

Project SafeCom News and Updates

Monday, 21 March 2016

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1. February smashed all-time global heat record, setting 'ominous' climate milestone

ABC News Online

First posted Mon 14 Mar 2016, 8:55pm

Updated Mon 14 Mar 2016, 9:12pm

February 2016 smashed all records to become the warmest seasonally adjusted month in more than a century of global record keeping, new data released by NASA shows.

The data, which compares each month going back to 1880 against average temperatures between 1951 and 1980, confirms preliminary analysis that February was the hottest month on record.

Although the absolute hottest month on record was July 2015, July and August tend to be 4C hotter than January and February because the large land mass in the Northern Hemisphere cools the planet during the northern winter, explained meteorologist Dr Jeff Masters.

Writing on the Weather Underground blog, Dr Masters and his co-author Bob Henson said February was exceptional because it was 1.35C hotter than the long-term average, while July was only 0.75C hotter than average.

"Perhaps even more remarkable is that February 2015 crushed the previous February record [set during the peak of the 1997-98 El Nino] by a massive 0.47C," they wrote.

The previous record was January this year, at 1.14C hotter than average, which broke the December 2015 record of 1.10C.

NASA's data also showed that although October 2015 was the first month since 1880 to be more than 1C warmer than average, every month since October has exceeded that mark.

The last month to be colder than average was September 1992, and the last year with two months colder than average was 1978.

Warming 'completely unprecedented', world now in a climate emergency

Dr Masters and Mr Henson described February's result as "an extraordinary margin to beat a monthly world temperature record by," and an "ominous milestone".

"This result is a true shocker, and yet another reminder of the incessant long-term rise in global temperature resulting from human-produced greenhouse gases," they said.

Professor Stefan Rahmstorf from the Potsdam Institute of Climate Impact Research and a visiting professorial fellow at the University of NSW, told Fairfax Media that the warming was "completely unprecedented."

"We are in a kind of climate emergency now," he said.

"Governments have promised to act and they need to do better than what they promised in Paris."

The COP21 climate conference in Paris signed an agreement in December 2015 that repeated a 2C target but said the world should pursue a target of limiting warming to 1.5C above pre-industrial levels.

However, Dr Masters said the world is already 1C warmer than the late nineteenth century, and heat stored in the oceans has already committed us to at least another 0.5 degrees of atmospheric warming.

"In short, we are now hurtling at a frightening pace toward the globally agreed maximum of 2.0C warming over pre-industrial levels," he said.

Dr Masters said the next several months should remain well above the long-term average, and 2016 may top 2015 as the warmest year in global record-keeping.

<http://www.abc.net.au/news/2016-03-14/february-smashed-all-time-global-heat-record/7246356>

2. Record-breaking autumn temperatures points to a hotter future, environmentalists warn

ABC News Online

Posted Sun 20 Mar 2016, 11:55am

Record-breaking hot weather across Australia in autumn could have long-ranging consequences, the Climate Council says, with warmer conditions set to continue.

In the first week of March, temperatures in parts of south-eastern Australia were 12 degrees Celsius warmer than average, the report titled *The Heat Marches On* said.

The Climate Council's Tim Flannery said El Nino weather patterns had caused Australia to heat up, and that hotter conditions were expected in future.

"As long as El Nino persists, we will see these very hot conditions," he said.

"Once El Nino fades, we will go back to less extreme conditions.

"But the next El Nino will bring a higher spike again, because the background level of greenhouse gases that is capturing ever more heat just continues to grow."

Mr Flannery said the heat was having consequences around the world.

"The fact that we have seen record high temperatures over the Arctic ocean through this winter ... means that we are looking towards a summer with potentially very low ice volumes," he said.

"That will have a global impact. These warm conditions throughout the earth now are really having an impact on humanity in so many ways.

"Droughts, enhanced fire conditions, changed rainfall patterns, shrinking glaciers. We are now living in a new climate."

Renewable energy is key: environmentalists

The Climate Council report said Perth had suffered through more 40-degree days in 2015-2016 than ever before, and Sydney recorded 39 consecutive days over 26C this year.

The first nine days of March in Victoria were about 10C above average, the report said, and Echuca sweated through eight days in a row above 38C.

Climate Council chief executive Amanda McKenzie said extreme heat had a big impact.

"As it gets hotter, fire risk is exacerbated. We saw that in Tasmania with the extreme fire in the World Heritage Area," she said.

The report said the unusually high temperatures pointed to human-driven climate change.

Ms McKenzie said extreme conditions would continue unless Australia moved away from fossil fuels and towards more renewable energy.

"We have moved from a period of climate change concern where scientists have been warning us about the consequences of climate change, to now an era of climate change consequences," Ms McKenzie said.

"We are seeing extreme heat, hot days; heatwaves are longer, they are hotter, they are happening more often. We will see that accelerate if we don't do anything more."

On the sidelines of last year's climate talks in Paris where leaders struck a deal to slow the pace of global warming to well below 2C, Foreign Minister Julie Bishop said fossil fuels still had a future in Australia.

Ms Bishop said long-term change would come through new energy technologies.

<http://www.abc.net.au/news/2016-03-20/hot-autumn-weather-across-australia-may-have-consequences/7261312>

3. CSIRO climate cuts 'a catastrophic failure of public policy', Senate told

US and Australian climate research experts say staff cuts will make it hard for Australia to achieve best policy results in international negotiations

The Guardian
Michael Slezak
Friday 11 March 2016 00.46 EST

Cuts to climate research at Australia's science agency, CSIRO, are a "catastrophic failure of public policy" that will damage the UN's climate change work and will hinder Australia's ability to represent its self-interest at international climate change negotiations, the Australian Senate has heard.

The UN's Intergovernmental Panel on Climate Change produces the world's most authoritative statements on the nature of climate change, its impacts, and how to adapt to and mitigate it. To do that, it combines a suite of climate models.

That process would be hampered by the CSIRO's recent decision to shift resources away from climate modelling and monitoring, Karl Taylor, of the program for climate model diagnosis and intercomparison at the Lawrence Livermore National Laboratory in the US, told a Senate committee hearing on Friday.

"The CSIRO model ... has been involved in all of these international modelling activities that have contributed immensely to the IPCC's understanding of climate change, and that would be cut dramatically," he said.

The cuts would also make it hard for the government to achieve the best results for Australia at international negotiations.

"When the government prepares to go to the conferences annually where they discuss climate change policy – and negotiate, as they did in Paris this last year – they need advice," he said.

"And I think cutting the efforts at the CSIRO will undermine the government's ability to really represent its own self-interest at those negotiations because they would lose the advice of the experts there."

Paul Durack, also from the Lawrence Livermore National Laboratory, said it did not make sense to cut from work on understanding climate change in order to shift towards work on adaptation and mitigation.

He said the IPCC process demonstrated the problem with that logic. In that process, the IPCC publishes three chapters or "working groups". The first is on the physical basis of climate change. The other two, which focus on the impacts and how to mitigate and adapt to them, are published later, and rely on the information published in the first chapter.

"The way it occurs very much highlights the dependence between these different working groups and the requirement to actually have physical information about the climate system," Durack said. "You can't do these things independently and they're very much dependent on one another."

David Karoly, from the University of Melbourne, told the committee the decision would be wasting millions of dollars of investment in expertise.

"My estimate is it is of the order of 1,000 person years of experience or more," he said. "And that's at least \$100m of investment. And it appears to be thrown away or put into a rubbish bin."

Snow Barlow, from the University of Melbourne, works on climate change adaptation and mitigation. He told the committee it was a mistake to take resources away from monitoring and modelling climate change to focus on adaptation and mitigation: "It's a catastrophic failure in public policy."

In a hearing on Wednesday, the same committee heard the CSIRO's international reputation had already been "trashed" by the announced cuts, and a new science body was needed.

Earlier, a report by the Climate Council said the cuts would breach Australia's obligations under the recent Paris climate change agreement.

The CSIRO's chief executive, Larry Marshall, said in a radio interview last month the reaction to his planned cuts was more like religion than science, and compared climate science with the oil lobby in the 1970s. He later apologised for the reference to religion.

<http://www.theguardian.com/australia-news/2016/mar/11/csiro-climate-cuts-a-catastrophic-failure-of-public-policy-senate-told>

4. Crossbench will survive double dissolution poll: analysis

The Australian

March 18, 2016 12:00AM

Phillip Hudson, Bureau Chief Canberra

Rosie Lewis, Canberra Reporter

A double-dissolution election will not wipe out the “dysfunctional” Senate crossbench, according to analysis from the Parliamentary Library that suggests the number of independent and micro-party senators could increase.

As Malcolm Turnbull weighs up whether to spill the entire Senate to hold a July 2 election, the advice finds the number of crossbenchers could increase by eight to 10 or 11 under the new Senate voting rules.

Ricky Muir and John Madigan might be the only existing crossbenchers to be defeated, it found.

Contrary to claims by Labor, the report suggests the Coalition and the Greens, which have made a pact to pass the biggest changes to the Senate voting system in 32 years, would not gain the balance of power.

The Greens stand to lose two seats, from 10 to eight, while the Coalition's numbers would either be steady or fall by one. Labor would be unchanged.

It indicates the Coalition's hopes of a double dissolution wiping out the crossbench are flawed and leaders would have to actively campaign for Senate votes in a way that has not happened previously.

If the predictions eventuate, the Prime Minister could find himself in a tricky situation, with the previous goodwill between him and most crossbenchers all but gone.

Mr Turnbull began his prime ministership wooing crossbenchers — personally calling them, giving them their own meeting room and an extra staff member — but their anger and surprise at the government's decision to change the Senate voting system has extinguished any rapport.

“He's blown it as far as that goodwill is concerned,” Liberal Democrat David Leyonhjelm said.

A clearly deflated Family First senator Bob Day said the government-Greens deal “raises the question of how genuine the original charm offensive was” after Mr Turnbull this week declared “dysfunction” in the Senate must end.

The government and the Greens have defended their decision on optional preferential voting by saying it gives them no advantage but puts power back in the hands of voters instead of shadowy preference deals decided by complex group voting tickets.

Palmer United Party senator Zhenya Wang said crossbenchers had hoped Mr Turnbull “would be a true leader” but had been left disappointed, with no “substantive change” of approach between the current PM and Tony Abbott.

Independent senator John Madigan said: “Prime Minister Turnbull invites you to dinner at The Lodge at the taxpayers' expense after kicking you in the teeth ... No integrity, no reason, no honesty and no bloody idea.”

The Parliamentary Library cautions that its analysis is hypothetical and has limitations. It says the 2013 half-Senate election was “unusual in a number of ways which will likely not be replicated identically in future elections”. For example, it says the PUP and Liberal Democrats substantial votes are unlikely to be repeated.

It also warns that the new voting system could cause people to vote differently and a double dissolution could attract more candidates because the number of votes required to win a seat is half the usual quota.

The research, based on the 2013 Senate election, allocates five seats for Palmer United, up from the three it won in the half-Senate poll.

It predicts Nick Xenophon would win three seats in South Australia alone, but makes no allowance for his decision to run candidates in others states.

The Liberal Democrats and Family First would retain their seats and, based on the last election, Katter's Australian Party could win a Queensland seat from the Coalition by 100 votes.

<http://www.theaustralian.com.au/national-affairs/crossbench-will-survive-double-dissolution-poll-analysis/news-story/3d01d3b64200e9fe70242f7d6bc1b345>

5. George Williams: Hazem El Masri case shows Australia has a problem with innocent until proven guilty

The Age
March 15, 2016 - 6:25PM
George Williams

Australia has a problem with the presumption of innocence. It is being displaced by a rush to judgment. The reasons for this are understandable, but problematic. People want to believe that the perpetrator of a violent act has been found and arrested. They want to see someone punished for the crime.

The likelihood of prejudgment is increased when the accused fits the profile of a person expected to be involved in illegal activity. Such stereotypes are reinforced by media reporting, and can be compounded by politicians willing to echo, rather than question, community preconceptions.

NRL players are often subject to such assumptions of guilt. Former NRL star Hazem El Masri is an example. Despite an unblemished record as a player, and a long history of community service, many were ready to assume that allegations of domestic violence were well-founded.

As El Masri has said: "A lot of people branded me guilty without even a presumption of innocence beforehand ... Everyone wants to jump on that bandwagon". The result was "probably ... the toughest thing in my whole life". The episode has come at a great personal cost, even though he has now been vindicated. The allegations against him have been shown to be false, and the charges withdrawn by the police.

His case raises questions about how well we respect the notion that a person must be treated as innocent until proven guilty. Known as "the golden thread" of the criminal law, the presumption means that the prosecution must prove the guilt of a person beyond reasonable doubt. This enables our society to be underpinned by justice and fair treatment. It acts as a crucial counterweight to the tendency to prejudge.

The law must reflect this principle. Unfortunately, and increasingly, it does not. For many years, parliaments around Australia have enacted new statutes that erode the presumption of innocence. This in turn has contributed to a growing community culture in which it has become more acceptable to judge a person based upon media coverage and political commentary, rather than on the basis of evidence assessed by a judge or jury.

This problem is now so widespread that it was the subject of a speech last month by the Chief Justice of NSW, Tom Bathurst. His survey of the NSW statute book threw up more than just a few instances here and there. The results were shocking in showing that breaches of the presumption have become a routine part of the legislative process. His conservative estimate was that there are at least 52 laws in the state that encroach upon the principle. It is being whittled away, piece by piece.

One example is section 685 of the Local Government Act. It reverses the presumption of innocence by making that mere allegations, such as that someone has not received a council approval, is "sufficient proof of the matter" alleged. In the words of the chief justice, this "renders someone guilty of a criminal offence by a mere accusation".

Another example is section 60E of the Water Management Act. It says that where water is taken without a licence, the occupier of the relevant premises is deemed guilty of an offence. Remarkably, the act goes on to state that this does not prevent proceedings being brought against "the person who actually committed the offence".

Federal law provides many further examples. A long list is set out in the report on traditional rights and freedoms released earlier this month by the Australian Law Reform Commission. Some of the federal laws that breach the presumption are in expected areas such as terrorism and drug offences. Others relate to taxation, copyright and marriage.

The commission's report reveals that infringements upon the principle are pervasive, and that many such laws are enacted without exciting media attention or political debate. It has simply become common to treat a person as being guilty unless they can show otherwise.

The consequences are enormous. It means that people can be imprisoned where once they would have been let free. Bail laws have been tightened, and prisons filled to overcrowding, on the basis that accusations should more readily allow a person to be detained before trial. Despite this, politicians are still prone to recite the mantra that a person is innocent until proven guilty. At some point, such exhortations must ring hollow.

As the long list of laws breaching the presumption of innocence grows, we are losing something fundamental and important from our system of justice. A long-standing principle protective of individuals and the truth is giving way to a regime based increasingly upon assumptions and premature judgment. In the light of this, the treatment of El Masri should come as no surprise.

<http://www.theage.com.au/comment/hazem-el-masri-case-shows-australia-has-a-problem-with-innocent-until-proven-guilty-20160315-gnjf4r.html>

6. Mojgan Shamsalipoor: Queensland Minister's tearful plea to Peter Dutton to grant asylum

ABC News Online

Posted Wed 16 Mar 2016, 8:18am

A Queensland Government minister has choked back tears while urging the Immigration Minister to grant one of his constituents asylum in Australia.

Mojgan Shamsalipoor, 21, came to Australia by boat from Iran in 2012 and was initially detained on Christmas Island before being released into community detention in Brisbane.

After living in Brisbane for two years, she was placed in immigration detention in Darwin.

Member for Yeerongpilly and Energy Minister Mark Bailey used a speech in Parliament overnight to urge Peter Dutton to review her case.

"Mojgan's case is unresolved and will remain unresolved unless the Minister can look at the matter in detail, I sincerely appeal for Minister Dutton to look into this case, and to grant justice to Mojgan," he said

"Mojgan is suffering in detention she is a young woman who has been imprisoned for seven months and is stuck with no way of returning to freedom with no prospect of release."

Mr Bailey said Ms Shamsalipoor was suffering in detention.

"I understand the Federal Government has just met with the Iranian Foreign Minister and agreed for Iranian refugees to not have to return to Iran," he said.

"This is the time for the Minister to review Mojgan's case and to free her and grant her permanent residency in Australia, to reunite her with her husband, to reunite her with her friends."

<http://www.abc.net.au/news/2016-03-16/mark-bailey-urges-peter-dutton-grant-asylum-mojgan-shamsalipoor/7250420>

7. Lindsay Murdoch: Tracking down two refugees in Cambodia

Sydney Morning Herald

March 19, 2016

Lindsay Murdoch

How I found myself in the teeming Cambodia capital trying to find two refugees from different countries whom I knew nothing about, not even their names, can be traced back to the eve of the AFL grand final in 2014.

Scott Morrison raised a glass of bubbly at the time to toast spending \$55 million of taxpayer's money to relocate refugees from Nauru to Cambodia.

It quickly became clear to journalists corralled behind rope barriers in a cavernous hall of the Ministry of Interior in Phnom Penh that the then immigration minister did not intend to explain anything, or answer any questions about the deal.

"What about to the pay-off (to Cambodia)," a journalist shouted.

The ceremony marked the beginning of a top secret military-style operation that has been condemned by the UN refugee agency, Cambodian opposition MPs, and human rights and refugee groups.

The operation was headed by Major-General Andrew Bottrell, the commander of Australia's Joint Agency Task Force for Operation Sovereign Borders.

Senior Australia officials made many trips to Cambodia and Cambodian officials flew to Nauru at least three times, all in secret.

There were secret high-level meetings in Canberra and Phnom Penh.

A campaign was launched on Nauru to try to convince the hundreds of refugees there that Cambodia was a sort of developing world utopia.

More than 1000 refugees were expected to take-up the offer, and then were dozens, and then just a few.

Requests to the media office of the immigration minister, who was by then Peter Dutton, for information were met with stonewalling.

When journalists learned through refugee advocates in Australia that the first four refugees were about to leave Nauru I rang Dutton's office and pleaded for orderly media arrangements.

There was to be no co-operation.

The refugees were taken to an airport office far-away from the lenses of media crews corralled at an airport entrance (one photographer, though, got an exclusive snap by hiding under bushes), before they were whisked in a van to a then secret luxury villa, where they were to start their new lives.

But there was a problem: a freelance photographer I had hired was following them through the city's crowded streets on his motor cycle.

One official in the van recognised him and rang his mobile telephone to advise that unless he ended the pursuit, he would have trouble getting future assignments in Phnom Penh.

He gave up the chase.

The four refugees disappeared into the obscurity of a city of millions, cared for by the International Organisation for Migration, an international agency which had entered into a multi-million dollar contract with Australia to do the job.

Over months, though, refugee advocates in Australia heard the refugees in Phnom Penh were not happy, with complaints they were kept house-bound and had not received a promised lump-sum payment.

One refugee returned to Myanmar and another arrived and then news leaked out from Cambodian officials in early March that a couple had returned to Iran, prompting renewed interest in the remaining two.

The government defended the \$55 million Cambodia deal saying it has been part of its success in stopping the boats.

I was assigned by an editor to interview them, a tall order, given their identities still remained a closely guarded secret by both Australia and Cambodia.

I asked the IOM for help.

"They are free to talk to you but we are not going to suggest it," replied Joe Lowry, the organisation's spokesman in Bangkok.

Facebook provided the first breakthrough.

A refugee source in Australia told me the Iranian refugee's name was Hesam Eskandari, who is known as Daniel.

After trying many name variations I typed in "Daniel Eskandari Phnom Penh," and bingo, up he came, photographed in front of a Cambodian temple.

I sent him a message.

I knew nothing about the Rohingya man but my colleague Nara Lon, a Cambodian fixer and interpreter, knew the location of the villa that Australia had rented, so he went and knocked on the door. The refugees no longer lived there, he was told.

Nara Lon spoke to neighbours and a local village chief. Nobody knew where they had gone.

NGOs and the police were dead ends. I assumed the man was a devout Muslim. Surely he would be known in at least one of the hundreds of mosques in Phnom Penh.

Nara Lon started asking Friday prayer goers in Khmer "does anyone know any refugees who have come from Nauru?"

It was mid-afternoon, when most people had gone, when by a stroke of amazing luck at one mosque Nara Lon approached Mohammad Yusuf, a Rohingya who had lived in Phnom Penh for eight years.

"Yes, Rashid, he's my friend. He's unwell at my house. You can come and see him," Yusuf said.

Mohammad Rashid, 26, was desperate to tell his story when we found him lying on the floor of Yusuf's house.

"I feel unwell, lonely and sad," he said. "I fear that I will die here."

<http://www.smh.com.au/national/tracking-down-two-refugees-in-cambodia-20160318-gnm53j.html>

8. Thousands join Palm Sunday rally in bid to save asylum seekers from Nauru

ABC News Online

By Jean Kennedy

Posted Sun 20 Mar 2016, 1:30pm

Thousands of people have joined a Palm Sunday rally in Sydney, calling on the Federal Government not to send almost 270 asylum seekers back to Nauru.

It comes after the High Court last month ruled that Australia's offshore detention at Nauru and Manus Island is legal.

The judgement cleared the way for 267 asylum seekers brought to Australia for medical treatment to be returned to Nauru.

Refugee advocates said many have been moved into community detention for now but the Government is threatening to ultimately deport them back to Nauru.

Sydney paediatrician Doctor David Isaacs told the rally he was sent to Nauru to treat sick children in detention in 2014, and found conditions there appalling.

"I was horrified by what I witnessed there," he told the rally in Sydney's Belmore Park.

"This is not a question of human rights, it's a question of human decency.

"If you were fleeing from oppression and in fear of your life and your children's lives, what would you want done to you? How would you want to be treated? Who will speak out for these people hidden away there?"

He accused the Government of using the threat of imprisonment under the Border Force Act to try to silence him and others from speaking out.

Church leaders from various faiths also addressed the rally, reiterating their offer of sanctuary to asylum seekers at risk of being deported.

Father Shenouda Mansour from the Coptic Orthodox Church also called for Nauru and Manus Island detention centres to be shut down.

"It's time to say we do not want any children in detention centres," he told the rally.

"We want them all released from these detention centres into the community."

<http://www.abc.net.au/news/2016-03-20/palm-sunday-rally-to-save-asylum-seekers/7261832>

9. Thousands rally to call for end to offshore detention of asylum seekers

Nationwide marches call for halt to plans to deport 267 asylum seekers back to Nauru or Manus Island and for those there to be processed in Australia

The Guardian

Merran Hitchick, Joshua Robertson and agencies

Sunday 20 March 2016 17.09 AEDT

Thousands have rallied in Sydney, Melbourne, Brisbane, Perth, Adelaide, Darwin and Canberra as part of a national campaign calling for asylum seekers bound for offshore detention to be allowed to stay in Australia.

Organisers say more than 50,000 people across Australia turned out for the national Welcome Refugee rallies on Palm Sunday, calling for compassionate treatment of asylum seekers.

Demonstrators reported a large turnout of more than 10,000 in Melbourne, where the rally was addressed by Greens senator Sarah Hanson-Young, Daniel Webb from the Human Rights Law Centre and former asylum seeker Nasir Yousafi from the Afghan Australian Association of Victoria among others.

Chris Breen from the Refugee Advocacy Network, an umbrella organisation of asylum seeker groups responsible for organising the Melbourne rally, said the speakers all called for an end to offshore processing.

He said the day's message was: "We are determined and we are not going away.

"We are going to keep coming out until Manus and Nauru are shut. There has been a heartening response to the Let Them Stay campaign ... Public opinion is beginning to shift and we think we will get Manus and Nauru closed."

Carrying "Free the refugees" placards and chanting "let them stay", protesters gathered in Sydney's Belmore Park before marching through the central business district.

Organisers are calling for 267 asylum seekers brought from Manus Island or Nauru to Australia for medical treatment to be allowed to stay.

Police, including officers on horseback, stood between the large crowd and a small but vocal group of anti-refugee protesters.

Refugee Action Coalition spokesman Ian Rintoul said it had been 50 days since the Australian government revealed it would remove the asylum seekers, after a high court action to keep them in the country failed.

"I'm here to say very clearly to you and those people on Manus Island and Nauru, we have not forgotten any single man, woman and child on Manus Island and Nauru," he told the crowd to loud applause.

"We will not rest until all of them are safe in Australia."

In Brisbane, speakers including comedian and ABC presenter Tom Ballard and reverend Peter Catt, a key figure in the church sanctuary movement, addressed a rally of about 300 people.

Ballard in a popular address led the crowd in a chant: "We are better than this."

Other speakers included John-Paul Sanggaran, a doctor who after working at Christmas Island detention centre with colleagues raised concerns about medical treatment and human rights breaches of asylum seekers.

The crowd, which included unions, church, Indigenous and refugee action groups, that marched from Queens park on a circuit through the city centre.

Crowds also gathered in front of St George's Cathedral in Perth on Sunday afternoon. The Perth event was organised by all church denominations, several church and Christian agencies as well as unions.

Rallies were also held in regional cities including Armidale and Lennox Head in New South Wales, Margaret River in Western Australia, Echuca in Victoria and Toowoomba in Queensland.

<http://www.theguardian.com/australia-news/2016/mar/20/thousands-rally-to-call-for-end-to-offshore-detention-of-asylum-seekers>

10. MEDIA RELEASE: Asylum seeker Palm Sunday protest on Nauru

Sunday March 20, 2016
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Asylum seekers, men, women and children on Nauru have staged a two-hour long protest at the gates of the family detention compound, RPC3. The asylum seekers chanted "Freedom" and Justice". Photos attached.

The Nauru protest co-incident with the Palm Sunday "Welcome Refugee" rallies around Australia.

Tens of thousands in Australia, joined the rallies and marches to call for the government to let the 267 asylum seekers from Manus Island and Nauru, stay in Australia, and to close offshore detention centres on Manus Island and Nauru.

For more information contact Ian Rintoul 0417 275 713

11. Let her stay: Queensland minister's tearful plea for asylum seeker

'Courageous' Iranian Mojdan Shamsalipoor now a 'prisoner with no prospect of release', Mark Bailey tells state parliament

The Guardian
Joshua Robertson
Tuesday 15 March 2016 23.39 EDT

A Queensland minister has shed tears and told an interjector to "shut up" during an impassioned plea in state parliament for a young Iranian woman to be allowed to stay in Australia.

Mark Bailey called on the federal immigration minister, Peter Dutton, to grant asylum to his constituent 21-year-old Mojgan Shamsalipoor, a "prisoner with no prospect of release" from a Darwin detention centre.

Shamsalipoor, who fled Iran after an alleged sexual assault and a pending forced marriage to an older man, was denied a partner visa despite her subsequent marriage to a permanent Australian resident.

She was forcibly moved to Darwin months from her graduation from Yeronga state high school in Brisbane last year, later completing year 12 with the help of teachers who “visited her in detention with materials and kept teaching her”, Bailey said.

Bailey told parliament that Shamsalipoor was “a courageous young woman” who was “respected and loved by her school community” but was now suffering after seven months in detention.

Shamsalipoor now had two options but “no choice”: to remain in detention or to return to Iran, where neither she nor her husband, Milad Jafari, who has been granted asylum, are guaranteed safety, he said.

“She cannot return to Iran,” Bailey said.

This left Shamsalipoor facing “indefinite incarceration in Australia, a country we revere for freedom and liberty”.

“Why? Because she stood up for herself. She fled oppression. She risked everything to escape people who did not respect her basic human rights.”

Bailey said it was time for Dutton to intervene, given the collapse of a federal government proposal to forcibly return Iranian asylum seekers from Australia and from offshore detention.

The Iranian foreign affairs minister, Mohammad Javad Zarif, said in Canberra hours earlier that Iran would not accept any of its citizens being repatriated against their will.

“We cannot force anybody to come back to Iran but if anybody wants to come back voluntarily, we always take our citizens with pride,” he said.

Previously, the Australian foreign affairs minister, Julie Bishop, had flagged an agreement that would allow Australia to forcibly repatriate asylum seekers on the condition Tehran guaranteed they would not face persecution or punishment.

Bailey said: “I sincerely appeal to Minister Dutton to look into this case and to grant justice to Mojgan.”

When the opposition MP Jarrod Bleijie repeatedly interrupted Bailey, complaining he had exceeded his allotted time to speak, the minister pressed on, saying the “tremendous community” in his electorate that had united behind Shamsalipoor “will not give up ... until justice is done”.

Bailey then rounded on Bleijie after another interjection: “You shut up! You just shut up!”

He withdrew the comment after Bleijie complained of being “personally offended”, but immediately added, “Shame on you.”

<http://www.theguardian.com/australia-news/2016/mar/16/let-her-stay-queensland-ministers-tearful-plea-for-asylum-seeker>

12. Stopping offshore detention, imposing time limits could save billions of dollars, data shows

ABC News Online

By political reporter Stephanie Anderson

Posted Sat 19 Mar 2016, 2:01pm

The Government could save almost \$3 billion over forward estimates by closing down offshore immigration detention and imposing a time limit for onshore detainees, Parliamentary Budget Office (PBO) modelling shows.'

But due to the unpredictable response that asylum seekers and those transporting them to Australia may have, the PBO data has been deemed to have "low reliability".

The documents, obtained by the ABC, state that the closure of offshore detention facilities would boost the budget by \$2.47 billion over the 2015-16 budget forward estimates period.

Transferring offshore detainees to onshore detention and imposing a 30-day time limit was also estimated to save \$448 million over the same period.

The introduction of a time limit for detaining asylum seekers before they are transferred into community detention has been proposed by the Greens, whose immigration spokesperson Senator Sarah Hanson-Young said could help make way for a more efficient system.

In a statement, Senator Hanson-Young said that the Government was spending billions of dollars on offshore immigration, which placed people in "appalling" conditions.

"The Government is forcing thousands of people to live in squalor and fear," she said.

"The Greens want to see the men, women and children who are in need of protection brought back to Australia so that they can live in safety."

Earlier this week, Immigration Minister Peter Dutton struck out at misinformation on Nauru.

He told reporters at Parliament House that Australia had a "good friend" in the island nation.

"The fact is that the Australian Government has provided a significant amount of support to Nauru," he said.

"The Nauruans are good people and we have provided millions of dollars, tens of millions of dollars, to help build hospitals, medical centres, help provide support around education, around meals, around providing payments to people.

"The misreporting of some information is motivated by other matters and sadly the Nauruans get fingered for that too regularly by people in the Australian media who should know better."

<http://www.abc.net.au/news/2016-03-19/closing-offshore-detention-centres-could-save-billions-pbo-data/7260692>

13. Indonesian foreign minister hopes countries will assist to resettle refugees

Canberra Times

March 19 2016 - 11:19PM

Jewel Topsfield

Indonesian Foreign Minister Retno Marsudi says she hopes other countries – including Australia – will assist with resettling refugees because Indonesia lacks the capacity to shelter them long-term.

Speaking ahead of a regional forum on people smuggling, Ms Retno said Indonesia understood the refugee crisis in Europe had affected the resettlement of refugees in Indonesia to a third country.

"We already hosted more than 13,000 thousand refugees and asylum seekers that have been years in Indonesia waiting to be resettled," she said in an interview with Fairfax Media.

"And May last year we received almost 2000 coming from Bangladesh and Myanmar."

"Of course there is hope from Indonesia not only to Australia but to every country to be more receptive to these migrants who have been waiting for resettlement."

Asked if Indonesia could integrate the refugees into its own society, Ms Retno said: "We could not do something beyond our capacity".

Australia resettles by far the largest number of refugees from Indonesia, accepting more than 2300 refugees since 2010.

In 2013 Australia resettled 808 out of a total of 898 in 2013.

However in 2014 Australia announced it would cut its quota to 450 and would not resettle anyone who registered in Indonesia after July 1, 2014 to discourage more people from coming to Indonesia.

Foreign Minister Julie Bishop and Immigration Minister Peter Dutton will attend the sixth Bali Process Ministerial Conference in Bali next week, a regional forum with 45 member countries that is co-chaired by Indonesia and Australia.

"It is important that all nations take a strong stance against the criminal networks that engage in people smuggling and human trafficking," Ms Bishop said.

"We must have close co-operation and effective partnerships with countries across the Indo Pacific region and that is why the Bali Process is important."

Indonesia is not a party to the 1951 Refugee Convention and offers no formal rights to refugees and asylum seekers.

Ms Retno told Fairfax Media Indonesia was not aiming in the short term to become a party to the convention.

But she said Indonesia's humanitarian response to the refugee crisis in Southeast Asia last year went beyond the principles of the convention.

In May 2015 about 8000 people were stranded in the Bay of Bengal and Andaman Sea after they were abandoned by boat crews following Thailand's announcement of a crackdown on human trafficking.

After initially pushing back boats, Indonesia agreed to provide shelter to 2000 Bangladeshi migrants and Rohingya refugees on the proviso they would be resettled by the international community within a year.

However Ms Retno said this deadline was no longer realistic given the refugee crisis in Europe and Indonesia would continue to hold discussions with the UNHCR and International Organisation of Migration.

UNHCR spokesman Andreas Needham said 370 people were believed to have died in the Bay of Bengal and Andaman Sea last year – mostly from mistreatment and disease brought about by smugglers.

"The toll also includes those killed in a fight over diminishing supplies on a boat that had been prevented from landing on two occasions," Mr Needham said last month.

"Some of these deaths could have been prevented with prompt disembarkation."

He said there remained an urgent need for affected states to take concrete actions to co-ordinate procedures for rescue at sea, places to disembark passengers safely and adequate reception on arrival.

"(The) Bali Process Ministerial meeting will be a timely opportunity to make progress on these issues," he said.

For the first time this year the meeting will produce a ministerial declaration, which will include a new mechanism that will allow co-chairs Australia and Indonesia to convene and consult in response to urgent events in the region.

"In May 2015 we did not have any reaction or concrete co-operation from the Bali Process," Ms Retno said.

"So from that experience we then we think that it will be very good for the Bali Process to respond if that kind of situation happened again."

<http://www.canberratimes.com.au/world/indonesian-foreign-minister-hopes-countries-will-assist-to-resettle-refugees-20160319-gnmajq.html>

14. Bill threatens to remove last safety net for refugees fleeing death, torture and persecution

The Conversation
March 15, 2016 10.36am AEDT
Joyce Chia

The federal government is having another crack at taking the "protection" out of "complementary protection" for asylum seekers. "Complementary protection" refers to Australia's obligations under human rights treaties not to return people to torture or other serious harm – obligations that "complement" those under the UN Refugee Convention.

But if a new migration bill is passed – as was recently recommended, with some minor clarifications, by a Senate committee – it will redefine complementary protection so that it offers no real protection.

If passed, the bill could mean that, for example, a person at risk of torture by the Syrian government would have to prove that he could not have gone to a part of the country controlled by Islamic State.

The Coalition government has put up two earlier bills on complementary protection since taking office. The first tried to get rid of it, the second tried to drastically rewrite it. This third bill is more technical, which increases the likelihood of it passing parliament.

But because of changes to Australia's refugee laws in 2014, the risks to asylum seekers have also increased.

Complementary protection and Australia

Australia's complementary protection obligations were implemented into law in 2012. This offered an important safeguard for a small category of people who were otherwise not protected by the somewhat limited terms of the Refugee Convention.

For example, the convention focuses on the reasons a person fears harm, rather than the risk of serious harm itself. Complementary protection would, for example, protect a person from indiscriminate torture.

Until now, this has been a small, sensible extension of domestic law to protect existing international legal obligations. Only 216 visas have been granted as a result of this legislation. Yet the Coalition government has had it in its sights since 2013.

In December 2013, it introduced a bill that would have abolished complementary protection. This bill stalled.

In June 2014, the government introduced another bill, which sought to send a person back if the risk of torture was less than 50%. That part of the bill did not pass.

The third bill was introduced in October 2015 and has attracted much less scrutiny. Immigration Minister Peter Dutton has not even responded to a parliamentary committee's concerns that the bill is inconsistent with Australia's international legal obligations. These are concerns shared by, among others, the UN High Commissioner for Refugees and the Australian Human Rights Commission.

To their credit, both Labor and the Greens have so far steadfastly opposed these attempts to roll back complementary protection. Labor and the Greens have made it clear that they will oppose this bill. The crossbenchers will decide its fate.

Taking the 'protection' out of 'refugee protection'

Immigration law has been in a state of constant flux in recent years as the government strives to keep people seeking asylum away from Australia and stave off the threat of legal challenges. In December 2014, dramatic changes were made to the definition of a refugee in Australian law, and to the way in which Australia determines that someone is a refugee.

These changes mean that a person now has to prove they could not move to any other country that might be "safe" – even if they would be destitute there, and even if that place is "safe" only because local militias or warlords control it.

Applying this definition strictly, it's hard to see how even fleeing Syrians and Iraqis would currently qualify as refugees. The likely result is that many people who are refugees will no longer be given refugee status in Australia.

This is made even more likely because of the introduction in December 2014 of a new process for determining if a person was a refugee, known – misleadingly – as "fast track" processing.

The process, which applies to around 30,000 people in Australia, introduces strict new time limits for asylum seekers to put together their refugee claims and evidence. It removes the right to a full review of the initial decision by the Department of Immigration.

These changes came in after the government removed funding for legal help for those who came by boat. This means that most asylum seekers will be struggling through the new system alone.

A safety net

The combined effect of these changes is to make it much more likely that people will be refused protection as refugees – even if they are refugees.

As a result, many more people will need the safety net of complementary protection to save them from torture or persecution. Yet the government's latest bill would remove that safety net by copying the changes to the refugee definition into the complementary protection context.

The government's argument is that these changes are needed to make complementary protection "consistent" with the new refugee definition. But, as the Refugee and Immigration Legal Centre pointed out in its submission to the inquiry, complementary protection is there to complement. If the tests were identical, then there is no point to complementary protection.

The larger point is that two bad laws don't make a good law. Both laws mean that we are now asking: is there anything you could theoretically have done to save yourself from harm, even if doing it would have been completely unreasonable, extraordinary or even in some cases impossible?

This question misses the whole purpose of these laws – to protect people in real danger.

<https://theconversation.com/bill-threatens-to-remove-last-safety-net-for-refugees-fleeing-death-torture-and-persecution-54057>

15. Nauru election: former presidents say moves to 'rig' result under way

Marcus Stephen and Sprent Dabwido urge international observers to intervene as Baron Waqa's government seeks re-election

The Guardian
Helen Davidson
Monday 14 March 2016 02.21 EDT

Two former Nauruan presidents have accused the government of making moves to “rig” the upcoming election and have called for international observers to arrive early and intervene.

In letters seen by Guardian Australia, the two former leaders, Marcus Stephen and Sprent Dabwido, have asked the Pacific Islands Forum (PIF) and the Commonwealth Secretariat for assistance “addressing critical governance issues” in the island nation.

“The situation in Nauru cannot be approached as simply a difference of opinion between political groupings,” Dabwido and Stephen wrote.

“Facts demonstrate that the [Baron] Waqa government has already taken actions that unfairly alter the course of election preparations, including to introduce unfair barriers for potential candidates from standing.

“The Waqa government is contemplating further actions which would directly influence the outcome of the election in order to ensure they retain power. It is our view that, even at this early stage, this year’s parliamentary general elections in Nauru cannot be determined to be free and fair.”

The letter listed grievances and accusations, including the suspension of opposition members from parliament, visa cancellations and deportations, allegations of misappropriated funds and travel allowances, and crackdowns on protests, press access and social media.

The opposition MPs also labelled two recent changes to legislation as government attempts to build a “massive deterrent” to alternative candidates. One required any new candidate who worked in the public service to resign three months before polling day and a second increased the candidate fee from \$100 to \$2,000.

Dabwido told Guardian Australia the changes were brought in because the government said it didn’t want “any Tom Dick or Harry” running for office.

“But that goes against a free and fair election when only the rich people can put their name up and the ordinary guy on the street can’t put his name up as a member of parliament,” said Dabwido.

Coupled with other changes to election finances this meant “the current government will be the only one who can afford to run an election campaign”, he said.

Senior member of the opposition and former justice minister Mathew Batsiua said the government’s actions were “a deliberate attempt to rig and make the upcoming elections unfair”.

He said international observers – who had already been invited by the Nauruan government for the election – should begin monitoring right away.

“Instead of just observing the conduct in election week, they should really start taking notes and analysing the actions unfolding in Nauru at the moment because they have a direct bearing on the fairness of the election,” he said.

Dabwido said: “We’re hoping if they see this action they could express a view from all the leaders to declare that this election is not fair.

“Hopefully then they could take more appropriate measures to change the way this election is going to be run.”

The letters, which the former leaders said were on behalf of all opposition MPs, said a failure by the Commonwealth Secretariat and PIF secretary general to examine the allegations “would be a failure of both organisations to come to the aid of the people they were established to protect”.

It asked the organisations to send skilled and experienced observers who would not “shy away from being able highlight and address deficiencies and issues of concern”.

The request, Guardian Australia understands, was in reference to unhappiness among opposition members with the conduct of a Commonwealth Secretariat delegation sent in December. The delegation spoke to members of government and one opposition member, and found concerns over the rule of law were being addressed.

Dabwido and Batsiua are among a number of opposition MPs who have been suspended from parliament since mid-2014, accused at the time of high treason for speaking to international media. The two were also charged over a protest outside parliament last year over alleged government corruption.

Dabwido acknowledged he faced potential consequences for speaking to media again now.

“I am facing seven years jail already for the protest but right now, for talking to you, they passed a law last year which said you cannot criticise the government,” he said.

"I'm expecting the police to come in the next day or two and say you've been charged for talking to the media."

The Nauruan government has been contacted for comment.

<http://www.theguardian.com/world/2016/mar/14/nauru-election-former-presidents-say-moves-to-rig-result-under-way>

16. Nauru rule of law concerns remain unaddressed, New Zealand Foreign Minister says

ABC Pacific Beat

By Jemima Garrett, staff

Posted Tue 15 Mar 2016, 5:48pm

New Zealand's Foreign Minister says the country has no plans to reinstate aid funding to Nauru's justice sector while questions over rule of law in the Pacific nation persist.

Speaking to Pacific Beat on the sidelines of a Lowy Institute presentation of New Zealand's international priorities, Murray McCully said he had attempted to re-establish a relationship with Nauru since the withdrawal of aid funding for Nauru's justice sector in September last year.

"I've had brief conversations with members of the Nauru Government," he said. "They were discussions intended to try and find a way forward. But sadly that doesn't seem to have been possible and we'll just wait for a time when that is possible."

"I've made it clear that we are happy to pick up the phone at any stage, that we are happy to look at ways in which can help get back to a normal situation in the justice sector in Nauru, but ultimately that's an area where we have to respect the sovereign rights of the Nauruan Government and ultimately the Nauruan people."

In September 2015, New Zealand suspended the majority of its aid to Nauru, mostly tied to bolstering its justice sector, citing diminishing rule of law.

At that time he highlighted the case of Nauru opposition MP Roland Kun, who is one of five opposition MPs banned from taking their seat in parliament since mid-2014, had his passport stripped in June 2015, and is unable to return to his family based in New Zealand.

It also followed his country's parliament unanimously passing a motion in July 2015 expressing concern about the political situation in Nauru.

At the same time, Australia's Foreign Minister Julie Bishop also said she had sought assurance from Nauru's president that the country is adhering to the rule of law.

"I said to Julie Bishop at the time that it was with great regret that we would have to take this step, but the (Nauru) justice system we were funding was being used for some purposes that we felt we couldn't associate ourselves with," Mr McCully told Pacific Beat.

"We gave people plenty of opportunity to change course and to reflect on whether they really wanted us to go, but that was a decision we were forced to make at the time.

"We've made it clear that we want to ensure that the justice sector that we were funding is carried out in a fairly orthodox fashion, that it's operating in a way that's going to maintain international respect and credibility, and when it was in a space where clearly that couldn't be said to be happening we felt we had to withdraw."

In his Lowy address, the Foreign Minister reiterated that: "New Zealand and Australia have a significant stake in the peace and security of the small island developing states in our region."

Mr McCully told Pacific Beat that recent moves by Nauru's Government to raise the fees 20-fold for candidates in the upcoming election, among other concerns, do little to move the situation forward.

"Those are the sort of steps that don't take us much closer to a resolution of the difficulties that cause international criticism, and we hope we'll get to a point soon where we are able to start making positive steps rather than negative ones," he said.

<http://www.abc.net.au/news/2016-03-15/nauru-rule-of-law-concerns-remain-unaddressed-says-nz-fm/7249416>

17. Former child detainee held in Nauru to tell UN that Australia must shut down detention camps

Mohammad Ali Baqiri's address to UN human rights council coincides with Philip Ruddock's lobbying for seat

The Guardian
Melissa Davey
Monday 14 March 2016 19.15 EDT

A 25-year-old former detainee at the Nauru detention centre will tell the UN human rights council in Geneva on Thursday that Australian-run camps must be shut down.

The address by Mohammad Ali Baqiri comes as the former Liberal immigration minister and Australia's special envoy for human rights, Philip Ruddock, is lobbying for Canberra to have a seat on the council for the 2018-2020 term.

Baqiri, who was detained on Nauru in 2001 when he was 10 years old after fleeing the Taliban in Afghanistan with his brother by boat, remembers Ruddock visiting the detention centre when he was the immigration minister.

"His message to us at that time was clear," Baqiri says. "You guys came through the window, not the door".

"But as he [Ruddock] is the one who was appointed to push for Australia to become a member of the council, he is the one we have to work together with to bring about change and bring the detention of people, especially children, to an end."

Baqiri says it would be difficult for the world to believe Australia deserves a seat on the council while people are being detained on offshore processing centres including Manus Island and Nauru.

As a 10-year-old, Baqiri says he witnessed asylum seekers sewing their lips together as part of a hunger strike in protest against their treatment and detention. This also occurred in 2014, when asylum seekers, including children, stitched their lips shut in protest.

"The detention centre on the island of Nauru is so small, I remember when we flew there after being detained in Indonesia I was sitting in the window seat and I thought to myself: 'How is this plane going to land?'

"We were living in army tents with a lack of facilities, hardly any medical assistance and we used to see fellow detainees fighting with each other.

"Australia tried to bribe people to go back to Afghanistan, paying \$2000 to single men and \$10,000 for families to return back voluntarily, and a lot of people went back to protect the families they left behind. Of those I know who went back, more than 20 were killed after returning. I know many others who are now in Indonesia waiting to come to Australia because, after returning to Afghanistan, they were in so much danger that they fled a second time."

Baqiri considers himself lucky. After nearly three years spent in Nauru, revelations about detainees hunger-striking broke in the mainstream media, prompting human rights and advocacy groups to lobby for the release of children like Baqiri. He and his brother now live in Victoria and Baqiri has just completed a double degree in business and law at Victoria University. He hopes to train to become an immigration lawyer and help those seeking asylum.

"We had no choice but to flee Afghanistan and leave our parents, who were too old to make the journey by boat themselves, behind," he says. "So many others like us still need help. After I sponsored my parents to come to Australia I did ask them, 'How could you send me on that journey? It was so risky'.

"They had tears coming from their eyes and said they had no choice, and of course I know that is true and that they only wanted what was best for us. We were being persecuted by the Taliban because of our religion and I know of many people like us who have been killed."

Baqiri will also speak at a side event in Geneva on Tuesday, focusing on Australia's treatment of women and children seeking asylum. He has been sent there by ChilOut, a not-for-profit community organisation seeking to end the arbitrary and prolonged detention of children who come to Australia seeking asylum.

"My aim is to tell the human rights council to shut Nauru and Manus Island detention centres, as well as detention centres around Australia, and also to release women and children as soon as possible," he says.

"I feel so honoured that I have been chosen to represent those seeking asylum and in detention in this way and to deliver that message to the world."

<http://www.theguardian.com/australia-news/2016/mar/15/un-human-rights-council-to-host-former-detainee-as-philip-ruddock-lobbies-for-seat>

18. As a child on Nauru I was NR03-283, but my name is Mohammad Ali Baqiri

A Spanish company is poised to take over the running of Australia's offshore detention centres and risks being associated with human rights abuses forever

The Guardian
Mohammad Ali Baqiri
Monday 14 March 2016 20.57 EDT

NR03-283. That was the number they gave me, during the three years I spent in the Nauru detention camp. I was 13 when I left, and took back my name – Mohammad Ali Baqiri.

Now I'm 24, a proud Melburnian in the final semester of a degree in law and business. Today, I write as a survivor of Australia's cruel offshore detention regime – just as a Spanish multinational, Ferrovial, stands poised to take over Broadspectrum Limited (formerly Transfield Services), and with it the multi-million dollar contract to keep the Nauru and Manus detention camps open.

No Business in Abuse, an organisation I've worked with before, wrote to Ferrovial in December 2015 requesting a meeting to discuss the human rights risks inherent in offshore detention. Ferrovial refused.

I've also now written to the company, asking them to meet me personally. It's Ferrovial's last chance before the takeover bid closes, potentially locking the company into association with human rights abuses that will destroy its reputation forever. If representatives agree to meet with me, this is what I'll tell them:

I'm an Afghan Hazara. When I was 10 years old, I fled the Taliban to seek safety in Australia without my parents, but with my brother's family.

I taught myself English in Nauru detention camp. The guards, employed by a corporation, weren't that interested in speaking to me, but it was the only way I could learn English. These guards, paid by the Australian government to detain a child, grudgingly became my teachers.

International human rights bodies have condemned Australia's system of arbitrary and indefinite detention as abusive.

I've experienced it first hand and it has affected me in ways I can't yet explain. As a child, I saw detention push the adults around me to the brink of hopelessness. I witnessed self-harm and suicide attempts. No one should have to go through that.

My experience is in line with the opinion of most Australian paediatricians and the Australian Medical Association (AMA), which regard the detention of children as state-sanctioned abuse.

Just weeks ago, brave doctors at Brisbane's Lady Cilento Hospital refused to discharge a one year old asylum seeker child back to Nauru. Days afterwards, the AMA called for a moratorium on any child being sent back to detention. The moral courage of these people, who are prepared to defy the Australian government, fills me with hope.

But it's not just children that suffer abuse. Report after report, and inquiry after inquiry reveal that detention results in severe mental and physical harm. Harm inflicted upon the men, women and children inside the centres, including during Broadspectrum's management of the centres.

Broadspectrum claims it is running a legitimate business in compliance with the laws of PNG, Nauru and Australia. But you don't need to be a law or business student to know that's absurd. Abuse is simply illegitimate business.

Perhaps Ferrovial genuinely hopes to improve conditions in the centres. Let me tell you first-hand, it is impossible.

Arbitrary detention is, in itself, harmful. It doesn't matter how well you run the camps; keeping innocent men, women and children indefinitely locked up for no reason is abuse.

Ferrovial is a company with a proud history and a demonstrated commitment to human rights. This reputation is one of the company's greatest assets, allowing it to engage in charitable partnerships with respected NGOs like Oxfam.

Now look to Broadspectrum and the impact involvement in offshore detention has had on this company's reputation and outlook. It began with numerous institutional investors divesting their holdings, citing Broadspectrum's association with gross human rights abuses.

Then it spread to target client markets. In the last three months, four Australian local government authorities, including the City of Sydney, ruled out doing business with Broadspectrum while it is involved in detention contracts.

As the No Business in Abuse movement continues to gather momentum, more local campaigns are preparing to target key growth sectors such as the cleaning and maintenance of schools, universities, and hospitals.

In case it's not clear, let me tell you what that means: Broadspectrum's complicity in human rights abuses is a financial and reputational risk, one that threatens the company's ability to grow and be profitable. Acquire Broadspectrum and keep the detention contract, and Ferrovial also acquires that risk.

And so I say to Ferrovial – I doubt that NGOs, or clients such as hospitals, will continue being associated with your company should it become complicit in the ongoing abuse of innocent men, women and children.

I'm just a student of business and the law. But I'm also a survivor of persecution in Afghanistan and state-sanctioned abuse on Nauru.

For this reason, I can't advise you on whether your company should buy Broadspectrum or not.

But for this same reason, I must ask you an important, question:

If your takeover bid of Broadspectrum is successful, will you – please – put an end to the company's business in abuse?

On 17 March Mohammad Ali Baqiri will address the United Nations Human Rights Council in Geneva, calling for Australia to close down detention centres.

<http://www.theguardian.com/commentisfree/2016/mar/15/as-a-child-on-nauru-i-was-nr03-283-but-my-name-is-mohammad-ali-baqiri>

19. Border operation turns back 700 people

Immigration Minister Peter Dutton says 698 boat-arriving asylum seekers have been turned back under the coalition government.

SBS News
Source: AAP
17 Mar 2016 - 12:28 PM

Almost 700 people on 25 boats have been turned back since the start of Operation Sovereign Borders.

Immigration Minister Peter Dutton, in an update on the operation on Thursday, said that it had been 600 days since the last asylum-seeker boat arrival.

"The government is as resolute as we've ever been in staring down the continuing threat from people smugglers," he told reporters in Canberra.

The head of Operation Sovereign Borders, Major General Andrew Bottrell, said people-smuggling networks in the region had been "severely degraded".

"Even though those networks have been degraded ... there are still occasional tests of our settings and of our deterrence framework," he said.

In February a group of people was returned to Sri Lanka and in early March a group was returned to Indonesia.

General Bottrell said work with other countries in the region had foiled 57 people-smuggling ventures, resulting in 1900 people not getting onto boats.

<http://www.sbs.com.au/news/article/2016/03/17/border-operation-turns-back-700-people>

20. Indonesia appeals to Australia to accept more refugees

Sydney Morning Herald
March 15, 2016 - 9:35AM
Jewel Topsfield

Jakarta: Indonesia has appealed to Australia to accept more refugees stranded in Indonesia ahead of a regional forum to combat people smuggling in Bali next week.

Indonesia's director-general of immigration, Ronny Sompie, told The Jakarta Post that Indonesia's 13 immigration detention centres were overcrowded as the number of "illegal migrants" had increased more than fivefold over the past seven years.

The United Nations' refugee agency, the UNHCR, also called on Australia to lift its ban on accepting refugees who arrived in Indonesia after June 2014, saying the global refugee crisis was making it increasingly difficult to find resettlement countries.

"We hope Australia will consider increasing its take of the refugees, although we know they will apply a very selective process before accepting them," Mr Ronny said in a story published on the front page of the Post.

He said he would extend the appeal to Australia at the upcoming Bali Process, which will be attended by Foreign Minister Julie Bishop and Immigration Minister Peter Dutton on March 23.

As of January there were 13,679 refugees and asylum seekers registered with the UNHCR in Indonesia, many of whom have been stuck in transit for years.

Australia resettled 808 refugees from Indonesia in 2013, according to UNHCR figures. This dropped to 526 in 2014 and 425 in 2015.

Indonesia is not a signatory to the UN refugee convention and refugees cannot legally work there while waiting for resettlement in a third country.

Former immigration minister Scott Morrison announced in November 2014 that Australia's annual intake from Indonesia would be cut from 600 to 450 and anyone arriving after July 1, 2014, would be ineligible.

The UNHCR's representative in Indonesia, Thomas Vargas, told Fairfax Media this meant Australia would not take the Rohingyas who reached Indonesia after fleeing persecution in Myanmar during the refugee and trafficking crisis in South-east Asia last year.

"We are grateful for those (refugees) they are taking but unfortunately that doesn't help people who come after June 2014," Mr Vargas said.

"We are encouraging Australia to revisit that and for all countries to take a more lenient approach to ensuring there is more responsibility sharing."

A spokeswoman for Mr Dutton said Australia was already in the top three countries in the world for the resettlement of refugees on a per capita basis.

"Our commitment to increase this to 18,750 places in 2018-19 will make us among the most generous countries in the world," she said.

The spokeswoman said Australia was also by far the largest source of funds for the International Organisation of Migration in Indonesia, which assists refugees with food, medical care and accommodation.

She said this met the costs of about half the refugee population in Indonesia. "Since 2000, Australia has committed over \$AUD170 million in funding to support Indonesian authorities to provide a range of care services to irregular migrants intercepted in Indonesia."

However Mr Vargas said the global refugee crisis meant it was becoming much harder to find resettlement countries for refugees in transit in Indonesia.

While Germany accepted 98 refugees from Indonesia in 2014, for example, it was now overwhelmed by the refugee crisis on its own doorstep.

"We understand the discretion of every country to develop its own resettlement policies but given the state of the world we live in it is very important for countries to be taking a broader, more inclusive approach that shares the responsibility of what is happening in the world today," Mr Vargas said.

Indonesia last week reiterated its concerns over Australia's controversial boat turn-back policy, after Australian authorities asked Indonesian fishermen to return six Bangladeshis who wished to seek asylum in Australia.

Indonesian Foreign Minister Retno Marsudi told a delegation of senior Australian media representatives the turn-back policy was "still an issue now and I think there will still be some more to go in the future".

Mr Vargas said the UNHCR would look into the latest incident.

"If you look at the responsibilities under maritime law, anyone who rescues people who are in distress is then obliged to make sure they are safe and delivered to a port of safety," Mr Vargas said.

"It has to be analysed but I'm not sure giving someone to a fishing boat meets the responsibility of a state to ensure someone reaches a port of safety. After you've rescued someone at the high seas in distress you are responsible for them."

<http://www.smh.com.au/world/indonesia-appeals-to-australia-to-accept-more-refugees-20160314-gnimon.html>

21. Hazara asylum seeker to be forcibly deported from Australia to Afghanistan

Exclusive: Man's last-minute plea to immigration minister Peter Dutton to consider Afghanistan's worsening security situation has been rejected

The Guardian
Ben Doherty
Monday 14 March 2016 00.35 EDT

A Hazara asylum seeker is set to be forcibly deported from Australia back to Afghanistan on Monday, after a last-minute plea to the immigration minister, Peter Dutton, to consider Afghanistan's worsening security situation was rejected.

The man facing removal – who Guardian Australia has chosen to refer to as “T” out of concern he will face persecution in Afghanistan if identified – will be the fifth Hazara Afghan sent back since Australia re-started forced repatriations of Afghans in late 2014.

Australia's decision to refuse T protection was made in 2013. The security situation in Afghanistan has deteriorated significantly in the three years since, with the withdrawal of international troops and the re-emergence of the Taliban and other extremist groups.

Last year was the most violent year on record for civilians in Afghanistan according to the United Nations, with 11,002 civilian casualties, the majority by “anti-government elements” such as the Taliban.

Afghanistan's minister for refugees and repatriations, Sayed Husaain Alemi Balkhi, told Australian government officials in February 2015 that Afghans should not be forcibly repatriated because of the worsening security situation.

Australia's memorandum of understanding with Afghanistan allows for the forcible deportation of Afghan citizens (although it says voluntary returns are “preferable”). But Balkhi said that agreement was signed in 2011, when the security situation, with the presence in Afghanistan of thousands of foreign troops, was significantly more stable.

The Australian government's current country advice for Afghanistan – issued in September 2015 – says the security situation across Afghanistan has “deteriorated significantly over the last 12-18 months, as anti-government groups intensified their efforts and the international military contingent gradually withdrew”.

“Insurgent forces are contesting the Afghan government's control in many areas. No part of the country can be considered totally free from conflict-related violence, which escalated markedly over the course of 2014 and 2015.”

But the Australian government says Hazaras – an ethnic minority in Afghanistan historically persecuted by the Taliban – face no greater risk than any other ethnic group.

A thematic report prepared in February 2016 specifically on the situation of Hazaras in Afghanistan, says, “There are many areas of Afghanistan that are contested by insurgent forces, and no part of the country can be considered free from conflict-related violence.

“Ethnic tensions exist throughout the country at a local level and can result in sporadic violence ... the threat of conflict-related violence faced by Hazaras is similar to that faced by members of other ethnic groups.”

The four Afghan Hazaras forcibly repatriated before T have faced serious hostility – the first, Zainullah Naseri, was reportedly kidnapped and tortured by the Taliban before escaping. Guardian Australia understands all four returned men are either no longer in Afghanistan or are actively trying to leave.

T, who is 42, has been in Australia since arriving by boat in 2012.

Having been “arrested” and flogged by the Taliban in the late 1990s, he fled to Iran for more than a decade before he was arrested and deported back to Afghanistan.

He fled Afghanistan again for Australia and lodged a claim for protection.

Before the Refugee Review Tribunal he said if returned to Afghanistan he would “be killed because of his religion [Shia Muslim] and because of being Hazara”.

But the RRT found it did not believe he would be persecuted on return to Afghanistan, saying it “did not believe Hazaras would be persecuted for seeking asylum in the west”.

In a last-ditch appeal to the immigration minister, T presented evidence of recent violent attacks against Hazaras in Afghanistan, saying the information put forward was not available when his refugee determination was made more than three years ago.

"The trend of increasing danger for Hazaras in Afghanistan has been evident for several years. This has continued and indeed intensified over the past two years."

The appeal was not accepted by the minister.

A spokesman for the immigration department told The Guardian: "for privacy reasons it would be inappropriate to go into detail about individual cases, however people who have exhausted all avenues to remain in Australia and have no lawful basis to stay are expected to depart".

"Australia does not return failed asylum seekers who are found not to be refugees where this would contravene Australia's non-refoulement obligations under other international human rights instruments."

Ian Rintoul from the Refugee Action Coalition said "obvious flaws" in Australia's refugee determination process had not been fixed.

"The dangers in Afghanistan are even greater now. We urge the minister to use his wide discretionary powers to reconsider this case and halt this removal."

T was scheduled to be deported from Darwin on Monday.

<http://www.theguardian.com/australia-news/2016/mar/14/hazara-asylum-seeker-to-be-forcibly-deported-from-australia-to-afghanistan>

22. Asylum seekers fear forced repatriations as Julie Bishop continues talks with Iran's Foreign Minister

ABC Radio CAF - PM

By Michael Edwards

First posted Wed 16 Mar 2016, 4:24pm

Updated Wed 16 Mar 2016, 4:29pm

Iranian asylum seekers who fear the prospect of being sent back to their home country have grown increasingly concerned following a meeting between Iran's Foreign Minister Mohammad Javad Zarif and Foreign Minister Julie Bishop.

The Federal Government has been working towards a possible agreement with Iran to repatriate failed asylum seekers since Ms Bishop visited Tehran last year.

Sydney-based immigration lawyer Fardin Nikjoo, an Iranian himself, has clients all over Australia, both inside and outside of detention.

"They are very worried and concerned about any potential deal Mr Zarif and Ms Bishop are going to reach, or plan to reach," Mr Nikjoo told PM.

Ms Bishop's talks with her Iranian counterpart took place in Canberra yesterday.

The issue of returning asylum seekers who fail to obtain refugee status was raised, but so far no deal between the two countries has been announced.

Refugee advocates estimate as many as 8,000 Iranians living in Australia could be affected by any deal reached.

One man who would be effected people is Mahmoud, who came to Australia seeking asylum three years ago.

A member of Iran's Arab minority, he fears persecution if he has to go back to the country.

Speaking in Farsi, Mahmoud explained he was arrested at a protest in Iran.

"The Iranian government detained me. This caused me trouble. I do not want to go back to Iran. I am very upset about what is happening now and what (the) Australian Government is currently doing," he said.

Humanitarian groups wary of Iran's human rights record

Speaking to the media after meeting with Ms Bishop, Mohammed Javad Zarif said Iran did not have any objection to Iranian citizens coming back to the country voluntarily.

"And we are working to allow them enable them to come back voluntarily. We cannot force anybody to come back to Iran but if anybody wants to come back voluntarily we always take our citizens with pride," Mr Zarif said.

Speaking to Lateline on Wednesday, he claimed Iranians who had sought asylum in Australia had been lured by people smugglers and propaganda from "government sources".

Human Rights Watch Australian director Elaine Pearson says the organisation is concerned for the safety of the Iranians returned home.

"If Iranians are sent back, particularly if they are religious minorities or from ethnic minorities, they could be vulnerable to persecution," she said.

Human Rights Watch wants any deal between Australia and Iran to include provisions to ensure those sent back are protected.

"Rather than vague assurances from Iran, we want to make sure that Iran makes concrete commitments to address the shortcomings in its human rights record," Ms Pearson said.

She added that Australia also had a responsibility to ensure the safety of any Iranians sent back to Iran.

"If (Australia) is looking at sending people back, it needs to think about how it's going to be able to monitor what happens to those people.

"I also think it's wrong that the Government is trying to entice asylum seekers and refugees who've spent years in detention, in places like Manus, and trying to entice them to going back to Iran.

"We know that within hours of the Zarif meeting that there were Australian officials yet again spruiking the offers of voluntary return."

<http://www.abc.net.au/news/2016-03-16/iranian-asylum-seekers-fear-being-returned-home/7252676>

23. Iran refuses to take back asylum seekers who have been forcibly returned

The Iranian foreign affairs minister, Mohammad Javad Zarif, says his country would not accept any of its citizens repatriated against their will

The Guardian
Ben Doherty
Tuesday 15 March 2016 01.49 EDT

Iran has scotched a proposed deal to forcibly return Iranian asylum seekers from Australia and from offshore detention.

The Iranian foreign affairs minister, Mohammad Javad Zarif, said in Canberra on Tuesday that Iran would not accept any of its citizens being repatriated against their will.

"We cannot force anybody to come back to Iran but if anybody wants to come back voluntarily, we always take our citizens with pride," he said.

Previously, the Australian foreign affairs minister, Julie Bishop, had flagged an agreement that would allow Australia to forcibly repatriate asylum seekers, on the condition Tehran guaranteed they would not face persecution or punishment.

Australia wants to forcibly return asylum seekers who are found not to require protection under the Refugees Convention or Australia's complementary protection regime.

There are about 9,000 Iranian asylum seekers in Australia or in offshore detention. However, many of those are still waiting for their refugee status to be determined, some after more than four years in Australia.

Historically, most Iranians seeking asylum in Australia are ultimately granted the right to stay because of a "well-founded fear" of persecution in their homeland; 87% of Iranian asylum seekers arriving by plane, and 65.2% of boats arrivals, were granted protection, latest government data shows.

But several hundred whose asylum claims have been rejected are stuck in limbo in Australia, unable to be deported and without any apparent prospect of being granted the right to stay.

Several asylum seekers have been voluntarily returned from Australia and from offshore detention facilities, but returns to Iran remain problematic.

Returned asylum seekers are questioned, often for several hours, at Tehran airport, and sources in Iran suggest they are regularly put under long-term surveillance and face ongoing persecution from authorities.

Two Iranian asylum seekers previously held in the Manus Island detention centre have been left stranded – detained in Port Moresby for nearly eight months – after agreeing to be returned to Iran.

Iran has, so far, refused to accept the two men's return.

The two men – whom The Guardian has chosen to identify only by their first names – say they have agreed to be returned, but have been left stranded in detention in the PNG.

Both men have been issued with identity numbers which identify them as Iranian citizens and would normally allow them to be granted passports.

However, they have been told there is a “problem” with their applications, and the Iranian embassy has not issued new documents.

“I signed the form for returning to Iran seven and a half months ago. I wrote, ‘Come back,’ ” 41-year-old Abdi told The Guardian from Port Moresby. “I am destroyed man; I am shattered. We are in limbo here. I am suffering, but we are stuck.”

Both men are understood to be suffering serious physical and mental illnesses, sustained while in detention on Manus.

Sources in Tehran have told The Guardian their ongoing health conditions – which will require long-term and expensive treatment – are understood to be the basis of the impasse between Australia, PNG and Iran.

The money the men will be paid for their repatriation is considered to be insufficient to cover their ongoing health needs.

Abdi said he was chronically ill, and would require long-term care. He said his family visits doctors in Tehran, and he explains his symptoms over the phone and is then diagnosed.

“I take so many psychiatric tablets, but the pain still remains in my nerves, in my eyes and my intestine,” Abdi said. “It is like a tragic movie.”

Another of the asylum seekers, Ali, said he felt he had been abandoned. He has been on PNG since August 2013, nearly 950 days. “No one calls us, no one care about us, no one. We are forgotten.”

Ian Rintoul, from the Refugee Action Coalition, said the fact that Australia could not even engineer a voluntary repatriation of asylum seekers demonstrated the impossibility of forcing Iran to accept its citizens being returned against their will.

“For Australia to push for forcible returns to this country is completely unseemly,” he said. “There are grave and systematic human rights abuses occurring in Iran that are far more important and pressing for Australia to raise.”

Zarif's visit to Australia – and discussion of a proposed asylum deal – is part of a broader push from Tehran to improve its economic and diplomatic relations with the west after last year's nuclear deal and the lifting of sanctions in January.

But serious concerns remain over widespread human rights abuses, which include public hangings, stonings, amputations, and gouging out of eyes as punishments.

Iran executed at least 966 people in 2015, the United Nations says, the highest number in a decade. The country also executed children, an act, “strictly and unequivocally prohibited under international law”.

The Australia director at Human Rights Watch, Elaine Pearson, warned Australia must proceed carefully in any deal with Iran.

“In the rush to welcome Tehran in from the cold, Australia should not trample over the rights of vulnerable Iranians,” she said.

Pearson said that recognised refugees on Manus had reported being offered up to \$10,000 to return to Iran: “You would have to question the voluntariness of that return given these people have been detained for years on Manus, and the fact that \$10,000 is a lot of money.”

The National Council of Resistance of Iran – a Paris-based a group of exiled Iranian opposition political organisations – expressed “deep abhorrence” over Australia's proposed asylum deal, calling it “collusion with the religious fascism ruling Iran”. The council argued Australia should not “victimise the sacred right of asylum for petty and short-term economic gains”.

“The velayat-e faqih [clerical rule] system – which the Australian government so audaciously tramples human values to deal with – has turned Iran into a prison for all Iranian people, especially women,” it said. “Acid attacks, flogging, stoning, gouging out of eyes, amputation of limbs, and piling up students, political and civil activists, intellectuals, lawyers and artists in its medieval prisons are but a part of the regime's infamous record.”

<http://www.theguardian.com/australia-news/2016/mar/15/iran-refuses-to-take-back-asylum-seekers-who-have-been-forcibly-returned>