

Project SafeCom News and Updates

Monday, 30 October 2017

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1. UN condemns Australia on Indigenous detentions and asylum policies

Human rights committee singles out treatment of Aboriginal woman Ms Dhu who died in police custody and calls asylum policies 'shocking'

The Guardian
Calla Wahlquist and Ben Doherty
Friday 20 October 2017 14.54 AEDT

Australia's castigation before the UN has continued for a second day, with the human rights committee condemning Western Australia's practice of jailing fine defaulters, and specifically highlighting the death of Indigenous woman Ms Dhu in custody.

The WA attorney general has promised to amend the laws by the end of the year.

Australia is currently before the committee for the periodic review of its human rights record, and the issues of Indigenous incarceration and asylum policy again dominated committee criticisms.

Dhu, a 22-year-old Yamatji woman, died in custody in Port Hedland on 4 August 2014, less than 48 hours after being arrested for \$3,622 in unpaid fines. She had never been jailed before.

The committee criticised the Western Australian government for failing to comply with a coronial recommendation to scrap the law allowing people to be jailed for unpaid fines.

"The case of Ms Dhu once again calls for justice," human rights committee member Duncan Muhumuza told the Australian delegation.

Muhumuza also highlighted the case of an Indigenous mother-of-five who was jailed last month for unpaid fines, and released after an anonymous donor paid off her fine.

The woman was arrested by police who were following up a reported domestic violence incident, in which she was not the perpetrator.

"What is done to police personnel who, instead of helping a person in need, arrest that person instead?" Muhumuza said. "How is this consistent with the trauma-informed approach for children experiencing domestic violence situations?"

The coroner who oversaw the inquest into Dhu's death recommended in December that WA amend legislation allowing people to be taken directly into custody if they have a warrant of commitment for unpaid fines, suggesting the state should either ban the practice of using jail time to pay off debt or should change the law so that the decision to jail someone for unpaid fines is made by the court.

The law has not yet been changed. WA attorney general John Quigley has said he will introduce the reforms by the end of 2017.

"I intend to introduce a package of amendments to the Fines, Penalties and Infringement Notices Enforcement Act 1994 (WA), the effect of which will be to reduce the number of people imprisoned for fine default alone," Quigley told Guardian Australia.

"I have examined the approach taken in other jurisdictions in relation to jailing for fines and I will be in a position to bring forward a reform package to cabinet before the end of the year."

A South African representative on the UN committee, Christof Heyns, also called for Australia to examine the practices of jailing people for fines and mandatory sentencing, both of which he said could contribute to the disproportionately high rates of imprisonment for Aboriginal and Torres Strait Islander peoples.

Both issues are being examined by an Australian Law Reform Commission inquiry, which is due to report in December.

Australia's hardline asylum policies – in particular the practice of indefinite offshore detention – again attracted significant criticism

On a second day of questioning, Prof Yuval Shany focused on the indefinite mandatory detention of asylum seekers and refugees in harmful conditions.

"We are not questioning Australia's right to exercise border control ... we are concerned with two elements, one is the issue of non-refoulement [returning a person to danger] ... and the second is the treatment of these migrants who are seeking asylum while present in Australian jurisdiction, in particular with their right not to be arbitrarily deprived of their liberty."

He said Australia had contorted its asylum protection policy to one focused on deterrence. Harsh detention conditions "rising to the level of cruel treatment", unjustified use of physical force, handcuffing of asylum seekers, appeared unreasonable actions.

“The question is: how does the state justify treating migrants as criminals?”

Committee member Prof Sarah Cleveland described Operation Sovereign Borders and Australia’s offshore processing of asylum seekers as “shocking”.

“I find the legal regime in place quite shocking for this state, particularly for a state that holds itself as broadly human rights compliant,” she said.

“It’s very disturbing both from the perspective of respect international law and humane protection of persons and from the model it suggests for other states.”

The Australian government’s delegation told the committee the issue of irregular mass movement, was a complex challenge for all countries. But it said Australia upheld its international legal obligations.

“Australia’s approach seeks to permanently disrupt the business model of the criminal syndicate people-smugglers that prey on vulnerable people, taking their money and encouraging them onto unseaworthy vessels, where there’s a significant chance they will drown,” Luke Mansfield, first assistant secretary with the department of immigration and border protection, said.

“Australia acknowledges its approach is firm and is not universally liked, but it is consistent with our international obligations, including non-refoulement.”

Since 2013, Operation Sovereign Borders has intercepted 771 asylum seekers, on 31 boats, and returned them to source or transit countries, or sent them for offshore processing, Mansfield said. He said the “on-water assessment” of protection claims was thorough and comprehensive.

<https://www.theguardian.com/australia-news/2017/oct/20/un-condemns-australia-on-indigenous-detentions-and-asylum-policies>

2. Australia's asylum boat turnbacks are illegal and risk lives, UN told

Special rapporteur Agnes Callamard delivers report to UN general assembly on unlawful deaths of migrants and singles out Australia for criticism

The Guardian
Ben Doherty
Monday 30 October 2017 07.29 AEDT

Australia’s “push-backs” of asylum seeker boats are illegal under international law and “may intentionally put lives at risk,” the United Nation’s global expert on extrajudicial, summary or arbitrary executions, has said in a formal report to the UN general assembly.

Special rapporteur Agnes Callamard’s report, Unlawful death of refugees and migrants, focuses on government responses to worldwide flows of migrants across borders.

Callamard said around the world, governments were acting punitively and recklessly towards migrants. She identified “multiple failures on the part of states to respect and protect refugees’ and migrants’ right to life, such as unlawful killings... and as a result of deterrence policies and practices which increase the risk of death”.

Callamard wrote that in a global environment where refugees and migrants were demonised, and the act of moving to another place criminalised, countries had designed migration policies based on deterrence, militarisation, and that tolerated the risk of migrant deaths as part of controlling entry.

“Deterrence policies are punitive, including policies ranging from securing the more accessible border entry points — thereby purposefully funnelling the migration flows into more hazardous terrain — to the imposition of strict detention and return policies.”

Callamard highlighted cases where migrants are reportedly attacked and killed by government authorities, including in Libya, Mexico, Egypt, and the Sudan.

But Australia is singled out for criticism for its policy of forcibly intercepting asylum seeker boats and pushing them back to where they’d come from.

“‘Push-back’ measures, in addition to violating the principle of ‘non-refoulement’, may also amount to excessive use of force whenever officials place refugees or migrants intentionally and knowingly in circumstances where they may be killed or their lives endangered because of the environment,” Callamard wrote.

“This includes the 2013 policy of the government of Australia of intercepting boats to direct them back to the country from where the vessel departed.

“Such practices raise serious concerns: they may intentionally put lives at risk, given that security officials know, but disregard, the reality that returnees may be victims of brutal crimes when returned under these circumstances. This may amount to excessive use of force by proxy; it is disproportionate and unnecessary.”

Callamard urged Australia, and other states, to find ways to protect their borders while also providing protection to those who need it, and upholding international law.

“States can effectively control their borders in a rights-based and protection-sensitive manner. This includes abiding by the principle of non-refoulement and international norms on the use of lethal force as well as the rights to life and bodily integrity in the implementation of border policies.”

Since 2013, the government has reported turning back 771 asylum seekers on 31 boats from Australian territorial waters or land. The government says the policy acts as an effective deterrent to people seeking asylum by boat, and reducing the risk of deaths by drowning at sea.

“Since Operation Sovereign Borders commenced we have not had a drowning at sea in three years,” immigration minister Peter Dutton said earlier this year.

“We have destroyed the people smugglers’ product. Their product was ‘pay the money, hop on the boat, you’ll settle in Australia.’”

“We’ve taken the sugar off the table. We’ve upturned the table and we’ve said to people that you aren’t coming here.”

But the policy has attracted significant criticism.

The Australian government was accused of engaging in people-smuggling itself in 2015, when it paid \$30,000USD to the captain and crew of an asylum seeker boat coming from Indonesia to turn it around.

Other asylum seekers have been put into lifeboats and directed to return to Indonesia. In some cases, these vessels have run out of petrol, and have been found, drifting, by fishing boats off the archipelago, or have foundered on rocks trying to make landfall.

In 2014, a group of 157 Sri Lankan asylum seekers, intercepted by Australian authorities, were held at sea on a customs vessel for 29 days while Australia tried to take them back to India. India refused to accept them, and the asylum seekers were taken, first to Australia, and then to Nauru.

Australia’s process of “on-water assessment” of claims for refugee status has been consistently criticised by international law experts, who argue the perfunctory questioning, often involving interpreters on unreliable phone lines and without legal representation, is unfair and risks sending people home to danger.

More broadly, Australia has found itself under sustained criticism by various arms of the United Nations, as it has sought to promote itself globally as a defender of human rights.

Australia was elected to the UN Human Rights Council – in an uncontested “clean slate” ballot – this month, but the three year-term on the powerful body has brought with it a new level of global scrutiny on rights abuses in the country, particularly of refugees and asylum seekers.

The Human Rights Law Centre’s director of legal advocacy, Daniel Webb, said there was a rising tide of global condemnation directed towards Australia over its mistreatment of refugees, and that refugee policy would overshadow and hamper all of its efforts on the council.

“Our government is just two weeks into a three-year term on the Human Rights Council and already it’s clear that its cruelty to refugee will haunt it wherever it goes.

“For as long as our government continues to deliberately mistreat innocent people – people just seeking a chance at life in freedom and safety – Australia will lack credibility or moral authority on human rights.”

In the same week as Australia won its position on the New York-based Human Rights Council, the UN’s Human Rights Committee, which sits in Geneva, excoriated Australia for ignoring its legal requirements to amend rights abuses and adhere to the international treaties it willingly signed up.

Professor Yuval Shany, the committee’s vice-chair, said it was unacceptable for Australia to routinely reject the committee’s views, or “self-judge” international human rights treaties, telling Australia it could not pick and choose which laws it sought to follow and which rights it wanted to uphold.

And a week earlier, the regional representative for the UN High Commissioner for Refugees, Thomas Albrecht said Australia had responsibility to prevent the looming humanitarian emergency caused by its enforced closure of its Manus Island offshore detention centre while hundreds of men remained living there.

“Having created the present crisis, to now abandon the same acutely vulnerable human beings would be unconscionable,” Albrecht said.

“Legally and morally, Australia cannot walk away from all those it has forcibly transferred to Papua New Guinea and Nauru.”

<https://www.theguardian.com/australia-news/2017/oct/30/australias-asylum-boat-turnbacks-are-illegal-and-risk-lives-un-told>

3. Manus Island: dark chapter of Australian immigration poised to close

The detention of refugees and asylum seekers in Papua New Guinea has been marked by reports of trauma, self-harm and deaths

The Guardian
Helen Davidson
Monday 30 October 2017 04.00 AEDT

On Tuesday, one chapter of Australia’s controversial and much criticised immigration policy is due to come to an end, with the scheduled closure of the Manus Island detention centre.

Its closure threatens to be as fraught as its existence.

Since it was reopened in 2011 by the Gillard Labor government the facility has seen controversy after controversy, from the poor state of its basic infrastructure to allegations of torture and mismanagement, astonishing rates of trauma and mental illness, and six deaths including one murder.

Ultimately its existence was ruled illegal by PNG’s supreme court, but that sparked a crisis about what the Australian and PNG authorities would do with the more than 700 men – the vast majority of whom were refugees – who could not return home, who were banned from Australia, and not very welcome in PNG.

“We feel as if the Australian government will simply dust its hands of us and dump us here forever,” wrote Imran Mohammad, a Rohingya refugee, in the Saturday Paper.

“We will become the headache of Papua New Guinea, where we know we are not wanted. We will not even be allowed to leave Manus, to travel to the mainland. It feels as if we will be pushed beyond our limit to survive here.”

The handling of the detention centre’s closure has attracted as much concern and condemnation as any of the numerous incidents in the history of immigration detention on Manus Island.

Alongside a sister centre in the Pacific Island nation of Nauru, Manus’s multicomponent facility – housed inside a PNG naval base – forms the bedrock of Australia’s offshore processing regime.

At the heart of the policy is a single goal – to get asylum seekers to stop traveling to Australia by boat. Thousands have died trying.

But as successive governments became so wedded to this outcome that a single arrival or resettlement would dash the entire policy as a failure, its implementation grew increasingly harsh.

In July 2013 then prime minister, Kevin Rudd, declared no man, woman, or child who sought asylum in Australia by boat would ever be allowed to settle in the country, regardless of whether they had family here.

By late 2017 it was proposed they should also be banned for life, even from returning as tourists after resettling in another country.

In between the government also felt compelled to deny family reunions and medical transfers, the latter policy implicated in at least one death when Hamid Kehazaei died in 2014 from a treatable bacterial infection which developed into septicemia, after medical care was delayed.

Six months before Kehazaei’s death 23-year-old Reza Barati was brutally murdered by centre employees in a deadly riot.

Four others have also died, including two reported suicides in recent months.

The deaths punctuated the interminable suffering reported by detainees: the high rates of mental illness, self harm, instances of physical and sexual abuse, neglect, and indefinite confinement.

In 2015 more than 500 men began a two-week hunger strike in protest against prolonged detention and conditions on the island. Others self-harmed and strikers who fell ill were forcibly removed from the centre.

Midway through 2015 leaked documents revealed widespread failings in the healthcare services provided by IHMS in detention centres, including Manus Island.

Around the same time a PNG woman employed by lead contractors Transfield alleged she was raped by Australian colleagues inside the centre. The alleged perpetrators were flown out of the country by Wilson Security – not the first or the last such incident in which contractors were accused of protecting employees from PNG justice.

On Good Friday this year tensions boiled over again and PNG navy officers – allegedly drunk and angered by an altercation with some refugees – attacked the centre, firing guns and injuring a number of people. Detainees and staff sheltered inside the centre or fled into nearby jungle.

In May documents revealed the Australian government and its contractors had engineered a year-long campaign to make conditions inside the detention centre more punitive in order to encourage refugees to leave, confirming suspicions of detainees and advocates.

In the latest of many scathing reports, Human Rights Watch last week detailed frequent and escalating attacks and violent robberies by armed locals, including three recent incidents that resulted in medical evacuations.

The United Nations, Amnesty International, Human Rights Watch, the Human Rights Law Centre and a number of other Australian and international groups have repeatedly condemned Australia's immigration policies, including offshore processing. Other countries have also lined up to criticise at successive UN periodic reviews.

None of it led to change in Australia's policy.

As allegations and revelations mounted over the years, contractors eventually bowed to public pressure and sought to extricate themselves.

Transfield, the primary contractor to the Australian government, first changed its name to Broadspectrum, before it was bought out by Spanish firm Ferrovial in April last year. Ferrovial quickly made it clear it had no interest remaining in the Australian immigration sphere and would not renew its contract. The Australian government responded by enacting a clause which allowed a unilateral extension of Ferrovial's contract for a further five months.

That same month the PNG supreme court threw a large spanner in the works, declaring the centre and its detention of asylum seekers and refugees illegal under the country's constitution. The PNG and Australian governments declared the centre would close, setting a date of 31 October. After then the PNG defence force will re-occupy the site.

In June a class action settled out of court and the Australian government agreed to pay \$70m in compensation to 1,950 men for their illegal detention and treatment. The compensation – stopping the presentation of a six-month trial's worth of evidence – came with an explicitly denial of liability by the government.

Four months out from the closure date, detainees were told to "consider their options" as basic services including water and electricity would be shut down around them. The plan forced detainees from compound to compound, eventually – authorities hoped – outside and into the community.

They were offered the chance to apply for transfer to Nauru. As few as two have taken it up.

The only option to give any hope to the refugees was the agreement struck between the Australian government and the Obama administration to resettle up to 1,200. Upon taking office the next president, Donald Trump, railed against the "dumb deal" but it somehow survived. Yet just 25 men have gone.

Detainees, advocates, and human rights organisations have long called for the closure of offshore detention centres on the grounds of human rights abuses and breaches of international law, but in the case of Manus Island they are now actively campaigning for the authorities to keep it open.

They still say the refugees and asylum seekers are Australia's responsibility and must be brought here, but the plans to close the centre on Tuesday are endangering peoples lives and threaten a humanitarian crisis.

They say the situation around the Australian-run centre is too dangerous to resettle people in the Papua New Guinean community outside the compound. About 600 detainees are refusing to move citing fears for their safety. There are daily peaceful protests.

"It is a place that reminds the refugees of violent attacks," wrote journalist and detainee, Behrouz Boochani, on Friday.

"They have memories of being confronted with knives, memories of theft, memories of threatening encounters. It is a place without safety, where just a year ago refugees experienced myriad forms of aggression, a place that symbolises violence against them."

Human Rights Watch's calls for Australian federal police to be sent to assist in keeping the peace drew no response.

On Thursday PNG authorities said extra officers from its own forces, as well as the notorious mobile squads, would be on hand. The safety of detainees, staff, and contractors "could not be taken for granted", it said.

Fijian news reported on Friday that 42 Fijian security workers had been sent to Manus Island, contracted for a year.

Local Manusians have also protested, claiming they weren't consulted about the sudden influx of strange men into their small community and culture, have seen far fewer benefits from hosting the centre than were originally promised, and cite their own safety fears, pointing to a number of allegations of violence perpetrated by detainees.

"We are powerless and hopeless," wrote Mohammad. "We have no intention, nor the strength and ability to fight anyone. We have been made to endure indescribable and unspeakable hardships for more than four years."

Observers say the situation is critical, and are preparing for the worst. Whatever happens after Tuesday, the mark left by the centre and Australia's infamous immigration regime will remain.

<https://www.theguardian.com/australia-news/2017/oct/29/manus-island-dark-chapter-of-australian-immigration-poised-to-close>

4. Food, water, power to be cut at Manus Island centre as refugees forced to depart

Canberra Times

October 20 2017 - 4:08PM

Michael Koziol, Immigration correspondent

Authorities are attempting to ward off a potentially violent crisis as the Manus Island detention centre closes, warning refugees their food, water and power will be cut on October 31.

Hundreds of refugees and asylum seekers under Australia's care have refused to leave the centre, whose closure has loomed since the Papua New Guinea Supreme Court ruled the men's ongoing detention illegal.

Alternative accommodation has been offered in the nearby town of Lorengau, but refugees fear clashes with local Manusians, and have largely refused to move.

Notices written in Persian given to some asylum seekers on Thursday - and translated by Fairfax Media - declare all services including food, sanitation and water will cease after October 31.

"All PNG government and Australian personnel will leave the regional processing centre. This site will be used by the PNG defence force," the notices state. "If you decide to stay, you should know services will be terminated."

Certified refugees can go to one of two alternative locations in Lorengau, or transfer to Nauru, and await the outcome of their applications for resettlement in the United States.

Asylum seekers not assessed to be refugees have been told they can go to a location called Hillside Haus but should make arrangements to leave PNG and go home.

Advocates fear an outbreak of violence as the October 31 closure deadline approaches, given rising tensions between refugees and Manusians, and the Good Friday clash between refugees and PNG soldiers.

Behrouz Boochani, an Iranian refugee and journalist on Manus, said he and other asylum seekers were "very worried about the future and extremely scared by this situation".

Immigration Minister Peter Dutton was not available on Friday and a spokeswoman referred questions to authorities in PNG. Mr Dutton had earlier told Sky News more refugees would soon be accepted by the US.

Asked about the issue in Parliament on Monday, cabinet minister Michaelia Cash - who represents Mr Dutton in the Senate - affirmed the centre would close on October 31 and "anybody will be removed by lawful means".

The Australian government's contractors, including International Health and Medical Services, will leave the island on that date, although the Guardian reported late on Friday that IHMS would remain on the island under contract of the PNG government.

Earlier this week, the United Nations said it was "profoundly troubled" by the situation on Manus Island and the imminent Australian withdrawal.

Its refugee agency, which sent a mission to PNG last month, noted "a lack of proper planning for the closure of existing facilities, insufficient consultation with the [PNG] community and the absence of long-term solutions for those not included in the relocation arrangement to the US".

Those factors "increased an already critical risk of instability and harm", the agency said.

<http://www.canberratimes.com.au/federal-politics/political-news/food-water-power-to-be-cut-at-manus-island-centre-as-refugees-forced-to-depart-20171020-gz51r9.html>

5. 600 men refuse to leave Manus Island detention centre as closure imminent

Water, food, electricity and sewage to be cut off as asylum seekers and refugees say they fear violence outside

The Guardian
Ben Doherty
Monday 23 October 2017 15.58 AEDT

More than 600 asylum seekers and refugees are refusing to leave the Manus Island immigration detention centre, which is due to close next week.

Authorities will cut off access to drinking water, food, medical treatment, electricity and sewerage from next Tuesday.

Refugees will be forced to move to alternative accommodation centres nearer Manus's main city of Lorengau. Services will be provided to refugees while they wait for resettlement elsewhere in Papua New Guinea or in a third country.

There are also 156 people on Manus whose bid for asylum has been rejected. They will be moved to a third accommodation centre, but are being encouraged to return home.

Senate estimates heard on Monday that 606 people who were required to leave by the closure deadline were refusing to move out.

Asked if they would be removed by force, the immigration department secretary, Michael Pezzullo, said that was a matter for the Papua New Guinean government. Pezzullo suggested the ordinary laws of trespass might apply because PNG was planning to reoccupy the former military facility.

"They don't have a human right to trespass on a naval base," he told senators.

Rohingyan refugee Imran Mohammad Fazal Hoque told the Guardian men were fearful of being abandoned in the Manus community, where low-level wariness has escalated in recent months to outright hostility.

"We have experienced riot, been shot at, assaulted, treated sometimes worse than animals, robbed and on many occasions beaten in front of the Australian security guards," Hoque said. "We call for help in the vain hope that someone might answer. The fear that has grown in the inmates' minds will never go away."

Pezzullo rejected claims people were too scared to leave the centre, saying refugees could now come and go at will.

PNG's security forces have a troubled history at the detention centre. In 2014, police officers were part of a mob that stormed the centre and attacked those inside during three days of rioting in which one asylum seeker was murdered and more than 70 seriously injured, including being shot, having their throats cut and beaten with wooden staves.

In April this year, "drunken soldiers", according to the police, shot at refugees and tried to ram a vehicle through the centre's gates.

The centre is closing because the PNG supreme court ruled in April 2016 that the detention of refugees and asylum seekers was "illegal and unconstitutional".

In June, the Australian government settled a court action to pay \$70m in damages for holding men unlawfully, in dangerous and damaging conditions.

Australia retains effective control of the processing centre. All Australian government staff will leave the centre at the closure date, but the government will continue to have oversight. The government is in negotiation with a number of service providers to continue to support those held on the island.

Australia will spend between \$150m and \$250m supporting refugees and asylum seekers on Manus Island in the year after the regional processing centre closes.

Almost all the men held on Manus have been there more than four years. More than 71% have been found to be refugees – they have a “well-founded fear of persecution in their home country”, they cannot be returned home and are legally owed protection.

The government has offered refugees on Manus the chance to move to Nauru while they await possible resettlement in the US. Two refugees have expressed an interest in going.

<https://www.theguardian.com/australia-news/2017/oct/23/600-men-refuse-to-leave-manus-island-detention-centre-as-closure-imminent>

6. Behrouz Boochani: Days before the forced closure of Manus, we have no safe place to go

As refugees we are faced with the threat of either the navy occupying the detention centre if we stay or angry locals if we leave

The Guardian
Friday 27 October 2017 15.51 AEDT
Behrouz Boochani

Only a few days remain until the Australian government meets its self-imposed deadline and closes the prison that it created on Manus Island. On 31 October the imprisoned refugees are supposed to be transferred from the regional processing centre (RPC) to the small town of Lorengau. It is a place that reminds the refugees of violent attacks. They have memories of being confronted with knives, memories of theft, memories of threatening encounters. It is a place without safety, where just a year ago refugees experienced myriad forms of aggression, a place that symbolises violence against them. In every instance the police never conducted an investigation and the people who had attacked the refugees were not held accountable; no arrests took place and no one was put on trial.

The Australian government, in collaboration with the Papua New Guinea government, has employed various strategies to force refugees out of the RPC and into the East Lorengau camp. However, until now their efforts have been futile. Over the last few months large sections of the RPC camp have been demolished.

They started with the telephone room – a bulldozer annihilated it within a few hours. Then they destroyed a tent where a number of refugees had been living. They cut the power and water there, forced the refugees into Oscar and Delta camp and then bulldozed the place.

For four months now the power and water have been cut in a large section of Fox camp – the biggest camp in the RPC. During this time half the population from that location have had to move to the other camps. After four months of work by the bulldozers the result is the destruction of practically half the camp. As a result, Delta and Oscar camp have become extremely crowded. Also, the supply of food in the prison has been halved.

Clearly, these actions were done with certain intentions in mind. Demolishing parts of the prison and causing overcrowding in other parts were consistent with the plan to evict refugees, leaving no choice but to accept going to East Lorengau. This plan to move them there meant that refugees would have to go to a place where they would be attacked and where they would never feel safe. It was that exact place where, over a period of just three months, two refugees were found hanged in suspicious circumstances.

The machinations of Australia's department of immigration have come down to these tactics. The services within the prison have been reduced to a bare minimum.

The gym area has been disbanded, the sporting equipment taken away, and English language classes have been cancelled. Cigarettes, tea, sugar, coffee and fruit have not been available for a long time. The quality of the food served to refugees has been so poor that it is practically inedible, and what food is provided is never enough; many refugees end up going without.

The situation is such that the basic needs of the refugees in the prison are not being met, and there are no possibilities for finding alternative ways to meet their needs. Life has become extremely difficult for everyone in the prison.

In addition, the local people of Manus Island are vehemently opposed to the transfer of refugees to Lorengau. Over the last two weeks they have held more than four meetings and invited representatives from the Australian immigration department and the local police force. But after no representatives turned up on those occasions, they made an announcement at the fourth unsuccessful meeting that the immigration department is adamant about transferring refugees to Lorengau.

The local people oppose the presence of refugees in their community because they do not feel safe with 800 foreign men among them. Their feeling of insecurity is understandable if one considers the circumstances characterising the Manus Island society: one must account for the cultural framework of the local people, their economy and demographics. The population on Manus Island exceeds 40,000 people, most of which live in villages nestled in the jungle. Only a small number – just over

3,000 people – live in Lorengau. This is a tribal society, living according to traditional cultures unique to Manus Island. Also, the island's economy is totally based on a traditional system that is connected with the natural environment. With the closure of the RPC more than 2,000 jobs will cease to exist in a small traditional society that does not have the capacity or the readiness to accommodate hundreds of refugees; not to mention that a high percentage want to settle down with their families.

The local people are extremely angry and think that the Australian and PNG governments have no respect for their needs. One must realise that they have been humiliated as a result of this situation.

With the conditions being as they are refugees have been receiving threatening messages from people in recent days. "If you come to Lorengau we will be forced to attack you." This is the reality faced by refugees: neither the refugees nor the locals feel safe in any way, and forced removal of the refugees in order to move them to Lorengau will therefore be extremely dangerous. Another point to consider is the fact that once Wilson security guards leave, the refugees are left with no one to protect them in Lorengau.

On 19 October the Australian immigration department distributed threatening documents throughout the camp. Two points were emphasised: 1) after 31 October water, power and food will be completely cut and the fences surrounding the prison will be taken down, and 2) the PNG navy will enter the prison and occupy the space.

These are threats in no uncertain terms. Clearly, they are telling the refugees to get out of the camp. The refugees are even more worried about the presence of the navy than about the termination of food and water. They are extremely frightened, and they have every right to be if one remembers events involving the navy in the past. In February 2014 local people attacked the camp and killed one of the refugees, injuring 77. Also, on the evening of Good Friday last year the navy attacked the camp, firing bullets in the direction of the refugees, with most of the shots hitting their rooms and tents.

These two incidents remain vivid memories of the refugees; one can predict a similar occurrence if the refugees do not evacuate the camp by the end of October.

So on the one hand, refugees are facing the threat of the navy and on the other hand, if they go to Lorengau, it is certain that danger awaits them.

For some time the refugees have been conducting peaceful protests every day in front of the main gate of the prison. They are determined not to leave the camp. The way things are at the moment the refugees must decide between one of two choices: attack from the local people or attack at the hands of the navy. The whole situation is volatile and unpredictable.

Last night the refugees held a large and decisive meeting, and everyone agreed that no one should leave the camp. Not one person has agreed to move to Lorengau over the last two to three weeks.

---->>>> *Behrouz Boochani is a journalist and an Iranian refugee currently held on Manus Island. Translated by Omid Tofighian from Sydney University*

<https://www.theguardian.com/commentisfree/2017/oct/27/days-before-the-forced-closure-of-manus-we-have-no-safe-place-to-go>

7. MEDIA RELEASE: End the Manus siege; restore food and services!

Thursday October 26, 2017
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Refugee groups have called for the Australian government to end the siege of the Manus detention centre.

After ignoring a PNG Supreme Court ruling since April 2016, the government is resorting to depriving refugees and asylum seekers of food, water and medical care as they try to force people out of the detention centre.

The latest notice (attached) says that mess facilities will cease on Sunday and that food packs will be issued on Sunday - enough for two days.

Previous notices have indicated that all personnel will be withdrawn and water and power will be cut off on 31 October and that the navy will occupy the centre on 1 November.

Today (Thursday) is the last day that buses will run from the detention centre to the Lorengau settlement area.

"Even though services are being cut off, there is now no way for refugees to leave the detention centre," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

NOT MOVING

Despite the looming deadline, none of the detainees are going to move to Lorengau. Today, Thursday 26 October) is day 87 of protests inside the detention centre. (Photo attached).

The announcement came as a 39 year-old Afghan refugee was urgently medivacced, in a serious condition, from Manus Island to Port Moresby Wednesday night, suffering from sepsis as infection spread from an injured foot the same kind of infection that killed Hamed Khazaie a year ago.

The latest moves come as further legal action is being prepared in the PNG Supreme Court seeking an injunction against the closure of the detention centre and orders to fully restore services until arrangements are made for the refugees to travel to safe third countries.

"The whole world is watching Manus Island as the government resorts to medieval brutality to force refugees into even more unsafe unsafe circumstances on Manus Island. The government needs to act urgently to end the siege of Manus. The government has sunk to a new low trying to starve defenceless people into submission.

"The government is deliberately orchestrating a humanitarian disaster and callously disregarding its obligations to keep these people safe," said Rintoul.

The Refugee Action Coalition is holding a protest at Sydney Commonwealth government offices, Tuesday, 31 October, 12.30pm, cnr Bent and Bligh Sts, Sydney.

(Melbourne protest is Friday, 27 October, 4.30pm, offices of Border Force, Lonsdale Street)

For more information contact Ian Rintoul 0417 275 713

8. PNG sends in 'paramilitary' as police warn safety can't be guaranteed in Manus move

The Age
October 29 2017 - 12:15AM
Michael Koziol

Papua New Guinea has deployed its notorious "paramilitary" police squad to assist with the imminent shutdown of the Manus Island detention centre, warning refugees' safety cannot be guaranteed.

Tensions are expected to come to a head within days as local police prepare to forcibly move refugees and asylum seekers from the Australian facility to accommodation in Lorengau, 30 minutes away.

And simmering anger over Australia's role has boiled over, with Manus Island's governor reportedly threatening to sabotage the move unless furnished with a "package" involving a stadium or hospital.

National police chief Gari Baki blamed a "small disgruntled faction among the refugees ... who are creating uncertainty", warning his officers would be outnumbered by the 718 refugees on the island.

The safety of refugees, government workers and agency staff "is not to be taken for granted given the tension that is now being expressed by the locals on Manus Island", Mr Baki said in a statement.

Since April, Immigration Minister Peter Dutton has insisted the Australian facility will close by October 31, but about 600 people remain at the centre and have refused to leave, citing safety concerns.

A frustrated Mr Dutton this week said the ongoing resistance would "make it hard for us to achieve the 31st of October deadline", describing it as a "crazy situation".

"Everybody's been screaming about wanting to get out of the place," he told 2GB radio. "We say we're going to close it ... and now they won't leave."

David Yapu, the regional police commander on Manus Island, told Fairfax Media he was assessing the situation and would call in reinforcements if required.

There were 39 officers already on the ground, he said, including 32 members of PNG's notorious Mobile Squad, which has been described by Human Rights Watch as a "paramilitary" group.

"If it's warranted for us to get additional Mobile Squad we will do that, but not at this point in time. They have been advised to be on standby," Mr Yapu said.

"We are still assessing the situation but we want the transfers to the new location to be done smoothly and in a professional manner without any use of forces."

It is not the first time the Mobile Squad has been deployed to secure Australia's refugee detention regime. The force is allegedly responsible for brutal rapes, murders and human rights abuses, and in 2013 it was involved in a violent clash with the PNG army at the detention centre.

The Australian government says questions about these matters should be directed to PNG authorities, who are managing the transition.

There is simmering anger on the island about the Australian regime. PNG's Post-Courier newspaper reported Manus governor Charlie Benjamin was threatening to block the construction of an alternative accommodation facility for the refugees unless his people received a substantial "package" in return.

"The Australians will say that they provided job opportunities and some subcontracts," Mr Benjamin was quoted as saying.

"Those were individuals but like I said, I, on behalf of the people of Manus, expected something like a stadium, a big hospital, something like that."

Immigration Department bureaucrats this week told a Senate estimates hearing the West Lorengau Haus facility could not yet accept inhabitants but would be ready by Sunday.

<http://www.theage.com.au/federal-politics/political-news/png-sends-in-paramilitary-as-police-warn-safety-cant-be-guaranteed-in-manus-move-20171027-gz9h02.html>

9. 42 Fijians to provide security on Manus Island as tension mounts over imminent closure

A Papua New Guinea company has hired Fijian personnel to work at the controversial Manus Island detention centre, scheduled for closure next Tuesday.

NewsWire - Suva, Fiji
Staff Writers
October 27, 2017 1:14 pm

The group, recruited by PNG-based Paladin Solutions, will depart Fiji on Monday pending clearance from the employment ministry.

Paladin's local agent, Isireli Tamanituakula said his team would stay outside the detention centre fence and only patrol the outer boundary.

"There are 42 personnel, partly military, ex-police officers, ex-prison officers, and civilians. They have been chosen to serve under Paladin Solutions Papua New Guinea for the task of looking after asylum seekers on Manus Island."

Tamanituakula said the group would be on a one-year assignment, serving for three months at a time before having one-month leave back in Fiji under a leave plan.

The Minister for Employment, Jone Usamate visited the group at the United Club in Suva today.

In an interview, Minister Usamate said his ministry's role was to ensure that Fijians are protected.

"What we have been able to do is to work with the company that is recruiting to make sure they meet the requirements that we have in the ministry...Our officials have gone in to have a look at their contracts, to make sure our people are protected when they go there [Manus Island]," said Usamate.

Minister Usamate said he was aware of the situation on Manus Island.

"Where they are going to work is not an easy situation, but I think the people that have been selected should be able to cope with the given situation...It's going to be a delicate situation that requires finesse and skill...I know that our people that are going there have those qualities."

Australian officials have already told the more-than-700 men still living on Manus Island that water and electricity would be shut off, and access to food and water stopped on Sunday. The men have been told they would be given "food packs" to last two days.

The refugees and asylum seekers still inside the Manus detention centre have said they will refuse to leave, even when the PNG military seek to take over the compound. They say they are unsafe in the Manus community.

The October 31 closure of the detention centre was sparked by a PNG Supreme Court decision 18 months ago that ruled that the operation was “illegal and unconstitutional”.

<https://www.newswire.com.fj/world/pacific/papua-new-guinea/42-fijians-to-provide-security-on-manus-island-as-tension-mounts-over-imminent-closure/>

10. Manus Island closure: PNG's notorious police mobile squad to be deployed

700 men refusing to leave detention centre, with authorities warning the safety of refugees and staff is ‘not to be taken for granted’

The Guardian
Ben Doherty and Helen Davidson
Friday 27 October 2017 10.35 AEDT

Extra Papua New Guinean police and the notorious mobile squad will be brought in to Manus Island ahead of next week’s forced closure of the immigration detention centre, with authorities warning people’s safety is “not to be taken for granted”.

The increased security presence comes as Australia’s plan to close the centre faces potential violent resistance from the island’s community and as well as a court challenge.

The police commissioner, Gary Baki, said the extra units would be made available to assist the immigration department in relocating the more than 700 men to the purpose-built alternative accommodation in the nearby town of Lorengau.

“Extra manpower is on standby to be deployed to Manus Island to assist the local police in addition to the two Mobile Squad now on the island,” the PNG police force said.

“The safety of both the refugees and government workers plus staff of leading agencies is not to be taken for granted given the tension that is now being expressed by the locals on Manus Island.”

Elaine Pearson, Australian director of Human Rights Watch, said Baki’s statement acknowledged the escalating tension, and forcibly removing refugees and asylum seekers now would “clearly expose them to greater danger”.

“PNG police should do their job and investigate assaults against refugees rather than helping transfer refugees to a place where they will be even more vulnerable.”

The centre is slated for closure next Tuesday. Officials have already told the men still living there that water and electricity will be shut off, and access to food and water stopped on Sunday. The men have been told they will be given “food packs” to last two days.

The refugees and asylum seekers still inside the Manus detention centre have said they will refuse to leave, even when the PNG military seek to take over the compound. They say they are unsafe in the Manus community.

But the 31 October closure of the detention centre – sparked by a PNG supreme court decision 18 months ago that its operation was “illegal and unconstitutional” – faces significant opposition.

Lawyer Ben Lomai, who in a previous supreme court challenge has represented those detained on Manus, has said he will seek orders from the court that food and water should be provided to those in the centre beyond 31 October.

“If there’s anything, food and water should be maintained because that’s their constitutional right,” he told Radio New Zealand. “So you can’t deny them food and water. So if they are allowed to stay there then those are the two services they can be entitled to. Other things can be subject to further negotiation.”

He said he would also seek orders guaranteeing the men’s safety if and when they are moved to Lorengau, and a requirement that refugees are offered resettlement in a third country.

The Manus Island governor, Charlie Benjamin, said the province’s reputation had been damaged by the constant scandals attached to the detention centre. Six men have died while being held on the island, and a riot in 2014, when the detention centre was stormed by police and outsiders, saw asylum seekers shot, beaten and attacked with machetes. One was killed by guards and more than 70 seriously injured.

Benjamin told the Post-Courier Australia should compensate Manus with a significant infrastructure project, such as a hospital, before the centre is shut.

“The Australian government and the PNG government, they more or less used us and they didn’t help us. We appreciate what little they helped us with, but looking at the enormity of the project now, the type of help we are getting, is that enough to compensate our province?”

“Maybe to them it is enough, but to all of us it is not enough, especially now, throughout the world, thanks to the outside media, everybody now knows that Manus is the worst province in the whole of PNG because we allegedly did not look after these asylum [seekers] or refugees,” he said.

A town meeting held in Ward 1 of Lorengau township this week heard from a number of Manusians who have vowed to oppose the resettlement of refugees in their community. A petition being circulated in Lorengau calls on the Australian government to take the men to Australia while third countries are found for their resettlement.

Civic leaders have been warning for months that the imposition of more than 700 single men within the conservative, tight-knit and familial community of Lorengau will prove disastrous. Many of the refugees and asylum seekers are suffering from acute physical and mental health problems, and require significant care. Some refugees have been given a month’s worth of tablets and other medications with the centre closing down, but no further medical guidance or assistance.

Some at the meeting, Manus sources told the Guardian, threatened to blockade and vandalise the new refugee and asylum seeker accommodation being built, and violence against those building it.

Former Manus MP Ronnie Knight, who has been an outspoken critic of Australia’s imposition of the detention centre on Manus, said forcibly closing the centre and abandoning refugees on the island would be dangerous.

“Australia, PNG and UNHCR should get their shit together and find a solution for both my people and refugees before any more needless deaths occur.

“I foresee drunk local youths going too far. I foresee more sexual assaults on locals which will inflame the situation and [the] refugees [are] sitting ducks.”

<https://www.theguardian.com/australia-news/2017/oct/27/manus-island-closure-faces-local-opposition-and-legal-challenge>

11. Australia must act to stop 'humanitarian emergency' in Manus, says UNHCR

The government ‘cannot walk away’ from its responsibilities to detainees as it hastens the closure of the island’s processing centre

The Guardian
Helen Davidson
Wednesday 18 October 2017 16.25 AEDT

Australia must step in to prevent a “looming humanitarian emergency” in Papua New Guinea due to the abrupt close of its immigration processing centre on Manus island, the United Nations high commissioner for refugees has said.

The organisation said it had profound concerns about the “mounting risk” associated with offshore processing and the “extraordinary human toll” it was taking.

The centre is due to close on 31 October, and federal minister Michaelia Cash has said PNG authorities would forcefully deport any non-refugees who refused to return to their home countries willingly.

Cash would not rule out cutting off water and electricity services or using force to move refugees into alternative accommodation.

Authorities have tried various means to move all detainees into alternative accommodation as they close the centre section by section, more than four years after it was reopened by the Gillard government.

“Having created the present crisis, to now abandon the same acutely vulnerable human beings would be unconscionable,” said Thomas Albrecht, UNHCR’s regional representative in Canberra.

“Legally and morally, Australia cannot walk away from all those it has forcibly transferred to Papua New Guinea and Nauru.”

The UNHCR called on the Australian government, which it said had obligations to people who sought its protection, to provide long term adequate care to prevent a humanitarian emergency. It was “gravely concerned” sufficient expertise was not being maintained in the handover of service and welfare provision.

“As of today, there is no clear planning for new contracts to even begin.”

The UNHCR said its recent missions to the centre in April and September of this year amplified their concerns for the health and wellbeing of asylum seekers and refugees. Two people have taken their own lives in the last two months.

“A lack of proper planning for the closure of existing facilities, insufficient consultation with the Papua New Guinean community, and the absence of long-term solutions for those not included in the relocation arrangement to the United States of America, has increased an already critical risk of instability and harm.”

Torture and trauma services have ceased and there is continuing concern over the lack of psychiatric services in PNG. Medical care, historically provided by IHMS within the centre, is also being withdrawn. PNG’s health system is reportedly in a state of crisis, with medication shortages across the country, including in Manus province.

Professor Louise Newman, spokeswoman for the Asylum Seekers Advocacy Group, said the health and mental health situation was already in crisis, noting reports from detainees that some were being given a month’s worth of medication ahead of the closure.

“There is heightened tension there at the moment, reports of people whose mental health is deteriorating, and we have had a couple of deaths thought to be suicides,” said Newman.

“It’s a very volatile environment so from a mental health perspective this is a very risky strategy.”

Most of the 900 men are expected to be housed in two transit centres in East Lorengau, and non-refugees are expected to return to their countries of origin. Several dozen have been transferred to Port Moresby, in some instances for medical care.

Last week refugees were offered the chance to move to Nauru and continue their applications for US resettlement.

However many have refused to move from the centre, citing fears for their safety living in the PNG community. Some whose claims for protection have been denied have refused to return home, and others have refused to take part in the refugee process at all.

Refugees have been threatened with arrest, and forced to live in compounds with basic services cut off around them.

Ben Wamoi, a Lorengau resident and cofounder of the Manus Alliance Against Human Rights Abuses, said Manusians had concerns about the closure of the centre and the transfer of people into the community.

“The government has no idea long-term about the relocation of these people,” said Wamoi. “I’ve asked the local government... to come down and address the issues about whatever social impact will arise if the asylum seekers are moved there.”

Wamoi said community members were planning protests to advocate for the asylum seekers and refugees and called on the Australian government to assist the asylum seekers and refugees.

“The Australians have forgotten about them, they have abandoned them. The government must be responsible,” he said.

<https://www.theguardian.com/australia-news/2017/oct/18/australia-must-act-to-stop-humanitarian-emergency-in-manus-says-unhcr>

12. Human Rights Watch says AFP may be needed on Manus Island before closure

Organisation found escalating violence and tension, including attacks and robberies, and lack of adequate response

The Guardian
Helen Davidson
Thursday 26 October 2017 04.00 AEDT

The Australian government should consider deploying federal police to Manus Island in the lead-up to the closure of the immigration detention centre, Human Rights Watch has said.

The organisation recently visited and investigated the situation of 770 men who remained as refugees or asylum seekers after being sent to the Papua New Guinean region by the Australian government.

It found escalating violence and tension, including attacks and robberies on the men, and a lack of adequate responses by authorities. Its concerns add to calls by the UNHCR last week that the situation threatened to become a humanitarian emergency.

HRW maintained its call for the men to be brought to Australia as the only safe and adequate course of action but said in the meantime AFP officers should be sent to advise and assist local police in preventing crime and ensuring crimes are fully investigated.

“The problem is because the police are not taking these attacks seriously we’re trying to think what would be a way to get them a bit more active,” the director of HRW, Elaine Pearson, told the Guardian.

“That’s why we thought ... with the presence of the AFP in an advisory capacity – as they already do in Port Moresby and other places – the police might take these cases more seriously.

“We’re making these recommendations also because we’re concerned the violence will get worse if the centre closes and these men are moved into other housing and accommodation in Lorengau. I think it’s a probability that will happen.”

<https://www.theguardian.com/australia-news/2017/oct/26/human-rights-watch-says-afp-may-be-needed-on-manus-island-before-closure>

13. Manus medical team to stay on after detention centre closes

Papua New Guinea’s government contracts IHMS to remain beyond the 31 October deadline – but it is not known how long for

The Guardian
Helen Davidson
Friday 20 October 2017 17.29 AEDT

The healthcare provider for Australia’s offshore processing regime, International Health and Medical Services has been contracted by the Papua New Guinean government to stay beyond the closure of the Manus Island detention centre at the end of the month.

Under the recently signed contract IHMS will continue providing healthcare to refugees – who are expected to settle in the PNG community – and non-refugees in Lorengau and in Port Moresby, but it is not known how long for.

PNG’s general healthcare system is in crisis, with reported shortages of medication across multiple regions, including Manus province.

“Medical care will continue to cover mental health services and will transition clients on to a PNG formulary, where it is considered clinically safe to do so,” an IHMS spokeswoman told Guardian Australia.

“Of course, with closure of the Manus RPC [regional processing centre], services can no longer be provided at that location.”

The spokeswoman said as a result detainees were being assisted to “self-manage” their medications during the transition to having to access services in the community or in Port Moresby.

“We would note that self-management of medications is the norm in most doctor-patient relationships around the world.”

But some medical professionals were concerned at the decision, noting the high prevalence of mental health issues among the cohort.

“This is potentially a very risky strategy in that some of the medication these people are on relate to mental health problems,” said Prof Louise Newman, a spokeswoman for the Asylum Seekers Advocacy Group.

“There is heightened tension there at the moment, reports of people whose mental health is deteriorating, we have a couple of deaths thought to be suicides.

It’s a very volatile environment so from a mental health perspective this is a very risky strategy.”

Guardian Australia understands risk assessments were conducted before patients were given a month’s worth of medication, but IHMS would not detail how many – or if any – patients were deemed too much of a risk to include.

Questions as to whether it was an interim measure or if larger prescriptions would continue to be handed out once the new system was in place were also not answered.

Dr Peter Young, the former head of mental health at IHMS, said without knowing what support the organisation was giving to patients once the centre closed, it was impossible to know if the decision was reasonable.

“Of that cohort of people being released in the community, you’d expect there to be a number with mental health problems requiring a high level of support and follow-up attention,” Young said.

“Without knowing what is constituting the service IHMS says they’ll be providing, I’d certainly think handing out a month of medications without supervision could be negligent and dangerous. They should be open about this and to show exactly what support will be provided.”

About 900 men remain in Papua New Guinea after being sent there for detention and processing by Australian immigration authorities.

Authorities have been steadily closing sections of the centre around detainees, shutting basic services and threatening arrest as part of efforts to encourage people to move into the nearby town of East Lorengau – if they are refugees – or to return to their country of origin if they are not.

On Wednesday the United Nations warned of a looming humanitarian emergency as a result of the closure and urged the Australian government to step in.

A letter distributed to detainees on Thursday warned that all food, water, sewage facilities and electricity would cease inside the centre after 31 October. The note, written in Farsi, also said the fences would be taken down and the site returned to the control of the PNG defence force.

The Kurdish Iranian journalist Behrouz Boochani said the note had sparked fear among his fellow asylum seekers and refugees.

“The refugees have already had a bad experience with PNG navy soldiers, on Good Friday this year, when they attacked the detention centre and fired guns into the centre,” he said.

“It is unacceptable to put refugees in this situation – either move to Lorengau where they risk attack by angry local people, or be taken over by PNG defence forces who have already seriously threatened their safety.”

The director of legal advocacy at the Human Rights Law Centre warned the situation “could be about to turn into a bloodbath”.

“PNG military personnel have attacked these men once before,” Daniel Webb said. “Now our government is tearing down the fences and putting them in charge.”

<https://www.theguardian.com/australia-news/2017/oct/20/manus-medical-team-to-stay-on-after-detention-centre-closes>

14. Manus Island regime will cost Australia up to \$250 million a year after closure

Canberra Times
Monday October 23 2017
Michael Koziol

The head of Australia's Immigration Department has blamed activists and "troublesome outsiders" for a looming and potentially violent standoff over the closure of the refugee processing centre on Manus Island.

Bureaucrats also confirmed Australia will pay up to \$250 million a year in services for refugees and asylum seekers in Papua New Guinea even after the facility shuts and Australian personnel leave next week.

And authorities will also have to confront a last-ditch legal challenge - in PNG or Australia - to stop the centre being shuttered on October 31 and returned to the PNG defence force.

Officials confirmed water, food, power and sanitation will be cut off at "some point" next Tuesday, prompting Greens senator Nick McKim to accuse the government of trying to "starve" refugees out of the centre.

A defiant Mike Pezzullo, secretary of the Department of Immigration and Border Protection, blamed the looming flashpoint on a "vigorous campaign" by activists to convince refugees they should remain at the processing centre.

The 606 people refusing to leave the facility reflected "attitudes that are being stoked and fuelled by troublesome outsiders who are encouraging these poor souls", Mr Pezzullo told the Senate estimates hearing.

He rejected assertions Australia was responsible for torturing refugees, and joked: "The only torture I'm aware of is sometimes when we have to appear here."

That drew a terse reply from Senator McKim: "I don't think torture is a laughing matter, Mr Pezzullo."

Asylum seekers have been offered alternative accommodation but one of the facilities, West Lorengau Haus, is still not ready - while another, Hillside Haus, consists largely of "transferable accommodation containers", the inquiry heard.

Australian Border Force deputy commissioner Mandy Newton also confessed she was "surprised" only two Manus refugees had responded to an offer to transfer to Australia's other refugee processing centre in Nauru.

"I thought there might have been further interest," she said.

Despite the centre's imminent closure, Australia will continue to foot the bill for food, services and healthcare under contractual arrangements that will eventually be handed over to PNG.

Ms Newton estimated the cost at \$150 to \$250 million for the 12-month period from November 1, although contracts were still being drawn up on Monday.

Even if the contracts are handed over to PNG, Australia will be financially liable because the agreement requires Australia to cover "all reasonable costs" associated with the refugees.

Barrister Greg Barns on Monday revealed lawyers in PNG would seek an injunction against the centre's closure, with paperwork to be brought in that country's courts this week.

They will argue the closure will result in an absence of safe and secure accommodation for refugees, Mr Barns told Fairfax Media, constituting a breach of their rights under PNG's constitution.

Human rights lawyer George Newhouse, working with Mr Barns, has also written to Immigration Minister Peter Dutton threatening to seek an injunction in Australian courts.

Meanwhile, the Immigration Department defended the imminent appointment of Australian engineering firm Canstruct, a Liberal Party donor, to run garrison, catering and security services for refugees in Nauru.

Canstruct will also take responsibility for some welfare services, and be empowered to use force against non-compliant refugees - despite having no direct experience in their of those areas.

"They'll have experience from day one when they start," Ms Newton said.

Canstruct was the only company interested in the job and was the only firm approached in a limited tender - a practice for which the department has previously been criticised by the auditor-general.

<http://www.canberratimes.com.au/federal-politics/political-news/manus-island-regime-will-cost-australia-up-to-250-million-a-year-after-closure-20171023-gz6915.html>

15. MEDIA RELEASE: Navy take-over of Manus will put lives at risk

URGENT NEED FOR HUMAN RIGHTS OBSERVERS TO GO TO MANUS

Friday October 20, 2017
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

Refugees and asylum seekers in the Manus detention centre have been given individual notices that declares that the centre will be taken over by the PNG navy after 31 October.

The notice (attached) says that after 31 October, every worker will leave the detention centre; that electricity, water, food, drinking water will be cut off; and the fences removed.

"The Australian government is creating an impossible situation on Manus and putting refugees' lives at risk. The letters are a direct threat against the refugees," says Ian Rintoul, spokesperson for the Refugee Action Coalition.

"They are leaving refugees defenceless against the navy -- the people who shot into the detention centre last Easter; while trying to force them into a dangerously insecure situation near Lorengau, some of which is not even open yet."

"We are calling for the Australian and PNG governments to cease their reckless moves to close the Manus detention centre. No provision has been made for their safety, their security, health care or their future.

"The idea that a clinic at East Lorengau can deal with the complex physical and mental issues among the refugees is worse than ridiculous. The government knows that this won't work.

"We are urgently requesting human rights' observers be sent to Manus immediately to oversee the situation on Manus and ensure that the Manus refugees lives are not put in danger.

"Even before the latest letter and the threat of navy action against refugees, the UNHCR had called for Australia to 'address the imminent humanitarian crisis for refugees and asylum-seekers in Papua New Guinea'. Doctors for Refugees has stated that healthcare on Manus was 'inadequate' and unethical action by IHMS was creating a potentially 'catastrophic outcome'.

"Australia has a responsibility to the people they illegally sent to PNG. They are shelling out \$70 million in compensation for the abuse and negligence on Manus at the same time as they are leaving them defenceless."

"PNG needs to stand up to Australia. Like Nauru, PNG has become a jailer for the Australian government. Urgent action is needed to bring all these asylum seekers and refugees to Australia."

A report from Behrouz Boochani on Manus is pasted below.

For more information contact Ian Rintoul 0417 275 713

The Australian Border Force is threatening the refugees in Manus. Last night they put up a notice saying that Manus prison camp will close soon and they will cut water, power, food and services after 31 October. The main part of the notice is that they threaten that PNG defence forces will take over the site after that date and the fences of the detention centre will be removed. The refugees have already had a very bad experience with PNG navy soldiers, on Good Friday this year when they attacked the detention centre and fired guns into the centre around 100 times. At that time they tried to ram the fences to attack the refugees and it is only the fences that protected the refugees from that outcome.

It is unacceptable to put the refugees in this situation - either move to Lorengau where they risk attack by angry local people, or be taken over by PNG defence forces who have already seriously threatened their safety. The refugees are very worried about the future and are extremely scared by this situation.

They don't feel safe because at any time the Navy may attack the detention centre again. On the other side the local people had several meetings in the past few weeks and are very angry with Australia and PNG governments because they don't want the refugees in their community and the governments have not respected them.

16. Papua New Guinea tells Australia it must resettle refugees unwilling to stay

PNG immigration minister says those who don't want to remain after Manus closure are Australia's responsibility

The Guardian
Ben Doherty and Helen Davidson
Monday 30 October 2017 07.09 AEDT

Refugees held on Manus Island who do not want to resettle in Papua New Guinea will not be forced to, and Australia must find them somewhere else to go, the PNG government has warned.

In a reflection of PNG's growing frustration with Australia's offshore processing policy the country's minister for immigration and border protection, Petrus Thomas, issued an unprecedentedly forceful statement late on Sunday, telling Australia it held legal, financial and moral responsibility for the refugees held on Manus.

The statement was released publicly, but is clearly aimed at officials in Canberra, as the two governments negotiate this week on managing the refugee population beyond the slated closure of the Manus detention centre on Tuesday.

"It is PNG's position that as long as there is one individual from this arrangement that remains in PNG, Australia will continue to provide financial and other support to PNG to manage the persons transferred under the arrangement until the last person leaves or is independently resettled in PNG," Thomas said.

"PNG has offered refugees the option of resettlement but will not force refugees who do not wish to settle in the country ... they remain the responsibility of Australia."

Thomas said the PNG government was also concerned about asylum seekers who had been found not to be refugees – ie they did not meet the refugee convention criteria for protection – but who were refusing to leave the country. A significant proportion of that cohort on Manus is from Iran, a country which refuses to accept forcible repatriations.

"PNG's concern is about the residual caseload of refugees not willing to resettle and non-refugees who will continue to remain in the country after the closure of the Manus regional processing centre at Lombrum," the statement said.

"There has to be a clear understanding of what Australia will continue to do and support PNG in the next few months to deal with the remaining caseload. PNG currently had no obligation under the current arrangement and Australia will continue to be responsible. There must be a review of the arrangement to clarify these international obligations."

Thomas's statement comes two days before the planned shutdown of the Manus Island regional processing centre, the detention that has run for four years inside a military base and was ruled "illegal and unconstitutional" last year.

About 700 men – more than 600 of whom have been formally recognised as having refugee status: they have a well-founded fear of persecution in their homeland, cannot be repatriated, and are legally owed protection – are refusing to leave the current detention compound, despite the shutdown of buildings, and withdrawal of food, water, electricity and medical services.

The water and electricity will be completely shut off in coming days, but hundreds of men have said they will not leave, because they do not feel safe in the community on Manus, where tensions between Manusians, and the refugee and asylum seeker population have been growing.

The Manus centre – which was reopened in 2012 by the Gillard government – has attracted consistent controversy over systematic rights abuses including murder, physical violence, sexual abuse, allegations of torture by guards, medical neglect leading to death and catastrophic rates of mental health damage, self-harm and suicide. PNG politicians, including the prime minister and the governor of Manus, have long bemoaned the damage the centre has done to the country's international reputation.

"I am also concerned about human rights issues highlighted by the United Nations and international organisations on the reduction of health services on Manus for refugees and non-refugees," Thomas said.

Thomas has also said the jobs created by the offshore regime should go to PNG nationals rather than the extensive fly-in, fly-out expatriate workforce that has dominated the four years of the detention centre's life.

Security guards hired in Fiji are preparing to fly to Manus this week to assist with security during the planned shutdown of the detention centre. PNG's police commissioner, Gari Baki, has warned of possible violence, saying the safety of refugees and workers at the centre "is not to be taken for granted".

Australian government officials and ministers have consistently maintained that the arrangements of offshore processing are "matters for the government of PNG and Nauru".

International legal opinion, however, in particularly that of various arms of the UN, holds that Australia maintains effective control of the processing centres, and has legal responsibility for the welfare of those held within the system.

<https://www.theguardian.com/australia-news/2017/oct/30/papua-new-guinea-tells-australia-it-must-resettle-refugees-unwilling-to-stay>

17. 'No sinister behemoth': Michael Pezzullo defends Home Affairs department

Canberra Times
Monday October 23 2017
Doug Dingwall

The future boss of the new Home Affairs department has launched a defence against claims it will be a "sinister behemoth" concentrating too much power and adding another layer of bureaucracy to agencies.

Michael Pezzullo told a Senate estimate hearing on Monday the mega-department, announced in July, would be limited by checks on power and labelled claims to the contrary "fallacious and unworthy".

"Power must always be exercised with legitimacy and never more so than in the performance of the security function of the state," he said.

"Any contrary suggestion that the establishment of Home Affairs will somehow create an unchecked extrajudicial apparatus of power is ill-informed, even if predictable coming from some quarters.

"It is commentary which bears no relationship to the facts or to how our system of government works."

Mr Pezzullo, the architect of the Home Affairs department taking in Immigration, ASIO, the Australian Federal Police, Austrac and the Australian Criminal Intelligence Commission, has been subject to accusations of "empire building".

The proposal was hotly contested within the uppermost ranks of the government, and both ministers and officials complained it was unnecessary and potentially counterproductive.

Supporters of the merger have argued that it would improve co-ordination across the government in preventing terrorist attacks.

<http://www.canberratimes.com.au/national/public-service/no-sinister-behemoth-michael-pezzullo-defends-home-affairs-department-20171022-gz649n.html>

18. Peter Dutton to face new class action alleging unlawful detention

Lead plaintiff is a four-year-old boy who was born to asylum seeker parents in Darwin and spent 480 days in detention

The Guardian
Helen Davidson

Thursday 26 October 2017 15.03 AEDT

A new class action has been launched against the department of immigration and its minister, Peter Dutton, alleging unlawful detention of asylum seekers, including a four-year-old born in Darwin.

It's expected thousands could join the case, lodged on Thursday in the federal court, seeking damages for unlawful detention resulting from a failure of the department to act on complaints cases.

The four-year-old boy, who is the lead plaintiff in the case by the Maurice Blackburn law firm, was born to his asylum seeker parents at Royal Darwin hospital in September 2013, and spent 480 days in detention.

His lawyers said when the department eventually "put their mind" to the case, it took just two days to approve and issue a bridging visa, in January 2015, demonstrating the alleged unnecessary and unlawful lengthy detention.

"For the bulk of the time he was in detention, our claim is there was no proper purpose for him to be in detention," said lawyer Jennifer Kanis.

The statement of claim cited a October 2014 letter from the department to Maurice Blackburn stating it was "currently not reasonably practicable" to take the family to a regional processing centre on Nauru or Manus.

"He and his family were never going to be removed to Nauru because the policy was that children would not be removed to Nauru," said Kanis. "The family was effectively detained for no purpose."

Kanis said there were no security concerns about the family, and their refugee claims – which remain unprocessed – had not been rejected.

"We know how important the first couple of years of a child's life are and for a child to be in detention, for their family to be in detention, must have a detrimental impact on the health and wellbeing of the child," she said. "That to me is unnecessarily cruel."

The case is open to immigration detainees who were in detention for more than two days in an Australian facility, provided they were not detained for a cancelled visa, did not return voluntarily or involuntarily to their country of origin, were an unauthorised maritime arrival, or had at any time been subject to an adverse security assessment.

The plaintiffs will ask the court to rule their detention was unlawful, and to award damages for deprivation of liberty.

There have been several lawsuits against the immigration department relating to the detention of asylum seekers but few have been successful.

In June the federal government and offshore contractors agreed to pay \$70m in compensation, plus legal costs, to nearly 2,000 refugees and asylum seekers over their illegal detention and treatment on Manus Island.

The payment was part of a settlement agreement, and involved no admission of liability for the government, which said it made assessments about litigation on a case by case basis.

The settlement prevented a six-month trial on a case which had already involved 200 witness statements, 200,000 documents, and more than 50 court dates.

That same month the government also settled out of court with the family of a five-year-old Iranian girl for "negligence" in her treatment while detained on Nauru.

The immigration department and Dutton's office have been contacted for comment.

The defence's statement is due next month. The case will be back before the court for a preliminary hearing in December.

<https://www.theguardian.com/australia-news/2017/oct/26/peter-dutton-to-face-new-class-action-alleging-unlawful-detention>

19. 'Thousands' to join class action against Peter Dutton over detention regime

Canberra Times

October 26 2017 - 12:01AM

Michael Koziol

Immigration Minister Peter Dutton has been hit with another class action lawsuit brought on behalf of asylum seekers detained under Labor and Coalition governments over the past six years.

Documents filed in the Federal Court allege a four-year-old boy, born in Darwin and detained on Christmas Island with his asylum seeker parents, was detained for no valid purpose and thus unlawfully.

Law firm Maurice Blackburn estimates "thousands" of asylum seekers are eligible to join the lawsuit, arguing their detention was unlawful because the government did not actively pursue their visa claims.

Mr Dutton would not comment on a matter before the courts, but has previously noted his department is the most litigated of all Commonwealth bureaucracies "due to Labor's failed border policies".

Only last month the Turnbull government settled a \$70 million payout to nearly 2000 asylum seekers detained on Manus Island, plus \$20 million in legal costs - avoiding a lengthy and difficult trial.

That was not an admission of liability, but "decisions on how to resolve legal matters are made on a case-by-case basis informed by legal advice", Mr Dutton said at the time.

Numerous challenges to the legality of Australia's immigration detention regime have failed, but Maurice Blackburn lawyer Jennifer Kan said this lawsuit was based on new, untested claims.

"The points that we raise in our case have never been tested by the court," she said. "This case has potentially wide-ranging implications for the way Australia detains people who are seeking asylum."

The four-year-old lead plaintiff in the claim was detained for 480 days from September 2013. Lawyers allege the government failed to pursue his visa claim, nor was he detained for the purpose of removal offshore, and therefore his detention had no legal basis.

Once officials "turned their minds" to his claim, the boy was granted a bridging visa within three days, documents claim. The suit does not contend all detention is unlawful but that it "must only ever be used when there is a clear purpose", Ms Kan said.

The claim was filed on October 19 and lawyers will next be heard in December.

Meanwhile, a scathing new report has substantiated fears about a looming tide of violence and unrest accompanying the closure of Australia's detention centre on Manus Island.

Human Rights Watch interviewed 40 refugees and asylum seekers, as well as service providers, in September, alleging a spate of brutal attacks that were never properly investigated.

One Iranian refugee said he was robbed at knifepoint by seemingly drunk young men armed with machetes, while another man was allegedly hit with a metal rod and sustained injuries so severe he had to be treated in Brisbane.

There were three serious attacks since June requiring medical evacuation, the group found, and many refugees now afraid leaving the regional processing centre.

Human Rights Watch Australia director Elaine Pearson said refugees' concerns about the centre's looming closure - and their decision to physically resist it - were justified.

"I don't blame them," she said. "The situation has deteriorated. Things feel very tense now on the island in a way that they didn't two years ago. It's a very volatile situation and I'm really quite concerned."

Ms Pearson said Australia should send Australian Federal Police officers to assist local Manusian police and "help ensure that crimes committed are fully investigated".

The Australian government has denied refugees are unsafe in Papua New Guinea. This week, Immigration Department bureaucrats told a Senate estimates hearing many men voluntarily made trips into Lorengau township every day.

Gillian Triggs, former boss of the Australian Human Rights Commission, also blasted the "illegal, cruel and unworkable" Manus regime in a fiery speech to refugee activists on Wednesday night.

She said Australia had a "shameful history of chronic failure to comply with our human rights obligations" and labelled it "ironic" Australia was now taking a seat on the UN Human Rights Council.

<http://www.canberratimes.com.au/federal-politics/political-news/thousands-to-join-class-action-against-peter-dutton-over-detention-regime-20171025-gz7qup.html>

20. Refugee held on Nauru pleads with Australia to let him see birth of first child

The Guardian

Ben Doherty

Monday 23 October 2017 04.01 AEDT

Mohammed Farahi has been held on Nauru for more than four years while his wife, Ahin*, is currently in detention in Brisbane

A refugee held by Australia on Nauru has pleaded with the government to be reunited with his pregnant wife in Brisbane, so he can be present for the birth of his first child.

Mohammed Farahi has been held on Nauru for more than four years. His wife, Ahin*, is currently in detention in Brisbane, 24 weeks pregnant with their first child.

On Nauru, Ahin was acutely unwell with hyperemesis gravidarum – severe morning sickness – and her pregnancy was further complicated when she contracted dengue fever.

Australian doctors have stated she is too unwell to return to Nauru, where medical facilities – especially the country's obstetric services – are inadequate to treat her condition.

But Mohammed has been told by Australian authorities he will not be allowed to support his wife when she gives birth, nor see his child.

“My wife is calling me every night, crying,” Mohammed told the Guardian. “She says ‘I want to come back to you but I cannot’.”

Mohammed said he had made multiple requests to the Australian Border Force – and repeatedly pleaded with on-island case managers – to allow him to support his wife and to see his baby.

“But they just refuse,” he said. “They don't listen, they don't care. This is my family.

“It is so horrible. Every day I am praying to die but I cannot do anything, just I pray every night.”

Australia's offshore detention regime has separated several families between Australia and the offshore islands of Nauru and Manus, some for years.

But, with increasing government efforts to close the offshore regime, a number of families now face permanent separation. The Guardian understands there are at least four fathers on Nauru who have never seen their children and face the possibility of never being able to.

The Guardian reported last month on the case of Iranian refugee Arash, who has never seen or held his infant daughter, Yusra, who is now seven months old and in community detention in Sydney.

He was sent documents by the Australian Border Force to relinquish custody of his child in order to be able to apply for resettlement in the US as a single person. He has refused to abandon his family. He has still not been reunited with his family.

“My daughter, she is innocent – she has the right to see her father,” Arash told the Guardian this week. “I have never held my daughter, never looked at her with my own eyes. Pictures are all I have of her. And they do this just to be cruel, just to cause pain to me and my family. To be heartless.”

Family unity is a fundamental principle of international and Australian domestic law. Australia is a party to the convention on the rights of the child, which states that children have a right to know and be cared for by their parents, and should grow up in a family environment wherever possible. It is also a party to the international covenant on civil and political rights, which says the family “is the natural and fundamental group unit of society and is entitled to protection by society and the state”.

Mohammed Farahi told the Guardian that when Ahin fell pregnant she was acutely unwell and he feared she would die without intervention.

“When she was here on Nauru, she was vomiting, sometimes 20 times a day, losing too much weight. There is no food for her here she could eat. No vegetables, fresh fruit is not available in Nauru, or it is too expensive for us to buy.”

He and his wife initially considered termination because she was so unwell. But because termination is illegal in Nauru, and the lone hospital on the island routinely refuses to transfer patients for the procedure, Ahin's pregnancy progressed.

“The baby was moving inside my wife's stomach, it was kicking,” Mohammed said. “Now, I love the baby. I love the baby. But here, she was hurting so much. She couldn't eat anything. That's why she had to go to Australia for medical care.”

At 20 weeks pregnant on Nauru, and with her condition deteriorating, Ahin was taken to Brisbane, where she remains in held detention.

“She is crying every day, ‘I can’t stay here, take me back, I need my husband’.”

Mohammed, a member of Iran’s Kurdish ethnic minority, fled the country with his wife after facing systematic government persecution.

They arrived by boat on Christmas Island in 2013 and have been in detention, offshore and on, since.

Both have been formally recognised as refugees, with authorities finding they faced a well-founded fear of persecution in their homeland. They are legally owed protection and cannot be returned to Iran.

They have both applied for resettlement in the US but their case has stalled with their separation, and with progress of the US deal slowing.

“I just want to be with my wife anywhere in the world,” Mohammed said. “They can send us anywhere but I need to be with my wife and my child.

“In this place, I cannot sleep at all. I am very afraid, because of some of the troublesome thoughts that come to my mind. I have no hope for the future.”

Other fathers on Nauru have been told they face permanent separation from their families. They have been told by Australian government officials they cannot apply for resettlement in the US as a family while they are separated from their wives and children.

Fathers have been told they can either ask their wives and children to return to the island – where some have been assaulted or in defiance of medical advice – so the family can apply for US resettlement together, or sign forms to relinquish all custody rights to their child and to apply for resettlement as a single person.

The immigration department does not comment on specific cases. But the department secretary, Mike Pezzullo, told Senate estimates there was a “general expectation” that refugees would return to either Nauru or Manus in order to be considered for resettlement in the US.

“While the general expectation is that they would return to their regional processing location, if there is a particular vulnerability, or for compassionate reasons, I can see there could be a circumstance where the minister or the minister’s delegate might allow them to come to a different view.”

But Ian Rintoul from the Refugee Action Coalition said, in practice, the separation of family members was a deliberate, punitive government policy.

“The policy has destroyed and is destroying, families and relationships. It is a Sophie’s Choice situation; accept the anguish and trauma of separation from loved ones, or risk that return of a loved one to Nauru might scar their future and irreparably damage their mental health.”

Rintoul said the separation policy was enforced more strictly now that legal action was often being taken to keep refugees transferred to Australia in the country. He said those left behind on Nauru were being used as “hostages” in an attempt to coerce family members back offshore.

“The uncertainty of the US deal only adds to the anguish,” Rintoul said. “Families are being told that they will not be considered for the US deal until they are all on Nauru but are not being told whether or not they will be accepted by the US. So, they are effectively being coerced to return without knowing if they will ever be able to leave.

“This is magnified for anyone with children. There is no future for children on Nauru; there are severe limitations on health care which are about to get worse; and there is little hope for a proper education.”

Spokeswoman for the UNHCR’s Regional Representation in Canberra, Catherine Stubberfield, said that in addition to both Nauru and PNG being inappropriate of places of even temporary settlement for refugees and asylum seekers, “some have endured specific instances of harm that make return even more detrimental”.

“To ask women who have been assaulted to return to the country of that incident, where no prosecutions or investigations have taken place, would be unthinkable.

“Despite everything else she has been through, one refugee woman told UNHCR recently, ‘the greatest strain on my family’s well-being is our separation’. This echoes the sentiments of many.”

The UNHCR resettlement handbook states that, wherever possible, refugee family members should always be resettled together. But Stubberfield said refugees and asylum seekers within Australia's offshore system faced a desperate decision between remaining in indefinite limbo and being relocated without their loved ones.

"While return of any refugees or asylum-seekers to 'offshore processing' locations is inappropriate given the lack of necessary services and support, in instances of trauma and other complications, any such requirement would be even harsher."

* Mohammed Farahi's wife's name has been changed

<https://www.theguardian.com/australia-news/2017/oct/23/refugee-held-on-nauru-pleads-with-australia-to-let-him-see-birth-of-first-child>

21. Cat and dog crackdown: Asylum seekers now need the government's permission to buy a pet

Canberra Times
October 20 2017 - 11:34AM
Michael Koziol

Thousands of asylum seekers in Australia will now require permission from Immigration Minister Peter Dutton's department if they want to get a pet.

Leaked guidelines issued by the Department of Immigration and Border Protection reveal all asylum seekers receiving taxpayer support must obtain the department's approval before buying a household animal.

The edict applies to thousands of people currently in Australia awaiting the outcome of their bids for protection, including the 7500 who lodged their claims following the government's imposition of an October 1 deadline.

"Recipients may own a pet if permission is granted by both the department and the landlord," asylum seekers have been told. "Approval for pet ownership must be sought from both the department and the landlord before a pet is purchased. In some cases, recipients may be required to provide evidence to demonstrate that they can cover the costs involved in pet ownership."

The missive was contained in an updated operations manual governing support services for asylum seekers in Australia seeking protection: the so-called legacy caseload of boat arrivals who came in the Labor years.

Advocates at the Asylum Seeker Resource Centre were scathing of the move. Jana Favero, the organisation's director of advocacy, said it was "another terrifying display of arbitrary powers to decide the rights of people seeking asylum", and a waste of the department's time.

"When someone told us about it, I actually didn't believe it. We thought 'this is so ridiculous, the department wouldn't go that far'," Ms Favero told Fairfax Media. "I have no idea what would have motivated this ... I can't even guess what they'll do next."

The immigration department confirmed the crackdown but stressed it had not introduced a "no pets" policy. Asked why the policy was changed, a spokesman said: "The department received an increase in queries regarding our position surrounding pets and this has resulted in a minor change in operational policy."

The department declined to clarify whether goldfish, guinea pigs or birds were included in the crackdown, or whether it would apply retrospectively, forcing asylum seekers to obtain permission for pets they already own. Neither would the department provide a list of criteria for assessing whether an asylum seeker should be allowed to buy a pet.

Fairfax Media understands the directive was quietly issued in August. The guidelines stress that all costs associated with pet ownership – including registration, food and vet bills – will not be covered by the immigration department.

Requests for additional hardship payments to assist with caring for a pet will not be approved, the guidelines state – nor in circumstances where an asylum seeker has spent their ordinary living allowance on pet-related items.

The current iteration of the guidelines is not a public document but previous versions have been obtained under freedom of information laws.

<http://www.smh.com.au/federal-politics/political-news/cat-and-dog-crackdown-asylum-seekers-now-need-the-governments-permission-to-buy-a-pet-20171019-gz4bhm.html>

22. Pet rules requiring asylum seekers to ask permission for cats and dogs criticised as 'authoritarian over-reach'

ABC News Online

By political reporter Henry Belot

Friday October 22, 2017

Forcing asylum seekers to get the Government's permission to buy a pet is patronising, authoritarian-style overreach, Labor and the Greens say.

Leaked documents show the Immigration Department has changed its policy to ensure taxpayer money cannot be spent on pets or their "vaccination, equipment, toys and bedding".

In some cases, asylum seekers will be asked to provide evidence showing they can afford to cover the costs a pet without assistance.

"Approval for pet ownership must be sought from both the department and the landlord before a pet is purchased," the document said.

An Immigration Department spokeswoman said it had not introduced a "no pets" decree and that an increase in questions about pets had led to "a minor change in operational policy".

"People in the community on bridging visas receiving Status Resolution Support Services support will need to obtain permission under their private lease agreements," she said.

The decision has been described as patronising and degrading by Greens senator Nick McKim, who said it revealed Immigration Minister Peter Dutton's "authoritarian tendencies".

"The Liberals are determined to remove basic comforts and dignity from people seeking asylum," Senator McKim said.

Labor's immigration spokesman Shayne Neumann said the change was a "ridiculous overreach".

"What's next from this Government? Mandating approval for the purchase of certain types of food, clothing or a bus ticket?" he said.

"Peter Dutton should stop trying to be the minister for hamsters and hermit crabs and focus on his day job of securing our borders and keeping Australians safe."

The Asylum Seeker Resource Centre (ASRC), who was leaked the documents, said the change was cruel and a waste of time.

"While the Victorian Government recently announced that every tenant in Victoria will have the right to have a pet in their rental property the Department of Immigration and Border Protection removes this right for people seeking asylum," the ASRC's Jana Favero said.

"This is another terrifying display of arbitrary powers to decide the rights of people seeking asylum, this time their freedom to own a pet and the ability to take care of their pet's health."

It is not known whether asylum seekers had been using government support payments to care for household pets.

<http://www.abc.net.au/news/2017-10-20/asylum-seekers-have-to-ask-immigration-for-cat-or-dog/9070796>

23. Hundreds March in Sydney for Asylum Seekers Ahead of PNG Camp Closure

New York Times - Asia Pacific

By REUTERS

Reporting by Alison Bevege; Editing by Himani Sarka)

OCT. 15, 2017, 4:15 A.M. E.D.T.

SYDNEY — Hundreds of protesters marched through Sydney on Sunday to call for detainees, being held in controversial centers for asylum seekers on remote Pacific islands, to be allowed to stay in Australia as a resettlement deadline approaches.

Canberra's hardline immigration policy requires asylum seekers intercepted at sea to be sent for processing to two remote Pacific locations - one on Papua New Guinea's (PNG's) Manus Island and the other on the Micronesian island nation of Nauru. They are told they will never be settled in Australia.

The Manus center is to be closed on Oct. 31 when detainees who have had their refugee applications rejected will be resettled in PNG.

Protesters led by socialists and refugee advocates in Sydney said the detainees should be resettled in Australia.

"Nobody is free on Manus," said Refugee Action Coalition Sydney spokesman Ian Rintoul on Sunday. "It will be like Nauru, a prison island."

Behrouz Boochani, a Kurdish journalist detained on Manus, said in a Facebook post on Friday that the detainees do not want to be resettled in PNG as they cannot work or provide for their families there and they do not feel safe.

The office of Australia's immigration minister, Peter Dutton, could not be immediately reached for a comment.

Former U.S. President Barack Obama late last year agreed to resettle up to 1,250 asylum seekers held in PNG and Nauru. In exchange, Australia agreed to take Central American refugees.

More than 20 men left to be resettled in the United States last month, the first part of the refugee swap between the Washington and Canberra.

Since 2013, 2,125 people have been sent to the detention centers, according to Australia's Department of Immigration. As of Sept. 30, there were still 1,111 people in regional detention, with 742 at Manus and 369 on Nauru.

<https://www.nytimes.com/reuters/2017/10/15/world/asia/15reuters-australia-refugees-protest-manus.html>

24. The Australian Government Is Charging \$7500 For A Dead Asylum Seeker's Body, Family Says

"They have lost a son because of our government's medical negligence," a spokesperson for the Tamil Refugee Council said.

BuzzFeed

Posted on October 3, 2017, at 10:39 a.m.

Gina Rushton, BuzzFeed News Reporter, Australia

The grieving family of an asylum seeker who died on Manus Island say they have been charged AUD\$7,500 to transfer their relative's body to Sri Lanka from the detention centre where he was detained by the Australian government.

The body of a 32-year-old Tamil refugee detained on Manus Island was found in the Lorengau hospital kitchen in the early hours of Monday.

The man's family in northern Sri Lankan city of Kilinochchi visited the Australian High Commission yesterday and were advised they would have to pay to have the man's body returned home to Sri Lanka, Tamil Refugee Council spokesperson Aran Mylvaganam told BuzzFeed News.

"They were asked for 900,000 Sri Lankan rupees [roughly AUD\$7500] to send the body back to Sri Lanka," Mylvaganam said.

"It should be the Australian government's responsibility to repatriate the body because he was in the Australian government's custody."

"They should send the body back to Sri Lanka free of cost and compensate his family for their suffering as they have lost a son because of our government's medical negligence."

The man fled Sri Lanka after he was threatened by the military and had been detained on Manus Island since 2013, the council said.

"We have lost a son, a brother, a cousin and a wonderful friend," the man's cousin said in a statement released by the council.

"After all the trauma he was put through, the Australian government now wants to put his grieving family through more."

He had been sent to the hospital three days earlier after he self-harmed at the detention centre, friends and advocacy groups reported.

"Amnesty International is aware that the man who tragically lost his life was seeking treatment at Lorengau hospital prior to his death," Amnesty International Pacific researcher Kate Schuetze told BuzzFeed News.

"It is clear that there is grossly inadequate mental health care on Manus Island, and that Papua New Guinea does not have adequate health facilities to provide psychiatric care to refugees."

The Department of Immigration and Border Protection did not respond to queries about whether the man's family were being charged thousands of dollars but a spokesperson told BuzzFeed News: "The department is aware of the death at Lorengau Hospital."

The man was facing charges of rape following an alleged sexual assault of a local woman at a motel in Lorengau earlier this year. The matter was still before the court.

"This is the ultimate insult to the family of a man who was so appallingly mistreated by the Labor and Liberal parties," Greens senator Nick McKim told BuzzFeed News.

"He was Australia's responsibility legally and morally, and he died in Australia's custody.

"The Liberals should repatriate his body without sending the bill to his family, and while they're at it they should offer a heartfelt apology for the catastrophic neglect which led to this death."

Sri Lankan refugee Shamindan Kanapadhi, who was friends with the man, told BuzzFeed News: "He had been taking counselling."

"Three days ago he cut himself in the neck," he said.

He was taken to hospital for treatment, and his body was found in the kitchen three days later.

BuzzFeed News has seen documents which show the man's behaviour had previously been discussed at the "complex behavioural management meeting" held between ABF officials, Transfield staff and IHMS in 2015.

Documents also show the man had a girlfriend living in the community on Nauru, where Australia runs another offshore detention centre, but his request to transfer to that centre to live near her was denied.

Another Sri Lankan detainee needed "immediate treatment" for mental illness, Kanapadhi said.

"His life is in danger as he is [sic] lost himself," he said.

Refugees detained on the island told BuzzFeed News there was an Iranian refugee believed to be aged in his 50s who was "wandering around naked".

"He is also very sick and has been for a long time," Iranian refugee Amir Taghinia told BuzzFeed News. "The authorities are fully aware of this but they are just ignoring him. If there is no immediate evacuation there will be more death."

The Refugee Action Coalition also reported there were two other "extremely mentally distressed people" who urgently needed assistance.

At least nine people have died in Australia's offshore detention centres on Manus Island and Nauru.

In August, the body of Iranian detainee Hamed Shamshiripour was found in a forest near the centre. He had been missing for two days.

Documents obtained by BuzzFeed News revealed Shamshiripour's mental health records and his repeated incarceration in the local Lorengau jail.

Shamshiripour has first placed on a psychological support program almost four years ago. In January this year, Shamshiripour was jailed again following an acute mental breakdown and wandered the streets naked upon release, according to refugees on the island.

"This guy was mentally ill for a long time; he was thrown in jail instead of a hospital," one refugee told BuzzFeed News in August.

Shamshiripour's death followed that of four other refugees who have died on Manus Island in the last four years.

Pakistani detainee Kamil Hussain, 34, and Sudanese refugee Faysal Ishak died last year. Iranian refugees Reza Barati, 24, and Hamid Kehazaei, 24, died in 2014. Australian and PNG authorities have committed to closing the detention centre by October 31.

The local magistrate on the island will be conducting a coroner's investigation over coming days.

BuzzFeed News has contacted the Australian High Commission in Sri Lanka for comment.

<https://www.buzzfeed.com/ginarushton/the-australian-government-is-charging-7500-for-a-dead>

25. Peter Dutton's citizenship bill fails after Senate ultimatum

Changes include quadrupling the time people must wait for citizenship, but will not now be debated in their current form

The Guardian

Gareth Hutchens

Wednesday 18 October 2017 19.38 AEDT

Peter Dutton's controversial citizenship bill has failed to pass the Senate, leaving the package dead in its current form.

The Turnbull government will now be forced to make significant amendments to the bill before restarting negotiations, after the immigration minister failed to meet a Senate-imposed deadline on Wednesday to bring the bill on for debate.

Nick McKim, the Greens' citizenship spokesman, hailed the bill's failure as a major win.

"Today, the people of Australia have shown what we can achieve when we stand together," McKim said on Wednesday. "People who are working, studying and raising families in Australia can now get on with their lives and make choices about their future, after they were so unfairly put on hold for months."

Dutton told the Australian that the government remained committed to its citizenship package but he would not say when it intended to try to get an overhauled package through parliament.

The Nick Xenophon Team last month derailed Dutton's attempt to enact his tough new citizenship laws, saying it could not support his package in its current form.

Among other components, NXT senators did not like the aspect of the bill that gives the immigration minister power to overrule decisions by the administrative appeals tribunal on citizenship matters.

After it became clear last month that Dutton's bill could not get through parliament as it stood, a majority of senators voted to give him until Wednesday to bring his citizenship package on for debate in the Senate. The Greens, whose motion it was, said they were tired of Dutton telling voters how crucial his bill was while simultaneously withholding it from the Senate so it couldn't be debated.

The bill did not make it to the Senate on Wednesday in time for debate, so was discharged from the notice paper.

Dutton conceded to his colleagues on Tuesday, in the Coalition party room, that he would now be willing to reduce the bill's English language test from level six (university standard) to level five.

Guardian Australia also understands his office has raised the prospect with crossbenchers of amending the retrospective elements of his bill that have caused consternation.

But those amendments will not be enough to persuade the Nick Xenophon Team to support his bill, nor the Greens or Labor.

Dutton's office has approached key members of the NXT in the past few days to talk about possible amendments to his bill but it appears he has left it too late.

The component in the bill that gives Dutton the power to overrule decisions by the AAT does not appear to have figured in discussions with crossbenchers about possible amendments.

With the citizenship bill struck from the Senate notice paper, the government will have to move a motion to restore the bill to the notice paper, but the Senate will not support that. It means the Dutton will either have to dump his package completely or make substantial changes to get his bill through parliament again.

The bill, as it stood, would increase the waiting times for permanent residents before they could apply for citizenship (from one year to four years) and force new applicants to complete a tougher English-language test (and achieve a pass mark of 75%) equivalent to level six of the international English language testing system (IELTS).

It would also give Dutton the power to overrule decisions on citizenship applications by the AAT if he did not think the decisions were in the national interest, and give him power to decide whether or not the applicant had integrated into the Australian community.

The NXT senator Stirling Griff decided not to support the bill after weeks of public hearings, during which senators were warned repeatedly the legislation could deter people from applying for Australian citizenship.

Griff said it was clear the government's changes were an attempt "to fix problems that don't exist".

"A number of the witnesses during the inquiry pretty much suggested the legislation was all about One Nation, about the Liberals cosying up to One Nation," Griff said last month.

The Greens had not been contacted by Dutton's office in the past week. They expected the bill to be struck from the Senate notice paper on Wednesday evening.

<https://www.theguardian.com/australia-news/2017/oct/18/peter-duttons-citizenship-bill-at-risk-amid-senate-stalemate>

26. Refugee lawyers vow to fight for 71 asylum seekers after Dutton cuts welfare support

Refugee lawyers have vowed to fight for the rights of 71 people who have had their welfare benefits cut after missing Immigration Minister Peter Dutton's deadline for protection claims to be lodged.

SBS World News

By Louise Cheer

Source: AAP - SBS Wires

UPDATED 12 OCT - 6:09 PM

Support has been cut to 71 asylum seekers who did not lodge claims for protection in Australia before an October 1 deadline.

Immigration Minister Peter Dutton had given 7500 asylum seekers who arrived by boat a non-negotiable deadline to "lodge it or leave".

Advocacy group Asylum Seeker Resource Centre has hit out at the federal government's decision to cut welfare benefits to all 71 people who missed the deadline.

"These are mothers, fathers, and young children. Many were scared to come forward to lodge protection claims, given Australia's ever-changing refugee policies and laws, and the uncertainty in process," ASRC acting principal lawyer Noosheen Mogadam said.

"After the minister's delegates make these decisions, we will try to assist those unfairly refused to access the courts and as our Attorney General recently advised in his address at the International Bar Association in Sydney, we will fight for the rule of law for those most vulnerable in our society."

ASRC chief executive officer Kon Karapanagiotidis said it was unfair the government had made this 'blanket decision' without considering people on a case-by-case basis.

"For the 71 people excluded, ASRC and many other legal services challenge the legality of removing the right to seek asylum from 71 people," he said.

"What if one of them is a single mother from Myanmar who couldn't apply because she couldn't leave her kids to come to a legal appointment? How can you have blanket decision on the 71 people without considering each case?"

Speaking with Ray Hadley's 2GB programme this morning Mr Dutton said the 7429 people who had met the deadline would now have their claims processed by the Department of Immigration.

He said those found not to be a refugee after their assessment would be deported from Australia.

Mr Dutton said the 71 people who had not met the deadline have already been cut off from receiving government benefits.

"I said enough is enough, provide or benefits are cut off," he said.

"They're on welfare benefits costing taxpayers quarter of a billion dollars a year and they're refusing to provide any information.

"They are out in the community and we've been very clear about that."

<http://www.sbs.com.au/news/article/2017/10/12/refugee-lawyers-vow-fight-71-asylum-seekers-after-dutton-cuts-welfare-support>