

Project SafeCom News and Updates

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1. New York Times: Australia's Offshore Cruelty

The New York Times
Opinion Pages
24 May 2016
Roger Cohen

Turnbull, who came to office with a reputation for being from the more progressive wing of the conservative Liberal Party but has proved beholden to the hard-line right, faces an election in early July. Clearly both he and Dutton reckon casting the marooned of Nauru and Manus Island as threats to Australia will play well with voters.

Beyond electoral calculations, people are dying. Last month, a young Iranian refugee, Omid Masoumali, self-immolated on Nauru and died in a Brisbane hospital. Soon after, a 21-year-old Somali refugee, identified only as Hodan, set herself on fire and was taken in critical condition to Brisbane. Their acts were reflections of the desperation and exhaustion inflicted by Australia under a policy that was supposed to be temporary, has not been thought through, and places people in conditions of hopelessness.

Perhaps "offshore processing" was supposed to afford the government plausible deniability. Australia would pay billions of dollars to poor Nauru and poor Papua New Guinea to take a big problem off its hands. But in reality there can be no plausible deniability. On the contrary, by any ethical standard, the policy engages Australian responsibility for cruelty.

Dutton even suggested that human rights advocates bore responsibility for the self-immolations by giving asylum seekers "false hope." He said the government was "not going to stand for" people trying to twist its arm. Well, a dead person cannot do that, of course.

"We don't see the boats, we rarely see a human face and there is a black hole of accountability," said Madeline Gleeson, a human rights lawyer and the author of the recently published book "Offshore." She told me, "The international community does not understand how outrageous this policy is, how far from basic human standards and how shot through with violence and sexual abuse."

The government argues it is keeping the country safe from terrorism, preventing a proliferation of Australia-bound boats that could result in deaths on a scale seen in the Mediterranean, and ensuring its immigration policy remains orderly. In the current fiscal year, the country has offered to take in 13,750 people under its Humanitarian Program, and committed, exceptionally, to a further 12,000 from the Syrian and Iraqi conflicts (a handful of them have been processed). But it has vowed that nobody in Nauru or on Manus Island will gain admission to Australia.

Australia's "offshore processing" is falling apart and must end. The Supreme Court of Papua New Guinea ruled in April that the Australian-funded detention center on Manus Island was illegal. In Australia, only retroactive legislation enacted after a lawsuit was filed provided legal support for a policy that was in effect pursued illegally since 2012.

This country's history includes the long and unhappy chapter of its White Australia policy under which a vast land mass was portrayed as under threat of invasion by uncivilized "natives" from across Asia. Politicians like Dutton are playing scurrilously on similar fears.

A nation of immigrants, short of agricultural labor, Australia has benefited when it has overcome its fears, as with the admission of Vietnamese "boat people" in the 1970s. As Steven Glass, an international lawyer, observed in introducing Eva Orner's new movie, "Chasing Asylum," "What, exactly, are we scared of?" Even women raped and impregnated on Nauru have been treated as if they are security threats.

Bring those stranded in Nauru and on Manus Island, many of whose refugee claims have already been deemed legitimate, to Australia. Treat them with humanity as their demands for permanent settlement are assessed. Scrap a policy that shames a nation with its pointless cruelty.

<http://www.nytimes.com/2016/05/24/opinion/australias-offshore-cruelty.html>

2. "Offshore processing" an uncomfortable reminder of White Australia

New York Times / The Age
May 24, 2016
Roger Cohen

The treatment of refugees trying to reach this vast, thinly populated country by boat follows textbook rules for the administering of cruelty.

It begins with the anodyne name for the procedures "offshore processing" as if these desperate human beings were just an accumulation of data.

It continues with the secrecy shrouding what goes on "offshore" in the tiny Pacific island nation of Nauru and on Manus Island in Papua New Guinea, where more than 1,350 people languish with no notion of how their limbo will end, where they will go or how to get answers to their predicament. Under the Australian Border Force Act of 2015, disclosure by any current or former worker of "protected information" is punishable by up to two years in prison.

It goes further with the progressive dehumanization of people - dubbed "illegals" without cause - who are caught in this Australian web under a policy now dating back almost four years. They are rarely visible. They are often nameless, merely given identification numbers. Women and children are vulnerable in squalid conditions where idleness and violence go hand in hand.

The refugees are consistently demeaned, as when the conservative immigration minister, Peter Dutton, said that they could not read and would somehow contrive at once to steal Australian jobs and "languish in unemployment queues" - a statement that prompted Prime Minister Malcolm Turnbull to call Dutton "outstanding", no less.

Clearly Turnbull and Dutton reckon casting the marooned of Nauru and Manus Island as threats will play well with voters.

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<http://www.theage.com.au/comment/offshore-processing-an-uncomfortable-reminder-of-white-australia-20160524-gp2af8.html>

3. Australia covered up UN climate change fears for Tasmania forests and Kakadu

Fears about damage to the Great Barrier Reef were removed from UN report along with concern about a threat to the environment in two other heritage sites

The Guardian
Michael Slezak
Sunday 29 May 2016 17.59 AEST

A draft UN report on climate change which was scrubbed of all reference to Australia over fears it could deter visitors to the Great Barrier Reef, also outlined possible threats to the Tasmania wilderness and Kakadu.

The draft report contained a chapter on the Great Barrier Reef, which described climate change as “the biggest long-term threat to the [reef] today, and to its ecosystems services, biodiversity, heritage values and tourism economy”.

It concluded that “without a comprehensive response more in keeping with the scale of the threat, the [reef]’s extraordinary biodiversity and natural beauty may lose its world heritage values”.

But before it was scrubbed, the report had two other key sections on Australian world heritage sites, and the threats they face from climate change.

One of those sections was on the Tasmanian wilderness.

At the time the report was being reviewed by the Australian government, in early 2016, that wilderness was just starting to burn, in what unfolded to be a catastrophic bushfire in regions that had never burned before.

Those fires were a result of increased lightning activity and drier conditions, which are consequences of climate change.

At the time, the Tasmanian premier, Will Hodgman, criticised conservationists for their “hysterical response,” again worrying about the impact it would have on tourism.

“It’s damn ordinary that you’ve got environmental activists almost gleefully capitalising on images, naturally caused, which could inflict significant damage on our brand, our reputation,” he said.

“The threat is still ongoing, but Tasmania’s tourism industry, particularly in our magnificent world heritage area and the national parks, is well and true open,” he told Fairfax Media.

But the censored section of the Unesco report on Tasmania is clear about the “dire” nature of the threat.

It said: “A 2013 assessment of climate threats identified the same habitats as at high risk from greater fire frequency and drier conditions, with likely catastrophic implications for fauna. These dire predictions appeared to be playing out in January 2016, when tens of thousands of hectares of forest burned, sparked by lightning strikes that came in a month when temperatures were 2C above average and in the wake of the driest two-year period ever recorded for the region.”

The deleted section on Kakadu national park contained similarly dire warnings.

It described the important natural and cultural values of Kakadu, which has been inhabited by Aboriginal people for 50,000 years.

“The thousands of rock art sites in the park are at risk from damage by more extreme rainfall events, while sea level rise is happening at twice the global average along the northern Australian coast,” the draft report said.

It warned that fresh-water wetlands were at risk from sea level rise, as they are likely to be inundated with salt water.

“Climate change threatens Aboriginal traditional use by altering the ecosystems of the vast wetlands of Kakadu and raising temperatures to a level likely to lead to more intense fire regimes,” the report said.

The final version of the report entitled “World heritage and tourism in a changing climate” was published last week by Unesco, United Nations environment programme and the Union of Concerned Scientists, with all references to Australia removed.

The lead author of the report, Adam Markham, told Guardian Australia he was “shocked” Australia had been removed from the report.

<http://www.theguardian.com/environment/2016/may/29/australia-covered-up-un-climate-change-fears-for-tasmania-forests-and-kakadu>

4. Behrouz Boochani: Damned lies, News Corp and Manus Island refugees

The Saturday Paper
May 28, 2016
Behrouz Boochani

In recent weeks, the Murdoch press has sent a journalist to Manus Island for the purpose of maligning the defenceless refugees on the island. Media outlets such as the Herald Sun have published stories written by Peter Michael that distort the reality of life for refugees on Manus Island.

These reports imply that taxpayers' money is being lavished on refugees here. We are apparently "ungrateful illegals" who are "treated like kings". We are "2". Michael writes that "taxpayers are footing a \$1.5 million a week bill for meals, fishing trips, beach outings ..."

It is a barefaced lie. In fact, the taxes have been spent on incarcerating and torturing the imprisoned refugees, not on providing facilities for them. The large companies that operate the prison profit most from this situation. After three years of incarceration, the refugees in this prison are still deprived of the basic and simplest necessities of life. I know. I am one.

One of these reports asserts that there is a "black market trade" in the centre, with cigarettes used as currency. It also asserted that the refugees are spending taxpayer money trading marijuana, alcohol, phones and televisions. In reply, it should be mentioned that a "black trade" is inevitable in such circumstances and characteristic of prisons everywhere.

In fact, this so-called "trade" is a reflection of the deprivation suffered by refugees marooned on Manus Island. They are forced to save cigarettes in order to buy basic necessities. An imprisoned refugee is a human being first and needs clothes, shoes, phones. After three years of deprivation of these basic needs, it is inevitable that detainees have tried to obtain them by alternative means.

This campaign against refugees does not stop with the media. Both major parties are assuredly carrying out the political exploitation of the offshore issue before the election. The language is populist, demagogic, superficial, harsh and one-sided, and tries to move the public opinion from the reality of offshore, to incite and rouse sentiment against refugees.

When considering the words used by the immigration minister to attack refugees, I see that there is a kind of common thought and planned scenario behind the phrases used with the purpose of shaping the public opinion and making people scared of refugees in order to claim victory in the election.

It's the same poisoned propaganda spread in the period of John Howard, when the Liberal Party won the election by raising the lie of the "children overboard" scandal. Now, it seems, they want to play this over again. The offshore issue and the creation of fear around refugees is a bargaining chip in the hands of authorities to retain their power in the coming election.

FULL STORY AT <https://www.thesaturdaypaper.com.au/opinion/topic/2016/05/28/damned-lies-news-corp-and-manus-island-refugees/14643576003302>

5. Jonathan Green: What we mean when we talk about stopping boats

Border security is the great flexible proxy of Australian politics: a dog whistle not to racism, but to uncertainty. We may not have sorted out the economy, jobs or the deficit, but we stopped the boats. Jonathan Green writes.

ABC The Drum
by Jonathan Green
Posted Tue 24 May 2016, 8:08am

It's a sign, a sign of the near collapse of this process.

Why does Australian politics, under stress, revert to defiant sloganeering on border security?

A dog whistle to racists? Too neat, and too niche. Do you really imagine that electoral outcomes hinge on the preferences of a few thousand neck-tattooed knuckle draggers? That key marginals on our suburban fringes with their patchwork of diverse ethnicity are riven with hostile xenophobia?

Border security is of course the great flexible proxy of Australian politics: a dog whistle not to racism, but to uncertainty. The uncertainty of a shifting job market, of the tenuous fortunes of the broader economy, the cancerous deficit eating at our public finances: tough issues that are hard to resolve.

But we stopped the boats.

There's pain and a whiff of moral rot in the solution we've plumped for in border security, but it has at least brought some kind of defined outcome, a show of strength. Competence.

And this is where it becomes a little more than a simple proxy, a whistled sop toward voter anxiety. Maybe this is as good as it gets, the one fixed point in a political universe of gesture and empty hyperbole: we stopped the boats.

We're asked to take it, to take that single certainty as a symbol of government's capacity to master the invidious, to calmly confront a world of wicked problems.

The implied admission: We can't fix the economy, in fact we don't even want to talk about that in detail. But we can offer you some economic comfort in the form of this well-worn, but strangely comforting gesture toward your true concerns.

And so we confront the shadows that confront us and skirt the substance of the problems themselves.

"We stopped the boats." Rinse and repeat.

As politics retreats further and further from tackling any sort of awkward reality, the boat proxy has become a heightened symbol of determined action and authority. In case of policy emergency: stop the boats.

It speaks to economic security, even if economic security can't be delivered.

The proxy has extended its ambit, become an excuse for not actually having a plan, a sweeping gesture instead of meaningful specifics.

And these diversions, these distracting feints, seem all we can hope for from parties who may well sense, as many do, how close we seem to the brink of dysfunction.

Our political leaders must surely have some sense of this country's deep, and growing, incapacity to service its sense of self.

Where does the money come from to fund the healthcare we either take for granted or crave?

How do we inject forward thinking dynamism and equality of opportunity into education?

How do we prepare a culture primed to demand "jobs and growth" for the looming possibility that work will never again offer stable certainty and continuing reward?

How do we navigate the paralysing inequities of childcare, or the cruel poverty of our response to an ageing population?

What to do about the atrophying muddle of our infrastructure? The absence of intelligent design in urban planning?

Never mind the joker in the pack, the impending crisis in our climate and ecology.

Where is the political conversation that confronts these issues?

Blithe silence seems the consensus response to all of it, to burgeoning inequality, climate, and the end of work.

They kid us of course, and make expansive gestures toward the far policy horizons. Sensing the collective unease, the need for seriousness, both major parties talk reassuringly about the long term, but with the identical vapid airiness with which they address the here and now.

The resulting vista is of a political inertia that extends to the horizon. The key policy objectives are sent off out of reach, punted past the forward estimates to a place beyond recognisable effect or accountability.

It's just one example among many, but consider the absurdity of an economic strategy that dwells on 10-year tax cuts as a key engine of growth, cuts promised by a government steaming toward the uncertainty of election within the fluid chaos of a system that has had five prime ministers in nine years.

In 10 years? Tax? Who knows. It's close to magical thinking in a time of clamouring ugly realities demanding sophisticated policy response and the knowing co-operation of an informed and determined population, a population that ideally would be flattered by inclusion and true choice.

The great hope is that many of us know all this, and sense the crippled incapacity of this late-stage parliamentary democracy.

Putting words before action and proxies in place of fact, it might be that Australian politics had pushed this policy of avoidance and deferment to its limit.

---->>> Jonathan Green is presenter of RN Sunday Extra and editor of the literary journal Meanjin.

<http://www.abc.net.au/news/2016-05-24/green-what-we-mean-when-we-talk-about-stopping-boats/7440084>

6. Barnaby Joyce links live export ban to increase in asylum seeker boats

Deputy PM uses regional leaders' debate to suggest Indonesian government allowed people smuggling after Gillard government banned export of live cattle

The Guardian
Gabrielle Chan
Wednesday 25 May 2016 22.14 AEST

Barnaby Joyce has drawn a link between the Gillard government's live export ban and the increase of asylum seeker boats, effectively accusing the Indonesian government of allowing people smuggling.

In the regional leaders' debate in Goulburn, the deputy prime minister suggested Labor and the Greens were "crabwalking" to another live cattle export ban and then suggested the previous ban led to the flow of asylum seekers to Australia.

"Might I remind you when we closed down the live animal export industry, it was around about the same time that we started seeing a lot of people arriving in boats in Australia," Joyce said.

The ABC compere Chris Uhlmann replied: "Do you realise you are suggesting the Indonesian government then unleashed the boats in response?"

"I think it's absolutely the case that we created extreme bad will with Indonesia when we closed down the live animal exports," Joyce said.

Uhlmann again asked, "Are you suggesting the Indonesian government is sending refugees here?"

"I suggest the Greens and Labor party created immense bad will and it was affected," Joyce responded

Joyce was debating Labor's agriculture shadow minister Joel Fitzgibbon and Greens leader Richard Di Natale after all three spent the previous days campaigning in regional seats.

The topics ranged from the dairy crisis to the cost of data, the National Broadband Network, equal education access for rural students, Indigenous jobs, bringing immigrants to regional areas, climate change, renewable energy and coal and coal seam gas.

The debate began with the dairy crisis, with Di Natale suggesting a milk floor price could be considered. Joyce rejected the idea, given that a wool floor price caused a stockpile which caused a temporary collapse in the industry. Fitzgibbon said the agricultural cooperative Murray Goulburn's board was responsible for the current dairy crisis.

Land usage questions drew applause. Di Natale called for an end to coal mining and coal seam gas, but Joyce said that although he agreed with a wind farm project in his electorate, he did not support a complete ban on coal and coal seam gas.

"This is not a binary argument of banning it or allowing it," said Joyce.

"I don't want mining on prime agricultural land. It needs to be protected. If you say banning mining or coal seam gas everywhere, I don't believe that because it will put a lot of people out of work."

Fitzgibbon also advocated a case-by-case basis for mining – arguing that energy poverty meant Australia had valuable resources to offer countries such as India.

"There will be some coal seam gas projects that can be done without harm to the environment and water tables," Fitzgibbon said. "There will be those which can't be."

But Di Natale accused the major parties of having a "revolving door" between former ministers and the mining industry. He named former National party leaders Mark Vaile and John Anderson and Labor ministers Greg Combet and Martin Ferguson.

"You think that is a form of corruption?" asked Uhlmann.

"You have to ask questions when you have this revolving door between our politicians and the coal and gas lobby and massive donations that flow back to the Labor party and to the Liberal National party from those fossil fuel interests."

During an argument about foreign ownership, Fitzgibbon accused Joyce of sending the wrong signals to the world when Australia needed to attract foreign investment.

Joyce asked what he meant, to which Fitzgibbon replied, "I thought you went to a private school".

In response to a question about Indigenous employment opportunities, Joyce said "everybody wants to make sure we work with Aboriginal Australians".

"I work with Aboriginal people in my area and assist them to get the fruits of their nation because they were here first."

Di Natale urged Joyce to fund a program of 5,000 Indigenous rangers, while Fitzgibbon said the first step would be to fund the Gonski education model.

But one of the biggest audience responses on the night followed a question on the internet and the cost of data in rural areas compared with cities.

"Why do telecommunications [companies] charge \$100 for a terabyte in the cities but [for] residents of small towns they charge nearly \$10,000 for a terabyte?" asked the audience member.

Fitzgibbon said there was "no bigger issue" than network speeds and data.

"Under our NBN proposal we had a very important measure and the wholesale access would be equal whether you lived in the capital cities or deep rural Australia," he said.

"Barnaby wants to get rid of that equalisation and people in regional Australia will be paying more. There is no greater divide between city and country than the transformation push effect of the internet."

Joyce said data over wireless or fibre to the node was the same price, wherever it was used.

"If you use wireless, you will pay the same price wherever you use it," Joyce said. "If you use fibre to the node, you will be paying the same price wherever you use it."

On the eve of the debate, Joyce used his electorate to announce a dairy package which extends concessional loans previously used for drought and the farm household cash payments worth \$1,000 a fortnight.

<http://www.theguardian.com/australia-news/2016/may/25/barnaby-joyce-links-live-export-ban-to-increase-in-asylum-seeker-boats>

7. Barnaby Joyce suggests asylum seeker boat influx under Labor coincided with live export halt

ABC News Online

By political reporter Matthew Doran

First posted Wed 25 May 2016, 6:25pm

Updated Wed 25 May 2016, 7:57pm

Deputy Prime Minister Barnaby Joyce has suggested the influx of asylum seeker boats under the Labor government coincided with its decision to halt live cattle exports.

Speaking at the regional leaders debate in Goulburn in NSW, Mr Joyce, Labor's Joel Fitzgibbon and Greens leader Richard Di Natale were asked about the issue of live exports.

It came just minutes after Labor released its policy on animal welfare, including the reintroduction of an animal welfare watchdog.

Mr Joyce said Australia was one of the largest suppliers of meat to Indonesia in 2011 at the time Gillard Labor decided to suspend exports, after an ABC's Four Corners investigation exposed shocking cases of animal cruelty and abuse at 12 Indonesian abattoirs.

"They accepted us as a reasonable trading partner, we proved overnight that we weren't, we created immense bad will in the region we live," Mr Joyce said.

"And now with the release tonight of the Independent Office of Animal Welfare, and the Labor party basically announcing tonight that they're going to have further caveats once more onto the live animal industry, and they're going to move towards ... closing it down again."

"And this was disastrous for us the first time, it will be just as disastrous for us the second time, and might I remind you that when we closed down the live animal export industry, it was around about the same time that we started seeing a lot of people arriving in boats in Australia."

'We created extreme bad will'

ABC Political Editor Chris Uhlmann, who was compering the debate, pressed Mr Joyce on the comments.

"Do you genuinely believe that those two things were linked?" he asked.

"I think that our capacity to have a strong working relationship with Indonesia is affected by our, by them relying on us to be reliable suppliers of protein for their market," Mr Joyce said.

"Do you realise that you are suggesting the Indonesian Government then unleashed the boats in response?" Uhlmann asked.

"I think it's absolutely the case that we created extreme bad will with Indonesia when we closed down the live animal export industry," Mr Joyce replied.

Up until then, the debate had been fairly mild mannered, but Mr Fitzgibbon and Senator Di Natale seized upon Mr Joyce's comments.

"Barnaby, Chris gave you the chance to step back from your comments. You're not taking the opportunity?" Mr Fitzgibbon said.

"I stand by, we can talk about this all night. You either believe that it created bad feeling in Indonesia, or you don't," said Mr Joyce.

"Are you suggesting the Indonesian Government is sending refugees to Australia?" Senator Di Natale asked.

"I believe that the Independents and the Greens and the Labor party, when they closed down the live animal export industry, created immense bad will, and our capacity to manage other problems which became present were affected," Mr Joyce said.

<http://www.abc.net.au/news/2016-05-25/asylum-seeker-influx-coincided-with-live-ex-halt-joyce-suggests/7446456>

8. Di Natale pushes Labor on refugee plan

AAP / news.com.au

May 28, 2016

Greens leader Richard Di Natale says Australia should not outsource its responsibilities around refugees to other nations.

Opposition Leader Bill Shorten has said he'll send his immigration spokesman Richard Marles to Geneva from day one of a Shorten government to re-engage with the UNHCR on where the refugees could be resettled.

Currently the options are Papua New Guinea, Cambodia or returning to their homelands.

"I cannot believe that we are so inept that we couldn't have negotiated resettlement arrangements for 2000 or 3000 people in the last three years," Mr Shorten told Fairfax Media on Saturday.

But Senator Di Natale said that wasn't good enough.

"Why doesn't Bill Shorten simply say, like many other prime ministers before him, that those small number of genuine refugees will be settled here in Australia the day after the election," Senator Di Natale told reporters in Sydney.

He said if the Greens were in a position to influence the policy of major parties after the election, no one would be sent to Geneva.

"We will be saying let us ensure that those very small numbers of refugees that have been imprisoned on Nauru and Manus Island come to Australia and contribute," he said.

<http://www.news.com.au/national/breaking-news/shorten-vows-plans-to-resettle-refugees/news-story/cfa7adb18ac5cba0d8241f1af88a65bb>

9. Australian police accessed phone records of asylum whistleblower

Exclusive: Dr Peter Young, a former detention centre psychiatrist, was investigated after he condemned the government's asylum policies in the media

The Guardian

Paul Farrell

Tuesday 24 May 2016 07.51 AEST

Australian police investigated an immigration detention whistleblower and accessed his phone records in part because of his criticism of the country's asylum seeker policies.

Guardian Australia can reveal that the Australian federal police (AFP) compiled hundreds of pages of investigative file notes and reports surrounding Dr Peter Young following two news reports by the Australian Broadcasting Corporation and the Australian newspaper in December 2014 that disclosed the medical records of Hamid Khazaei, an asylum seeker on Manus Island who died following a skin infection on his leg.

Young, who is a former medical director of mental health for Australia's detention centres, urged workers from inside the system to be "angry and defiant" about attacks on whistleblowing.

The circumstances of Khazaei's death in 2014 sparked heavy criticism of the Australian government after concerns were raised that his treatment had been delayed on Manus Island. Four Corners reported in April that an initial medical recommendation to transfer him to Australia was not followed up by the immigration department. A coronial investigation into his death is still ongoing in Queensland.

But the AFP continued to investigate the disclosure of medical information about Khazaei, in what Young said showed the Australian government's "total commitment to secrecy" surrounding immigration policies.

Details of the investigation have emerged after Young, who was employed by health provider International Health and Medical Services (IHMS), used the Privacy Act to request access to files held on him by the AFP.

The heavily redacted files offer only a small glimpse of the investigation, but state that Young was a suspect in the investigation because of "comments attributed to him being highly critical of [the immigration department] and IHMS in their handling of asylum seeker medical care" in two news reports.

The file note said: "Dr Young's phone did not identify contact with any media outlets or journalists during the period surrounding the publication of the media articles."

Although it was unclear what type of phone records the AFP accessed, it was likely to have included Young's metadata – which would detail who he had communicated with across various periods of time.

The AFP files indicate that it was partly Young's vocal criticism of the immigration detention system that drew him to the attention of the AFP. Young first spoke to Guardian Australia in 2014, and is one of the most senior officials within the system to speak on the record.

A spokesman for the AFP said Young was not targeted because of his comments, and said the agency "does not predetermine persons of interest when commencing investigations".

The documents also reveal that International SOS, the owner of detention health provider IHMS, provided evidence to the AFP early on in the police investigation.

The organisation provided an internal report into the disclosures undertaken by IHMS to the AFP in December 2014. That document has been redacted by the AFP in part on the grounds that it might "prejudice the future supply of information to the AFP" if it were released.

Young, who denies disclosing the records about Khazaei, said he was outraged by the "covert surveillance" the AFP had undertaken on him.

"It's outrageous that the federal police have been used by the government to undertake this sort of covert surveillance," he said. "These kind of laws weren't meant to be targeting doctors, they weren't meant to be targeting journalists, and those reassurances have proven to be false."

"It's really telling that what they were concerned about here is the release of those medical records. It seems they were more interested in chasing this up than following up on the causes of his death."

In regards to IHMS and International SOS's role in the investigation, Young said: "We were told that IHMS were to be in lockstep with the department. This is an example of how they demonstrate their loyalty, their fealty."

A spokeswoman for IHMS said: "IHMS refute the allegation that they have encouraged the AFP to target Dr Young."

"The AFP approached IHMS with a request to review an internal investigation conducted into the leak of protected health information. IHMS cooperated with that request."

A spokeswoman for International SOS also said it did not initiate the referral against Young, but that it "cooperates fully with authorised investigations – whether they be internal or conducted by external parties."

The investigation into Young was eventually discontinued due to a lack of evidence. He urged doctors and other workers from immigration detention to continue to speak out.

"Doctors shouldn't be intimidated but they should be angry and defiant," he said.

The investigation into Young also contradicts comments made by the Australian Border Force commissioner, Roman Quaedvlieg.

Following the passage of the Australian Border Force Act, Quaedvlieg said that former staff who spoke out generally about conditions in detention would not be prosecuted for disclosing information. Only those who leaked classified information could expect to be prosecuted, he said.

The AFP inquiry was undertaken by head office investigations, a special division that handles sensitive political matters including investigations of government information in news reports. The offence the AFP was investigating was alleged unauthorised disclosures of information under section 70 of the Crimes Act.

A spokesman for the AFP said: "The AFP's primary responsibility in this matter was to identify alleged criminality regarding the unauthorised disclosure of Commonwealth information."

The section has been criticised by the Australian Law Reform Commission for essentially criminalising any disclosure of information.

The AFP's investigation is likely to raise further concerns that journalists phone records may also have been accessed as part of the investigation. The AFP has previously sought access to journalists' phone records as part of disclosure investigations. A spokesman for the AFP said that "investigative methodologies vary from case to case".

There has been increasing attention to the role of the AFP surrounding investigations of whistleblowers to news outlets.

On Thursday the AFP raided Labor party offices in Melbourne as part of an investigation into the disclosure of documents about the national broadband network. The investigation also fell under the same section of the Crimes Act.

---->>> *Disclosure: The author is currently engaged in a matter before the Privacy Commissioner surrounding access to documents about AFP disclosure investigations.*

<http://www.theguardian.com/australia-news/2016/may/24/australian-police-accessed-phone-records-of-asylum-whistleblower>

10. Peter Young spoke out about a man's death. Suddenly, the AFP was looking at his phone records

Brisbane Times
May 24 2016
Nicole Hasham

The Department of Immigration sought an investigation by the Australian Federal Police which resulted in a whistle-blowing psychiatrist having his phone records accessed, it has emerged.

Guardian Australia reported on Tuesday that the AFP had compiled hundreds of pages of file notes and reports involving Sydney-based psychiatrist and detention centre critic, Peter Young, including documents that show his phone records had been investigated.

The probe followed media reports that contained details of the medical records of Hamid Khazaei, a Manus Island asylum seeker who died in September 2014 after a cut on his leg progressed to septicaemia.

Dr Young oversaw the mental health of asylum seekers in all Australian-run detention centres from 2011 to mid-2014. He told Fairfax Media he was no longer in the position at the time of Mr Khazaei's death and did not have access to his medical records, and suggestions he was responsible for the leak were "absolutely ridiculous".

But he indicated the leak was nonetheless justified because it demonstrated the Department of Immigration and Border Protection's "utter negligence" in the case.

ABC's Four Corners program last month reported a number of senior medical professionals who claimed authorities failed to act on urgent requests to evacuate Mr Khazaei, which contributed to his death.

The AFP confirmed the Department of Immigration made a referral over the leak of Commonwealth information. A spokesman said "no persons of interest were predetermined" and there was insufficient evidence to support a prosecution.

Dr Young has been a vocal critic of offshore detention since he left the system, and has previously spoken out over Mr Khazaei's case. He believed the department made the police referral because it was "embarrassed" by the leak.

Dr Young requested access to files the AFP had compiled on him. Guardian Australia said the files stated he was a suspect in the investigation because of "comments attributed to him being highly critical of [the Immigration Department] and IHMS in their handling of asylum seeker medical care" in two news reports.

The news outlet quoted a file note saying Dr Young's phone "did not identify contact with any media outlets or journalists during the period surrounding the publication of the media articles".

Dr Young said the AFP "accessed my metadata, they've called up my colleagues and questioned them about why they are speaking to me".

He said this disproved government claims that secrecy provisions in Australian Border Force laws, introduced in July last year, are not aimed at doctors.

However, the department said the laws did not apply retrospectively to unauthorised disclosures, suggesting they would not have covered the leak involving Mr Khazaei's death.

"It is the AFP's decision whether to commence an investigation," a department spokesman said in a statement.

"As stated on multiple occasions, the ABF Act does not prevent general statements being made about conditions in detention centres."

Dr Young said doctors working in the detention centre system who do not publicly reveal its problems "are enabling what is occurring ... they are actually negligent in their ethical duties if they don't speak up".

So long as detention centre health services remained under the control of the Immigration Department, rather than health authorities, doctors working in the system could not deliver safe or ethical care, he said.

<http://www.brisbanetimes.com.au/federal-politics/political-news/peter-young-spoke-out-about-a-mans-death-suddenly-the-afp-was-looking-at-his-phone-records-20160524-gp2fs6.html>

11. MEDIA RELEASE: Refugee husband says Nauru fire was suicide attempt

Wednesday May 25, 2016

Refugee Action Coalition

Ian Rintoul

mobile 0417 275 713

The fire that gutted the unit in the Nauru refugee camp, Anuijo, on Monday, May 23, was part of a suicide attempt, according to the husband of the woman who was rescued from the burning unit. (Photos and videos of the first available on request.)

The Iranian woman was given oxygen at the Nauru hospital after being rescued from the unit. Her husband and son were not at home when the room was engulfed in flames.

The family, including their 5 year-old son, is now being held under surveillance in OPC1.

A message from the husband of the 30 year-old Iranian woman says that his wife has suffered depression 'for a long time,' and had attempted suicide on other occasions.

She had told medical service providers, IHMS that she intended to kill herself, "But no-one paid any attention," he said.

Although the message does not say how the fire was set, her husband says, "Today she locked herself inside that room, and tried to commit suicide." The husband's account fits with the fact that security guards had to break into the room to rescue the woman.

The suicide attempt is the latest in a series of suicides and serious attempted suicides on Nauru as despair has taken hold of the population of asylum seekers and refugees on Nauru.

Today, Wednesday, 25 May, will make the 67th day of protest at the Nauru's family compound, RPC 3, and the 28th of protest at the single men's camp, OPC2.

The Nauruan government's growing practise of criminalising suicide by arresting and charging already vulnerable people for attempting suicide is only adding to the anguish and disquiet on Nauru.

For more information contact Ian Rintoul 0417 275 713

12. Mentally ill refugee tried to incinerate herself at Nauru, husband says

Canberra Times
May 25 2016 - 2:03PM
Nicole Hasham

A mentally ill female Iranian refugee at Nauru locked herself in her family's unit and set it alight, her husband says, in an apparent suicide attempt that underscores the ongoing mental harm caused by the Turnbull government's offshore processing regime.

The incident follows two self-immolations by refugees at Nauru in the past month - one of them fatal - and a young Bangladeshi man who died of suspected heart failure on the island after an alleged deliberate medication overdose.

Labor leader Bill Shorten on Wednesday said deterring people smuggling should not involve indefinite detention in offshore camps, and reiterated his party's pledge to find third-country resettlement options.

Photos and video of the latest alleged suicide attempt show thick black smoke pouring from the dwelling, which is engulfed by flames. The building was left charred and extensively damaged.

The Department of Immigration confirmed that a fire broke out at the Anuijo settlement at Nauru this week. It refused to comment on whether it was a suicide attempt, saying the incident was "a matter for the government of Nauru". The Nauruan government did not respond to request for comment.

Refugee Action Coalition spokesman Ian Rintoul, who has been in contact with the woman's husband, said the woman "had long term depression and had tried to kill herself at other times".

Recounting the statement of the husband, Mr Rintoul said the woman, who has a young son, recently told health workers she wanted to kill herself "but no-one paid any attention".

She allegedly "locked herself inside the room and tried to commit suicide", Mr Rintoul said.

He said the woman was rescued by a security officer before firefighters arrived. She was taken to hospital but later released.

"Yet another serious attempted suicide ... it shows there is a worsening situation at Nauru," Mr Rintoul said.

"People are very worried about the situation, they are very worried for themselves. The situation has grown very intense because people don't know what's going to happen and nothing seems to be happening."

Border protection has emerged as a defining issue of the federal election campaign, amid debate over the size and cost of Australia's humanitarian intake and the best way to deter unauthorised boat arrivals.

Labor supports the offshore detention regime, but wants to gradually increase Australia's humanitarian intake to 27,000 a year, and introduce better conditions and independent oversight to detention camps at Nauru and Manus Island.

The government points to internal division within Labor over asylum seeker policy, and says the party would unravel the government's harsh measures if elected.

Mr Shorten on Wednesday emphasised the common ground between both major parties on the issue, saying said neither Labor nor the Liberals were soft on people smuggling.

But he said the tough approach should not require "indefinite detention in Manus and Nauru".

"[If elected] we would engage in regional resettlement with the sort of vigour we haven't seen in the government," Mr Shorten said, adding that he would dispatch a Labor immigration minister "on a plane to talk to the UN High Commissioner for Refugees".

"We will negotiate in a fair dinkum manner to make sure we have regional resettlement but never again will we allow the people smugglers back," he said.

On Tuesday it emerged that a psychiatrist who has spoken out strongly about the mental harm caused by Australia's detention regime was referred to the Australian Federal Police over suspected information leaks, and had his phone records accessed.

<http://www.canberratimes.com.au/federal-politics/political-news/mentally-ill-refugee-tried-to-incinerate-herself-at-nauru-husband-says-20160525-gp3d6m.html>

13. Marital rape no longer allowed and suicide, homosexuality decriminalised at Nauru

Sydney Morning Herald
May 27, 2016 - 12:18PM
Nicole Hasham

Refugees at Nauru who are gay or attempt suicide can no longer be jailed and men are now outlawed from raping their wives after the island republic updated its antiquated criminal code.

However it is unclear if the Nauru government, which hosts a detention centre funded by Australian taxpayers, has repealed a host of other controversial or archaic laws, such as banning Facebook and criminalising fortune telling, sorcery and the defamation of foreign princes.

Nauru's outdated criminal code had fuelled criticism that the isolated island was not an appropriate place to hold people seeking asylum in Australia.

The Nauru government on Friday announced that the island's Parliament this month passed a number of laws to bring the nation up to international human rights standards.

A new act replaces a former criminal code that dated back to 1899 and was based on old Queensland laws.

Under those laws, a refugee at Nauru was convicted and fined in April for attempted suicide in a move island authorities said was designed to "stamp out the practice".

The revised laws state that suicide is no longer an offence and is considered "more a mental health issue rather than a criminal law issue", the government said in a statement.

The definition of rape has been broadened and is "now applicable to married and de facto couples". Slavery, including forced child labor, has also been outlawed.

Homosexuality is no longer an offence at Nauru. In March two gay refugees at Nauru said they had suffered assaults and were prisoners in their homes, amid widespread social hostility towards homosexuality.

Sentences such as the death penalty, imprisonment with hard labour and solitary confinement have been removed, and penalties for sexual offences, including those relating to children, have been increased.

Abortion remains illegal when not part of a "lawful medical procedure".

Recent Nauruan criminal law allowed those engaged in "witchcraft, sorcery" or fortune telling to be sentenced to one year of hard labour.

Two years in prison also awaited any person who published material "tending to expose to hatred or contempt" of foreign princes.

In May last year, the Nauru government directed the country's only internet service provider to block access to Facebook, claiming it was part of an online pornography crackdown. Critics said it was an attempt to stifle free speech and prevent the dissemination of negative information about the detention centre.

A response has been sought on whether these laws remain in force.

The Government of Nauru said the law changes, which include those promoting gender equality, reflected the nation's "progressive leadership".

<http://www.smh.com.au/federal-politics/political-news/marital-rape-no-longer-allowed-and-suicide-homosexuality-decriminalised-at-nauru-20160527-gp586w.html>

14. Machete-wielding man who attacked passing motorists spent four years in Woomera, court hears

ABC News Online
By Elizabeth Byrne
First posted Tue 24 May 2016, 2:52pm
Updated Tue 24 May 2016, 3:04pm

A man who went on a rampage with a machete and a knife in Canberra last year had spent four years in the Woomera Detention Centre, the ACT Supreme Court has heard.

Imran Hakimi, 33, was arrested in November after an attack in which two people were injured late at night on Chandler Street in Belconnen.

The court heard Hakimi had begun attacking cars as they passed on the major road, jumping into one car and holding the blade of the knife to a woman's throat, breaking the skin.

He was eventually subdued by two men in a taxi he had tried to enter.

Hakimi has previously pleaded guilty to nine charges, including intentionally wounding, using an offensive weapon and property damage.

The court heard Hakimi had come to Australia at the age of 16 and had spent four years in the Woomera Detention Centre.

A friend of Hakimi's told the court the attack was "out of character".

He said he had known him since he was released from immigration detention.

Attack 'terrifying' for victim

But prosecutor Katrina McKenzie urged the court to take into account the fact it had been a random attack by a stranger and to impose a full jail term.

She noted the victim whose neck was cut had escaped by pushing the blade away and jumping out of the car.

"It could only be described as quite a terrifying experience for [the victim]," Ms McKenzie said.

"It was a terrible predicament for her to be in."

A pre-sentence report noted Hakimi suffered a depressive illness.

But Ms McKenzie told the court there was no evidence that had played a role in the events and that Hakimi had been angry about a family law matter.

Hakimi's lawyer James Sabharwal described the incident as bizarre.

He said it was fortunate nobody was seriously hurt.

But he said it was unfortunate there had been no drug or alcohol testing on the night because Hakimi had been too agitated.

Hakimi is expected to be sentenced next month.

<http://www.abc.net.au/news/2016-05-24/machete-wielding-man-spent-four-years-in-immigration-detention/7441780>

15. Vietnamese asylum seekers forcibly returned by Australia face jail

The Guardian

Ben Doherty

Tuesday 24 May 2016 08.11 AEST

Four Vietnamese asylum seekers forcibly returned to their country by Australia will appear in court on Thursday, facing up to seven years in jail for trying to flee.

Four others have already been jailed for between two and three years for illegally leaving the country, despite written assurances from the Vietnamese government – according to the commander of Operation Sovereign Borders – that they would not be charged or punished for leaving.

Last year, two boatloads of Vietnamese asylum-seekers were intercepted by Australian government vessels as they attempted to reach Australia. They underwent "enhanced screening" by Australian officials at sea, before being directly returned to Vietnam.

Enhanced screening is an abbreviated process to determine refugee status that typically lasts about an hour, but reportedly can be as short as four questions.

One boat of 46 asylum seekers left La Gi port in Bình Thuận province bound for Australia on 7 March 2015. The boat was intercepted by an Australian navy vessel on 20 March, and its passengers held at sea by Australian authorities for nearly a month. On 18 April, Australian officials returned the passengers to Vietnam on board a navy ship.

One of those returnees reported that an Australian immigration official told the group on the ship that the Vietnamese government would not arrest or imprison any of them, but would assist with education and community reintegration.

A Vietnamese security official boarded the boat and confirmed that no one would be arrested. The commander of Operation Sovereign Borders, Major General Andrew Bottrell, told Senate estimates in May the Australian government had been given “assurance” in writing by the Vietnamese government “that there would not be any retribution for their illegal departure from Vietnam”.

Despite those assurances, four of the group were charged, tried, convicted and jailed for organising the boat departure.

On 22 April this year, the People’s Court of La Gi commune, Binh Thuan province, sentenced Tran Thi Thanh Loan to three years imprisonment, her husband Ho Trung Loi to two years, Nguyen Thi Lien to three years and Nguyen Van Hai to two years, all under article 275 of the penal code, which is designed to combat human trafficking for commercial sexual exploitation.

The second boat, also carrying 46 people, including children as young as four, left the city of Phan Thiet on 1 July 2015. It was intercepted by Australian officials on 21 July.

Those on board were assessed by “enhanced screening” and returned to Vietnam by plane within four days. Again, the group said they were directly told by Australia immigration officials and Vietnamese government officers that they would not be arrested or imprisoned.

But four people were taken from the group and incarcerated for nearly a month without access to a lawyer.

On Thursday, the same court in La Gi commune is scheduled to hear the case of Nguyen Dinh Quy, his wife Huynh Thi Kieu, Tran Thi Lua and Nguyen Minh Quyet on charges of “organising for others to flee abroad illegally”, also under article 275 of the penal code.

If convicted, they face up to seven years in prison. Tran Thi Lua told Radio Free Asia last month she expected to be jailed for four years for her role in organising the trip and buying the boat.

The group of 46 all contributed to the 440m Dong (A\$27,000) cost of buying the boat and paying for food and fuel for the trip.

“I was the one who initiated the trip so I will get four years,” she said. “The others will get three years.”

Tran Thi Lua said she was not involved in human trafficking, but was searching for a better life for her family.

“We are not traffickers,” she said. “Our lives here are so difficult. It is so hard to make enough to raise our children. That was why we decided to leave.”

Tran Thi Lua said she was assured when she was returned to Vietnam she would not be prosecuted. But, she says, she has been incarcerated and interrogated several times since.

“When we arrived at the airport, one policewoman told us that on behalf of the government of Vietnam, they had pardoned us,” she said. “They said they would let us come back to live with our community and nobody would be jailed, but they detained us, and now they prosecute us.”

It had been reported that the asylum seekers on board the second boat were part of an extended family group who relied on fishing, but who had had their boats destroyed by the Chinese government in a dispute over fishing areas.

The director of Human Rights Watch in Australia, Elaine Pearson, said imprisoning people for trying to leave their own country was “cruel as well as unlawful”.

“The Vietnamese government is prosecuting the four defendants for leaving Vietnam without the government’s permission, violating their fundamental right under international law to leave their own country.”

Pearson said Australia – as the state that had forced them back to Vietnam – should ensure they were not punished.

“Vietnam has blatantly broken its promise to the Australian government not to prosecute boat returnees. Australia should tell the Vietnamese government to drop all charges immediately and release them.”

The UNHCR has repeatedly raised concerns about “enhanced screening”, which it says breaches international law.

“UNHCR has previously made known its concerns to Australia about its enhanced screening procedures and their non-compliance with international law,” it said in 2014 after 41 Sri Lankans were returned.

“UNHCR’s experience over the years with shipboard processing has generally not been positive. Such an environment would rarely afford an appropriate venue for a fair procedure.”

Under the 1951 Refugees Convention, to which Australia is a party, and under customary international law, countries cannot "refoul" a person, that is, send them back to a place where they will face harm.

<http://www.theguardian.com/australia-news/2016/may/24/vietnamese-asylum-seekers-forcibly-returned-by-australia-face-jail>

16. Boat migrants 'turned back to jail', despite Vietnamese promise

Sydney Morning Herald
May 24, 2016 - 11:12AM
Nicole Hasham

Boat migrants intercepted by Australian authorities and returned to Vietnam are facing hefty prison terms, despite their country's government previously claiming those fleeing by sea would not face retribution, a leading human rights group says.

The development casts the spotlight onto the Turnbull government's insistence on returning so-called "illegal" boat passengers despite fears over their welfare. Labor also officially supports the turn-back and take-back policy, but is internally split over the issue.

Human Rights Watch says a Vietnamese court is on Thursday due to hear the case of four people charged with "organising for others to flee abroad illegally".

If convicted, the group face up to seven years in prison, Human Rights Watch Australia director Elaine Pearson said.

She did not believe the four - Nguyen Dinh Quy, his wife Huynh Thi Kieu, Tran Thi Lua and Nguyen Minh Quyet – were seeking asylum in Australia, but were poor and "looking for a better life".

Ms Pearson said those charged arranged for 42 relatives and acquaintances, including children, to join them on the boat, but were not professional people smugglers. She said passengers paid some money for the journey to cover the cost of food, fuel and buying the boat.

Human Rights Watch says the boat left the Vietnamese city of Phan Thiet on July 1 last year. It was later intercepted by Australian officials and the passengers were taken back to Vietnam by plane.

Ms Pearson said two of those returned claimed an Australian immigration official told them they would not be arrested or imprisoned upon their return, and that the Vietnamese government would find work for them and school for their children.

The defendants say once arriving in Vietnam, Australian consular authorities also witnessed a Vietnamese official telling the group they would not be arrested or detained.

However Human Rights Watch says some of the defendants were later detained without charge and denied access to a lawyer, and eventually all four were charged.

The organisation says prisoners in Vietnam endure notoriously poor conditions and inadequate medical care, and some of the defendants are suffering bad health.

She called on Vietnamese authorities to drop the charges and urged the Turnbull government to intervene, adding that "imprisoning desperate people trying to leave their own country is cruel as well as unlawful".

The incident follows the return to Vietnam of passengers from another unrelated boat in April last year.

Human Rights Watch says passengers from that boat have been charged and convicted.

This came despite Operation Sovereign Borders commander Major-General Andrew Bottrell telling a Senate hearing last May that Vietnamese officials gave a written assurance that the group would not be punished.

He admitted the Australian government did not track asylum seekers once they had been returned, and the commitment was taken on trust.

Ms Pearson said Vietnam had "blatantly broken its promise to the Australian government not to prosecute boat returnees".

Immigration Minister Peter Dutton, the Immigration Department and Labor immigration spokesman Richard Marles have been contacted for comment.

<http://www.smh.com.au/federal-politics/political-news/election-2016-vietnam-blatantly-breaking-promise-to-protect-returned-refugee-20160524-gp27cj.html>

17. Vietnam jails four asylum seekers returned by Australia

Human Rights Watch says action violates defendants' right under international law to leave their own country

The Guardian
Reuters in Hanoi
Friday 27 May 2016 02.06 AEST

A court in Vietnam has jailed two men and two women for "organising others to flee abroad illegally" after Australia sent back a group of asylum seekers, their lawyer said.

The 46 asylum seekers, including the four defendants, were on board a small vessel intercepted off Australia's west coast last year and were returned to Vietnam as a result of negotiations between the countries.

The four, who have been jailed for terms ranging from 24 to 30 months, were crossing the border illegally for the first time in July 2015 and their 42 Vietnamese companions were relatives and acquaintances, the lawyer Vo An Don told Reuters.

"The verdict is too heavy and lacks humanity," Don said, adding that the defendants were likely to appeal against it. "They are too poor and just want a better life. They didn't arrange it for money."

Vietnam's foreign ministry did not immediately respond to Reuters' request for comment.

A spokesman for Australia's Department of Immigration and Border Protection said it was confident the Vietnamese government was upholding its assurance not to prosecute any of the 46 people.

"It is our understanding these prosecutions do not relate to the illegal departure of those returned, but relate only to a small number of individuals who authorities allege are responsible for organisation of the venture," the spokesman told Reuters on condition of anonymity, in line with departmental protocol.

New York-based Human Rights Watch, however, said the action violated the defendants' fundamental right under international law to leave their own country.

"Vietnam has blatantly broken its promise to the Australian government not to prosecute boat returnees," the group's Australia director, Elaine Pearson, said.

Some of the returnees said that on their arrival in Vietnam, an official assured the group in front of the Australian consulate's representatives that they would not be arrested or detained, according to HRW and Don.

Vietnam has been rebuked for its poor record on human rights, with dissidents, bloggers and religious figures having been jailed in recent years.

Barack Obama, chided Vietnam on political freedoms this week after critics of its communist-run government were prevented from meeting the US president during his first visit to the country.

<http://www.theguardian.com/australia-news/2016/may/26/vietnam-jails-four-asylum-seekers-returned-by-australia>

18. Cambodia revives Australia refugee deal with planned Nauru visit

Reuters / ABC News Online
First posted Wed 25 May 2016, 8:45am
Updated Wed 25 May 2016, 9:40am

Cambodia says it will send a team to a detention centre on Nauru next month to interview two refugees, reviving the resettlement agreement with Australia that seemed on the verge of collapse.

Cambodia agreed with Australia in 2014 to take in refugees from Nauru in exchange for \$40 million in aid, but it later threatened to withdraw from the agreement.

Only five people have gone to Cambodia under the pact and three of them later chose to go back home, but now two more might be on their way.

"Our team is ready to go and interview two more refugees who volunteered to be resettled," said Tan Sovichea, the head of the Cambodian Interior Ministry's refugee unit.

He said his three-person team would fly to Nauru in the first week of June to vet the refugees, who are an Iranian man and woman.

Rights groups have condemned Australia for trying to resettle refugees in poorer countries such as Cambodia, which is frequently accused of human rights abuses and has an economy less than one percent the size of Australia's.

Cambodians critical of the deal protested outside the Australian embassy in Phnom Penh when the agreement was signed almost two years ago, saying the country was unable to look after its own people and should not take the refugees.

Mr Sovichea said Australia had originally delayed the trip which was supposed to be on May 2, and Australian officials had not yet set an exact date for the trip in June.

The ABC has approached the Federal Government for comment.

<http://www.abc.net.au/news/2016-05-25/cambodia-revives-australia-refugee-deal/7443872>

19. Political intimidation, oppression, beatings: welcome to today's Cambodia, refugees

Sydney Morning Herald
by Lindsay Murdoch
May 26, 2016 - 4:28PM

Bangkok: The Turnbull government is attempting to salvage Australia's \$55 million agreement to send refugees to Cambodia at a time when the country's leader, Hun Sen, has launched the worst crackdown on freedoms in recent memory.

Australian officials on Nauru have convinced two Iranian refugees to take a one-way ticket to Phnom Penh by portraying the south-east Asian nation as a kind of tropical utopia with no violent crime, refugee advocates say.

But Cambodia's security forces are behind escalating political intimidation, the suppression of political expression and restrictions on freedom of assembly, according to opposition figures and human rights groups.

In a report released on Thursday, Human Rights Watch linked Mr Hun Sen's bodyguard unit to an attack outside Cambodia's parliament last October in which two opposition MPs were dragged from their cars and beaten, kicked and stomped unconscious.

The New York-based organisation detailed a cover-up to protect those who planned and organised the attack while three junior soldiers who were put on trial refused to identify them.

"From start to finish the assault had all the hallmarks of an operation carried out by Cambodian state security forces," Human Rights Watch said, adding it was brazen even in a country where for decades security forces have been responsible for harassment, threats, arbitrary arrests, prosecutions and physical attacks against political opponents, civil society activists and anyone deemed critical of the ruling party.

Mr Hun Sen's personal unit has long been notorious for serious human rights violations, including a 1997 grenade attack on an opposition rally that killed at least 16 and injured more than 150.

Cambodia's human rights organisation LICADHO said the government's assault on its critics has intensified since last year, and the number of political prisoners has risen to 29 as the authorities have made increasing use of the criminal justice system to persecute dissenters.

Those detained include human rights investigators, opposition MPs, student representatives and environmental activists.

Youth activists aligned with Mr Hun Sen's ruling Cambodian People's Party have whipped up an alleged sex scandal involving Kem Sokha, deputy president of the opposition Cambodia National Rescue Party, and a young hairdresser.

The youths demanded that Mr Kem Sokha face legal consequences for the affair that was purportedly exposed in recordings published on-line, while police arrested four members of the local human rights group Adhoc and a member of the National Election Committee, all of whom were accused of bribing the hairdresser to deny the affair.

When Ou Virak, head of the Future Forum policy institute and a respected political commentator, described the scandal as a political confection he was sued for defamation.

The United Nations human rights agency described the arrests as "politically motivated persecutions" and pointed to "woefully flawed due process".

Five officials of Mr Kem Sokha's party, including two MPs, are also in jail on various charges while the party's president Sam Rainsy remains in Paris, fearful of returning to Phnom Penh to face defamation and other charges.

Sebastian Strangio, an Australian analyst and author of Hun Sen's Cambodia, said the crackdown reached a new low on May 9 when eight human rights defenders were arrested merely for the unauthorised wearing of black T-shirts.

Though the group were later released, Strangio wrote in the Phnom Penh Post that the arrests were a typical example of Cambodia's paranoid politics where there is a tendency to see any stirring of opposition, however small, as a threat to social cohesion and national survival.

"For more than two decades Hun Sen has deftly alternated periods of pressure with periods of calm in just the right balance to cripple his opponents and maintain the grudging support of foreign donor governments," he wrote. "But while the frequency remains the same, the amplitude is rising."

Mr Hun Sen, a former commander of the murderous Khmer Rouge who defected to Vietnam in the late 1970s, has remained in power for more than three decades.

In long rambling speeches on national television he has compared himself to great Cambodian historical figures.

Early in May, state officials ordered Cambodia's media to use Mr Hun Sen's official titles in the opening line of any print, radio or television articles about him.

Mr Hun Sen's title is Samdech Akka Moha Sena Padei Techno Hun Sen, which according to Associated Press translates into "princely exalted supreme great commander of gloriously victorious troops".

Only five refugees on Nauru have agreed to resettle in Cambodia since then immigration minister Scott Morrison signed the controversial agreement with Cambodia at a ceremony toasted with champagne in late 2014.

Three of them have returned to their countries of origin despite having well founded fears of persecution there and Fairfax Media has revealed that the two remaining in Phnom Penh are deeply unhappy and want to quit the country.

<http://www.smh.com.au/world/political-intimidation-oppression-beatings-welcome-to-todays-cambodia-refugees-20160526-gp4aar.html>

20. First refugees sent to Cambodia under \$55m deal have left

ABC News Online

Exclusive by political reporter Dan Conifer

First posted Fri 27 May 2016, 12:43pm

Updated Fri 27 May 2016, 1:11pm

The first group of refugees transferred from Nauru to Cambodia under a controversial deal have all left the country — less than a year after arriving.

The group of two Iranian men, an Iranian woman and a man from Myanmar arrived in Phnom Penh on June 4 last year.

The ABC understands the last of the original group — an Iranian man — left in recent weeks.

Cambodia agreed to take refugees from Nauru who tried to reach Australia by boat in exchange for \$40 million aid from Australia.

The Federal Government also offered to pay the International Organisation for Migration (IOM) \$15.5 million to support those who moved there.

Of the five refugees who have been transferred from Nauru overall, just one Rohingya remains in the South-East Asian country.

Cambodian officials will reportedly fly to Nauru next month to interview two more refugees who have agreed to resettle.

An Iranian husband and wife returned to their country of origin in March, just five months after an ethnic Rohingya man returned to Myanmar.

The Cambodian Government reportedly said the man asked to go because he was homesick.

These earlier departures prompted strong criticism from the Opposition, whose immigration spokesperson Richard Marles slammed the resettlement deal as "an expensive joke".

[http://www.abc.net.au/news/2016-05-27/first-refugees-sent-to-cambodia-under-\\$55m-deal-have-left/7452542](http://www.abc.net.au/news/2016-05-27/first-refugees-sent-to-cambodia-under-$55m-deal-have-left/7452542)

21. Refugee leaves Cambodia after being deeply unhappy with move from Nauru

Sydney Morning Herald
May 28, 2016 - 12:27AM
Lindsay Murdoch

An Iranian refugee sent to Cambodia by Australia under a controversial \$55 million agreement has quit the country after telling relatives he was deeply unhappy about making the move from Nauru.

Officials in Phnom Penh have confirmed that Daniel Eskandari, in his early 20s, secretly left Cambodia for Iran several weeks ago.

Now only one of five refugees who volunteered to take a one-way ticket from Nauru remains in Cambodia, one of Asia's poorest nations.

Rohingya Muslim Mohammed Rashid, 26, told Fairfax Media in March he felt abandoned and feared he would die in Cambodia.

Mr Eskandari was among the first group from Nauru to arrive in Phnom Penh in June last year.

He complained about broken Australian promises while living in Phnom Penh under the care of the International Organisation for Migration, which Australia allocated millions of dollars to take care of the refugees.

Mr Eskandari was found to have a well-founded fear of persecution if he returned to Iran when he applied for refugee status before leaving Nauru.

The deal with Cambodia that then Australian immigration minister Scott Morrison signed with Cambodia at a champagne-sipping ceremony in 2014 has teetered on collapse for months.

But two Iranian refugees on Nauru – a man and a woman – have reportedly offered to give up hope of living in Australia and travel to Cambodia.

Cambodian officials plan to travel to Nauru to interview them to assess their suitability for living in their country.

Kem Sarin, a senior Cambodian official, told the Phnom Penh Post that the Iranian refugee – Mr Eskandari – volunteered to return to Iran where Fairfax Media understands he has relatives who were sending him money in Phnom Penh.

"If they (the refugees) want to stay here, we welcome that," Mr Kem Sarin said.

"If they want to go home to reunite with their relatives and enjoy their family, we more than welcome that."

The agreement has been widely condemned, including by the UN refugee agency UNHCR, human rights and refugee advocates and Cambodia's opposition parties.

As well giving Cambodia, a country where corruption is endemic, \$40 million to sign the agreement, Australia also allocated \$15 million to the IOM in Cambodia to look after the refugees.

<http://www.smh.com.au/world/refugee-leaves-cambodia-after-being-deeply-unhappy-with-move-from-nauru-20160527-gp6170.html>

22. Opposition MP beaten by PM's bodyguards urges Australia to rethink refugee resettlement deal with Cambodia

ABC Radio CAF - AM
By South East Asia correspondent Liam Cochrane in Phnom Penh.
Posted Sat 28 May 2016, 5:34am

A Cambodian refugee who returned to his country and became an MP and was then beaten by the Prime Minister's bodyguards says Australia should think twice about sending over refugees from Nauru.

In October, Nhay Chamroeun and Kung Sophea were dragged from their cars and repeatedly kicked by a mob outside the National Assembly — both are MPs with the opposition Cambodian National Rescue Party.

Footage of the sustained assault showed dozens of bystanders, some with walkie talkies.

"It was so unexpected and cruel," Mr Chamroeun told the ABC.

"My wrist was broken ... all the front teeth broken, nose broken, and also eye socket's broken ... and also multiple chest injuries and ribs as well."

Three men handed themselves in to police claiming they initiated the attack because the MPs insulted them — a claim not supported by witnesses or the video footage of the incident.

Despite initial denials from authorities, all three confirmed in court they were members of the Prime Minister's bodyguard unit.

On Friday, they were sentenced to four years in prison for the attacks, with three years suspended.

Due to time spent in pre-trial detention they could walk free in five months.

"These three guys are going to take the fall," Phil Robertson, deputy director of Human Rights Watch's (HRW) Asia division, said.

"The real story is this was a coordinated attack ... it was quite clear that the bodyguard unit of the Prime Minister played a central role."

Cambodia offers no sanctuary for refugees: MP

A report released on Thursday by HRW detailed the links between those involved in the violence and top-ranking officials.

The HRW report explained that the organisation that organised the pro-government protest outside the National Assembly in October is run by the children of high-profile military and government figures.

At the time the group was known as the Youth Federation of the Legion of Cobras and its logo was almost identical to the bodyguard unit's insignia.

"It's just a joke," said Mr Chamroeun after the verdict.

"The bodyguard unit should be held responsible ... the government should be held responsible."

Critics say the ongoing political unrest in Cambodia is just one reason Australia should not send refugees there.

Mr Chamroeun sought asylum in Thailand and then the United States but returned to Cambodia in 2013 to join the opposition party.

"I'm a former refugee ... [and] I appeal to the Australian Government to think twice about sending the refugees to Cambodia," he said.

Five refugees agreed to be resettled in Cambodia but four have since left.

"The whole idea that Australia had that somehow Cambodia would be a safe haven for refugees, I think was bonkers right from the beginning," Mr Robertson said.

Australia gave the Cambodian Government \$40 million in aid as part of the refugee resettlement deal.

A further \$15 million was pledged to the International Organisation for Migration (IOM) to provide support for the Nauru transferees and any other refugees in Cambodia at the time.

The IOM has confirmed that one refugee is still in Cambodia.

<http://www.abc.net.au/news/2016-05-28/cambodian-refugee-politician-urges-australia-rethink-refugees/7455592>

23. Last refugee among group Australia sent to Cambodia returns to home country

Iranian was among four who had volunteered for resettlement in a deal a refugee advocate says was aimed at ensuring such an outcome eventually

The Guardian

Lauren Crothers in Phnom Penh

Saturday 28 May 2016 10.39 AEST

The last man in a group of refugees transferred to Cambodia last year has already returned to the country he fled; an outcome that one refugee advocate says is the exact result Australia wanted when it signed the deal with Cambodia in the first place.

The man, an Iranian, was one of four people to volunteer for resettlement as part of a \$40-million deal forged between Australia and Cambodia in September 2014. The deal relates specifically to refugees detained by Australia on Nauru. After he, a Rohingya man and an Iranian couple agreed to be part of the first group, the government tacked on an additional \$15.5m to cover the initial resettlement costs.

The Iranian refugee did not respond to a request for comment but Kerm Sarin, a spokesman for Cambodia's general department of immigration, told Guardian Australia on Friday that the man had left Cambodia in April.

"He didn't say why, but he volunteered to go back to his home country," Sarin said, adding that the refugee liaised directly with the Iranian authorities in securing his passage back there.

"We didn't provide any assistance in getting the paperwork," Sarin said.

The man's departure was also confirmed by Joe Lowry, the Bangkok-based spokesman for the International Organisation for Migration. Lowry did not respond to questions about the integration program IOM set up after winning the tender to assist in the resettlement of refugees, and whether or not it would be altered following the departures.

Two more Rohingya men detained on Nauru have volunteered to be resettled in Cambodia, where a lone Rohingya man who arrived separately to the first group is now the only refugee still here.

Upon their arrival in Phnom Penh on a scorching day in early June last year, the first group of four were swiftly whisked away to a gated villa in the southern outskirts of Phnom Penh.

While sequestered there, the group – which had also been promised a cash incentive by the Australian government – took part in an orientation and integration program set up by the IOM, which included Khmer language lessons and trips around the capital.

Ian Rintoul from the Refugee Action Coalition said by phone that Cambodia had only ever been seen as a way out of the "deterrent centre" that is Nauru; that Cambodia was a "stopping-off point" through which the refugees could ultimately try and go somewhere else.

In this case, all four have returned to the countries they once fled. The first was the lone Rohingya man, who lasted just four months in Cambodia. He returned to Myanmar last October.

The Iranian couple left Cambodia in February.

"We don't like to see a situation where refugees are coerced into returning to their home countries," Rintoul said. "The whole thing associated with Cambodia is to get that effect and treat people in such an abominable way; deny them a future that people do 'voluntarily' return to their home countries. It's an outcome that's designed to be forced upon them."

The refugee resettlement deal with Cambodia was first floated by the Foreign Minister, Julie Bishop, in January 2014, just weeks after the Cambodian government opened fire on protesting garment workers, killing five civilians.

<http://www.theguardian.com/australia-news/2016/may/28/last-refugee-among-group-australia-sent-to-cambodia-returns-to-home-country>

24. Transfield boss says political donations 'bought access' to MPs

Luca Belgiorno-Nettis says it's 'difficult to deny' donations helped company gain contract to build harbour tunnel in Sydney

The Guardian

Katharine Murphy

Monday 23 May 2016 21.30 AEST

The managing director of Transfield Holdings, Luca Belgiorno-Nettis, says his company made political donations because "it was fairly plain that that bought access" to politicians and created opportunities to influence events.

Belgiorno-Nettis told Monday's Four Corners program political donations were like the Latin saying Do Ut Des, "You give in order to have given back."

"I think it was fairly plain that [donations] bought access in terms of the ability to simply be able to knock on the door and make the phone call and have the meeting with the political masters to voice whatever concerns that we might have, or indeed just to explore further relationships and further potential opportunities," said the prominent businessman, who has now renounced donations and founded the newDemocracy foundation.

He also told the program it would be "difficult to deny" that the company's political donations helped the company gain an unsolicited contract worth \$750m to build the harbour tunnel in Sydney.

Monday night's Four Corners program went over some case studies examining donations and policy outcomes in recent years, including mandated ethanol in New South Wales, a decision that has benefited the Manildra Group.

That company has donated more than \$4m to the major parties since 1998 and the company's chairman, Dick Honan, has courted leaders across the political spectrum by hosting private soirees, sponsoring party conferences and supporting fundraising efforts.

The program quotes Peter Phelps, a former Liberal whip in NSW, who opposed a bipartisan bill in NSW that penalises service station owners if they don't meet a quota of E10 fuel sales and subsequently resigned as party whip.

"Honan is his own lobbyist and ... he is the Donald Trump style of, you know, gruff bravado, you know, you must do what I want to do because I'm an important person," Phelps told Four Corners.

He said the bill was "totally unfair, it's a complete violation of the Liberal party ideals".

Phelps said he didn't think that Honan "gave out of the goodness of his heart, that's for certain, and the mere fact that, after the 2007 election, if you have a look at the figures for that, he gave the state Labor party something like \$164,000 in the year that legislation, or the year after the legislation had passed. I don't think that's coincidental."

Monday's program also contained an admission from the former Liberal party fundraiser Michael Yabsley that Australia's funding and disclosure system required a complete overhaul.

Yabsley, who was the honorary federal treasurer of the Liberal party from 2008 to 2010, said the practice of funnelling allegedly prohibited developer donations to the New South Wales branch through the Free Enterprise Foundation was "unacceptable". He said knowledge of the practice was widespread.

In 2014 the NSW Independent Commission Against Corruption found a range of verbal and documentary evidence that showed the NSW party was sending donations from property developers to the foundation and arranging to have them funnelled back. State law had banned donations from property developers from January 2010.

Just before he called the election, the prime minister, Malcolm Turnbull – who lost one minister, Stuart Robert, because of a controversy related to fundraising, and had his cabinet secretary, Arthur Sinodinos, caught up in the Liberal party's fundraising problems in NSW – signalled he was interested in revisiting the issue of electoral reform in the next parliament, although he said change was hard to implement because of constitutional limitations and because it was hard to constrain the activities of third parties.

The Labor leader, Bill Shorten, on Monday renewed his party's call to change the system so that any political donation over \$1,000 be disclosed.

Shorten said the "ongoing saga of the Free Enterprise Foundation in NSW and Liberal fundraising, what it goes to show is we need more transparency, we need more transparency in the way that money is raised for elections".

"I challenge Mr Turnbull now today to agree with Labor's proposal that any donations over \$1,000 should be disclosed," Shorten said. "Transparency is the sunlight which clears away all the dark corners in terms of fundraising and Australians I think have a reasonable expectation that that is what should happen."

But Labor's Senate leader, Penny Wong, played down the connection between donations to the ALP by Australia's trade unions and policy outcomes favourable to organised labour.

"To suggest there's some analogy between a bundle of cash and a longstanding transparent and public and historical relationship with the trade union movement I think is a pretty long bow," Wong told Four Corners.

<http://www.theguardian.com/australia-news/2016/may/23/transfield-boss-says-political-donations-bought-access-to-mps>