the abortion, saying "ultimately this is a decision for the lady... this is really quite a private matter" that involved mental health issues and an alleged rape.

In Australia, Abyan would "speak to a doctor in terms of her termination but also to seek mental health services".

Mr Dutton would not say when she would return, lest the matter become a "media spectacle".

The United Nations human rights agency on Wednesday condemned the official response to sexual assault victims on Nauru and said Abyan should urgently receive an abortion if she wants one.

Mr Dutton said he was not swayed by the entreaty and plans to bring Abyan to Australia had "been in the making for some days".

UN High Commissioner for Human Rights spokesman Rupert Colville said the organisation has been in direct contact with Abyan who is mentally and physically fragile and "deeply traumatised by her experiences since the day of the alleged rape".

"She has refused to give information to the Nauru police about her attacker because she is understandably afraid of reprisals," Mr Colville said in a statement.

"She does not feel safe, given that her alleged attacker lives on Nauru, which is a very small island state with a population of around 10,000."

Australia and Nauru must urgently provide "a decent option" for Abyan, enabling her to obtain "adequate mental and physical care and to terminate her pregnancy if she desires".

Mr Dutton has previously said asylum seekers and refugees brought to the mainland for medical treatment should not attempt to seek permanent resettlement in Australia.

Meanwhile, the Nauruan government says those calling for Australian media access to the Australian-funded detention centre should remember Nauru "is not a state of Australia".

"Many Australian media outlets and journalists have no respect for Nauru or our culture or people," Justice Minister David Adeang said in a statement on Wednesday.

His government refuses to answer many "ridiculous" questions posed by Australian journalists because "Nauru has no obligation to answer to Australian media".

<http://www.smh.com.au/federal-politics/political-news/pregnant-somali-refugee-abyan-to-return-to-australia-for-medical-advice-peter-dutton-20151028-gkkual.html>

### **13. Australia ignored three requests from Nauru medical staff to move Abyan**

Exclusive: Requests contradict comments by Peter Dutton, who said transfer of pregnant refugee had been delayed because of 'other unrelated health issues'

The Guardian  
Paul Farrell  
Thursday 29 October 2015 12.36 AEDT

The immigration department failed to act on three requests from senior medical staff on Nauru to move the pregnant refugee Abyan to Australia when she sought a termination.

The 23-year-old Somali woman's pregnancy resulted from an alleged rape on the island. The requests appear to contradict comments made by the immigration minister, Peter Dutton, about the highly politicised case. On 19 October Dutton told federal parliament Abyan had not been transferred due to "an initial delay ... because of other, unrelated health issues which meant she could not fly, and also a delay around getting an appointment".

Guardian Australia can reveal that International Health and Medical Services (IHMS) staff made the first request for her urgent transfer on 16 September in a "request for medical movement" form, with follow-ups on 29 September and 6 October.

Transfers from Nauru to Australia require the approval of the immigration department, but it failed to act on the three requests. Guardian Australia understands that Abyan (not her real name) became increasingly unwell and was found unconscious on 8 October. She was then admitted to hospital in Nauru and was found not fit to fly until 11 October.

The Somali woman's story first emerged in a report by the ABC's 7.30 program on 28 September. Her case has been the subject of intense media scrutiny and public debate over the past three weeks.

Abyan was brought to Australia on 11 October, but suddenly flown back to Nauru on 16 October without having had the termination. She disputed the government's claim that she had decided against it.

Dutton announced on Wednesday she would be brought back for a second time to Australia to consider a termination.

The minister has repeatedly suggested in parliament and to the media that the immigration department acted on medical advice in assessing Abyan's case.

The 16 September request from IHMS states: "[The woman] alleges she was sexually assaulted and is requesting a termination of pregnancy.

"Termination of pregnancy is not legal in Nauru. Termination of pregnancy is not legal in Papua New Guinea unless two doctors agree a woman life is at risk.

"Should [the woman] not be transferred, there are risks of deteriorating mental health and psychological distress relating to an unwanted pregnancy under these circumstances. There are medical risks related to a termination of pregnancy in later stages.

"IHMS assistance therefore recommends transfer to Australia within two weeks to undergo the required procedure."

The update on 6 October said: "With increasing delay in performing the termination of pregnancy, the more complex the procedure becomes, from a medical point of view. Therefore the transfer for this procedure to be completed should be expedited to avoid increasing risk factors and the likelihood of complications."

A fitness to travel assessment can only be completed once the department approves a request for medical transfer or provides a flight list. A separate policy document seen by Guardian Australia states: "The FTT process can commence when IHMS receives interim transfer lists and the results are often provided to the department before it issues the latest transfer list."

In a press conference on 9 October, Dutton said: "There's not been a case where the doctors have said to me that this person needs to come to Australia for medical assistance and we haven't provided that support."

He later said the government had provided "a significant amount of support to this lady who is in a very difficult circumstance".

The immigration department said that it "followed established processes in the transfer of Abyan. This involved reviewing the original request to transfer Abyan to Australia, seeking advice from the government of Nauru on the transfer, and then approving the request".

it said the allegation that the department failed to action the requests "was wrong".

<http://www.theguardian.com/australia-news/2015/oct/29/australia-ignored-three-requests-from-nauru-medical-staff-to-move-abyan>

## **14. MEDIA RELEASE: Dutton's Abyan fabrications exposed - he should resign**

### **DUTTON'S ABYAN FABRICATIONS EXPOSED. THE MINISTER SHOULD RESIGN**

#### **NOW BRING ALL THOSE AT RISK OFF NAURU**

Thursday October 29, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

The return to Australia of Abyan, the raped Somali refugee, has exposed the lies and misrepresentations of the Minister for Immigration, Peter Dutton.

"It is now quite clear who peddled the lies and fabrications about Abyan's treatment and who misled the Parliament and the public. It was not Abyan; it was not refugee advocates; it was the Minister. His credibility is zero," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

The revelations in 'The Guardian' that Peter Dutton had ignored IHMS recommendations to transfer Abyan are damning and confirm the advocates version of events.

On 19 October, Peter Dutton told the Sydney Morning Herald that refugee advocates were 'constantly shifting their story about Abyan's case'. But it is the Minister's story that has constantly shifted. The Minister owes Abyan and refugee advocates an apology.

"Serious questions surround the substance of the list, put forward by Peter Dutton, of so-called consultations that Abyan had while she was in Sydney," said Rintoul.

Abyan was brought to Australia on the evening of 11 October and removed from Australia without medical treatment, or concern for her mental health, on the morning of 16 October. Peter Dutton told the Sydney Morning Herald on 29 October that 'plans to bring Abyan to Australia had "been in the making for some days".'

Peter Dutton claims that Abyan was seen by nurses and doctors in Sydney between 13 and the 16 October. On 19 October, the Immigration Department official Neil Skill, told a Senate Estimates hearing that there was 'no reason for that person to stay in Australia.'

Yet, only a few days later, Peter Dutton admits there were compelling reasons to bring Abyan back to Australia and he was making plans to do just that.

"Peter Dutton's explanation does not pass the sniff test," said Ian Rintoul, "But, there is no sign that the Minister has any recognition of the enormity of the gratuitous suffering he has inflicted on Abyan.

"If Peter Dutton had any integrity he would resign; and if Malcolm Turnbull took respect for women seriously, he would insist on Dutton's resignation.

"Similarly, the Immigration bureaucrat Neill Skill, who claimed responsibility for the final decision to charter a RAAF flight to spirit her out of the country should also consider tendering his resignation. His callous and unwarranted decision, reversed only several days later, cost Abyan a lot of pain and anguish. He compounded that decision by proffering the ridiculous suggestion to Senate Estimates that Abyan's, had been 'talking about her future on Nauru.

"Despite the denials of the Nauruan Prime Minister there have a number of admitted rapes of refugee women on Nauru. The Australian government, Nauru government, Connect and the Nauruan police are complicit in the cover up of the scale of

sexual assault of refugee women on Nauru. They have allowed refugees to be left vulnerable to abuse in the Nauruan community.

"In the case of Nazanin, an Iranian asylum seeker raped in May, she was only brought to Australia in August. Recommendations from doctors in Australian and Nauru that Nazanin's brother and mother be brought to Australia to aid her recovery have been ignored by the Immigration Department.

"Nazanin's brother and mother must be urgently brought to Australia; as must all those who are victims of sexual assault. Nauru cannot provide safety, security or a future for asylum seekers or refugees. It must be closed."

For more information contact Ian Rintoul 0417 275 713

## **15. 'Dad, why are we here?': No money, no life and a baby on the way at Nauru**

Sydney Morning Herald  
October 27, 2015 - 2:27PM  
Nicole Hasham

Mohammed's\* daughter doesn't play with other girls. She sits most days in the family's hot airless tent, and does not go to school.

Sometimes Mohammed takes his raven-haired children outside the detention centre looking for distraction. Security guards search them on the way out, and confiscate their food. Biscuits and apples, meant as snacks for the children, are binned. All they take for the day is bottled water.

When his son or daughter spies something in a shop – lollies, chewing gum – he cannot buy it. He has no money.

This, according to Mohammed, is life on Nauru - where detention may have officially ended but this speck in the Pacific Ocean has become their jail.

"The detention [centre has a] very high fence ... but the Nauruan detention has very deep ocean. So what's the difference? Nothing," he says.

Now though, the Iranian family has other concerns. Mohammed's wife, Fairuza\*, is 34 weeks pregnant.

Her first two babies were delivered by caesarean section, but she does not want to go near a surgeon's knife on this island.

"We are very worried about the birth. There are no specialists in the hospital at Nauru. I saw the hospital, it is very dirty ... no hygiene. I can't think about that. I can't," said Fairuza, who has already suffered a miscarriage in detention.

"I can't feel happy about this baby. In the tent it's hot, with the mice ... how can I look after a small baby?"

The Nauruan government this month cast open the gates of the Australian-funded centre, claiming "detention had ended" and detainees can move around the island at will.

"[This] is a landmark day for Nauru and represents an even more compassionate program," Justice Minister David Adeang said, adding more lifeguards would be posted at swimming spots visited by refugee families.

But Mohammed insists little has changed.

"[There is] no place for the children, no parks ... no shade, we go out for what? We can't do anything, we can't sit anywhere, just we are going around the island and we come back in detention," he said.

"Where can I stay? I sleep on the road or I sleep in the jungle?"

"We are still living in mouldy tents, [on] rocky ground, and we don't have any money, and we are still asylum seekers."

Most immutable of all is the uncertainty. It gnaws at each in different ways - especially Mohammed, who convinced his family to board a small boat in Indonesia and go "looking for life". They haven't found it yet.

"We have two kids and the new baby coming also, [they have] no future. My kids have lost their life," he said.

"My daughter has very bad mental health: she is very depressed and she is very stressed. Always she cries, and asks me 'Why Dad, why are we here?'"

"My son when he wakes up from his sleep in the morning, asks me 'Dad, are we going to Australia today?'"

"Sometimes I ask them please, don't ask me, please leave me alone, because I don't have any answers."

The family's refugee claim has been rejected by the Nauruan government, and will go through an appeals process.

Australian Immigration Minister Peter Dutton this month said pregnant women on Nauru would not be brought to this country for treatment, and his government has provided \$26 million for improvements at Nauru's hospital.

Comment has been sought from the Nauru government.

*\*Not their real names*

<http://www.smh.com.au/federal-politics/political-news/dad-why-are-we-here-no-money-no-life-and-a-baby-on-the-way-at-nauru-20151026-gkj2b3.html>

## **16. MEDIA RELEASE: Another unexploded WWII bomb uncovered in Nauru family camp**

Tuesday October 27, 2015  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

The family camp on Nauru, RPC 3, was evacuated late this afternoon around 5pm, after an unexploded World War II 'bomb' was uncovered in the area.

It is believed that the bomb was uncovered in the building site of the family camp where prefabricated buildings are being erected.

An unexploded Howitzer artillery shell was found in the family camp after heavy rain in April 2014. Although the exact nature of the uncovered ordnance was not known, the Refugee Action Coalition was told, 'It was a big one.'

The discovery of the bomb has renewed fears that the site of the family camp has not been properly assessed for unexploded ordnance.

For more information contact Ian Rintoul 0417 275 713

## **17. Unexploded wartime bomb found at Nauru refugee centre building site**

Asylum seekers and staff at the Australian-run Nauru immigration detention centre evacuated after construction workers raise the alarm

The Guardian  
Paul Farrell  
Tuesday 27 October 2015 18.05 AEDT

Asylum seekers and staff at the Nauru detention centre were evacuated after construction workers found unexploded ordnance at the site of a new building for refugees.

Guardian Australia understands that a device was discovered by one of the contractors tasked to build the new refugee settlement at refugee processing centre 3 (RPC3). Asylum seekers and staff at RPC3 were evacuated on Tuesday while the risks were assessed.

As part of the Australian and Nauruan government's plans to move to open centre arrangements, a number of construction programs are under way.

Nauru was occupied by the Japanese during the second world war and unexploded bombs have been found from time to time on the island over the last 70 years.

A spokeswoman for the immigration department said: "The department is aware of an unexploded ordnance discovered at the Nauru RPC3 today.

"The ordnance was safely removed from site without incident."

It is not the first time unexploded ordnance has been discovered at the detention centre. Guardian Australia reported in April 2014 that internal emails revealed that an artillery shell was found next to the recreation tent that was previously used as a primary school.

The immigration email outlined the continuing risks of unexploded ordnance (UXOs) and said: "No one has been able to give assurances the area ... was adequately checked for UXOs."

The office of then immigration minister Scott Morrison said she was aware of the UXO but said the department would review the need for a more detailed UXO survey.

Similar concerns were also raised at the Manus Island detention centre, where a number of UXOs were discovered in the early days of establishing the facilities.

<http://www.theguardian.com/world/2015/oct/27/unexploded-wartime-bomb-found-at-nauru-refugee-centre-building-site>

## **18. Peter Dutton cannot confirm if journalist Chris Kenny was assisted with Nauruan visa**

ABC News Online

By political reporter Stephanie Anderson

First posted Thu 29 Oct 2015, 3:30am

Updated Thu 29 Oct 2015, 3:45am

Immigration Minister Peter Dutton has been unable to rule out his department's involvement in the approval of a Nauruan visa for an Australian journalist.

The Australian associate editor Chris Kenny travelled to the island nation earlier this month, becoming the first foreign reporter to visit within 18 months.

Kenny has spoken about why he thought he gained approval for a visa — the cost of which rose to \$8,000 in January last year — citing his public support for strong border protection measures.

There has been media speculation as to whether the Australian Government intervened in the process and Mr Dutton was unable to quash reports when asked on Wednesday.

He told the ABC that the Department of Immigration and Border Protection would have offered assistance, if it was seen to be appropriate.

"I'm not sure what assistance, if any, was provided," he said.

He said if undertaken, any intervention would have been above board.

"We have scores of people who answer journalists' queries each and every day," he said.

"We facilitate information to those people. We've done it in relation to questions that we answer regularly about operations on Nauru and Manus, so I wouldn't see anything inappropriate in that at all."

His comments followed news that a pregnant refugee who said she was raped on Nauru would return to Australia to talk to doctors about having an abortion.

Mr Dutton confirmed the transfer of the 23-year-old Somali woman, known as Abyan, but criticised the media coverage of her case.

"There is a lot of public commentary made, when frankly it's based on Twitter and Facebook postings, as opposed to the facts," he said.

"We haven't been contacted to provide information in relation to this case to outside agencies ... if people want to be properly informed in relation to these matters, they should rely on the facts as opposed to gossip and innuendo that they might read online."

The Nauruan government also responded to coverage of Abyan's case and requests for more media transparency, and said that allowing journalists on the island would prompt asylum seekers to "protest and riot".

In a statement, justice minister David Adeang slammed the "ridiculous" questions put to the government.

"Nauru has no obligation to answer the Australian media," he said.

"The Australian media approaches us with great arrogance and an air of racial superiority, which is highly offensive to us.

"They do not show us the respect of a sovereign nation and, in return, we have little respect for them."

Mr Adeang further stated that Nauru was safe and "refugees are not being raped".

"But this truth doesn't suit the activist journalists," he said.

<http://www.abc.net.au/news/2015-10-29/no-answers-on-nauru-visa-assistance-for-chris-kenny/6894208>

## 19. Decline in press freedom prevents reporters from joining Chris Kenny on Nauru

The Australian's associate editor is the first journalist in 18 months to gain press access to the island – a goal placed out of reach for most immigration reporters

The Guardian  
Paul Farrell  
Monday 26 October 2015 17.53 AEDT

In the last two weeks the Nauruan police force has conducted two raids at the island's Australian detention centre in an extraordinary bid to hunt down journalists' sources.

Their objective was clear: find out who had leaked emails about the Nauruan government's calculated plans to allow a small cadre of local journalists into the detention centre. The raids were sparked by the Nauruan operations manager at the detention centre, who made a complaint to the police.

These are not the actions of an open government interested in public scrutiny. They are the actions of a government terrified of adverse media attention. Had such raids occurred in Australia, journalists would be outraged at such astonishing interference with a reporter's work.

The raids occurred at the same time the Australian's associate editor Chris Kenny gained press access to the island and detention centre – the first Australian journalist in 18 months.

"Nauru has become a vortex of political and personal agendas conspiring to mask the truth," Kenny writes.

But what many Australian journalists have been experiencing is a steady decline in press freedom surrounding immigration detention reporting. This decline has made it increasingly difficult to report on the continuing abuses – documented extensively in written reports and oral testimony – occurring at the Australian-run detention centre and on the island.

The reality is that reporting is made near-impossible. In the last two years a number of journalists' stories relating to Nauru have been referred to the Australian federal police. The immigration department's freedom of information division has confirmed that reports from Guardian Australia and other news organisations were included in referrals for "unauthorised disclosures" pertaining to some of these investigations.

Fairfax Media reported several weeks ago the number of referrals – some of which relate to media reporting – relating to Nauru from September 2014 to March 2015 was six.

Consequently, those of us who report frequently on immigration issues have been forced to adopt a range of counter-surveillance techniques in order to reduce the risks of discovery by both the Australian and Nauruan governments.

Kenny expressed concern about the use of "anonymous and unverified stories". That should apply generally across reporting, but the reality for immigration reporting is that many stories are backed by extensive evidence, the nature of which simply cannot be disclosed given the risk to sources.

It is unfortunate Kenny is the only reporter permitted to visit the island. The last time Guardian Australia sought information about access to Nauru and the costs of a visa, in April 2015, our email was ignored. This sort of response – or active refusal – appears to be a trend across the board, with al-Jazeera and the ABC recently facing a point-blank refusal.

Kenny has speculated the reason why he was successful in gaining access to Nauru is because of his "well known support for strong border protection policies". But journalists shouldn't need to hold certain opinions to gain access to detention centres offshore or onshore.

In a manner of speaking, Kenny appears to agree:

"[J]ournalism, in cahoots with activists, could hardly do any more damage to the asylum-seekers and refugees in Nauru or the reputation of the country if they were on the island.

"Nauru would do better to let them in – perhaps on condition they stay a while – so they cannot avoid the facts entirely."

One claim by Kenny warrants particular scrutiny; that there is a "boycott" by asylum seekers and refugees on the island who are refusing to send their children to local schools.

The closure of the detention centre's school which was staffed by Save the Children led small groups of asylum-seeker children to be split across four local schools: Nauruan secondary school, Nauru college, Nauru primary school and Yaren primary school.

The refusal of parents to send their children to the local schools is hardly a boycott. It is also far from new, and was reported several months ago by Guardian Australia. Asylum seekers and refugees are quite justifiably frightened of the Nauruan schools.

Their concerns stem partly from the appalling condition of many of the schools, the absence of a child protection framework, allegations of sexual harassment and assault and the use of corporal punishment.

Former Save the Children case manager Viktoria Vibhakar wrote in her submission to the Nauru Senate inquiry – backed by extensive documentary evidence – that corporal punishment has been inflicted on asylum seekers who attended local schools.

An incident report said that after four adolescents walked in late to class in May 2014, the local community teacher stated “we will treat you the same as Nauruan children” and then proceeded to beat them around the shoulders with a wooden ruler.

A transition document seen by Guardian Australia when the school at the detention centre closed also pointed out that “limited curriculum resources and classroom furniture have been identified as issues impacting children's learning in local schools”. The quality is clearly a marked step down.

The immigration department even refused to allow refugee children to be given stationery like glue, textas and colouring pencils at the local schools because it could create tensions with the local children.

Allegations of threats and assaults are continuing to be made, even by children. In October 2014 a 16-year-old gave a statement to the Nauruan police that four Nauruans attacked him and his friends. The statement said they were called “motherfuckers fucking refugees” and their phones smashed. The boy said he had his face slapped three times and was kicked by one of the men.

The boy was so frightened he blacked out and woke up in hospital. He concluded: “I would like to mention that I've stopped attending school anymore due to what had happened, because I feared for my safety.”

These are not unverified claims. Nor are they claims made by advocates. They are just a few of the vast body of documentary evidence and testimony that comes from the island at great risk to those who dare to speak out.

<http://www.theguardian.com/australia-news/2015/oct/26/decline-in-press-freedom-prevents-reporters-from-joining-kenny-on-nauru>

## **20. Nauru justice minister attacks 'arrogant' Australian journalists**

Responding to calls for greater access to the country, David Adeang says the Australian media approaches reporting on Nauru ‘with an air of racial superiority’

The Guardian  
Guardian staff  
Thursday 29 October 2015 10.27 AEDT

The Nauru government has launched an attack on Australian journalists, accusing them of approaching reporting in the country with “an air of racial superiority”.

David Adeang, the Nauru justice minister, was responding to calls for greater access to the country. Nauru allowed Chris Kenny, associate editor of the Australian, on to the island earlier this month, the first visit by a foreign reporter for 18 months. Kenny acknowledged his support for offshore detention may have helped secure his visit.

“Many Australian media outlets and journalists have no respect for Nauru or our culture or people,” Adeang said.

“Nauru has no obligation to answer to Australian media.

“The Australian media approaches us with great arrogance and an air of racial superiority, which is highly offensive to us.

“They do not show us the respect of a sovereign nation and in return we have little respect for them.”

Adeang accused journalists of failing to question the claims of “refugee advocates and Australian lawyers”.

"The truth is that despite the difficulties many refugees face and the lack of certainty they feel about the future – and we acknowledge that – Nauru is safe, refugees are not being raped, they have freedom, many are happy and making the best of their situation, and life on Nauru is peaceful with locals and refugees living, in the main, harmoniously.

"But this truth doesn't suit the activist journalists. They need to paint a different picture to justify their political agendas and their own lack of fact-checking and poor journalism."

On Wednesday Peter Dutton, the immigration minister, said that Abyan, the refugee who is pregnant after an alleged rape on Nauru, would return to Australia for medical treatment.

On the same day, the annual general meeting in Sydney of Transfield Services, which manages Australia's offshore detention centres on Manus and Nauru, was disrupted by protesters opposing the company's work in the centres.

Guardian Australia has been repeatedly refused access to the island. Nauru police have twice raided the offices of Save the Children at the Nauru detention centre after the government was angered by a report in Guardian Australia quoting an email from the operations manager at the centre.

Save the Children said there was no evidence the leaked email had come from any of their staff.

<http://www.theguardian.com/world/2015/oct/29/nauru-justice-minister-attacks-arrogant-australian-journalists>

## **21. Nauruan justice minister rejects calls for greater access for Australian media; says 'Nauru is not Australia'**

ABC Radio - Pacific Beat

By Pacific Affairs reporter Liam Fox, staff

Posted Thu 29 Oct 2015, 9:13am

Nauru's justice minister David Adeang has rejected calls for greater media access, accusing Australian journalists of treating his country with "great arrogance".

The Nauruan government has admitted one foreign journalist in the past 18 months despite many applications, including from the ABC.

Responding to calls for media access to the country and its Australian-run immigration detention centre, Mr Adeang said: "Nauru is not a state of Australia!"

"The Australian media approaches us with great arrogance and an air of racial superiority, which is highly offensive to us," he said in a statement.

"They do not show us the respect of a sovereign nation and in return we have little respect for them."

Earlier this month, the government announced the island's detention centre would become an open one, giving asylum-seekers the freedom to move around.

Mr Adeang said many refugees are living happily on the island and making the best of their situation, but "activist journalists" only want their version of the truth.

"The truth is that despite the difficulties many refugees face and the lack of certainty they feel about the future — and we acknowledge that — Nauru is safe," he said.

"Refugees are not being raped, they have freedom ... and life on Nauru is peaceful with locals and refugees living, in the main, harmoniously. "But this truth doesn't suit the activist journalists. They need to paint a different picture to justify their political agendas and their own lack of fact-checking and poor journalism."

Mr Adeang said the government has no obligation to answer the "ridiculous" questions posed to it because "Nauru has no obligation to answer to Australian media".

If journalists are given greater access to the country, he said, refugees would start protesting "for the cameras" following the advice of Australian-based advocates.

### ***Media restrictions 'go against democracy': Pacific watchdog***

According to a recent claim by Al Jazeera, Nauru's island government is now refusing to accept all media applications.

Australian journalist Chris Kenny, who is sympathetic to stronger border controls, was allowed into the country last week, though Nauru declined to say whether he was charged the \$AUS8,000 visa application fee.

Jason Brown, editor for the regional media watchdog Pacific Freedom Forum, said Nauru needs to be reminded of its freedom of speech obligations.

"It seems that there's one set of rules for journalists who don't stake out a prior position and there's another set of rules for those who are doing their jobs and asking the hard questions," Mr Brown said.

"[The restrictions] go against everything that democracy is claimed for by the same government that extol the virtues of modern governance and their cracking down on the fourth estate."

"To borrow a phrase from Nauru — ridiculous."

On Wednesday the United Nations High Commissioner for Human Rights (UNHCR) called on authorities in Australia and Nauru to do more to help a pregnant refugee who says she was raped.

About 400 refugees have been released into the Nauruan community after being granted visas by the Pacific country.

<http://www.abc.net.au/news/2015-10-29/nauru-rejects-calls-for-greater-access-for-australian-media/6895174>

## **22. 'Air of racial superiority': Nauruan government says it doesn't have to answer questions from Australian media**

Sydney Morning Herald  
October 29, 2015 - 7:18AM  
Nicole Hasham

Refugees are not raped on Nauru and would riot for the cameras if Australian journalists were allowed onto the Pacific island, the Nauruan government claims.

The government also insists Australian journalists have an "air of racial superiority" and it is under no obligation to respond to their requests for information, despite Commonwealth taxpayers spending billions of dollars on the island's detention centre.

A statement on Wednesday by Nauruan Justice Minister David Adeang said many Australian media outlets and journalists "have no respect for Nauru or our culture or people".

The island government refuses to answer many of the "ridiculous" questions posed to it because "Nauru has no obligation to answer to Australian media".

In response to recent calls for media access, Mr Adeang said in a statement: "Nauru is not a state of Australia!"

"The Australian media approaches us with great arrogance and an air of racial superiority, which is highly offensive to us," he said.

"They do not show us the respect of a sovereign nation and in return we have little respect for them."

Allowing journalists "to wander the small island" would prompt refugees who were living peacefully to take advice from refugee advocates and "start to protest and riot for the cameras and there would be chaos that the nation's police force would struggle to contain".

Mr Adeang acknowledged that many refugees face difficulties, but insisted "Nauru is safe, refugees are not being raped, they have freedom, many are happy and making the best of their situation, and life on Nauru is peaceful with locals and refugees living, in the main, harmoniously".

The Australian government routinely refers inquiries on asylum seekers and refugees to the Nauruan government, which in turn refuses to respond, leaving no official channels for journalists seeking information.

The Australian journalist Chris Kenny this month visited Nauru, making him the first foreign journalist allowed to the island in 18 months. He speculated that his support for Australia's border protection policies may have influenced the decision.

Nauru charges foreign journalists \$8000 to apply for a visa, and the fee is not refunded if the application is refused.

Several media outlets have made unsuccessful attempts to secure a visa, most recently Al-Jazeera which was reportedly told by a Nauruan officials that "all media application [sic] is not approved".

On Wednesday a spokesman for the United Nations High Commissioner for refugees expressed concern over the "growing number of sexual assault and rape allegations since Australia restarted its policy of transferring asylum seekers to Nauru for processing in 2012".

The organisation was also "very disturbed" by the lack of arrests in such cases and that alleged rape victims "are left in unsafe conditions, given their own vulnerable status and the close proximity of their attackers, and tend to be stigmatised by the population and by members of the Nauru police force".

Immigration officials this month revealed that from July to September this year alone, detention centres at Nauru and Manus Island cost Australian taxpayers almost \$280 million.

<http://www.smh.com.au/federal-politics/political-news/air-of-racial-superiority-nauruan-government-says-it-doesnt-have-to-answer-questions-from-australian-media-20151028-gkl1c4.html>

## **23. Dear Nauru: Why Australian journalists will keep asking you questions**

Sydney Morning Herald  
October 29, 2015 - 3:51PM  
Daniel Flitton

***Dear government of Nauru,***

Thanks for your note on Wednesday. I wanted to reply by sending a friend request on Facebook, but, well, you banned it in your country.

That's one sure way to stifle any domestic dissent. But your other strongarm tactics have been inspired. Suspending the opposition from Parliament without pay - genius! Revoking visas and deporting the judiciary - bravo!

And then stripping the pensions from citizens who dared to participate in a protest this year at the Parliament, which you called a riot, even though they have not been convicted of a crime. Way to exert control.

Oh, but there I go again, just another Australian journalist displaying what you dismiss as "great arrogance and an air of racial superiority". Pesky questions and all.

But here's the thing. I was on Nauru in 2013, and I still have my blue "Nauru sport fishing" hat. It was just a few months before you slapped an \$8000 price tag on a visa application for a media visit (that's for the application, remember, not necessarily an approved travel document).

I went to report on the aftermath of an undisputed riot, one that levelled the detention "camp" - President Baron Waqa's word when I interviewed him beforehand.

That riot was started by the asylum seekers that you - and your predecessors, remember, those opposition MPs? - had agreed to host on behalf of Australia.

And I reported the distress of the Nauru people, their fear at events potentially spiralling out of control and what might happen to their kids. And I heard the resentment of people who believed the asylum seekers "had it all good and they burnt it down".

But I was also there when you began censoring the local television, to stop the opposition from questioning your deal with a desperate Labor government in Australia to resettle people found to be refugees. Questions like are they to live in Nauru permanently, or not quite? Will these refugees be given passports to travel off the island and return with supplies, as many local like to do?

Then followed your refusal to allow United Nations officials to visit, the selective lock-out of foreign media (no ABC, no al-Jazeera), the shrill allegations against the opposition MPs before they have been convicted of any crimes, and complaints they have spoken critically of you to people like me in the international media.

And how about those rude Kiwis, huh? Scrapping aid to you over concerns about meddling with the judiciary. Outrageous.

Yes, there are all the claims, and counter-claims, about the treatment of refugees. If journalists were allowed on the island, you say, "refugees who are now living peacefully would - under the direction of Australian based advocates - start to protest and riot for the cameras".

But that didn't happen when you finally allowed The Australian to visit last week, and good on you for testing this out.

What little trouble I had on the island two years ago was with overly-zealous Australian officials, and never with Nauru's. Locals warned me of "Naurumours", and there is no doubt these stories get around.

The key reason Australian journalists keep asking you questions, trying to find out the truth of life on the island, is the Australian government is paying you to be a deterrent for asylum seeker boats.

And like any country, I found many contrasting views in my week on Nauru. Ain't democracy a tremendous thing? (So look forward to watching your elections in June. Reckon opposition will be in jail by then?)

So before you next summarily declare someone a "prohibited immigrant" and deport them from the island, or take aim at "biased international media", keep calm.

You are indeed a "sovereign" country, as you declare, and that is precisely why Australia wants to keep you on side.

Oh, and don't forget to friend me.

Daniel

<http://www.smh.com.au/federal-politics/political-opinion/dear-nauru-why-australian-journalists-will-keep-asking-you-questions-20151029-gklscv.html>

## **24. Philippines president Benigno Aquino rules out permanently resettling refugees**

ABC News Online

By political reporter Stephanie Anderson

First posted Tue 27 Oct 2015, 6:27pm

Updated Tue 27 Oct 2015, 10:38pm

Philippines president Benigno Aquino says his country will not accept any refugees sent by Australia if they are expected to resettle permanently.

Mr Aquino said he was "seriously considering" an Australian Government proposal to accept some refugees, but only if they were in the South-East Asian nation temporarily.

"If this proposed agreement is not transitory in nature... we feel we are not in a capacity at this point in time to afford permanent residency to these people," he said.

"Australia can recognise that we do have a significantly bigger population than they do.

"We have challenges to meeting the needs of our people right now.

"We would want to assist but there are limitations."

Comment was sought on Tuesday from Immigration Minister Peter Dutton and his Opposition counterpart Richard Marles.

Mr Aquino did not elaborate on the "proposed agreement", which was alluded to earlier this month after Foreign Minister Julie Bishop visited the Philippines.

In a statement on the October 9 visit, Mr Aquino said the issue of migration and refugees were "discussed in the context of how each country is finding ways to fulfil its international obligations".

The news follows recent criticism of the Government's resettlement deal with Cambodia, which has seen one of the four refugees transferred from Nauru to Phnom Penh return to his home country.

Local media has reported that two more refugees are due to resettle shortly.

<http://www.abc.net.au/news/2015-10-27/philippines-president-rules-out-refugee-deal/6890622>

## **25. Immigration Minister Peter Dutton refuses to comment on refugee deal with Philippines**

ABC News Online

By political reporter Stephanie Anderson

Posted Wed 28 Oct 2015, 4:25pm

Immigration Minister Peter Dutton has refused to be drawn into speculation over a potential refugee resettlement deal with the Philippines.

President of the Philippines Benigno Aquino said overnight his country would not accept any refugees sent by Australia if they were expected to resettle permanently.

Aquino said he was "seriously considering" an Australian Government proposal to accept some refugees but only if they were in the south-east Asian nation temporarily.

Mr Dutton refused to enter into the discussions when asked on Wednesday, but told Sky News he welcomed the comments.

"We have a very good relationship with the Philippines," he said.

"Out of respect for that relationship and for the discussions that go on in private, I just don't have any comment to make publicly in relation to where those discussions are at."

Comment has been sought from his Opposition counterpart Richard Marles.

Opposition Leader Bill Shorten said Australia "shouldn't simply give up" on the negotiations with the Philippines.

"To me, the Government needs to redouble its efforts with Thailand, with Malaysia, with Indonesia, with the Philippines," he said.

Speaking on Tuesday, President Aquino said the proposed agreement must be "transitory in nature".

"We feel we are not in a capacity at this point in time to afford permanent residency to these people," he said.

"Australia can recognise that we do have a significantly bigger population than they do. We have challenges to meeting the needs of our people right now. We would want to assist but there are limitations."

<http://www.abc.net.au/news/2015-10-28/dutton-refuses-to-comment-on-refugee-resettlement-philippines/6893832>

## **26. Labor backs PNG refugee resettlement as Bill Shorten's tour of the Pacific begins**

Sydney Morning Herald  
November 2, 2015 - 8:21AM  
Tom Arup

Port Moresby: The federal opposition has broadly welcomed the imminent resettlement of some refugees from the Manus Island detention centre within Papua New Guinea after meetings with senior political figures in Port Moresby.

It comes as Labor leader Bill Shorten will sit down with PNG Prime Minister Peter O'Neill on Monday morning as part of a four day trip to Pacific nations, which is largely aimed at highlighting the impact of climate change on Australia's neighbours.

Last month Immigration Minister Peter Dutton announced that the PNG government would begin resettling refugees from the Manus Island detention centre.

On Sunday evening Mr Shorten, along with his deputy Tanya Plibersek and opposition immigration spokesman Richard Marles, met with the PNG foreign affairs minister, Rimbink Pato, at which the vexed issue of resettlement of refugees in the Manus Island detention centre was raised.

Following the meetings Mr Marles said: "Obviously we welcome any developments that see people resettled." But he also called on the Turnbull government to actively engage with PNG to ensure it occurred.

"We have been critical of the Australian government in their failure to engage here in the past, such as it has been two years since the regional resettlement arrangement was signed and we are just seeing resettlements potentially occur," he said.

Asked whether he thought refugees could make a successful life in Papua New Guinea, Mr Marles said: "We have always thought with the appropriate support of the Australian government there was the capacity to resettle people in PNG."

It is understood that about 55 per cent of the asylum seekers on Manus Island have been deemed genuine refugees, with about half, or perhaps more, having now had their claims assessed.

But only a subset of the almost 1000 people in the Manus Island detention centre will be resettled in PNG - those deemed genuine refugees and who are also prepared to stay in PNG.

Genuine refugees who do not want to be resettled in PNG remain in limbo, with both major political parties in Canberra refusing to accept them on Australian shores and an agreement for resettlement in a third country yet to appear.

The former Labor government announced in 2012 that asylum seekers who arrived by boat without a visa would be processed at Manus Island, denying them refugee status in Australia and instead offering potential settlement in PNG, which has its security issues especially in the capital Port Moresby.

## Climate change focus of talks

Climate change also featured during the talks between the Labor delegation and Mr Pato. The PNG Foreign Minister is understood to have pressed the case for an international target of keeping global warming to 1.5 degrees.

The world is currently aiming to limit warming at 2 degrees, but many Pacific nations want a stronger threshold because of the threat of sea-level rise and more intense extreme weather to the region.

Alongside climate change, PNG is currently suffering through a nasty drought and a spate of overnight frosts, which have been brought on by El Nino and damaged crucial food crops.

It has been estimated 2.4 million people in PNG could be effected as the El Nino event worsens over summer and into early-2016. The PNG government has started delivering food supplies to some effected communities.

But the country is yet to ask Australia for assistance with the worsening conditions. Australia provided food drops during similar drought conditions in PNG during the 1997-98 El Nino event.

Earlier on Sunday, Mr Shorten toured the Pacific Adventist University where a midwifery training program and student and staff accommodation had been funded by the Australian aid program.

Mr Marles said the relationship with PNG should be higher in the Australian discourse. He added that a visit from the opposition leader and deputy leader was highly significant and Australia's relationship with its northern neighbour would be front and centre of a Labor government's foreign policy.

The opposition's trip to the Pacific takes it from the PNG capital to the Marshall Islands and Kiribati over the coming days, where the focus will turn more intensely to climate change and the upcoming Paris summit, where it is hoped a new global agreement on climate change will be signed.

Kiribati President Anote Tong has recently lead calls among Pacific Island nations for a moratorium on new coal mines.

<http://www.smh.com.au/federal-politics/political-news/labor-backs-png-refugee-resettlement-as-bill-shortens-tour-of-the-pacific-beings-20151101-gko8tg.html>

## 27. Reports Turnbull government planning to send refugees to Kyrgyzstan

Sydney Morning Herald  
October 31, 2015 - 10:39AM  
Adam Gartrell

The Turnbull government is keeping mum on reports it is considering sending refugees on Nauru and Manus Island to the distant central Asian nation of Kyrgyzstan.

The government is searching for places that will agree to resettle more than 1500 asylum seekers currently living in the Australian detention facilities in the south Pacific.

The government's so-called Cambodian solution has been a failure, settling just a handful of refugees since the deal was inked last year. Immigration Minister Peter Dutton confirmed this month that the government has been seeking to negotiate deals with a number of other countries, including the Philippines.

Now Kyrgyzstan - a remote and rugged landlocked former Soviet satellite state - is the latest country being considered as a possible resettlement destination, particularly for Hazara Afghans, according to News Corporation.

Finance Minister Mathias Cormann refused to confirm or deny the reports on Saturday. "I'm not going to speculate about an unconfirmed story," he told Sky News. "We are having conversations with other countries to support our offshore processing arrangements and when we're in a position to make relevant announcements, no doubt the Minister for Immigration will do so."

Comment is being sought from Mr Dutton.

Queensland Labor MP Terri Butler says the opposition is open to considering any resettlement options but called on the government to make its intentions clear. "What Malcolm Turnbull and Peter Dutton need to do is come clean with the Australian people about how they're going to settle people on Nauru and Manus Island," she said.

<http://www.smh.com.au/federal-politics/political-news/reports-turnbull-government-planning-to-send-refugees-to-kyrgyzstan-20151030-gkninr.html>

## 28. Kyrgyzstan reported as option to resettle refugees from Nauru and Manus

Coalition refuses to comment on reports it is considering sending up to 1,500 people currently in offshore detention to the Central Asian republic

The Guardian  
Staff and wires  
Saturday 31 October 2015 10.20 AEDT

The federal government is refusing to comment on reports that it is considering resettling up to 1,500 refugees in Kyrgyzstan.

The Central Asian country, which at its closest is about 100km from Afghanistan, is on a list of nations authorities are weighing up sending those detained on Nauru and Manus Island, particularly Afghan Hazaras, the Australian reports.

"We are having conversations with other countries to support our offshore processing arrangements and when we're in a position to make relevant announcements, the minister for immigration will do so," cabinet minister Mathias Cormann told Sky News on Saturday.

Labor's spokesman for immigration, Richard Marles, has written in support of a "third country" option for taking refugees from Manus and Nauru and says the Turnbull government has 'dropped the ball' on finding a solution to long-term detention.

It is understood that a number of other former Soviet republics are also being considered for resettlement options. Negotiations with the Philippines over a deal to take a number of refugees collapsed recently, and the government's agreement with Cambodia has resulted in the resettlement of just four people at a cost of more than \$50m.

Kyrgyzstan has been criticised by a number of NGOs over its human rights record, including Reporters Without Borders, which ranks Kyrgyzstan 111th out of 173 countries on its Press Freedom Index.

Human Rights Watch says violence and discrimination against women and lesbian, gay, bisexual, and transgender (LGBT) people remain serious problems in Kyrgyzstan. Freedom of expression and assembly suffered setbacks since 2014 as attacks on defendants and lawyers in courts continued, it also claims.

The country is also ranked in the bottom 30 countries for levels of perceived corruption by Transparency International in its annual survey.

However, the country is a signatory to the 1951 UN convention on the status of refugees.

The Greens leader, Richard Di Natale, said Australia's asylum seeker policy was now verging on the ridiculous.

"What next? Are we going to send people to Mars?" he said.

"This is ridiculous that we would look for any option other than the most logical, humane and economically responsible option which is to ensure we process people here in Australia and, if they are found to be genuine refugees, that they are settled here."

<http://www.theguardian.com/australia-news/2015/oct/31/kyrgyzstan-reported-as-option-to-resettle-refugees-from-nauru-and-manus>

## 29. Transfield given \$1.5bn over three years to manage Nauru and Manus centres

Report by No Business in Abuse says operator paid \$1.4m a day and point to 47 violations of international law at the detention centres since Transfield took over

The Guardian  
Melissa Davey  
Tuesday 27 October 2015 16.29 AEDT

Transfield Services has received \$1.5bn from the federal government since being contracted in October 2012 to manage Australia's detention centres on Manus Island and Nauru, a report has found.

There have been 47 violations of international law at the centres since Transfield took on the contract three years ago, according to the report by not-for-profit group No Business in Abuse.

By examining individual contracts with Transfield for services including operational, maintenance and welfare support, and staff accommodation and management services, No Business in Abuse also found Transfield had been paid an average of \$1.4m per day over the course of the contract, amounting to \$1.5bn over three years.

The not-for-profit coalition of unions, lawyers, human rights groups and faith-based organisations, called No Business in Abuse, analysed existing evidence and reports on the Nauru and Manus Island offshore processing centres.

This included evidence from the Moss Review, established in October by the then immigration minister, Scott Morrison, to investigate allegations of sexual and physical assault of asylum seekers, as well as evidence from the Senate inquiry report, Hansard transcripts and reports from human rights organisations, including Amnesty International and the United Nations.

Transfield is considering whether to extend its contract with the government for a further five years, after being named in August as the sole preferred tender for the lucrative contract. Neither it nor the Department of Immigration and Border Protection has disclosed how much the contract is worth.

“Significantly, many of Transfield’s stakeholders, including clients, investors and financiers, have publicly and explicitly committed themselves to the human rights standards set out in the UN’s guiding principles,” the report found.

“Even presuming that the provisions of international rights law were not considered at all, it is difficult to imagine how, in modern Australia, any company would enter an association with child abuse, let alone profit from the systematic infliction of it.”

No Business in Abuse alleges that because Transfield makes decisions about asylum seeker and refugee welfare, accommodation, food, clothing, water and security, it had an obligation to ensure those services were provided safely and humanely.

Earlier this month, Nauru police closed an investigation into the alleged rape of a 26-year-old Somali refugee on Nauru, citing a lack of evidence. In a separate case, a Somali refugee was raped on Nauru and subsequently became pregnant. A number of police investigations are under way into allegations of assault at the centre.

Shen Narayanasamy, the executive director of No Business in Abuse, said the group had taken a “conservative approach” in compiling the report, only using evidence that had been independently and credibly assessed.

“We didn’t rely on the many excellent media reports that are out there establishing abuse,” she said. “Nonetheless, we came up with a whopping 47 violations of international law. I think that indicates to us the importance of this report.”

Guardian Australia has contacted Transfield and the office of the immigration minister, Peter Dutton, for its response to the findings.

No Business in Abuse also met with Transfield executives three times to get responses to their findings for inclusion in the report, which said: “Transfield attempted to put the argument that if Transfield wasn’t complicit in abuse, then a (hypothetically) worse company could be.”

Cindy Briscoe, a deputy commissioner with the Australian Border Force, told a Senate estimates hearing in Canberra earlier this month that between 15 January and 15 August, there were 74 self-harm incidents and 23 threats of self-harm at the Nauru offshore processing centre. In the same period, there were 34 cases of self-harm and two threats of self-harm at the Manus Island processing centre.

The No Business in Abuse report said that, according to Transfield’s own major or critical incident reports, someone tried to self-harm every four days, an assault occurred every five days and a sexual assault every three-and-a-half months between the centres.

“That’s the reality we’ve been able to piece together, in a situation where the United Nations is not allowed to visit, Amnesty International has been unable to visit, and since Transfield took over the Manus Island detention centre there has not [been] one single independent, credible third party allowed to see the detention centre,” Narayanasamy said. She later clarified that any inspection that might have been carried out had not been made public.

“This company is trying to argue that, in this point of time, that it is not complicit in any abuse. We ask if they are not complicit in any abuse, then what is there to hide?”

“The argument often put forward is that if the Australian government thinks it’s OK, then it’s legitimate. But history is littered with examples of gross human rights abuses sanctioned by the state.”

Last week the immigration minister, Peter Dutton, said independent monitoring of conditions for asylum seekers and refugees in offshore processing facilities was unnecessary.

<http://www.theguardian.com/australia-news/2015/oct/27/transfield-given-15bn-over-three-years-to-manage-nauru-and-manus-centres>

## 30. Tempestuous AGM ahead for Transfield Services

Sydney Morning Herald  
October 23, 2015  
Jenny Wiggins

Transfield Services is facing a stormy annual general meeting on Wednesday as activists prepare to release a report on alleged abuses at detention centres on Manus Island and Nauru run by the contractor and organise protests.

No Business in Abuse, the lobby group that opposes companies making money out the detention centres, is aiming to release a report that it claims will detail "Transfield's complicity in human rights abuses" as early as Monday.

The group plans to participate in protests outside Wednesday's AGM in Sydney and will hold proxies for some Transfield investors, allowing it to also raise questions inside the meeting.

Transfield has said there have been no "substantiated claims" of abuses by its employees against asylum seekers at the detention centres. It declined to comment on the AGM.

The AGM comes as Transfield prepares to renew a contract to provide welfare and security services at the detention centres for a further five years.

Corporate governance experts say Transfield should continue to push for greater transparency at the detention centres, including independent monitoring.

"Investors would then be better able to judge whether or not they perceive a potential exposure to human rights risks, or to the flow-on effects of reputational risk on Transfield's broader business," said Citigroup environmental, social and governance analyst Elaine Prior in a report this month.

Some institutional investors, including industry superannuation fund HESTA, have sold their stake in Transfield following lobbying from members opposed to the contractor's management of the detention centres.

Proxy groups ISS and CGI Glass Lewis have both recommended that investors vote for all resolutions at the AGM, including the remuneration report and the re-election of chairman Diane Smith-Gander.

But ISS warned that chief executive Graeme Hunt's fixed pay of \$1.5 million was "significantly above the median" compared with similar-sized companies despite having dropped 78 per cent since the previous year.

It also raised questions on how Mr Hunt met the "achievement of personal objectives", which account for 25 per cent of his short-term bonus. Mr Hunt received a \$904,505 cash bonus in 2014-15.

"Disclosure of non-financial targets will be even more important moving forward given that the company's remuneration arrangements should be under increased scrutiny given recent concerns relating to the company's regional processing centres," ISS said.

CGI Glass Lewis also said it had concerns over Mr Hunt's high pay packet, which totalled \$3.63 million in 2014-15, and the poor disclosure on his short-term bonus targets.

Transfield will also ask investors at the AGM to approve changing its name to BroadSpectrum.

<http://www.smh.com.au/business/tempestuous-agm-ahead-for-transfield-services-20151022-gkfi84.html>

## 31. Protesters target Transfield AGM over 'human rights abuses' in offshore detention

ABC News Online  
By Ursula Malone and staff  
First posted Wed 28 Oct 2015, 11:41am  
Updated Wed 28 Oct 2015, 12:22pm

Several hundred protesters gathered outside the annual general meeting of offshore detention operator Transfield are calling on the company not to renew its contract with the Australian Government on ethical grounds.

Shareholders for Transfield, which operate Australia's offshore detention centres on Nauru and Manus Island, have gathered for the company's annual general meeting at The Mint building in Sydney's CBD.

As directors began their opening comments two separate protesters, attending as proxies, disrupted the start of the meeting.

A man holding a banner opposing detention centres was asked to leave by a speaker three times and was then escorted from the room by security guards.

Immediately afterwards, a woman stood up and challenged the company's board on its operations in Nauru but after refusing repeated requests to sit down, was removed from the room by security.

As the meeting commenced the AGM heard that Transfield directors had visited Nauru.

"We have seen first-hand the high quality services that your company is delivering," said Diane Smith-Gander, chairman of Transfield Services.

"It is clear that the care and wellbeing of asylum seekers is paramount. It is challenging work.

"We accept our services are delivered in a politically-charged environment."

Ms Smith-Gander said the company played no part in political decision-making regarding immigration processing centres.

"We have no responsibility for these policies and play no role in their development," she said.

Transfield Services chief executive Graeme Hunt announced that the company's contract to run the Federal Government's immigration processing centres had been extended for four months until March 2016.

Mr Hunt said Transfield would then be well-placed to sign a new five-year contract.

"We will continue to work at ways that the asylum-seekers can integrate into the wider Nauruan community," he said.

He said all incidents at Transfield-run centres were carefully documented and he was concerned at comments from critics to the contrary.

### ***Report targets policy 'over which Transfield has no influence'***

The demonstrations followed a report that alleged Transfield Services had been complicit in human rights violations.

The No Business in Abuse (NBIA) report, released by campaigners including the activist group Getup, alleged Transfield Services had been complicit in violating 47 human rights laws through its operation of the centres.

The report said 2,000 asylum seekers had been victims of human rights abuses - including sexual assault, child abuse and what it called "unlawful detention" - while Transfield made millions of dollars.

"A company doesn't need to be the sole cause of an abuse to hold responsibility for it," the report said.

"It can aid and abet that abuse, knowingly providing practical assistance or encouragement that has a substantial effect on the commission of the abuse."

Shen Narayanasamy from No Business in Abuse accused Transfield of profiting from human rights abuses.

"This company has been paid \$1.4 million of taxpayer money a day for the last three years to run these centres and we're here to tell them today that the financial, reputational and legal damage of their association with abuse needs to stop," she said.

Protester Javed de Costa from the Divest from Detention group said they wanted to send a message to shareholders.

"[The] Transfield share price has halved since they took on detention contracts," he told the ABC.

"They've been unable to pay their shareholders dividends for three years in a row now and that's evidence that campaigns like boycott and divestment do have consequences, consequences they will continue to have as long as Transfield holds detention contracts."

In a statement, Transfield said the report targeted government policy "over which Transfield Services has no influence".

"It singles out Transfield Services, despite many entities, including NGOs, being involved in the delivery of these services," the statement said.

Transfield said it had zero tolerance for abuse and was working "to improve the lives of asylum seekers" under a strict code of conduct.

It said the document contained factual errors and misrepresented statistics.

Earlier this month, more than 12,00 people including Australian of the Year Rosie Batty signed an open letter calling on Prime Minister Malcolm Turnbull to close down the centres.

The open letter was sparked by the alleged rape of a 23-year-old Iranian woman on Nauru.

### ***Transfield investors should get involved, union says***

The union representing immigration detention service staff has called on Transfield investors to consider the report.

The United Voice union wants shareholders to put pressure on the company to improve human rights and labour standards.

National secretary Jo-anne Schofield said current and former employees had told the union that change was urgently needed.

"We're seeing a lot of pressure due to poor management of the centres being squeezed down on to staff who are really trying to do their job in a very volatile environment," she said.

"Transfield can't wash its hands of liability to people in detention or its staff.

"We want better systems for training and supporting staff and particularly looking after staff wellbeing, there needs to be improved management and oversight of sub-contractors and better processes and systems in place to monitor and investigate and resolve complaints."

<http://www.abc.net.au/news/2015-10-28/transfield-manus-island-nauru-detention-centres-protest/6892430>

## **32. Protesters disrupt Transfield meeting over Manus and Nauru contract**

Extension of Transfield Services contract to manage Australia's offshore detention centres announced shortly before shareholders' gathering

The Guardian

Paul Farrell

Wednesday 28 October 2015 17.22 AEDT

Protesters have disrupted Transfield Services' annual general meeting, calling on the company to cut its ties to Australia's offshore detention centres.

Two protesters from Divest from Detention network interrupted Transfield's chair Diane Smith-Gander's opening speech to present a letter signed by 844 asylum seekers and refugees on Manus Island and Nauru.

The company announced shortly before the meeting that it has signed a four-month extension to its contract with the immigration department to manage Australia's offshore detention centres on the islands.

Smith-Gardner asked the two protesters to leave, and they were escorted out by security guards. A police officer gave one of the protesters, Angela Mitropoulos, a move-on direction and she was ordered to leave the CBD.

"We interrupted with the banner during Diane's introduction, and she kept personally asking me to leave," Mitropoulos said. "Then security dragged us out and the police gave me the move on order.

The messages from the group said: "We will continue to target Transfield Services, no matter what, until they stop running detention centres. We will continue to target any detention contractors, as we have done by throwing Transfield Services out of the Sydney Biennale and by chasing them from superannuation funds like Hesta."

Around 100 other protesters chanted outside the Sydney building the AGM was held in. A heavy police and security presence prevented a number of protesters attempting to enter the meeting. Inside the meeting no recording was allowed.

Smith-Gander was re-elected to the board of Transfield.

The company announced shortly before the meeting that it has signed a four-month extension to its contract with the immigration department to manage Australia's offshore detention centres on Manus Island and Nauru.

The extension of Transfield's contract for Manus and Nauru is a surprise because the company was named as the preferred tenderer for the next four-year contract with the immigration department.

A statement from the company said: "The deed extends the company's current contract for a further four month period allowing for the progressive transition to any new contract arrangements entered into by the Department of Immigration and Border Protection. Any such new contract is expected to take effect from March 2016."

The Australian National Audit Office (ANAO) has announced a review into procurement and contract procedures on Nauru and Manus Island, due to be tabled in autumn next year.

The No Business in Abuse lobby group – which launched in partnership with GetUp in September – has been working to persuade investors to put pressure on Transfield over its role managing Australia's asylum seeker processing centres on Nauru and Manus Island by divesting, and encouraging local businesses not to contract with the company.

On Tuesday it released a report that was highly critical of the company's involvement with the offshore detention regime.

<http://www.theguardian.com/australia-news/2015/oct/28/transfield-contract-to-operate-manus-and-nauru-extended-by-four-months>

### **33. Tasmania's newest Rhodes Scholar wants to tackle asylum seeker processing**

ABC News Online

By Edith Bevin

Posted Wed 28 Oct 2015, 10:05am

Tasmania's latest Rhodes Scholar wants to use the prestigious research grant to tackle the growing issue of processing asylum seekers in Australia.

Emilie McDonnell, 23, joins an impressive list of people to be awarded the scholarship that will see her study in Oxford, England.

Previous Rhodes Scholars include internationally acclaimed author Richard Flanagan and Prime Minister Malcolm Turnbull.

"I'm overwhelmed and really excited," she said.

"I'll be studying a Bachelor of Civil Law at Oxford and then hopefully progressing on to the Masters of Philosophy in Law," she said.

"I'll be focussing on undertaking a thesis focussed on international refugee law, looking at the legal framework for processing asylum seekers here in Australia.

"In 2013, with a group of lawyers in the Tasmanian community, we founded the Refugee Legal Service to help Tasmanian asylum seekers.

"That's really what motivated me to apply for the Rhodes Scholarship so that I could look at it from an Australian focus and also an international level.

"It basically will mean, especially at Oxford, that I will be learning from the best people in the field and hopefully it will provide a perfect career trajectory for me at a certain agency that focuses on international refugee law or human rights issues."

Ms McDonnell said she found out about five minutes before the official announcement by Tasmanian Governor Kate Warner at Government House and had to swear her parents and partner to secrecy.

"I was allowed to give them a little heads up of how I was feeling so they did know but I told them to keep really calm," she said.

"I was very overwhelmed and excited.

"It was a big relief to find out because my interview [for the scholarship] finished at 10am yesterday and I was feeling the pressure building slowly over the night and this morning waiting to find out, just waiting.

"The process I found really long and nerve wracking."

#### ***Ultimately wants to 'make a difference'***

Ms McDonnell beat two other candidates for the honour.

"They're both amazing as well so I feel very lucky but I'm sure they'll have amazing careers regardless," she said

Ms McDonnell said the list of past Rhodes Scholars was impressive.

"It feels amazing and I hope I can live up to it and I hope that I can do some amazing things like they've done," she said.

"I guess it's the ultimate desire to make a difference and if I actually want to make a difference you need to have that understanding and knowledge behind you.

"Oxford offers that for the area that I'm passionate about so international refugee law and human rights law and the Rhodes is the ultimate way to achieve that.

"It's very prestigious and will give you that kick start that you will not get anywhere else."

Her celebrations will have to wait two weeks until she finishes her exams to graduate with a Bachelor of Arts majoring in Criminology and a Bachelor of Law.

However, Ms McDonnell said there would be no study after today's announcement.

"I don't know whether I'd be able to focus," she said.

Ms McDonnell will head for Oxford in September next year to take up the three-year scholarship.

<http://www.abc.net.au/news/2015-10-28/rhodes-scholar-wants-to-tackle-asylum-seeker-processing/6892128>