

Project SafeCom News and Updates

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1. The 2017 Crikeys: Arsehat of the year and Person of the year

It's the most anticipated awards of the year -- who will be Crikey's annointed ones?

Crikey
Charlie Lewis
Journalist

In several ways, 2017 defiantly refused to improve upon the flaming rubbish pile template set by 2016. It's been a time, and we're all very tired. But our dear readers summoned one last burst of energy to crown our 2017 Arsehat of the Year and Person of the Year.

The Nominees

Arsehat of the year:

Tony Abbott, for demanding that his constituents be given a voice on the issue of marriage equality and then refusing to vote according to their wishes.

Barnaby Joyce, for humiliating the party he leads and hobbling his coalition partner with his shoddy paperwork, and then drearily whinging his way through the resultant byelection.

David Leyonhjelm for welcoming Milo Yiannopoulos into Parliament House.

91.8% of elected politicians in Australia for supporting offshore detention.

Daniel Andrews for eroding civil liberties in Victoria.

Person of the year:

Chrissie and Anthony Foster for their long, dignified fight for a Royal Commission into child abuse

Kate McClymont for her work with ABC exposing years of allegations regarding Don Burke.

Sally Rugg for her tireless advocacy during the marriage equality debate.

Dr Megan Davis for her role in the Uluru statement from the heart.

Behrouz Boochani for his reporting from inside detention on Manus Island .

Winners

Arsehat of the year

Well, what a glittering year it has been in the field of arsehatery. It has been possibly the most competitive field of candidates we've ever seen. George Christensen, David Feeney, Pauline Hanson, Sam Dastyari, Malcolm Roberts did some truly magnificent work in wounding our public discourse, eroding our institutions, humiliating themselves and their parties. And not one of them was good enough to even cop a nomination. In what other year could such a luminary as 2015 and 2016 winner Peter Dutton not even get the chance to return for his hat trick?

So perhaps it's unsurprising our readers couldn't limit themselves to voting for a single person. Our clear winner this year is the 91.8% of parliamentarians who support offshore detention. After years of blanket secrecy — except for friendly journalists — the closure of the Manus island detention centre in October, and it's aftermath, showed us in stark clarity just where the queasy bipartisanship on this issue has lead us. The Coalition retreat to secure borders and drownings whenever the topic is raised (somehow shoehorning it into the Bennelong byelection). Labor, still scarred by the efforts of Tony Abbott and News Corp have stuck with the policy put in place by Kevin Rudd — who jumped in desperation to the right of anything Abbott was proposing in the lead up the 2013 election — and can only offer feeble protestations about third country resettlement and mismanagement of the camps. Among the major parties, only five current MPs have taken a public stand opposing it. For Labor, Andrew Giles, and senators Murray Watt, Jenny McAllister and Sue Lines, who confronted opposition Immigration Minister Shayne Neumann over Labor's silence on the growing human rights crisis in August; and just a single Coalition member, Russell Broadbent has called for an end to the crisis.

Offshore detention been the site of the deaths of several detainees, attacks upon them by the military and locals. cost taxpayers billions of dollars, it has lead to Australia's humiliation in international courts, condemnation by the United Nations, it has been the catalyst for further erosion of press freedom, and been another occasion for the executive to trample the oversight the judiciary.

Person of the year

The winner for Person of the year was just as clear cut.

Chrissie and Anthony Foster were dealt the kind of exquisite pain most parents will thankfully never have to endure. Their daughters, Katie and Emma, were raped by paedophile priest Kevin O'Donnell in the mid 1980s. Both turned to chemical dependency to quiet the pain, and neither will have a chance at anything approaching a normal life; Emma succumbed to an overdose at the age of 26, and Katie was left needing 24 hour care after being hit by a drunk driver in 1999.

Under the weight of the kind of unimaginable misfortune that would crush many, the Fosters focused their pain into a fight for justice that lasted decades which reached, if not culmination, a milestone this year in the handing down of the report of the Royal Commission into Institutional Responses to Child Sexual Abuse. Anthony, sadly, did not live to see the commission's findings be handed down, felled by stroke in May of this year. But the spotlight he and Chrissie dedicated their lives to bringing about, which illuminated the processes by which the most horrific crimes were covered up and the perpetrators protected, within some of the biggest institutions of Australia, can never be dimmed.

<https://www.crikey.com.au/2017/12/22/the-2017-crikeys-arsehat-and-person-of-the-year/>

2. Australia is wilfully damaging the health of children on Nauru to make a point – and it is appalling

Sydney Morning Herald
December 12 2017 - 11:45PM
David Isaacs, Alanna Maycock

When we visited Nauru as paediatric specialists three years ago, we were asked to see 30 of the 100 children being detained on the island. Among them was a six-year-old girl who had tried to kill herself and a two-year-old boy with such severe behaviour problems a doctor had prescribed anti-psychotic medicines. Their parents were in despair. They had fled persecution, trying to save their children from harm, but had ended up imprisoned on a remote island, without hope. We left with the view that these were the most traumatised children we had ever consulted on, far worse than children we had seen in Australia, Africa, Asia or Europe.

Three years later, 43 of those children remain on the island. Officially they are now free to move around, but reports of attacks by locals show Nauru is not safe and so they remain in the "Regional Processing Centre". In 2014, the Australian Human Rights Commission reported that children at this centre were deeply traumatised psychologically, and had even been abused. Their detention was harming them. When Australia introduced mandatory detention in 1992, it took 10 weeks on average to process an application for refugee status. Now it takes years. As the numbers of children in detention fall, the length of time in detention rises. This is deliberate: wilfully damaging children's health to deter others from seeking asylum.

About 90 per cent of people who arrive by boat seeking asylum are classed as "genuine refugees". The United Nations Refugee Convention says countries shall not punish people for seeking asylum. It also says countries should never return refugees to their own country of origin. We signed that convention. So if those families on Nauru are not coming to Australia and not going home, what will happen to them?

Australia has forgotten those 43 children on Nauru whom we visited three years ago. They are hidden out of sight on a remote island. The media struggles to report on them because the Nauru government charges a journalist \$8000 to apply for a visa, which can be refused without right of appeal, no money back. When Alanna talked about Nauru at The Women in the World summit in New York in April, the Americans were shocked: "Not even Donald locks up children indefinitely".

We are specialists in children's health. We know the evidence that immigration detention damages mental health. We know the longer you detain people, the worse the effect: 95 per cent of children who were assessed when in prolonged immigration detention at Wickham Point in Darwin met the criteria for post-traumatic stress disorder, with sleep disturbance, anxiety, bed-wetting and self-harm. We know some of these children will get better, but only if they are released from detention.

For those children still on Nauru, we are told efforts are being made to find a place for them but that families may need to be split up, even though we know children separated from their families do worse than those who can live with supportive parents. That is not good enough. We are appalled our country punishes children because their parents dared flee persecution. If those children are left with permanent mental health problems as a result of their prolonged detention, it should be on our conscience.

---->>>> Professor David Isaacs is a consultant paediatrician and a clinical professor at the University of Sydney. Alanna Maycock is a paediatric clinical nurse consultant. They run a clinic for refugee children.

<http://www.smh.com.au/comment/australia-is-wilfully-damaging-the-health-of-children-on-nauru-to-make-a-point--and-it-is-appalling-20171212-h035cq.html>

3. Ruth Barson: The dignity of people behind bars should never be negotiable

The Age
Ruth Barson
December 17 2017

"No one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones." So said Nelson Mandela after spending close to three decades of his life imprisoned.

December 17 marks two years since the United Nations General Assembly unanimously adopted the Nelson Mandela Rules, the minimum standards for how we should treat people behind bars. And so it is fitting that today we judge our nation through Mandela's eyes – how we choose to treat the men, women and children who are locked away in prisons across Australia.

Australia is cramming people into prisons at increasing and record rates. Around 40,000 adults and 1000 children are behind bars today.

The backdrop to Australia's prisons is one characterised by social betrayal and prejudice: people who have been sexually abused as children, domestic violence survivors, Aboriginal and Torres Strait Islander peoples and people with disability are all unfairly over-represented in every prison in every state and territory.

By and large, Australian prisons are dehumanising places. A horizon of grey concrete; a sky punctuated by barbed wire; rationed food; a punitive, authoritative culture; limited training and education opportunities; sub-standard health services; far away from the family and community support that people need to get their lives back on track.

While some might argue that this is as it should be, the fundamental challenge Mandela and the rules named after him pose is to break with our callous tendency to harm people who do harm. We should commit to upholding the dignity of every single person – whether free or behind bars. We should remember that all people have an intrinsic worth that we should never, ever tread upon.

It is in this vein that, among other protections, the Mandela Rules expressly prohibit the use of solitary confinement on children, and prolonged solitary confinement on adults – solitary in excess of 15 days.

Unsurprisingly, evidence shows that this practice can severely and irreversibly damage a person: insomnia, confusion, trauma, hallucinations and psychosis are just a few of the risks.

Despite the known harm and explicit contravention of the Mandela rules, solitary confinement is a mainstay of prison management across Australia. The Victorian Ombudsman recently scrutinised the principal Victorian women's prison and found that a number of women had been held in solitary confinement for over 12 months.

The Ombudsman also found that all women were being regularly, routinely and needlessly strip searched – on admission, before and after contact visits with family and friends, whenever leaving the prison to see a doctor, to do community work, go to court or access support.

Degrading, routine strip searches are ubiquitous in almost all Australian prisons. This is despite their being more modern, less intrusive ways to check for contraband and despite the Mandela Rules being clear: strip searches should only be conducted if absolutely necessary. That is, wherever and whenever possible, people should be spared this trauma.

Like solitary confinement, being forced to remove every single piece of clothing in front of two strangers, again and again, erodes dignity and therefore undermines hope – the very things that give our lives meaning.

Ultimately, how we treat people in prison matters not just because most will be released back into the community, but because we are all diminished the moment we start picking and choosing who is deserving of dignity.

Last week Australia ratified the United Nation's optional protocol to the torture convention – a protocol specifically designed to prevent cruel, inhuman and degrading treatment in places of detention by shining a light through independent oversight.

This is welcome. Abuse thrives in darkness. For too long we have maintained a culture of "out of sight, out of mind" when it comes to suffering in prisons.

The trouble is scrutiny and transparency is one thing, but change is another. This requires the political will to do things better – to spend capital on the unpopular because it is the right thing to do. Because the dignity of people behind bars should never be negotiable, even though their liberty might be. If our ideal for Australia is a country that cares for the inherent worth of all people, then we should take Mandela's rules and his measure of a nation seriously. For now, we fair poorly on both.

Ruth Barson is a director of legal advocacy at the Human Rights Law Centre.

<http://www.theage.com.au/comment/the-dignity-of-people-behind-bars-should-never-be-negotiable-20171215-h058wx.html>

4. Our Border Protection Spin Isn't Fooling The World, UN Docs Reveal

New Matilda
By Kellie Tranter
December 13, 2017

The international community is not fooled by Australia's human rights offending immigration policies, writes Kellie Tranter.

In January this year, Treasurer and former immigration minister Scott Morrison told Australians: "We are the envy of the world when it comes to strong border protection policies that protect the integrity of our immigration system."

Yet heavily redacted documents released under Freedom of Information laws relating to our bid for the United Nations Human Rights Council suggest that in diplomatic circles, the view is that our border protection policies create a reputational vulnerability resulting in a defensive position against the increasing pressure of the world.

Consecutive immigration ministers and prime ministers confidently assert that Australia has found the solution to border protection issues, and proudly spruik this glorious news to all those parts of the world struggling with similar issues.

Few take this seriously.

In a cable dated 23 November 2016 titled 'UN: Ireland and our HRC candidacy – strategy from Dublin' it notes 'Public misunderstanding of our approaches on asylum seekers, indigenous issues and [redacted] is a potential vulnerability we will be continuing to seek ways to address.'

Another cable dated 15 December 2016 and headed 'UN: Human Rights Council Membership: Why it matters – Geneva's take to Canberra from Geneva UN' points out that "Australia's human rights record will come under more intense scrutiny as we campaign for a seat on the Council... Over the last few years, our asylum seeker policies have been the focus of [redacted] civil society human rights criticism of Australia in Geneva [redacted]... "

Even the Permanent Representative of Djibouti, a country located in the Horn of Africa, raised concerns which are detailed in a cable dated 21 February 2017 'UN: Australia's Human Rights Council candidacy: Djibouti from New York.'

It notes that the "HOM called on the Permanent Representative of Djibouti on 13 February to discuss Australia's candidacy for the HRC. [redacted] raised Australia's offshore processing of asylum seekers. We provided a detailed briefing on the background to Australia's policies [redacted] and a broader picture of Australia's Immigration policy. [redacted] was satisfied with the response, but said we needed to make sure we had good information available on these issues."

FULL STORY AT <https://newmatilda.com/2017/12/13/our-border-protection-spin-isnt-fooling-the-world-un-docs-reveal/>

5. Medical bodies urge Turnbull government to help Manus Island asylum seekers

Sydney Morning Herald
December 12 2017 - 3:43PM
Esther Han

Australia's top medical colleges are demanding the Turnbull government to immediately provide care and treatment to the asylum seekers and refugees recently kicked out of the decommissioned Manus Island detention centre and likely experiencing trauma.

The presidents of the Royal Australian College of General Practitioners, the Royal Australasian College of Physicians and the Royal Australian and New Zealand College of Psychiatrists, have sent a letter to Immigration Minister Peter Dutton expressing their concern for the health of hundreds of refugees and asylum seekers recently transferred to new transit centres on the island.

It follows the release of footage showing the asylum seekers being threatened and intimidated by locals since being removed from the now-defunct detention centre.

"Our concerns involve their immediate health care access and living conditions; their ongoing health and wellbeing; and the impacts on Lorengau General Hospital and the Manusian community," the letter reads.

The presidents, together representing 61,500 doctors, have called for improved transparency on living conditions and health care services, assurances about the provision of medications and the creation of a mental health service, amongst other things.

Dr Kym Jenkins, president of the psychiatrists' college, said the transfer from one detention centre to another would place a severe toll on their mental health.

"Asylum seekers and refugees are among the most vulnerable and marginalised people, many having experienced torture, trauma and other catastrophic events," she said.

"It is crucial that their psychiatric and other health needs are urgently addressed and that they receive the expert trauma-informed care they require."

Dr Bastian Seidel, head of RACGP, said he was "extremely worried" about the wellbeing of the men.

"We cannot sit back knowing the standard of care received by those seeking asylum in Australia is anything but acceptable," he said.

"Many of the men ... will be experiencing significant trauma. This is not about politics. This is about the health and safety of a group of very helpless people."

Dr Catherine Yelland, president of RACP, said access to health care was a basic human right and the government must provide a guarantee that asylum seekers are getting the care they need.

"Many asylum seekers are already suffering physical and mental illness due to the reasons they had for leaving their homeland, and these issues are only exacerbated by mandatory detention," she said.

"Australia has a moral obligation to ensure asylum seekers are medically assessed, treated promptly and offered a standard of care that they would receive in any Australian hospital or community."

In November, as the month-long standoff at the decommissioned Manus Island detention centre came to a violent end, 18 of Australia's most senior doctors - including Dr Seidel - wrote an open letter to the government offering to fly to Manus Island and treat patients for free.

The centre was closed after the PNG Supreme Court last year ruled the detention of asylum seekers at the facility on Manus Island was unconstitutional.

The refugees now have the option of resettling in PNG, waiting for possible resettlement in the United States, or returning to the country from which they fled from.

The federal government's policy is to not allow any of the men to be resettled in Australia under any circumstances.

Earlier this week, footage was released of Manusian locals threatening the asylum seekers, with one making death threats and shouting, "You're a dead man". One man wielded a long, metal pipe.

Mr Dutton on Monday dismissed the videos as "complete nonsense" and said the "propaganda must stop".

The letter has also been sent to Health Minister Greg Hunt, Minister for Aged Care Ken Wyatt and Assistant Minister for Health David Gillespie.

Mr Dutton and Mr Hunt did provide a response to Fairfax Media before deadline.

<http://www.smh.com.au/national/medical-bodies-urge-turnbull-government-to-help-manus-island-asylum-seekers-20171212-h032su.html>

6. Calls to adopt child abuse inquiry's recommendations on immigration detention

Government urged to implement child safety standards after royal commission makes several recommendations relating to immigration department

The Guardian
Helen Davidson and Ben Doherty
Monday 18 December 2017 14.34 AEDT

The federal government must immediately heed recommendations by the royal commission to protect children currently in its immigration detention system, human rights lawyers have said.

On Friday the royal commission into institutional responses to child sexual abuse delivered its final report, primarily focused on religious institutions and state-based care homes – many of which have long closed.

But it also made several recommendations relating to the still-operating immigration detention centres, including that they comply with child safety standards and allow independent visitors.

It called for state and territory legislative changes to ensure mandatory compliance with child safe standards included justice and detention services for children, including immigration detention facilities.

The royal commission also said the Department of Immigration should:

- Establish a mechanism to regularly audit the implementation of the child safety standards
- Designate appropriately qualified child safety officers for each place in which children are detained
- Implement an independent visitors program in immigration detention
- Require all institutions in its jurisdiction that engage in child-related work to meet the child safety standards
- Contractually require its service providers to comply with the child safety standards identified by the royal commission, as applied to immigration detention

The royal commission investigated Australia's immigration detention centres, but faced pressure to expand it to the offshore network, particularly in the wake of the Guardian's Nauru Files publication. It held a limited public hearing in March.

Human rights groups had argued the Australian government's response to allegations of child sexual abuse inside offshore detention centres was within the terms of reference. The immigration minister, Peter Dutton, argued it was a matter for Nauru.

The commission's research identified immigration detention as "a specific institutional context with an elevated risk of child sexual abuse".

It was difficult to determine the institutional response to the abuse because of "significant barriers" to identifying and reporting allegations, and limited information. The commission also noted many centres were staffed by third-party contractors and the levels of standards and monitoring were "unclear".

The National Justice Project, a pro bono human rights law firm, said the department knew victims of abuse and assault inside immigration detention needed support but failed to provide appropriate therapeutic and other specialist services.

It called on the government to immediately implement child safety standards and require its guards in Australia and Nauru to comply with the national standards.

"It is scandalous that the minister for immigration continues to expose men, women, children to abuse and ongoing sexual assault, abuse and mental harm," said the project's principal solicitor, George Newhouse.

"That children are denied therapeutic care and that there is no independent monitoring or oversight of immigration detainees is a national disgrace."

"This government remains responsible for the harm that is being done to children in detention in Australia and offshore in Nauru, and the National Justice Project is working hard to get them appropriate care and to hold the government accountable for these atrocities."

The sexual abuse of a nine-year-old boy inside an onshore detention centre in 2015 was among cases examined by the royal commission. The boy was being held in the centre with his younger brother and father.

In response to the abuse – of which there is no allegation against the father or detention centre staff – the family was moved to another state, but the two boys were placed in a group care home while the father remained in detention.

This year, the younger son disclosed that he was also sexually abused – then aged seven – at the same time as his brother.

Alison Battison, director principal of another pro bono law firm, Human Rights for All, said the separation of the children from their father and his continued detention were a clear breach of the family's human rights. The mental health of the boys continued to deteriorate, she said.

"The royal commission final report highlights many recent and historical issues. The lack, however, of an appropriate institutional response by the DIBP [Department of Immigration and Border Protection] and Dutton for this family is happening now and ongoing," said Battison.

"The father needs to be released now. Separating a family where both children have been sexually abused is unacceptable. One of the main reasons for having a commission is to change institutional responses. So let's start that change now."

The UNHCR has previously recognised the family as refugees, but the Australian government has not yet made a final determination despite being told by its assessment authority the family would face persecution if they were returned. The family arrived in Australia five years ago.

About 140 refugee and asylum seeker children are currently held on Nauru. Fewer than five are in detention centres or alternative places of detention in Australia, while 180 are in the “community under residence determination”, having been brought from offshore detention to Australia.

On Friday Australia ratified the optional protocol to the convention against torture (Opcat), which will oblige it to create an independent watchdog to monitor all places of detention, including immigration detention.

However, Newhouse said “in theory” the Opcat obligation would address the recommendation for independent visitors to detention centres, but he had little faith the government intended to implement it within the immigration portfolio.

“We have virtually no transparency in the immigration detention system and the independent visitor would be a fantastic initiative,” he told Guardian Australia.

“But I’m not convinced the minister wants any oversight whatsoever of what’s going on in immigration detention.”

The minister for immigration has been contacted for comment.

<https://www.theguardian.com/australia-news/2017/dec/18/calls-to-adopt-child-abuse-inquirys-recommendations-on-immigration-detention>

7. UN urges Australia to fix Manus Island refugee ‘mess’ as hundreds toil in unsafe camps

Pressure placed on government to solve refugee crisis on Manus as UN calls for Australia to take responsibility for the “mess”.

Reuters
News Corp Australia Network
December 23, 2017 12:56am

THE UN refugee agency is accusing Australia of abandoning hundreds of refugees and asylum seekers on Papua New Guinea’s Manus Island, saying it must take responsibility for the mess it’s created with its “offshore processing” system.

About 800 refugees are still in a precarious situation on Manus Island, having been forcibly removed from a holding camp last month when Australia decided to close it, UNHCR spokeswoman Cecile Pouilly told a regular UN briefing in Geneva on Friday.

“We are talking here about people who have suffered tremendously, extreme trauma, and are now feeling so insecure in the places where they are staying. There are many victims of torture, people who have been deeply traumatised, having no idea what is going to happen next to them,” she said. “In light of the continued perilous situation on Papua New Guinea’s Manus Island for refugees and asylum seekers abandoned by Australia, UNHCR has called again this week on the Australian government to live up to its responsibility and urgently find humane and appropriate solutions.”

Conditions in the camp, and another on the tiny Pacific island of Nauru, have been widely criticised by the United Nations and human rights groups. The two camps have been cornerstones of Australia’s contentious immigration policy under which it refuses to allow asylum-seekers arriving by boat to reach its shores.

The policy, aimed at deterring people from making a perilous sea voyage to Australia, has bipartisan political support.

The closure of the Manus Island camp, criticised by the United Nations as “shocking”, caused chaos, with the men refusing to leave the compound for fear of being attacked by Manus Island residents.

Pouilly said that in the past four weeks, there had been at least five security incidents, including an attempt by three people armed with machetes and an axe to force their way into a site where 150 refugees and asylum seekers have been accommodated since the Australian facility closed.

Pouilly said that although Papua New Guinea now had to deal with the situation, the buck should stop with Australia.

“What we clearly are saying is that it’s Australia’s responsibility in the first place,” she said.

“Australia is the country that created the situation by putting in place this offshore processing facility. So what we are asking is for Australia to find solutions for these people.”

<http://www.news.com.au/world/united-nations-urges-australia-to-fix-manus-island-refugee-mess-as-hundreds-toil-in-unsafe-camps/news-story/e071e56285aad7b09c24df4256bb505f>

8. Eaten Fish, Manus Island's refugee cartoonist, given sanctuary in northern Europe

Ali Dorani thanks supporters after being granted artist's residency through International Cities of Refuge Network

The Guardian

Ben Doherty

Tuesday 19 December 2017 10.59 AEDT

The Manus Island refugee and cartoonist Ali Dorani has left Papua New Guinea for refuge in northern Europe.

Known by his nom de plume Eaten Fish, Dorani left PNG last week. He spent more than four years in the Australian-run immigration detention centre on Manus Island, where he suffered acute persecution and dangerously poor physical and mental health.

He took the name Eaten Fish after he was rescued from the ocean when the boat carrying him to Australia broke up and sank. He was taken to Manus Island in August 2013.

Dorani was freed through the efforts of the International Cities of Refuge Network, a network of cities and regions that offer long-term residencies to writers and artists who face persecution because of their work, and the Victorian poet and refugee advocate Janet Galbraith, who campaigned on Dorani's behalf.

"I have left PNG, it was a long journey but I am safe now," Dorani said from his new home, where he will live for at least the next two years. "I am thinking about my friends in Manus Island and Port Moresby. Thank you to my supporters and people who worked to make this journey happen."

During his time in detention, Dorani chronicled his life in the refugee camp through his work, depicting life in the camp, including watching his friend Faysal Ishak Ahmed die. His work was published around the world, including in the Guardian, and the Washington Post, and by the ABC.

He was backed by a network of cartoonists and artists from across the world, who drew in support to "Free Eaten Fish".

During his time in detention, Galbraith told the Guardian Dorani was frequently targeted by some guards and occasionally by other detainees. He suffered post-traumatic stress disorder and panic attacks.

"He arrived in Manus as a young man who was already quite a vulnerable person and I remember being told by some of the workers there that this guy just doesn't fit here at all, it's so dangerous for him," she said.

"That has played out. He has severe OCD, he will wash his clothes or body for hours and still feel like it's disgusting. He will wash himself until he's bleeding."

Dorani was recognised by the Cartoonists Rights Network International which awarded him its Courage in Editorial Cartooning award in 2016.

The International Cities of Refuge Network's program director, Elisabeth Dyvik, said Dorani's freedom would not have been possible without the advocacy of the cartoonists' network, Galbraith and the Guardian's First Dog on the Moon.

"We are relieved that Eaten Fish has arrived safely in a city of refuge where he is free to pursue his career as a cartoonist. Icorn would also commend the city of refuge that has invited him to be the city's Icorn resident for the next two years."

Dorani is the second refugee from Australia's Manus Island camp to be granted protection through a private resettlement arrangement.

In November the Iranian refugee Amir Taghinia moved to Vancouver after a group of Canadian citizens privately sponsored him to resettle there.

"I am so thankful," Taghinia told the Guardian. "I really respect these people, I now consider them as part of my family. I am seeing the generosity Canadians have towards human beings."

<https://www.theguardian.com/australia-news/2017/dec/19/eaten-fish-manus-islands-refugee-cartoonist-moves-to-northern-europe>

9. Manus Island asylum seekers win right to sue PNG Government over detention

ABC Online News

By Papua New Guinea correspondent Eric Tlozek

Updated 16 Dec 2017, 9:33am

Asylum seekers now have the right to pursue a compensation claim against the PNG Government for illegally detaining them on Manus Island, after a ruling from the country's Supreme Court.

The court found in April 2016 that asylum seekers were illegally detained on Manus Island.

It's now dismissed an attempt by the PNG Government to stop them making a compensation claim for that and seeking enforcement of their constitutional rights.

The Government had contended that an application by Iranian refugee Behrouz Boochani for enforcement of his constitutional right to freedom of liberty was made outside the allowable time.

But the Supreme Court rejected that and found the asylum seekers had the right to a hearing of their claims.

The ruling is significant because it means the men have won the right to have a trial against the PNG Government next year.

The court ruling comes after news on Friday that the United States had accepted another 200 refugees from Manus Island and Nauru.

The ABC understands 70 refugees in Port Moresby, part of a group sent from Manus Island for assessment, were told they would be travelling to the US early in the new year, and 130 people in Nauru had also been accepted.

About 50 refugees have already been resettled under the deal struck by Prime Minister Malcolm Turnbull and former president Barack Obama.

Mr Boochani said he was happy for the refugees headed to the United States, but remained concerned applications from people from several countries would not be successful because of US President Donald Trump's travel ban.

Mr Boochani said many Rohingya people were among the successful applicants, but no-one from Iran, Iraq, Somalia or Sudan was accepted.

"We are happy that the deal is working," he said.

"Some people will fly, we are happy about that. But on the other side, people are worried because, are they going to take people from these countries that I mentioned?"

<http://www.abc.net.au/news/2017-12-16/asylum-seekers-win-right-to-pursue-compensation-in-png/9265078>

10. Manus Island protesters block access to refugee accommodation, supplies

ABC News

By Papua New Guinea correspondent Eric Tlozek

Tuesday 19 December 2017

Protesters have blocked the gates of refugee accommodation on Manus Island and are stopping staff from entering and refugees from leaving.

It's the second such protest in a month.

The first targeted case workers and related to a dispute over the awarding of an Australian Government contract, but refugees said this time they have been told they are at risk if they go outside.

Sudanese refugee Aziz Adam said angry local landowners were holding signs saying "No ABF (Australian Border Force)" and "No ICSA (PNG Immigration and Citizenship Service Authority)" and not letting anyone use the access road to the main refugee accommodation.

"They blocked the road and they say no refugees are allowed to step out of the centre," he said.

"The police are sending a message to us to not go outside because it's not safe and they're trying to stop everyone from leaving the centre."

That means medical staff can't come inside and a scheduled food delivery is also being blocked.

Mr Adam:

"We don't have access ... to medication but also to our basic needs like food, water, medication, even medicine, we don't have access to."

The protest follows the assault of two refugees in the main town area of Lorengau on Monday.

Refugees say a Bangladeshi man was punched repeatedly in the face when he walked between the market and the hospital, and a Somali refugee was attacked in a similar way later in the day.

Iranian refugee and journalist Behrouz Boochani asked Australian and PNG authorities to address the problems, saying he feared the situation on Manus Island was becoming more dangerous.

"We cannot live in a situation that every day we have some problem like this and we cannot predict what will happen."

"The refugees prefer to stay in their rooms because something is happening in this island and we don't know the details and we are worried."

A little over a week ago, asylum seekers on Manus Island said local people were threatening to kill them after they moved into new accommodation in the island's town.

The men provided video evidence of local men — who appear to be drunk — coming to their accommodation and threatening them.

<http://www.abc.net.au/news/2017-12-19/manus-island-protesters-block-access-to-refugee-accommodation/9271790>

11. 'We are now hostages': Protestors' blockade of refugee centre enters its second day

ABC Online News

By Papua New Guinea correspondent Eric Tlozek

Updated Wed 20 December 2017 at 2:18pm

Refugees on Manus Island say they are running out of food because local landowners are blockading their accommodation.

Protesting landowners have been stopping staff, medicine and food deliveries from going in to the East Lorengau Transit Centre, where more than 300 men are kept, since December 19.

Sri Lankan refugee Thanus Selvarasa said they are also preventing the men inside from leaving.

"These local people attack us, the camp (and) we are hostage people now," he said. "They don't provide food and medicine."

Mr Selvarasa said the blockade prevented a scheduled food delivery from arriving. "We have some rice only but today it's mostly finished," he said. "If they don't provide, we don't have."

Refugees said the contractor delivered some food in secret but was forced to stop when protesters found out.

Iranian refugee and journalist Behrouz Boochani is inside the centre and says the Australian Border Force "must find a solution" to the situation.

"Anything bad happens to us, those who took us here by force are responsible," he tweeted.

The landowners first protested outside the centre on November 29. Their threats against case management staff forced contractor JDA Wokman to evacuate its personnel from Manus Island.

Now landowners are reportedly demanding compensation from the Australian and PNG governments.

Although the protest is about an Australian Government contract, Australia's Department of Home Affairs refused to comment, saying only: "This is a matter for the Government of PNG."

The ABC has also sought comment from the PNG Immigration and Citizenship Service Authority and PNG Police.

<http://www.abc.net.au/news/2017-12-20/manus-protest-continues/9275968>

12. Manus refugee attacked for second time amid tension over Australian centres

After being forcibly taken to Lorengau, Bangladeshi Joinul Islam's fears were realised and he was attacked again

The Guardian
Ben Doherty
Wed 20 Dec '17 09.16 AEDT

A refugee has been attacked in Manus for a second time amid rising tensions in Lorengau and protests from Manusians over the new Australian-run refugee centres in the town.

The Guardian first spoke with Bangladeshi refugee Joinul Islam last month during the standoff at the decommissioned immigration detention centre at Lombrum when he said he feared for his safety if he was taken back to Lorengau.

At the time Islam was still suffering from a damaged arm sliced open several months ago with a machete when he was attacked in Lorengau. It had not properly healed and promised follow-up surgery had not eventuated.

Islam had gone days without sleep and without access to painkilling medicine when he spoke to the Guardian at the detention centre.

"I cannot go back there, I cannot go back. How can I go to Lorengau? I need a safe place," he said.

He said he felt under intense pressure to quit Manus Island, abandon his protection claim altogether, and risk returning to Bangladesh.

"All the time is pressure. My life is very difficult. I have been running five years." he said.

Islam was forcibly removed to Lorengau at the end of the standoff between refugees and immigration authorities and his fears about returning there were realised on Monday when he was attacked at the town's market.

The assault, in which he was hit in the face and had money and his phone stolen, has been reported to police. No one has yet been arrested.

Pictures obtained by the Guardian show injuries to Islam's face, and him being transported on a stretcher.

The attack on Islam comes at a time of increasing tension over the three accommodation centres built by the Australian government near Lorengau, the main town on Manus.

The imposition of the transplanted refugee population in the small, familial community – in particular the building of the accommodation centres on customary land – has sparked protests across the town.

The East Lorengau centre, the longest-standing of the three Australian-built centres, has been blockaded by landowners, who are protesting the centre's presence.

On Tuesday, landowners used trucks, cars and a picket line to stop any staff from the Australian Border Force, PNG's immigration authority or subcontractors Paladin and JDA from entering the site. They put up signs warning staff to stay away, stopped food supplies getting in, and have threatened to attack refugees who try to leave.

There are reports from the island that landowners are demanding millions of kina in compensation from the PNG and Australian governments.

"The landowner is stopping even one person to leave the camp," one refugee said.

"I was having my medical appointment in general hospital but they threatened me with a knife ... they told me, 'if you move outside of the gate, we will kill you'. My friend and I were almost stabbed by them."

Kurdish Iranian refugee and journalist Behrouz Boochani, who is currently inside the East Lorengau centre, said the gates were blocked with two trucks.

"The landowner is not happy with the companies working in the prison camps," Boochani said. "Already ... the landowner of East Lorengau camp warned Australian staff and case managers from Port Moresby that they must leave Manus soon."

Boochani said the dispute was not related to refugees, but that they were suffering and at risk if the conflict escalated.

"We don't want to be dragged into this problem. The government must guarantee our safety. We respect the protesters but it's a problem we did not make. We are only watching the issue unfold because we are very worried about the conflict between the landowner, ABF and other companies escalating."

The office of the United Nations High Commissioner for Refugees has been on Manus Island this month, and has issued a situation report of conditions on the island.

It details security concerns – refugee accommodation has been repeatedly attacked, including by people carrying knives who have breached centre perimeters – as well as concerns over inadequate medical treatment, the abolition of torture and trauma counselling, and the absence of caseworker support.

There are not enough showers and toilets in the accommodation blocks. In one accommodation block, five of the 11 toilets – for 150 people – did not work. Refugees in two of the three centres are also being supplied with untreated water, posing a potential health hazard.

Accommodation is overcrowded and cramped, and there are no translators for refugees who do not speak fluent English, leaving them unable to seek proper medical treatment.

According to the UNHCR, there are 801 refugees and asylum seekers held on PNG – between the three sites on Manus and Port Moresby; and 616 have been formally recognised as refugees. The UNHCR stressed that those who do not have refugee status are not “non-refugees” but have not been granted formal protection because of mental health conditions, changes in their circumstances, or non-engagement with the Papua New Guinea refugee determination process.

The UNHCR reiterated its call for Australia’s offshore detention regime to be ended, and for durable solutions to be found for refugees on the two islands, who remain Australia’s legal responsibility.

“Long-term solutions remain needed for all people transferred by Australia to Papua New Guinea and Nauru. Neither Papua New Guinea nor Nauru are appropriate places for local integration for the majority of refugees and asylum-seekers, particularly given their acute needs as a result of prolonged detention and harsh conditions.”

<https://www.theguardian.com/australia-news/2017/dec/20/manus-refugee-attacked-fsecond-time-amid-tension-over-australian-centres>

13. Refugee advocates blockade Melbourne port in protest at offshore detention

Protesters call for sanctions on Australia ‘until the people on Manus are free’ as blockade causes significant traffic delays

The Guardian

Monday 18 December 2017 10.27 AEDT

Protesters have blockaded Melbourne’s container port in opposition to Australia’s offshore immigration detention regime.

The port – Australia’s busiest – was blockaded at three entrances on Monday morning, with protesters blocking road entrances and unveiling a banner that read: “All refugees in detention are political prisoners.”

Three climbers suspended themselves above three road entrances to the port and refused to come down.

“Today we are taking action against Australia’s border policy, which remains open to corporate profits, yet is violently closed to those seeking safety,” said SOS Manus spokeswoman Charlotte Lynch.

“We support the calls made by refugees and ex-detainees for international sanctions to be placed on Australia until the people on Manus are free.”

The protest has caused significant traffic delays around the port. Victoria police are at the site.

A spokeswoman for Victoria police said there would be a police presence at the rally to maintain public safety.

“People have every right to protest. However, we ask that they do so peacefully and without impacting on the rest of the community,” she said.

“Police will be monitoring the rally to ensure there are no breaches of the peace or crimes occurring.”

The deal to resettle refugees from Australian detention centres on Manus Island and Nauru in the United States is progressing on both sides.

Close to 200 refugees – about 60 from Manus and 130 from Nauru – will move to the US in January. Fifty-four refugees were moved in September.

But the newly reinstated travel ban imposed by the US president, Donald Trump, excludes people of certain nationalities, including Iranians and Somalis, from resettlement. Iranians are the largest national group on both Manus and Nauru.

The US could take up to 1,250 refugees from Australia's offshore camps – not enough to clear them – but it's unclear precisely how many it will ultimately accept.

Australia's return obligation – to take central American refugees from refugee camps in Costa Rica – has also begun.

Thirty people from seven families have moved to Australia after several months of assessment by the immigration department. It is understood they fled gang-related violence in El Salvador and had been living in hiding before being transferred to Costa Rica.

The number of refugees fleeing criminal violence in the “northern triangle” countries of El Salvador, Guatemala and Honduras has escalated in recent years: nearly 10% of the 30 million people who live in those countries have fled across borders because of extortion, rape and forced gang recruitment after decades of civil war and conflict.

Most of those displaced are fleeing north towards Mexico and the US. The US runs refugee camps in Costa Rica and has brokered assistance in resettling people from there.

The US refugee deal was agreed between the prime minister, Malcolm Turnbull, and former US president Barack Obama in November 2016.

Trump has described the arrangement as a “dumb deal” and lambasted Turnbull over it during a fractious phone call in January. His administration, however, has insisted the deal will be upheld.

<https://www.theguardian.com/australia-news/2017/dec/18/refugee-advocates-blockade-melbourne-port-in-protest-at-offshore-detention>

14. Fake Santa shuts down Perth Immigration office to protest Manus Island treatment

The West Australian
Tuesday, 19 December 2017 4:23PM

The Perth Immigration office has been closed for more than six hours after a woman dressed as Santa deliberately trapped her arm in the entry foyer.

The woman arrived at the Wellington Street office around 9.30am on Tuesday, and locked her hand in a concrete barrel.

The act was part of a protest against the treatment of asylum seekers on Manus Island.

Police did issue the woman with a move-on notice, but she has refused to leave.

The woman has been joined by other protesters waving signs saying all they want for Christmas is freedom.

The signs also feature a naughty list — complete with Prime Minister Malcolm Turnbull and Federal Immigration Minister Peter Dutton.

“We’ve tried years of people protesting, lobbying, writing letters... but I think people in this group feel that it is necessary to escalate these protests because the voices of the people on Manus and Nauru haven’t been heard,” protester Michelle Bui said.

The woman's hand was freed just after 4pm on Tuesday.

The protest group has vowed to continue going to extreme measures to highlight the asylum seeker message, and force the Federal Government to listen.

<https://thewest.com.au/news/wa/fake-santa-shuts-down-perth-immigration-office-to-protest-manus-island-treatment-ng-b88695724z>

15. First 30 Central American refugees arrive in Australia after fleeing gang violence

Canberra Times
December 16, 2017
James Massola

Thirty men, woman and children fleeing gang violence in El Salvador have been granted asylum in Australia by the Turnbull government.

The seven families are the first to arrive in Australia from Central American as refugees under a deal struck by Prime Minister Malcolm Turnbull and then US president Barack Obama last year.

Although few other details are available about the 30 individuals – in part to preserve their safety – Fairfax Media understands the main applicants and their family had been living in hiding in El Salvador and faced gang-related intimidation and violence before being transferred to Costa Rica.

The UNHCR, International Organisation for Migration and US government have established a "Protection Transfer Arrangement" in Costa Rica and, after referral by the UNHCR, the Australian government assessed the 30 people and granted them humanitarian visas.

Immigration Minister Peter Dutton – who has been criticised by asylum seekers, the UN and human rights groups for Australia's offshore detention system and a hardline approach to people attempting to arrive by boat – said the Turnbull government had "restored integrity to our refugee and humanitarian program".

As a result, "the dividend of this is that we can provide the most vulnerable in the world the new start to their life that they deserve. This intake provides deserving people with an opportunity to start a new life in our country. It's a Christmas gift they could never have imagined possible a few years ago," he said.

"Australia remains one of the top three countries for resettlement of refugees. The 2016-17 offshore humanitarian program was the largest in over 30 years."

According to the UNHCR, the number of people fleeing gang violence in countries such as El Salvador, Guatemala and Honduras has skyrocketed in recent years. Most head to Mexico or Costa Rica and then on to the United States.

As part of the Turnbull-Obama deal, the US agreed to take as many as 1250 asylum seekers who were sent to Nauru or Manus Island by the Australian government; after sharply criticising the "dumb deal", US President Donald Trump eventually backed down and agreed to honour the agreement struck by his predecessor.

So far, an initial group of 54 refugees from Manus Island and Nauru were accepted by the US last September and a second group of about 200 men, women and children are expected to arrive in America in January.

Australia will accept 18,750 refugees in 2018-19, and an additional 12,000 people fleeing from the war in Syria and Iraq.

<http://www.canberratimes.com.au/federal-politics/political-news/first-30-central-american-refugees-arrive-in-australia-after-fleeing-gang-violence-20171216-h05s4p.html>

99. UN: Sri Lankan man 'risks torture and rape' if deported from Australia

UN panel of human rights experts asks for forced return to be halted while asylum seeker's case is considered

The Guardian
Ben Doherty
Thursday 14 December 2017 13.56 AEDT

The United Nations committee against torture has advised the Australian government not to deport a Sri Lankan man, citing concerns he might be tortured upon return.

The Geneva-based committee of 10 independent human rights experts has issued an interim measure formally requesting Australia not to return the man while his case is considered.

The man, whom the Guardian has chosen to refer to as Jyran, was told on 6 December by the department of immigration to prepare to be deported imminently from Australia.

Jyran faces arrest in Sri Lanka over his alleged links to the defeated separatist army the Liberation Tigers of Tamil Eelam – the Tamil Tigers.

He is not alleged to have been a fighter: his arrest warrant states he faces charges of "assisting anti-government activities and supporting and assisting a terrorist organisation".

The Tamil Tigers were ultimately defeated in 2009 after 26 years of brutal civil war.

The asylum seeker, an ethnic Tamil, went through Australia's controversial "fast-track" refugee status determination process and was found to not meet the criteria for refugee status.

Under the fast-track system, no additional information can be brought after an initial protection application. Jyran did not present the arrest warrant in the first instance, later explaining he did not understand the Australian justice system and feared he would “get in trouble” because of it.

Having failed to produce the warrant, his protection claim was dismissed as not credible, and the Immigration Assessment Authority, which reviewed his case, chose not to consider the document after being presented with it.

But the UN committee heard that Jyran faced “state-sanctioned torture” if he were to be refouled. “It is highly likely that the outstanding arrest warrant will be exercised on his arrival in Sri Lanka,” Jyran’s lawyer, Alison Battisson, told the committee.

“Jyran will then be placed in custody. As a Tamil accused of assisting the LTTE, it is then highly likely that Jyran will be subjected to a range of torture practices, including rape.”

There has been widespread reportage of the mistreatment and torture of prisoners by Sri Lankan security forces, including the systematic use of rape.

In July this year the UN’s special rapporteur Ben Emmerson visited Sri Lanka and reported that “the use of torture, has been, and remains today, endemic and routine, for those arrested and detained on national security grounds”.

“Entire communities have been stigmatised and targeted for harassment and arbitrary arrest and detention, and any person suspected of association, however indirect, with the LTTE remains at immediate risk of detention and torture,” Emmerson wrote.

Arrest warrants over alleged links to the Tamil Tigers are often seen as highly politicised or based on limited, or no, evidence.

Battisson, the director of Human Rights for All, said the committee’s interim measure highlighted the serious issues faced by Tamil asylum seekers facing forcible return from Australia.

“By issuing this measure, the UN recognises that Sri Lanka is not safe for Tamils, despite Australia denying refugee status to many Tamils.”

Battisson said she was relieved the committee against torture had chosen to act, and quickly, to prevent the potential refoulement of Jyran.

“These interim measures are quite rare – this illustrates the very real concern the UN has over Australia’s practices of refouling Tamils to Sri Lanka. Sri Lanka is not safe for many Tamils to return to.”

A spokesperson from the Department of Immigration and Border Protection told the Guardian that people with no lawful basis to remain in Australia were expected to return home.

“Australia does not remove people to Sri Lanka who engage Australia’s non-refoulement obligations. Australia takes its non-refoulement obligations seriously, including those under the convention against torture.

“The Australian government considers each interim measures request in good faith and has an established process for considering each request on its merits.”

The department said it would be inappropriate to comment further on individual cases.

The Guardian understands that Jyran remains in immigration detention in Western Australia.

<https://www.theguardian.com/australia-news/2017/dec/14/sri-lankan-man-risks-torture-and-if-deported-from-australia>

16. Tamil asylum seeker to be deported after failing to meet deadline

Detainee struggled to fill out 41-page application form in English – and was not able to access legal assistance in time

The Guardian
Ben Doherty
Wed 20 Dec '17 18.48 AEDT

A Tamil asylum seeker has become the first person slated for deportation – without having his claim for protection even assessed – after falling foul of the ministerial deadline of 1 October to apply.

The man, who has been given the pseudonym Rajah because he remains at risk of being deported, was placed in handcuffs at Villawood detention centre on Wednesday morning and slated for removal in the evening.

It is believed he will be flown back to Colombo via Singapore. Returned asylum seekers are, almost invariably, arrested at Bandaranaike airport.

Rajah arrived in Australia by boat in 2012 seeking asylum, having fled government persecution after Sri Lanka's brutal civil war. His lawyers say he has a credible claim of persecution, based on his Tamil ethnicity and family links to the now-defunct separatist military force the Liberation Tigers of Tamil Eelam, also known as the Tamil Tigers.

In May the immigration minister, Peter Dutton, announced that all asylum seekers who had not yet lodged their claims for protection with the government must do so by 1 October or they would not be considered at all.

He said some were "fake refugees" for whom "the game is up". "They need to provide the information, they need to answer the questions and then they can be determined to be a refugee or not," he said.

Thousands of asylum seekers who had been living in Australia for years had only just had the "bar" to applying for asylum lifted, and the waiting list for legal assistance at refugee legal centres was more than a year in some cases.

All of the new applications were put through the so-called "fast-track" process, which removes many of the safeguards and appeals mechanisms.

Rajah struggled to fill out the 41-page application form in English unassisted, and was not able to access legal assistance before the deadline. Seven thousand asylum seekers were told they needed to meet the 1 October deadline. Rajah was one of 71 who failed to meet the cut-off.

With assistance from the Refugee Advice and Casework Service, he lodged an application for protection during October but was told he had missed the deadline and his claim would not be assessed.

His is the first case that has come to public notice of an asylum seeker being forcibly returned to their country of origin without their protection claim being considered.

Sarah Dale, principal solicitor with the Refugee Advice and Casework Service said Australia was setting a dangerous precedent.

"Based on our experience of thousands of cases, this young man has a credible case for protection, an application has been submitted to the department and the department is ignoring that. Their response, in a nutshell, is he failed to meet their deadline."

But Dale said the deadline was "entirely arbitrary" and without any justification. "We told the government, repeatedly, that this would happen, that people, for a number of reasons, would not be able to meet the deadline, and now they risk being returned to a place where they face potential arrest or torture or harm."

Australia is still legally bound by its non-refoulement obligations under the refugees convention. It cannot return a person to a place "where [their] life or freedom would be threatened".

The return of Tamils to postwar Sri Lanka, by Australia and other countries, remains controversial. There has been widespread reportage of the mistreatment and torture of prisoners by Sri Lankan security forces, including the systematic use of rape.

In July the UN's special rapporteur Ben Emmerson visited Sri Lanka and reported that "the use of torture, has been, and remains today, endemic and routine, for those arrested and detained on national security grounds".

"Entire communities have been stigmatised and targeted for harassment and arbitrary arrest and detention, and any person suspected of association, however indirect, with the LTTE remains at immediate risk of detention and torture," Emmerson wrote.

Arrest warrants issued over alleged links to the Tamil Tigers are often seen as highly politicised or based on limited, or no, evidence.

Australia's department of immigration declined to comment on Rajah's case, but has commented on the return of Tamils generally, and its non-refoulement obligations. "Australia does not remove people to Sri Lanka who engage Australia's non-refoulement obligations," a spokesperson said last week. "Australia takes its non-refoulement obligations seriously."

<https://www.theguardian.com/australia-news/2017/dec/20/tamil-asylum-seeker-to-be-deported-after-failing-to-meet-deadline>

17. UN condemns Australia's forced return of asylum seeker to Sri Lanka

Australian government insists the man, who risks persecution in his homeland, missed deadline to apply for protection

The Guardian

Ben Doherty
Fri 22 Dec '17 16.29 AEDT

The United Nations' refugee agency has condemned Australia's forced return of an asylum seeker to Sri Lanka without any assessment of his claim for protection, saying the man is at serious risk of persecution in his homeland.

The UNHCR had sought assurances from the Australian government the man would not be removed from the country and would be allowed to apply for protection.

But on Wednesday, the man was forcibly removed, in handcuffs, from Villawood detention centre and flown back to Sri Lanka.

The Australian government has maintained that the man was removed because he missed its October 1 deadline to apply for protection, and was deemed not to be seeking protection.

However, lawyers for the man said he had a "credible claim" for protection, based on his Tamil ethnicity, and familial connection to the now-defunct separatist army the Liberation Tigers of Tamil Eelam, the Tamil Tigers. It is not suggested he was a member of the LTTE.

The man had struggled to fill out the 41-page protection application form in English unassisted, and was not able to access legal assistance before the deadline.

With assistance from the Refugee Advice and Casework Service, he lodged an application for protection during October but was told he had missed the deadline and his claim would not be assessed.

Asylum seekers returned to Sri Lanka are routinely arrested at the airport, and jailed at Negombo before facing court. "The use of torture ... [remains] endemic and routine, for those arrested and detained on national security grounds," the UN says.

Lawyers and advocates for the returned man have not been able to contact him since he was returned.

A spokeswoman for the UNHCR, Catherine Stubberfield, said the UN was aware of a number of asylum seekers who were unable to meet the government's deadline of 1 October to submit their applications for asylum.

"Since July 2012, people who sought asylum by sea were excluded from lodging an application in Australia for up to four years.

"While they were all invited to apply by October 2016, some asylum seekers have been unable to complete this process within the time frame for a range of valid reasons, including a lack of access to legal representation. This was the case for the asylum seeker forcibly returned to Sri Lanka this week."

It was a worrying breach of Australia's international legal obligations, Stubberfield said.

"In this context, the return of an asylum-seeker - whose claim for international protection was not considered on its merits - presents a serious risk of return to danger or persecution."

Regardless of ministerial deadlines, Australia is still legally bound by its non-refoulement obligations under the refugees' convention. It cannot return a person to a place "where [their] life or freedom would be threatened".

The return of Tamils to postwar Sri Lanka, by Australia and other countries, remains controversial. There has been widespread reportage of the mistreatment and torture of prisoners by Sri Lankan security forces, including the systematic use of rape.

In July the UN's special rapporteur on counter-terrorism and human rights Ben Emmerson visited Sri Lanka and reported that "the use of torture, has been, and remains today, endemic and routine, for those arrested and detained on national security grounds".

"Entire communities have been stigmatised and targeted for harassment and arbitrary arrest and detention, and any person suspected of association, however indirect, with the LTTE remains at immediate risk of detention and torture," Emmerson wrote.

The 1 October deadline was announced in May by then immigration – now home affairs – minister Peter Dutton, who accused asylum seekers of being "fake refugees".

Seven thousand asylum seekers, many of whom had lived for years in Australia without ever being allowed to apply for protection, were told they must meet the October 1 deadline. It is understood all but 71 met the deadline.

Australia's department of immigration declined to comment on the specific case of the man deported on Wednesday, but has commented on the return of Tamils generally, and its non-refoulement obligations.

“Australia does not remove people to Sri Lanka who engage Australia’s non-refoulement obligations,” a spokesperson said last week. “Australia takes its non-refoulement obligations seriously.”

<https://www.theguardian.com/world/2017/dec/22/un-condemns-australias-forced-return-of-asylum-seeker-to-sri-lanka>

18. 'Sweden sends us to be killed': young Afghans face perilous deportation

About 35,000 unaccompanied minors were taken in by Sweden in 2015, but a change of heart means Afghans are in danger of being returned

The Guardian
Catherine Girouard in Floda
Thu 21 Dec '17 21.36 AEDT

See <https://www.theguardian.com/world/2017/dec/21/sweden-sends-us-to-be-killed-young-afghans-facing-deportation>

19. ABC Fact check: Does Australia run the most generous refugee program per capita in the world?

ABC website
Thursday December 21, 2017

M I S L E A D I N G

See <http://www.abc.net.au/news/2017-12-21/fact-check-george-brandis-refugees-per-capita/9241276>

20. In Rohingya crisis, doing nothing could be a crime

Sydney Morning Herald
December 19 2017
Lindsay Murdoch

Bangkok: The United Nations human rights chief has raised the possibility of Myanmar's civilian leader Aung San Suu Kyi being charged over atrocities against Rohingya Muslims.

Zeid Raad al-Hussein said whether genocide has been committed would need to be decided by an international court but judges could consider the "crime of omission".

FULL STORY AT <http://www.smh.com.au/world/in-rohingya-crisis-doing-nothing-could-be-a-crime-20171219-h07g2z.html>

21. Australia ratifies UN protocol, agreeing to mainland detention centre inspections

Under Opcat, the government will be obliged to establish an independent detention watchdog

The Guardian
Ben Doherty and Helen Davidson
Friday 15 December 2017 18.27 AEDT

Australia has ratified the Optional Protocol to the Convention against Torture – eight years after signing the treaty – acceding to independent inspections of all places of detention in Australia.

The government will formally lodge documents to ratify the Opcat, which builds on the 1985 UN Convention against Torture, in New York next week.

Under the Opcat, Australia will be obliged to establish an independent watchdog, known as a national preventive mechanism, which will have standing powers to conduct regular and random inspections of prisons, immigration detention centres, juvenile detention centres and held psychiatric facilities.

Australian places of detention will also be subject to international inspections by the UN subcommittee on the prevention of torture.

But the watchdog will not have the right to inspect offshore places of detention run by Australia.

The government committed to ratifying Opcat as part of its successful campaign for a seat on the UN’s human rights council.

In a statement on Friday, the attorney general, George Brandis, and foreign minister, Julie Bishop, said the government was committed to ensuring implementation was practical and effective.

“Ratification is not the end, but the beginning of an ongoing discussion about oversight and monitoring,” it said. “Ratifying Opcat demonstrates Australia’s unwavering commitment to international scrutiny and accountability, as Australia prepares to take its seat on the Human Rights Council for the 2018–20 term.”

There is a significant difference between signing an international treaty and ratifying it. By ratifying a treaty, a state consents to be legally bound to adhere to it.

Multiple submissions to the Northern Territory royal commission into the protection and detention of children called for Australia to ratify the Opcat, to strengthen inadequate monitoring processes.

The royal commission found systemic failings of the child protection and justice system in which juveniles were mistreated and, in some instances, abused over the course of 10 years.

Similar concerns, including the alleged use of excessive force, subsequently emerged about Tasmanian, Victorian, and Queensland facilities.

Had the Opcat been in place, the NT centres would have been subject to random unannounced compliance checks, which could also have identified structural issues such as the existence of multiple hanging points.

The royal commission’s final report, delivered last month, found “shocking and systemic failures” in a system which “failed to comply with the basic binding human rights standards in the treatment of children and young people”.

“Ratification of OPCAT and the introduction of a system of inspection mechanisms will directly address concerns raised by the commission about the lack of accountability and transparency in youth detention facilities in the Northern Territory,” the report said.

The Australian human rights commissioner, Ed Santow, told Guardian Australia in February the Opcat would not set up new complaint mechanisms but would make detention reviews more systematic.

“Take a hypothetical example like Don Dale – if Opcat was in place then an inspector would have gone into Don Dale and asked some serious questions about why spit hoods were used on juvenile detainees,” he said.

The Human Rights Law Centre said ratification of Opcat was an important step towards transparency because successive Australian governments had maintained an “out of sight, out of mind” approach to places of detention for too long.

But Daniel Webb, the HRLC’s director of legal advocacy, said the Australian government could not just pick and choose which facilities it was happy to have scrutinised, and to shield offshore detention from inspection.

“The whole purpose of this treaty is to prevent abuse through transparency. It defeats that purpose if our government can just decide to keep its deepest darkest sites of misery and suffering deliberately shielded from scrutiny,” Webb said.

Webb said the timing of the ratification — just before Australia begins its term on the Human Rights Council — showed that the government recognised the need to improve its human rights performance before taking a seat on the world’s highest human rights authority.

Save the Children director Mat Tinkler said the ratification of the Opcat had been a recommendation of several inquiries.

“We must have strong, independent safeguards and oversight around conditions in places of detention, and the ratification of Opcat goes a long way towards achieving this,” he said.

“However, we remain concerned that this announcement, whilst welcome, is unlikely to have any direct benefit to those children and their families still held within Australian run offshore immigration facilities such as those on Nauru.”

<https://www.theguardian.com/australia-news/2017/dec/15/australia-ratifies-un-protocol-agreeing-to-mainland-detention-centre-inspections>

22. Peter Dutton’s Department Is Routinely Delaying Information Requests From Journalists And MPs

A review by Australia’s freedom of information watchdog found the delays were “systemic”.

BuzzFeed Australia

Posted on December 19, 2017, at 6:14 a.m.

Paul Farrell, BuzzFeed Senior Reporter

Australian journalists and members of parliament seeking information about the country's immigration detention regime are experiencing extreme and "systemic" delays, an excoriating review by Australia's freedom of information watchdog has found.

The information commissioner initiated an investigation after an internal email was accidentally sent to the Guardian that suggested the department was "freezing" freedom of information (FOI) requests about Nauru. It followed renewed attention of Australia's detention regime after the publication of the Nauru files.

The findings of the year-long investigation by commissioner Timothy Pilgrim, released to BuzzFeed News last week, has revealed serious shortcoming in the department's handling of information requests, and affirmed that there was a "hold" on requests about Nauru.

The investigation found that all requests from journalists and MPs are treated as "significant/sensitive", and are routinely subject to lengthy delays in breach of freedom of information laws.

It found that at least four Nauru related FOI requests were put on hold due to delays in internal consultations. The reasons for failing to process other FOI requests include: misapplication of the provisions of the FOI Act; delays in allocating FOI officers; and little or no communication about requests.

It also suggests the department's media team may have played a role in vetting FOI requests. It states that another issue was "delays caused by the involvement of the department's media team".

The review also reveals that the immigration minister Peter Dutton was routinely given a heads up by the department prior to the release of documents to journalists and members of parliament.

"Based on the information before me, I find that the department's failure to meet the statutory processing time for processing 'significant/sensitive' and non-personal FOI requests is systemic," Pilgrim wrote.

"It is also apparent that in the majority of cases, the delay has been caused by internal factors, particularly the internal consultation process."

Shadow immigration minister Shayne Neumann said: "This investigation has exposed the Department of Immigration and Border Protection's culture of secrecy and its failure to meet the statutory processing times for Freedom of Information requests.

"I know first-hand the department's systemic failure to meet statutory timeframes and process FOI requests within 30 days. I submitted a simple FOI request to the department in October 2016 and only received a decision this month — 426 days after my initial request."

Neumann also said the immigration minister needed to explain "whether he or his staff members have ever asked the department to go slow on FOI decisions or asked for certain information to be withheld."

Australian Greens senator Nick McKim said there was "no reason at all for journalists' FOI requests to be handled under a separate process, nor should they be subject to political interference and meddling".

He said that "the buck of course stops with Peter Dutton".

"He will do whatever it takes to keep secret the horrors of offshore detention, including repeated breaches of freedom of Information laws," McKim said.

Dutton has not responded to requests for comment about the review, or his office's involvement with journalists' FOI requests.

Senior immigration department officials had previously denied there was any "freeze" on processing requests about Nauru.

In Senate Estimates this year department secretary Michael Pezzullo and assistant secretary Ben Wright were questioned about the internal delays. Wright told parliament: "We process all our FOI requests as per the FOI legislation and definitely there is no freeze on FOI requests."

He later added: "The use of the terminology 'freeze' was not correctly done. There was no freeze on FOI requests and the officer was doing internal consultation with the area that the FOI related to. And I would say it was a poor use of terminology by the officer involved."

But the review found that: "It is apparent that the FOI section was asked to put the processing of the four Nauru-related requests on hold pending advice from other business areas within the Department when the statutory timeframes for processing the requests had already expired.

"In my view, such conduct shows a disregard for the statutory processing timeframes set out in the FOI Act and frustrated the FOI section's attempts to process the relevant requests in a timely manner."

When asked about these statements, a spokesman for the department said: "There is no discrepancy between the findings of the information commissioner and the department's testimony to the Senate.

"The information commissioner's statement is consistent with the department's statements to the Senate and clearly shows that the delay in the processing of these FOI requests related to the requirement for further consultation."

Despite the findings in the review, the department is continuing to breach statutory deadlines for processing requests for information. The department was recently ordered by the information commissioner to release more than 1,200 pages of documents about Nauru to BuzzFeed News by December 15. But it failed to meet this deadline.

The acting director of the freedom of information division Karen Tulloch said the department would aim to process the request by 31 January 2018.

"We are actively processing this request, however due to the size of the request, and the time of year, it will take some time to provide you with a decision on all of the documents within the scope of the request," she wrote.

The information commissioner made seven recommendations to the department, and has asked it to respond by March 2018 to the review.

<https://www.buzzfeed.com/paulfarrell/peter-duttons-department-is-routinely-delaying-information>

23. MEDIA RELEASE: PNG Supreme Court rules major victory for Manus asylum seekers

Friday December 15, 2017
Refugee Action Coalition
Ian Rintoul 0417 275 713

The full bench of the PNG Supreme Court today (Friday) finally handed a ruling formally finding that the human rights of all those sent to Manus Island have been breached.

The victory comes after almost two years of deliberate attempts by the Australian and PNG governments to stall and frustrate the case.

The finding opens the way to a major compensation and also for consequential orders against both the PNG and Australian governments. Asylum seekers who missed out on compensation from the Slater and Gordon case will be eligible for payment for the breaches of their human rights.

It is understood that the Australian government has undertaken to pay any costs and compensation arising from the case.

"It is a major legal victory for the asylum seekers on Manus Island. Summary judgement and consequential orders are expected to follow today's ruling in a February 2018 hearing of the Supreme Court. It goes beyond the Salter and Gordon case by providing a legal ruling that the asylum seekers were unlawfully detained. This will cost the Australian government, politically and financially," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"At the February hearing, the PNG lawyers will be seeking orders that the Australian and PNG government provide a safe, third country for the asylum seekers unlawfully sent to Manus Island."

In a separate (but related) application by Kurdish refugee Behrouz Boochani, the Supreme Court has set down a hearing on 5 February to consider the substantive issues of human rights breaches involved in the siege of, and forced eviction from, the Manus detention centre at Lombrum.

"As suggested by the Chief Justice of the Supreme Court, the PNG lawyers will be seeking damages for the human rights breaches associated with the eviction from Lombrum and the on-going breaches associated with the inadequate and inhuman conditions of the three detention areas on Manus," said Rintoul.

"Today's finding is a belated legal ruling of what we all knew - and was established in the Namah case in April 2016 - that the agreement between PNG and Australia was unlawful and that the asylum seekers were illegally held there.

"Now the government can no longer hide behind the lie that the Manus asylum seekers and refugees are PNG's responsibility. The government must provide a safe third country to all the asylum seeker and refugees and brings all those who want to come, to Australia."

For more information contact Ian Rintoul 0417 275 713

24. Second cohort of Nauru and Manus refugees to be resettled in US

Majority of refugees to be resettled in the new year are from Pakistan and Afghanistan

The Guardian

Ben Doherty

Friday 15 December 2017 15.00 AEDT

Nearly 200 refugees from Australia's offshore detention islands of Nauru and Manus will be resettled in the United States in the new year.

But the newly-reinstated travel ban imposed by US president Donald Trump is excluding certain nationalities, including Iranians and Somalis, from resettlement.

Iranian refugees have been told the president's executive order has meant "the United States government is currently undertaking an additional review of refugees resettlement from selected countries worldwide and will temporarily prioritise refugee applications from other countries".

"This means that refugees processing from selected countries, including in your resettlement case, will occur at a slower pace."

The Trump travel ban, reinstated by the US supreme court earlier this month, suspends the entry into the US of nationals from Chad, Iran, Libya, Somalia, Syria, Yemen, North Korea and Venezuela.

Iranians make up the largest cohort of refugees on both of Australia's offshore processing centres. The Guardian understands about 130 people from Nauru have been accepted to move to the US, and close to 60 from PNG.

The group will be the second cohort resettled under the US deal brokered in 2016, after 54 refugees went to the US in September.

The majority of refugees accepted for resettlement in the current group are from Pakistan, Afghanistan, and stateless Rohingyas from Myanmar and Bangladesh.

On Nauru, young men from Afghanistan and Pakistan, who arrived on the island as unaccompanied children but have since reached adulthood, have been accepted for resettlement. Some Iranian refugees have been rejected. Several families, from Iran and Sri Lanka, have also been rejected.

On Manus, Sudanese refugee Abdul Aziz Muhamat said those accepted for resettlement had been told they will leave for the United States on 12 January.

"Those who received their results today were so excited that they will fly to the US ... and the others in the camps are so sad because their names are not on the list. I hope everyone will get his freedom to a safe country soon.

"The US deal will take many months or years and will not provide places for everyone. We will continue our protests on Manus until there is a safe country for everyone."

Ezatullah Kakar, a Pakistani refugee, told the Guardian he was still waiting for an interview for his resettlement. His roommate has left Manus for Port Moresby, ahead of flying to the United States next month.

"We are still waiting. Of course it's hard. And it's the same game, like other people on our boats, we were all in Christmas Island and they went to Australia and we were sent to Manus."

Kakar said the US resettlement process would likely take months for those still waiting for initial interviews.

"It's very hard; I can't believe they are wasting all this time."

Last week, Australian immigration minister Peter Dutton said the resettlement process was the bailiwick of US authorities, but that the process was progressing.

"I am hoping there can be an uplift as soon as possible but that is an issue for the United States ... and interviews continue, the background checks, and all of that process that the United States is involved in continues."

Department sources say there is increasing confidence the US will accept close to the 1,250 refugees it has previously publicly suggested could be settled, and that that figure could be reached by the end of its current annual intake, which resets in October.

The 1,250 would not be enough to clear Australia's offshore islands of refugees. There are about 1,600 refugees currently held in both Nauru and PNG.

Asylum seekers found not to meet the criteria for protection under the refugees' convention are not being considered for US resettlement.

Ian Rintoul, from the Refugee Action Coalition, said the latest cohort to be accepted for resettlement was "great news" for those selected.

"But it also exposes all the problems that exist with the US deal: the selective nature of the agreement; the travel ban having an impact. People have been waiting over four years, but so many still don't know what is going to happen to them.

"The US deal is not going to provide enough places for all the people found to be owed protection. That has created enormous anxiety and distress."

<https://www.theguardian.com/australia-news/2017/dec/15/second-cohort-of-nauru-and-manus-refugees-to-be-resettled-in-us>

25. Up to 200 refugees to leave Manus Island and Nauru for United States in January

The Age
December 15 2017 - 10:58AM
Michael Koziol

Close to 200 refugees on Manus Island and Nauru have been accepted for resettlement in the United States in a significant progression of the deal struck by Malcolm Turnbull and former US President Barack Obama.

Fairfax Media understands about 130 people on Nauru, including families, and about 60 men on Manus Island, have received final approval to go to the US. Refugee advocates expect the refugees to fly out in January.

They would be the first refugees to leave Manus Island and Nauru for the US since an initial group of 54 flew out in late September.

Refugee Action Coalition spokesman Ian Rintoul, who maintains direct contact with people on both islands, said it was "pretty clear there'll be about 130 on Nauru" who will be accepted in this round. However, they would need to undergo a second round of medical checks because the previous ones had expired, he said.

It is understood about 60 men on Manus Island have also been accepted for resettlement. According to Natasha Blucher from the Asylum Seeker Resource Centre, 44 men flew from Manus Island to the Papua New Guinean capital Port Moresby on Monday to receive their approval letters.

About a third of the men were Rohingyas, and the group also included refugees from Pakistan, Afghanistan, Iran, Iraq and Sudan, Ms Blucher said.

"Everybody's really excited and happy about it," she said. "The same issue remains - a lot of people are happy about it if they're going [but] there's still a huge number of people who have no outcome and are struggling."

A spokeswoman for Immigration Minister Peter Dutton would not comment on the numbers but confirmed US officials were on the islands.

Last week Mr Dutton indicated developments were under way but played down suggestions that up to 300 refugees could leave Manus and Nauru by Christmas.

"I don't think we will see numbers of that order, but obviously there have been some hand downs in Nauru, some hand downs in PNG as well, both positives and negatives," he said.

"I am hoping there can be an uplift as soon as possible but that is an issue for the United States. I don't think you will see numbers quite as high as that, but there will be - on top of the 54 that have already departed - a number who will go. And interviews continue, the background checks and all of that process that the United States is involved in continues.

"There has been no pushback from the US at all in relation to the screening process. So let's wait and see what happens."

The Turnbull government resists public commentary on the resettlement arrangement due to sensitivities around it in the US, where President Donald Trump reluctantly agreed to honour what he dubbed a "dumb deal".

The US notionally agreed to take 1250 refugees from Manus Island and Nauru, subject to security vetting, but the timetable is in the hands of US authorities and it could take another 12 months to fill the quota.

It is estimated about 1600 refugees remain across both countries, meaning some would miss out even if the US filled the quota. The refugees in PNG are all single men while families including men, women and children are in Nauru.

<http://www.theage.com.au/federal-politics/political-news/up-to-200-refugees-to-leave-manus-island-and-nauru-for-united-states-in-january-20171214-h0531z.html>

26. International artists join protests against NGV use of Wilson Security

Artists criticise Wilson's record on Manus Island and Nauru and rename works demanding company's contract with national gallery is severed

The Guardian
Steph Harmon
Thursday 14 December 2017 20.40 AEDT

International artists including Richard Mosse and Candice Breitz have joined protests calling for the National Gallery of Victoria to drop its contract with Wilson Security, which provided services at offshore detention facilities on Manus Island and Nauru.

The artists renamed or changed their exhibiting works and activists disrupted Thursday night's VIP preview of the Triennial, a major art and design exhibition.

Mosse, a Prix Pictet-winning artist, called for an immediate end to Wilson's contract with NGV: "I understand that the decision to hire Wilson Security on an interim basis was not made by the museum, but by a state panel, and that during the tendering process the gallery cannot legally respond to this statement."

But Mosse said he and his collaborators, Trevor Tweeten and Ben Frost stood "in solidarity with the Artists' Committee, who call for the immediate termination of the Wilson contract."

Mosse altered one of his works on refugees – a sixteen channel flatscreen video grid showing conditions inside Moria refugee camp on the Greek island of Lesbos – to include a statement from Kurdish human rights activist, filmmaker and refugee Behrouz Boochani, who is detained on Manus Island.

"He has sent us a video statement by smartphone which we will install within our exhibit as a gesture to remind viewers of the museum's ongoing and unacceptable relationship with Wilson Security," Mosse said.

Mosse praised the Triennial's "extraordinary curation" that showed the NGV was committed to raising awareness about the plight of refugees around the world, and said the gallery's support was key to getting his vast film installation, *Incoming*, made. It documents the flight of refugees in Syria, Iraq and elsewhere.

Wilson Security has been contracted to the NGV since July, after the gallery's former security company was dumped over a wage scandal in May. But the company has been subject to serious allegations of sexual assault and violence against refugees and asylum seekers, including children and women, in its time contracted to detention centres on Nauru and Manus Island.

In August, the NGV released a statement clarifying that Wilson Security was the gallery's "interim security service provider", chosen by the Victorian government security services panel. It said it was "in the process of securing a long-term security services provider, who will be selected and appointed through a public tender process as part of a revised Victorian government security services panel later this year".

In August 2016, Guardian Australia's investigation into the Nauru Files revealed incident reports detailing allegations of Wilson employees assaulting asylum seekers and refugees, sexually assaulting women and children, and attacking and choking children.

The files also suggested the company had been routinely downgrading incident reports of self-harm and sexual abuse made by other companies, and had failed to disclose at least 16 cases of sexual violence and child abuse during a Senate inquiry into abuses in offshore detention.

The company told the inquiry: "Wilson Security is committed to providing a security service... that supports the wellbeing of asylum seekers and minimises harm. Our work is supported by a set of robust policies, procedures and processes, which ensure that we continually reduce the number, type and severity of incidents."

Wilson announced in 2016 it would no longer work in offshore detention at the expiration of its existing contract, which ended in October 2017. However, the company reportedly remains working on both Nauru and PNG. Wilson Security was approached for comment.

South African artist Breitz also has work in the Triennial. Her video installation features Hollywood actors Julianne Moore and Alec Baldwin giving voice to the stories of six refugees who fled oppressive conditions in their countries.

Breitz announced this week she was changing the name of the piece from Love Story to Wilson Must Go, effective until the NGV severs its contract with Wilson security. She invited other contributing artists to do the same.

“The horrific effects of indefinite mandatory detention are well-documented,” Breitz wrote in a Facebook post titled Why I’m Sabotaging My Own Work. “The allegations against Wilson Security since the commencement of their contracts on Manus Island and Nauru in 2012 are extensive and disturbing.”

Wilson Security provided a statement in response to the Guardian’s request for comment on Thursday.

“Wilson Security’s continuation of services at the Nauru Regional Processing Centre reflects our ongoing commitment to the safety and security of all residents. To assist with a seamless transition, Wilson Security will continue to provide security services as a subcontractor to Canstruct - the provider appointed by the Australian government.

“Wilson Security categorically rejects Candice Breitz’s false claims, which are not based on any evidence or fact.”

The blockade of the entrance to the NGV on Thursday is the latest in a recent string of actions taken by the Artists Committee, a collective of artists and arts workers who are protesting the NGV’s contract with the security company.

A small group of protesters with an anti-Wilson Security sign were at two of the main entrances on Thursday evening, and police were nearby. Some groups of VIP guests were ferried into an alternate entrance, but patrons who approached the blockade were handed flyers from Artists Against Abuse.

“We want to assure you that our protest is not directed at at you [patrons], the artists, or individual security staff members, but at Wilson Security, the NGV governance and, by consequence, the state government,” the flyer said. “We feel that it has come to the point where we must place pressure on the NGV via their biggest supporters – their VIPs.”

With Ben Doherty and Brigid Delaney

<https://www.theguardian.com/australia-news/2017/dec/14/international-artists-join-protests-against-ngv-use-of-wilson-security>

27. Barnaby Joyce says New Zealand should 'back off' on offer to resettle refugees

Deputy PM says Jacinda Ardern’s pledge to resettle up to 150 refugees from Manus Island could jeopardise the countries’ relationship

The Guardian
Ben Doherty
Wednesday 13 December 2017 14.39 AEDT

Recently renounced New Zealand citizen Barnaby Joyce has said his former homeland should back off on its offer to resettle refugees from Australia’s offshore detention regime.

In an interview with Newstalk ZB in New Zealand, the recently-reinstalled deputy prime minister of Australia issued a veiled threat to the NZ prime minister, Jacinda Ardern, that her commitment to the offer could jeopardise the two countries’ relationship.

Asked if New Zealand should “back off” on its refugee offer, Joyce warned: “I think it’s best if you stay away from another country’s business. I find that. Otherwise they’ll return the favour at a time they think is most opportune for them.

“Respect country’s sovereignty and let them sort out their own issues, and if you’re going to talk to them at all, talk to them discreetly, not by telephone, not by TV.”

Joyce said asylum policy had been a major issue for the Australian government.

“First of all, you’ve got to have control of your borders, otherwise the people in your country will just not vote for you. They want you to have strong border control.

“If you allow other people to make those arrangements, what you’re doing is handing your immigration policy across to criminals.”

Joyce said the government’s strong border policies had stopped drownings at sea “and that’s precisely what we wanted”.

New Zealand has had a standing offer to Australia to resettle 150 refugees from Australia’s offshore detention centres every year since 2013. Australia has consistently rejected the offer.

The detention centres – designed as temporary processing facilities – have held people for more than four years, and have been plagued by allegations of violence, including murder; sexual predation of men, women and, in particular, children;

medical neglect leading to death; high rates of suicide and self-harm; and other human rights abuses. They have been condemned by governments around the world, the United Nations, and human rights groups.

Since her election in October, Ardern has publicly reiterated the offer to resettle refugees, and said she held “grave concerns” for their safety on offshore islands. She committed \$2.7m from the New Zealand government for essential services for those on the islands.

But Ardern said she had barely spoken about the offer publicly in recent times.

“I haven’t raised this as an issue for weeks. I’ve been asked questions because my Australian counterparts have spoken of it, that is the only reason,” she said. Asked if Australia was being overly sensitive, Ardern replied “yes”.

Relations between Australia’s Coalition government and New Zealand’s new Labour government have been patchy in recent months, not helped by the intervention of Australia’s foreign minister, Julie Bishop, who said in August that she would “very hard to build trust” if Labour won.

That followed accusations by senior Coalition minister Christopher Pyne, who claimed New Zealand Labour was part of a conspiracy to bring down the Australian government after a NZ Labour MP asked questions about Joyce’s citizenship in parliament.

“Clearly the Labor party are involved in a conspiracy using a foreign government, in this case New Zealand, to try and bring down the Australian government,” Pyne said.

Joyce was a New Zealand citizen until August when he renounced it in order to recontest his seat in the Australian parliament.

He had been disqualified by the high court, under section 44 of the constitution, which prohibits dual citizens from serving in parliament.

Joyce won – with an increased majority – a byelection in New England and has been returned to the parliament and the cabinet, as deputy prime minister.

<https://www.theguardian.com/australia-news/2017/dec/13/barnaby-joyce-says-new-zealand-should-back-off-on-offer-to-resettle-refugees>

28. New Zealand creates special refugee visa for Pacific islanders affected by climate change

The Straits Times, Asia
Dec 9, 2017, 8:33 pm SGT

SYDNEY - With ocean levels rising in recent decades due to the warming planet, one of the most direct effects has been on the residents of low-lying Pacific nations where coasts have been subsiding and some islands have disappeared.

The result is a looming wave of "climate refugees" who are set to present a new migration problem to the region.

As some Pacific countries prepare to relocate entire communities, New Zealand's newly-elected Labor-led coalition government has become the first country in the world to introduce a climate refugee scheme.

The Prime Minister, Ms Jacinda Ardern, plans to create a special refugee visa for Pacific Island residents who are forced to migrate because of rising sea levels. The government wants to discuss the scheme with Pacific nations next year and plans to start with 100 places annually.

In an interview this week organised by a United States-based climate change advocacy group, former US Vice-President Al Gore, a prominent campaigner on climate change as well as the environment, asked Ms Ardern about the scheme.

"We are anchored in the Pacific," Ms Ardern said.

"Surrounding us are a number of nations, not least ourselves, who will be dramatically impacted by the effects of climate change. I see it as a personal and national responsibility to do our part."

Mr Gore responded: "The whole world is pulling for you."

Ms Ardern's proposal marks a turnaround for New Zealand, which made international headlines in 2015 when a court rejected a Kiribati man's claim for climate refugee status.

The claim was launched by Mr Ioane Teitiota, who was seeking legal recognition as the world's first climate change refugee. He said rising sea levels threatened to overrun his home in the island nation of 100,000 people and made it too dangerous for him, his wife and three children to return home.

But the New Zealand Supreme Court rejected his bid and he was deported.

"In relation to the refugee convention, while Kiribati undoubtedly faces challenges, Mr Teitiota does not, if returned, face 'serious harm'," the court ruled.

"There is no evidence that the government of Kiribati is failing to take steps to protect its citizens from the effects of environmental degradation to the extent that it can."

Melting ice and warmer temperatures have caused ocean levels to rise by 1.7 millimetres a year over the past century but the rate has increased to more than three millimetres a year since the early 1990s.

The rises, combined with worsening extreme weather events such as cyclones and flooding, have already forced entire communities to relocate on low-lying Pacific islands.

Some nations, such as Fiji, have introduced government-run schemes to relocate communities. About 80 communities in Fiji are considered at risk.

In Kiribati, the government has purchased land on Fiji to ensure it has food security as its arable land comes under threat from climate change. Fiji has promised to relocate Kiribati residents if their country becomes submerged.

There are growing calls for the international community to assist.

Analysts have applauded New Zealand's climate refugee visas, but some noted that the government could face pressure to accept people fleeing disasters which are not directly climate-related, such as tsunamis or earthquakes.

An international relations expert, Assistant Professor Nina Hall, from Johns Hopkins University, said New Zealand may need to consider programs for relocating entire communities rather than individuals. She said an international response will be needed, suggesting New Zealand should work with countries such as Norway, Germany, Bangladesh and Switzerland which have been leading the push for a global scheme to assist those displaced by natural disasters.

"(New Zealand) should be applauded for seeking to offer protection to those not currently protected by existing international refugee law, particularly in a time where many other Western countries are tightening their borders," Dr Hall wrote on The Conversation website on November 30.

"But, in doing so, the government should think carefully about the aims of this visa category, and orientate their climate change, humanitarian and migration policies toward Pacific needs."

Analysts have also suggested that the international focus should be on cutting carbon emissions to try to ensure that Pacific islanders can remain in their homes and have a long-term future.

These calls have been supported by the islands themselves, which have urged stronger international action.

But for some islanders, any such action is already too late.

At a Pacific islands conference in Fiji last week, Ms Telstar Jimmy, a student from Vanuatu, described the experience of having her family relocated several times due to climate-related disasters.

"The foundations of our unique heritage were taken," she told the Thomson Reuters Foundation.

"Relocation just meant safety and continuing to exist. But now the question is, safe and existing for how much longer?"

<http://www.straitstimes.com/asia/australianz/new-zealand-creates-special-refugee-visa-for-pacific-islanders-affected-by-climate>

29. Locals threaten violence against Manus Island asylum seekers at new accommodation

ABC News Online

By Papua New Guinea correspondent Eric Tlozek

Monday December 11, 2017

Asylum seekers on Manus Island say local people are threatening to kill them after they moved into new accommodation in the island's town.

The men have provided video evidence of local men — who appear to be drunk — coming to their accommodation and threatening them.

In one incident, in the early hours of the morning on December 10, a group of four men approached the main gate of the West Haus accommodation compound.

A video filmed by asylum seekers shows one man holding what looks like a metal bar or pipe.

The man was stopped from entering by security guards, but he threatened asylum seekers through the gate.

"You're dead meat," he said, before adding "Mi bai killim yu", which means "I will kill you" in New Guinea pidgin.

Pakistani refugee Ijlal Haider witnessed the man's outburst.

"They're saying, 'I will kill you and don't come to outside'," he said.

Mr Haider said it was not the first time locals have threatened refugees in their new housing, where they were forcibly taken two weeks ago.

"Very dangerous, we every night afraid, we thinking they are coming," he said.

"We are not safe here, so please help us."

The media and aid groups have been barred from entering the new accommodation, but earlier that evening, another drunk man was let inside the supposedly secure compound known as Hillside Haus.

A video shows him demanding food and going into the mess area.

"Give me chicken and everything," he can be heard saying.

"I'm the landowner."

Security guards tried to cover up the incident, telling asylum seekers to delete their videos of the man's incursion.

Iranian refugee and journalist Behrouz Boochani said guards allowed the man to stay because he claimed to own the land.

"He was there for half hour but the security couldn't do anything because he was saying that this land was for me and it belongs to me and nobody can prevent me," he said.

Mr Boochani said the incidents showed the growing anger of local people over the relocation of asylum seekers and refugees to the main town on Manus Island.

"The problem is that these two places are located in a place exactly beside some of the locals' village and it's really high risk," he said.

About 60 of the refugees on Manus Island will be flown to Port Moresby this week for further processing by the United States Government, and could be on their way to the US soon after that.

But because the US has not said how many refugees it will take, the hundreds of men who remain on Manus do not know if they will have the same opportunity, and do not know how long they will have to remain on the island.

<http://www.abc.net.au/news/2017-12-11/manus-island-asylum-seekers-threatened-by-locals/9244834>

30. 'I will kill you': video contradicts Peter Dutton's claim refugees were lying

The immigration minister says claims of threats are 'complete nonsense' and 'some advocates are behind the lies', but video shows otherwise

The Guardian

Helen Davidson

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Australia's immigration minister has accused refugees on Manus Island of lying about being threatened by locals, despite video of at least one incident.

Asylum seekers and refugees have claimed they have been subjected to multiple threats from local Papua New Guineans since being removed from the Australian-run detention centre and placed in accommodation in Lorengau.

Separate videos provided by refugees to Guardian Australia show two apparently intoxicated men at the transit centre, one of whom made death threats.

In one clip, which refugee and journalist Behrouz Boochani said was shot on Saturday, a man staggers around the outside of a building at West Haus wielding a long metal implement. He gestures towards a person or people out of shot, shouting “You are a dead man” and “I will kill you” in Tok Pisin.

He continues to shout and wave the weapon around as another man drags him away.

The video, shot through the metal fence, shows the man throw a rock at the centre before leaving.

But in Canberra on Monday Peter Dutton said the refugees’ claims of being threatened were “complete nonsense”.

“The propaganda must stop,” he said. “I didn’t put them on Manus Island but I have the job to get them off.

“Some people are lying. There is no question of that. Some advocates are behind those lies,” he said.

“I want people off Manus Island, I want them off as quickly as possible, but the job is made harder by the propaganda being spread by people online, including advocates here and some advocates on the island as well. Any other questions on other issues?”

A second video, purported to be shot last week, shows a man who appears to be intoxicated enter a building with several refugees inside. He claims to be the landowner and security let him pass. The man demands food.

“I’m the owner of this place,” he says.

A security guard then turns to the camera and tells the operator to “Switch it off” and “Delete that now”.

Boochani said the man seemed drunk but did not threaten violence, and eventually police removed him.

The final few hundred refugees and asylum seekers were forcibly removed to Lorengau after an almost month-long standoff in the detention centre. The men refused to leave because they said they feared for their safety in Lorengau.

In the days afterwards some were moved into the two unfinished accommodation centres, someone broke in to shut down the generator, and a group of locals staged a blockade protest at the entrance.

Boochani told Guardian Australia the two incidents followed others.

“Last week, on December 7, an angry local man came to Hillside, yelling at security and refugees: ‘You must leave’,” he said.

“In another incident on December 6 at 5pm a man stopped a Bangladeshi refugee on the road to Hillside, held a knife to his body and searched him. The refugee said police appeared and helped him, and the man ran away.”

Boochani said the new accommodation camps were close to a village and they had warned authorities that would create more conflict.

“No one should blame the local people for this situation,” he said.

“The government doesn’t respect them and dropped 600 foreign men in their small community. It’s a problem created by the Australian and PNG governments and they benefit from making the place unsafe for refugees, to put pressure on them to return to their home countries. It’s not safe there, and it’s not safe here.”

Last week refugees were told if they wanted to apply for US resettlement – as part of a deal struck between the Australian government and the Obama administration over a year ago – they would have to fly to Port Moresby. About 60 were given appointment slips and had travel arranged to meet officials on Wednesday.

<https://www.theguardian.com/australia-news/2017/dec/11/peter-dutton-accuses-manus-island-refugees-of-lying-about-being-threatened>